



**Review of Child Safeguarding Practice
in the Rosminians (Institute of Charity)
undertaken by**

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

Date: 25th June 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 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 Rosminians Institute of Charity* 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 us by the Rosminians along with interviews with selected key personnel who contribute to safeguarding within the Rosminians. The records relating to allegations of child abuse held by the Rosminians contain significant information presented to the Residential Institutions Redress Board and the Commission to Inquire into Child Abuse (Ryan Commission). The NBSCCCI sought legal advice about accessing that information as part of this review. The advice was clear in stating that the legislation that underpinned both the Redress Board and the Commission to Inquire into Child Abuse prohibits the disclosure of any information outside of those processes.

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 in redacted form before being submitted to the Provincial, along with any recommendations arising from the findings.

Introduction

The Rosminian congregation (formally called the Institute of Charity) was founded by Antonio Rosmini in Italy in 1828 so that people who seek God might have the support and love of one another on the journey of life. The Rosminians believe that this journey can best be followed when people turn to one another for support and treat one another with dignity and respect. The Rosminians were recognised as a religious congregation by the Church in 1836. The congregation, whose membership was initially composed of Italian priests, established itself in England in the 1830s, and subsequently in Ireland in the 1840s.

The charism of the Institute of Charity (hereafter the Rosminians) is to live an intentional relationship with God and to respond to the needs of people in collaboration with a church authority. In Ireland the Rosminians collaborated with the Society of St Vincent de Paul in the 1860s to found a reformatory at Upton, Co Cork, which later became St Patrick's Industrial School. St Patrick's ceased to function in this capacity in 1966, and subsequently re-opened in 1972 as a centre for adults with learning disabilities. It was transferred in the 1990s to the ownership and management of the HSE. Some 10 years after opening St Patrick's, the Rosminians established a second Industrial School - St Joseph's Industrial school in Ferryhouse, Clonmel, Co Tipperary, which transferred to the Department of Education in 2002. St Joseph's was an Industrial school for the best part of the 20th century, until changes in legislation in recent decades. In 1901 the Rosminians established a community at Omeath, Co Louth. This was initially a house of formation, but in the 1950s it became a post primary boarding school until its closure in 1986. They also established Kilmurry House in Kilworth, Fermoy, Co Cork as a Novitiate from 1932 until 1972, and took over the running of St Joseph's School for the Blind in Drumcondra, Dublin from 1953. A company, which is now called Childvision, was established by the Rosminians in 2008, and a Board of Directors and CEO is now in place and is responsible for the services to blind and visually impaired children. In 1960 Glencomeragh House, Kilsheelan, Co Waterford was opened as a house of Formation. In the mid-1940s the Rosminians also established a mission in Tanzania, East Africa.

There are currently 26 Rosminian priests and brothers in Ireland. The size of the congregation grew in the first half of the 20th century, peaking at 86 in 1961 (with an additional 60 men overseas). Since then the population has been in steady decline, and there are currently no men in formation. The average age is now over 70 years. Rosminians live in 7 locations, where they provide parish, pastoral, retreat and chaplaincy services – in Innishannon, Co Cork, in Glencomeragh Co Waterford, in Doire na hAbhainn, Clonmel, Co. Tipperary in St. Oliver's Parish, Clonmel Co Tipperary, in Faughart, Co Louth, in Omeath Co Louth, and in Drumcondra, Dublin. They currently undertake the management and administration of 2 diocesan parishes, both of which were opened in the 1980s – St Oliver's Parish, Clonmel Co Tipperary, and St Brigid's Parish, Kilcurry, Dundalk, Co Louth, and also contribute to parish ministry in Omeath. Co Louth. There are also some Irish Rosminians in East Africa. The Rosminians do not provide any services directly for children or young people in Ireland.

The Rosminians have a global membership of 250, spread across 5 Provinces in Italy, Venezuela, India, East Africa, and the Gentili Province (which administers Ireland, the U.K., the USA and New Zealand). The Congregation is led by the Superior General (currently Fr Vito Nardin) who is based in Rome, and is supported by a General Council. The congregation holds an Assembly every second year (which does not have deliberative powers), and a General Chapter every 10 years.

The leader in each community/house in Ireland is called a Rector, and Rectors relate in Ireland to 2 Provosts (each responsible for a number of communities/houses). Provosts in turn report to the Gentili Provincial (currently Fr Joseph O'Reilly), who is assisted by a 7 person Provincial Council, meeting 4 times per year. Accountability for child safeguarding in the Gentili Province rests with the Provincial.

The history of child safeguarding in the Rosminian Congregation in Ireland is dominated by the narrative of conditions in the 2 Industrial Schools at Upton and Ferryhouse described in the Report of the Commission to Inquire into Child Abuse 2009 (Ryan Report). The Residential Institutions Redress Board was established in 2002, and has processed a number of claims from previous pupils of the Rosminian managed Industrial Schools. The Ryan Report dedicated three chapters (Volume 2, chapters 1-3) to the Rosminian-managed Industrial Schools, based on evidence from 40 witnesses taken between 2004 – 2006. Full details of the extent of the sexual abuse and the wider use of corporal punishment is described in the Report (Ryan), and the response of the Rosminian authorities was then described as wholly inadequate. It further records that abuse was not reported in writing to the Gardai until 1995, and that the impact of sexual abuse on the boys was not considered by the Rosminians (Ryan 2; 3.325). The Rosminians, however, are commended by the Commission for the attitude which they displayed in their responses to its work, in particular their refusal to take up an adversarial approach, their sympathetic questioning of witnesses, and their proffering of apologies (Ryan 2; 3.453). Their final submission is described as 'balanced and humane'. The report states that the Rosminians began looking back critically at the operation of the Industrial Schools from the early 1990s. One of the submissions to the Commission by the Rosminians acknowledged that they were attempting to manage a system that was fundamentally flawed, with inadequate resources, driven by financial pressure to maintain numbers, without clear objectives or strategic direction, and lack of clarity about whether the children were better off or not (Ryan 2; 1.13 – 1.15).

The Rosminians have pointed out to the reviewers that, prior to an (initial) small number of allegations which emerged in the 1990s, there was no knowledge of abuse on the part of their members. They had no established policies and had little knowledge of the correct procedures in relation to child safeguarding. There were profound societal changes taking place at this time, especially relating to the role of the Catholic Church and its institutions.

Within a short time of the publication by the Church of safeguarding guidelines (the 'Green Book') in 1996, the Rosminians were faced with a huge quantum of child abuse allegations during the years 1998 to 2005, and the child safeguarding agenda became its highest priority. Despite the fact that it was one of the first religious orders to publicly

acknowledge its short-comings and apologize in 1990, it did not anticipate the impact of what was about to happen.

Four former Rosminians were convicted of child sexual abuse, and the overall number of child sexual abuse allegations seen by the reviewers totals 98 involving 43 members, former members, deceased members and deceased former members. 85% of the total number of allegations came in between 1998 – 2005, and the Rosminians were ill prepared to deal with the volume and intensity of the work that was generated (because of the small size of the congregation, the ageing profile of its population, and the distressing and ‘toxic’ nature of the allegations). The Rosminians initially set up a small project team of 3 people, diverting 2 members from other roles, and ultimately bringing a lay person onto the team in 2004. Members of the Rosminians described to the reviewers how awareness of key child safeguarding requirements was not well developed until this post Ryan period – reporting, recording, and the application of canon law are examples. In 1998 the Rosminians established their first Advisory Committee and appointed a Delegate as per the ‘Green Book’, which they adopted as their child safeguarding policy. Their first written child safeguarding policy was agreed in 2007. A Designated Liaison Person was appointed in 2010. The child safeguarding policy has been reviewed and revised in 2012 and in 2015, and a Safeguarding Committee was established in 2014 (although there was a previous structure of Clonturk House Leadership meetings in place from 2012 which managed all aspects of the safeguarding agenda for a period). Between 2004 and 2007 (when it lapsed) the Institute made extensive use of the Advisory Panel, which met on 16 occasions. After that time the number of cases needing review dwindled and the Provincial and the DLP managed safeguarding. Between 2012 and 2015 the Clonturk House Leadership Team reviewed a small number of cases and in 2012 the Institute formally joined the NBSCCCI Case Management Reference Group, where it now accesses specialist independent advice on the management of child sexual abuse concerns.

The NBSCCCI safeguarding review was undertaken by 2 reviewers between 27th and 30th April 2015 at Clonturk House, Drumcondra, Dublin. The reviewers were given access to files relating to allegations or concerns received by the Rosminians about sexually abusive or sexually inappropriate behaviour by members of the congregation, excluding documentation relating to the work of the Ryan Commission or the Residential Institutions Redress Board (for the reasons set out at Page 3 of this report). As stated at Page 3, allegations which came to light in the course of the Ryan Commission or Redress Board hearings, and which were dealt with in those forums, are excluded from this review. Within this limitation, the reviewers read the files of all of the members of the congregation against whom child sexual abuse allegations have been made, all files relating to men who are no longer members of the congregation and a sample of the files of deceased priests and brothers against whom sexual abuse allegations had been made. There were instances where the absence of material (excluded due to the non-disclosure provisions of the legislation underpinning the Ryan Commission and the Residential Institutions Redress Board) rendered it difficult to fully construct case narratives. The reviewers tracked the following key actions:

- Date Reported to the Rosminians
- Date Reported to the Civil Authorities
- Action Taken by the Rosminians when notified (eg removal from ministry, referral to Advisory Panel, restrictions)
- Support/care for complainant
- Canonical actions
- Management/Safety planning

Interviews were held with the Provincial, the Designated Liaison Person, the Deputy Liaison Person, several members of the Review Panel, members of the Safeguarding Committee and with 2 Priest Advisors. The reviewers also met a survivor of one of the industrial schools, who is a member of a survivors group. They assessed the Rosminian safeguarding children document entitled 'Region of Ireland Policy on Safeguarding Children and Vulnerable Persons' (2015), which is the basis on which performance against the safeguarding criteria was assessed, as well as other safeguarding documentation made available to them.

In summary, the reviewers have concluded that appropriate child safeguarding structures are now in place and are operational. The Rosminians committed to the NBSCCCI standards in 2009, and it took them several years to put the current safeguarding structure in place. The safeguarding profile of the Rosminians as measured against the NBSCCCI standards in 2015 is very good, with the majority of criteria assessed as fully met, and the leadership and commitment shown by the current Provincial to achieve this is commended. There are a number of areas where child safeguarding practice was limited in the past – for example the application of canon law to the area of child safeguarding was very slow to develop, and there is evidence of significant delays in the written reporting of allegations to the civil authorities before 2009. The recording system needs to be improved in order to make information about the management of safeguarding more accessible. On the positive side the reviewers have noted from their review of case files that Rosminian priests and brothers were generally stood aside quickly whenever allegations were made against them, risk assessments were commissioned (although sometimes allowed to go on for longer than necessary), and that case management and safety planning for those men against whom unresolved allegations were made is in place. The provision of pastoral care for victims/survivors has been challenging for the Rosminians, who have reached out wherever possible despite legal and procedural constraints. The reviewers have seen evidence that they have invested time and resources in victim/survivor support at a number of levels.

The five recommendations from this review address the themes of filing/record keeping, communication, the development of a victim/survivor policy and terms of reference for the Safeguarding Committee.

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 Rosminians. 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.

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 Rosminians meets the requirements of all nine criteria against which the standard is measured.

Criteria

Number	Criterion	Met fully or Met partially or Not met
1.1	The Church organisation has a child protection policy that is written in a clear and easily understandable way.	Met Fully
1.2	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
1.3	The policy states that all Church personnel are required to comply with it.	Met Fully
1.4	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.	Met Fully
1.5	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
1.6	The policy states how those individuals who pose a risk to children are managed.	Met Fully
1.7	The policy clearly describes the Church's understanding and definitions of abuse.	Met Fully
1.8	The policy states that all current child protection concerns must be fully reported to the civil authorities without delay.	Met Fully
1.9	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 Rosminian safeguarding policy is entitled *Region of Ireland Policy on Safeguarding Children and Vulnerable Persons* dated 16.03.2015. The policy states in its introduction that the Institute of Charity is deeply committed to the protection and safeguarding of children and vulnerable adults. It makes clear that the policy is designed for all personnel in Ireland, and confirms that the Institute will fully report all concerns, suspicions, allegations and disclosures to the civil authorities and church authorities without delay. The document has 103 pages, and is structured to address each of the NBSCCCI safeguarding standards. There is a reporting flow chart at the beginning, and a total of 22 appendices to support the main contents section. The document is well organized and accessible. It is signed off by the Provincial, and by the Designated Liaison Person and her deputy. Criteria 1.1 – 1.3 are assessed as fully met. The previous Rosminian policy was dated 2012, and whilst the reviewers accept that Criterion 1.4 is now fully met, it is noted that the Congregation worked between 2007–2012 with a safeguarding policy which was quite basic, and which needed to have been reviewed sooner. The 2015 document is a significant improvement on the 2012 version. The reviewers note that Criterion 1.5 is fully met, and that the transfer of religious from one Church location to another is addressed in section 3.4.1 of the safeguarding policy. Criteria 1.6 – 1.9 are assessed as fully met. In relation to Criterion 1.9 the reviewers have noted that the Rosminians administer 2 diocesan parishes, and contribute to work in a third. The parish work is subject to the diocesan safeguarding policy and to the Rosminian safeguarding policy. There needs to be a protocol (e.g a memorandum of understanding) in place for communication between the Rosminians and each diocese, setting out how the interfaces between the safeguarding policies will be managed in the event of an allegation. The MOU should conform with the Protection for Persons Reporting Child Abuse Act 1998 and all imparting of safeguarding information should be via the civil authorities.

RECOMMENDATION 1: The Provincial needs to put in place memoranda of understanding with the diocesan safeguarding authorities about the interfaces between diocesan and Rosminian safeguarding policies

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 Rosminians meets the requirements of all seven criteria against which the standard is measured.

Criteria

Number	Criterion	Met fully or Met partially or Not met
2.1	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
2.2	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
2.3	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
2.4	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
2.5	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
2.6	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
2.7	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.	Met Fully

The reviewers consider that Criteria 2.1–2.7 are fully met. The policy contains guidance on what to do, references current legislation and procedure, identifies the Designated Liaison Person, sets out a recording process for allegations, as well as a general complaints policy, contains guidance on confidentiality, and has an extensive section on contact details. The Designated Liaison Person, who has a back-ground in psycho-therapy and law, was appointed in 2010, having worked from 2004 as a member of the team responding to the flow of allegations. She has a structure for independent professional supervision, and access to specialist training is resourced by the Rosminians. In relation to Criterion 2.4 (Recording) the reviewers read a total of 20 files. Whilst it is clear that work has been done to structure the files, it is still difficult to track the safeguarding narrative in many of them. Some of the files consist mainly of sections devoted to each victim – often containing legal and educational documentation – without a clear summary or time-line to enable readers to easily follow the wider safeguarding management of each case. It is recommended that the existing active files be improved by ensuring that they contain a section which provides a chronological overview of the management of the case, highlighting key milestones such as dates of reporting to statutory agencies, action taken by the Institute pending investigation, precepts and safety plans, risk assessments, canonical actions, and outcomes.

RECOMMENDATION 2: The Provincial should ensure that all active files and any new files contain a chronological safeguarding narrative summarizing key milestones in the management of each case, using the NBSCCCI template.

Table 1
Incidence of safeguarding allegations received within the Congregation against priests and brothers, from 1st January 1975 up to time of review

Name of Order: Rosminians		
1	Number of Rosminians against whom allegations have been made since the 1 st January 1975 up to the date of the review.	43
2	Total number of allegations received by the Congregation since 1 st January, 1975.	98
3	Number of allegations reported to An Garda Síochána/PSNI involving priests and brothers since 1 st January 1975.	98
4	Number of allegations reported to the TUSLA/ HSE/HSCT (or the Health Boards which preceded the setting up of the HSE,) involving members of the Congregation since 1 st January 1975.	98
5	Number of Members (still members of the Congregation) against whom an allegation was made and who were living at the date of the review.	4
6	Number of Members against whom an allegation was made and who are deceased.	32
7	Number of Members against whom an allegation has been made and who are in ministry.	1
8	Number of Members against whom an allegation was made and who are “Out of Ministry, but are still members of the Congregation”.	2
9	Number of Members against whom an allegation was made and who are retired.	1
10	Number of Members against whom an allegation was made and who have left the Congregation/ priesthood/brotherhood.	7
11	Number of Members of the Congregation who have been convicted of having committed an offence or offences against a child or young person since the 1 st January 1975.	4*

*All of whom have left the Congregation’

Figures provided to the reviewers by the Rosminians state that 98 allegations have been made against a total of 43 Rosminians (including former members, deceased members and deceased former members) within the time frame of this review. The reviewers have read all of the files relating to men who are still alive. A sample from the remaining files of deceased Rosminians was also read. Case material considered either by the Ryan Commission, or by the Redress Board was excluded from the files seen by the reviewers for the reasons set out at Page 3 of this report.

The reviewers have noted that 83 (almost 85%) of the total number of allegations relate to the industrial schools at Ferryhouse and Upton. Some files relate to events in other premises operated by the Congregation. The vast majority (80/98) centre on events and incidents which took place between 1960 – 1980, with a small number occurring pre-1960. A small number of case files deal with allegations relating to the last 30 years. Of the total of 98 allegations, the records indicate that 83 (85%) were made in the period 1998 – 2005, with a very small number known beforehand. 8 allegations – all relating to events in the past – have been made since 2009.

Table 1 (above) confirms that all allegations of child sexual abuse known to the Rosminians have been now passed to An Garda Siochana and to the HSE or TUSLA. The Rosminians have told the reviewers that they believe that the vast majority of allegations were reported at the time they were received, and that in the past procedures did not always require that written records be kept of reporting. However the written record of reporting allegations to An Garda Siochana made available to the reviewers was not good. The reviewers estimate that in 57 allegations there was a delay of more than 2 years in reporting, and the records indicate that there was no written reporting prior to 1995. At least 15 of the 98 allegations were first reported directly to An Garda Siochana by victims, and a further small number arose from ongoing Garda investigations, or were reported by the Safeguarding Office of other dioceses. From 2005/2006 onwards there is evidence that the Rosminians made concerted attempts to ensure that all available information relating to allegations of child sexual abuse had been passed to An Garda Siochana. Composite lists of cases were passed in July 2007, September 2009, June 2010 and March 2015. It is noted that the Rosminians signed up to the NBSCCCI safeguarding standards in 2009 and that, of the 8 allegations made subsequently, 6 are recorded as reported promptly to An Garda Siochana, and there was a delay of some 4 months in 1 case. One other allegation referred to another jurisdiction.

The historical pattern of reporting cases to the child protections agencies (in all of these cases the HSE) was also very poor according to the information made available to the reviewers, but has now greatly improved as Table 1 confirms. Prior to 2009 the vast majority of allegations coming to the attention of the Rosminians were not reported to civil child protection agencies. Civil Guidance, issued in April 1995 entitled, *“Notification of Suspected Cases of Child Abuse between Health Boards and Gardai”* appears to have led relevant personnel in place at the time to believe that a report made to An Garda Siochana would automatically be notified by An Garda Siochana to the Health Board. It is now understood that this was not the case. The Rosminians made a composite list of cases available to the HSE on 23.09.2009. As in the case of An Garda Siochana, of

the 8 allegations made subsequently, 6 have been reported promptly to the HSE or TUSLA, and there was a delay of some 4 months in one case. One other allegation referred to another jurisdiction.

The reviewers reviewed files relating to allegations received, some of which related to individuals who are deceased or who are no longer members of the Congregation.

In the case of Member **A**, the initial allegation was referred to An Garda Siochana, whose subsequent investigation resulted in a DPP recommendation of no prosecution. The leadership of the Congregation placed restrictions on his ministry. Member A undertook several assessments. The case records do not demonstrate the extent of safeguarding action taken by the Congregation, with an absence of important assessments on record. The minutes of all the Advisory Panel meetings on Member A are on file and in recent years his case has been referred to the NBSCCCI's National Case Management Committee (NCMC) for advice. The reviewers feel a canonical investigation should have been considered sooner. Canonical proceedings are now in train, with the matter having been reported to Rome several years ago. Member **A** is the subject of a safety plan which is reviewed regularly. There is some evidence of pastoral outreach to the victim/survivor on this file, but the record is incomplete.

The reviewers reviewed the file of Member **B**, who was the subject of 3 concerns, which did not reach the threshold of being an allegation. On each occasion he stepped aside until the matters could be investigated. Queries were investigated by the Health Board/HSE and the Health Board/HSE found the matter was not confirmed by the alleged victims. An allegation was reported to and investigated by An Garda Siochana, as a result of which the DPP directed no prosecution. The file records that Member **B** was the subject of a risk assessment. The Advisory Panel has reviewed this case and has concurred with a detailed decision by the Provincial to confirm Member B as a person in good standing. The reviewers are in agreement, based on the information available to them, that this is the appropriate outcome.

The reviewers reviewed files relating to Member **C**. Member C was stood aside from ministry promptly at the time of the first allegation and has been the subject of on-going management and review. This allegation was reported to the civil authorities, and the investigation by An Garda Siochana resulted in a DPP decision of no prosecution. Member C was referred for ongoing risk assessment. The case was reviewed by the Advisory Panel. The file shows that this case was eventually reported to the CDF after a long delay. Canonical proceedings are now under way. There were significant delays in reporting to the civil authorities. The reviewers highlighted their concerns about the early management of this case to the current Provincial and DLP; the reviewers consider that a canonical inquiry should have been considered much earlier. The process of risk assessment was allowed to continue for much too long and there was evidence of significant risk posed by this member. The management of this case has improved in recent years, with evidence of contracts of care and reviews.

Member **D** was promptly removed from ministry following the initial report, although the record is unclear about when this event was reported to An Garda Siochana. There was a significant delay in reporting the second referral to An Garda Siochana, and there is no record of the outcome of any Garda investigations in either case. Member **D** was referred for risk assessment without delay at the time of the initial report. There is no record of how he was managed (precepts or safety plans) during this period. The reviewers again expressed concerns about the early management of risk of this case to the current Provincial and DLP. In this case the file records that a pastoral meeting was offered to the first victim/survivor.

Member **E** was the subject of allegations of child sexual abuse. Member **E** was removed immediately from his ministry on receipt of the first disclosure of abuse and was dismissed from the Rosminians not long after. Some of the allegations were known to the Congregation at an early stage, and although they were reported to the Department of Education and to a High Court Judge at a very early stage, they were not reported to An Garda Siochana or the HSE for a significant period of time. The majority of the allegations were not reported to the HSE until the composite list of 2009. Member **E** was criminally convicted for the sexual abuse of children.

Member **F** was removed from his ministry quickly after an initial allegation. He was referred for risk assessment and was dismissed from the Rosminians soon afterwards. Member **F** was criminally convicted for sexual assault. There was a significant delay in reporting one allegation to An Garda Siochana. None of the allegations were reported to the HSE until 2009. The file records some evidence of pastoral support being offered to some victims.

Member **G** was not removed from ministry until a second allegation was received many years after the first allegation, at which point he was sent for assessment and treatment. Member **G** subsequently left the Rosminians. Some victims self-reported to An Garda Siochana. In some cases there were significant delays in reporting to An Garda Siochana by the Rosminians, and in one case the allegation was reported promptly. None of the allegations were reported to the HSE until 2009. Member **G** was criminally convicted for the sexual abuse of children. There is some evidence of victim follow-up, but the record is not consistent.

Member **H** was the subject of allegations. In this case the allegations were reported promptly to An Garda Siochana and to the HSE. He was quickly withdrawn from ministry, referred to the Advisory Panel, and referred for risk assessment. References to his risk management during these years are limited. Member **H** was criminally convicted for the sexual abuse of children. The reviewers consider that there were grounds for consideration of a canonical investigation much earlier.

The reviewers reviewed a file in relation to Member **L**. This allegation was reported to An Garda Siochana and to the HSE without delay. Pastoral support was offered to the victim. The file does not record the outcome of the An Garda or HSE investigation.

Member **I** was the subject of allegations. The Congregation responded promptly to an anonymous allegation, and Member **I** was stood aside from ministry, and referred for risk assessment. He remained out of ministry. Subsequent allegations were received, in respect of which there were significant delays in reporting to the civil authorities. Member **I** was referred to the Advisory Panel, and there were subsequent concerns about risk management. A further subsequent allegation was received, and was reported to the civil authorities within 3-4 months. The file in this case evidences contracts of care, and referral to the CDF in recent years. The reviewers consider that canonical action should have been considered sooner.

Member **J** was the subject of allegations. A risk assessment was commissioned following the first allegation. The first allegation was reported to An Garda Siochana. Shortly afterwards concern was expressed leading to another risk assessment. He was stood aside from public ministry. There is no evidence of precepts or a management plan for many years. The file records that this case was later referred to the CDF. There were significant delays in reporting to An Garda Siochana and to the HSE. The reviewers consider that canonical action should have been considered in this case shortly after it was referred to the Advisory Panel.

Member **K** was the subject of allegations. There is no information on file about the management of this case. There were significant delays in notifications to An Garda Siochana and to the HSE.

The overall picture emerging from the review of files establishes that, over the time period of the review, the Rosminians were usually quick to stand their members aside from ministry whenever allegations were made, were slow to report to the civil authorities in writing until approximately 2007, did commission risk assessments, but did not, until recently, instigate canonical investigations or pursue canonical action. Many assessments went on for too long without decision making by the Rosminian leadership. Safety planning and canonical intervention was not consistently evidenced in the past, but is certainly in place at present and is clearly evidenced from more recent files.

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 a congregation meets 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

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

The Rosminian child safeguarding policy contains a comprehensive section on vetting and recruitment which is in line with guidance on best practice, and Criteria 3.1 – 3.3 are fully met. It is noted that this includes a requirement that any applicants for the Noviciate complete a rigorous selection and recruitment process for entry into the Rosminians, which is commended. The actual vetting process for the Rosminians is carried out through the Irish Missionary Union. The reviewers have seen a Garda vetting list and a safe recruitment check-list.

Criteria – Codes of behaviour

Number	Criterion	Met fully or Met partially or Not met
3.4	The Church organisation provides guidance on appropriate/ expected standards of behaviour of, adults towards children.	Met Fully
3.5	There is guidance on expected and acceptable behaviour of children towards other children (anti-bullying policy).	Met Fully*
3.6	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
3.7	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*
3.8	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*
3.9	Policies include guidelines on the personal/ intimate care of children with disabilities, including appropriate and inappropriate touch.	Met Fully*

**Does not have active application*

A number of the criteria listed under Section 3 are essential requirements for congregations which provide direct services to children and young people. The Rosminians do not offer such services, and the criteria marked * do not have current active application. It is however re-assuring from a child safeguarding perspective that Criteria 3.4 – 3.9 have all been addressed in the Rosminian safeguarding policy, and are assessed as met fully. It is noted the Rosminian Retreat Centre at Glencomeragh, which is available for youth groups and school retreats, requires that bookings can only be accepted on condition that the school/group complete a Child Protection pro-forma booking form, bring their own facilitator, confirms an appropriate person is responsible for the safety of the children and has appropriate training and also confirm that they have anti-bullying and code of behaviour policies in place.

Criteria – Operating safe activities for children

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

***Does not have active application**

The reviewers consider that Criteria 3.10-3.12 are fully met (see previous paragraph)

Standard 4

Training and Education

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

Criteria

Number	Criterion	Met fully or Met partially or Not met
4.1	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.	Met Fully
4.2	Identified Church personnel are provided with appropriate training for keeping children safe with regular opportunities to update their skills and knowledge.	Met Fully
4.3	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 Fully
4.4	Training programmes are approved by National Board for Safeguarding Children and updated in line with current legislation, guidance and best practice.	Met Fully

The Rosminian safeguarding policy states that all congregation personnel shall be inducted into the policy, and receive basic awareness training. It states that there are regular opportunities for all individuals to update their skills and knowledge, and that those with additional responsibilities are invited to attend training programmes provided by the NBSCCCI. The reviewers have seen documentation relating to training registers at different Rosminian venues. In recent years all training has been provided by trainers trained by the NBSCCCI. The reviewers consider that all criteria are fully met. It is acknowledged that the training agenda for those with additional opportunities is not extensive because of the small size of this congregation and its limited contact with children and young people, and that additional training has been provided to the DLP and Deputy DLP, to the Provincial and to the Priest Advisors. The reviewers were advised that all members have been assessed for their training needs and that those with additional responsibility have been given additional training to assist them in carrying out their role.

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

Number	Criterion	Met fully or Met partially or Not met
5.1	The child protection policy is openly displayed and available to everyone.	Met Fully
5.2	Children are made aware of their right to be safe from abuse and who to speak to if they have concerns.	Met partially*
5.3	Everyone in Church organisations knows who the designated person is and how to contact them.	Met Fully
5.4	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 Fully
5.5	Church organisations establish links with statutory child protection agencies to develop good working relationships in order to keep children safe.	Met Fully
5.6	Church organisations at diocesan and religious order level have an established communications policy which reflects a commitment to transparency and openness.	Met Partially

**Does not have active application*

The Rosminian safeguarding policy is displayed at the entrance/foyer of every Rosminian house, and is also available via the ‘Safeguarding’ icon on the Institute’s website www.rosminians.ie - although the reviewers noted that it was the 2012 policy which was on the website at the time of the review. The profile of the Designated Liaison Person and her deputy within a small community is very high. The reviewers consider that Criteria 5.1, 5.3 and 5.4 are fully met. Criterion 5.2 does not have active application

in this congregation at present, although the Rosminian safeguarding policy states that children are made aware of their right to be safe from abuse, and that the policy would be updated in the event of any changes in the configuration of services. Representative from An Garda Siochana and TUSLA have confirmed to the reviewers that their agencies do not have any current issues or concerns about liaison or communication with the Rosminians in relation to child safeguarding, and Criterion 5.5 is assessed as met fully. The Rosminians do not have a formal communications policy, although the elements of such a policy are recognized in the safeguarding policy, and Criterion 5.6 is assessed as partially met.

RECOMMENDATION 3: The Provincial should ensure that that a formal communications policy is agreed, and that this is subject to on-going review by the Safeguarding Committee

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

Number	Criterion	Met fully or Met partially or Not met
6.1	Church personnel with special responsibilities for keeping children safe have access to specialist advice, support and information on child protection.	Met Fully
6.2	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
6.3	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
6.4	Information is provided to those who have experienced abuse on how to seek support.	Met Partially
6.5	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

The reviewers have been informed that an Advisory Panel has existed within the Institute since 1998. The Rosminians did not initially keep a separate file of minutes of Advisory Panel meetings – the relevant records were kept in the case files. From 2004 a separate file of Advisory Panel meeting minutes was kept, and the reviewers were given a list of regular meetings of the Advisory Panel between 30.09.2004 and 28.08.2007. The Panel lapsed at this time. Between 2007 and 2013, when there were a small number of cases to be dealt with, the functions of the Advisory Panel were assumed by the Provincial and the leadership team dealing with safeguarding. The Institute formally became a member of the NBSCCCI Case Management Committee (NCMC) in October 2012, and the NCMC has reviewed and issued advice on several cases to date. There is currently a dual structure in place for the management of cases – the NCMC for advice in complex cases, and a Review Panel to manage current safety planning. The role of the Review Panel,

which was established in 2014, is to oversee the implementation of safety planning for those members who are still subject of unresolved allegations. It consists of the Provincial, the DLP, a Canon Lawyer who is not a Rosminian), a Forensic Psychologist and a Therapist (the latter two are lay professionals were previously members of the Advisory Committee).The reviewers consider that Criterion 6.1 is fully met.

The reviewers are satisfied that the Institute, through its contacts with the NBSCCCI, has established a network of support for child safeguarding. The child safeguarding policy provides detailed guidance on how to respond to a child who is suspected of being abused. Criterion 6.2 and 6.3 are considered to be fully met.

Criterion 6.4 requires evidence of a coherent and transparent plan or policy for victim/survivor outreach, and is considered to be met partially at present. This has been a complex challenge for the Rosminians because of their child safeguarding history. The information available on the case files indicates a variable approach to pastoral care for victims/survivors – very evident in some cases, absent in others. This report has already pointed out that the Rosminians were one of the first congregations to publicly acknowledge clerical sexual abuse, and that their approach to the inclusion and authenticity of the experience of victims/survivors was commended by the Ryan Commission. In more recent times, the Congregation has worked on developing protocols and procedures to address the challenges inherent in pastoral outreach to victims/survivors. These procedures are evidenced in the Congregation’s current child safeguarding policy (see sections 2.8 – 2.13 which detail the Congregation’s procedure for pastoral outreach and response to victims) and are evidenced being applied in practice in more recent safeguarding files.

The Rosminians have told the reviewers that they have generally good experiences of maintaining contacts with past pupils. One of the difficulties in the early 2000s when they were trying to manage the deluge of complaints was that most of the past pupils of industrial schools who contacted them did so either through solicitors or An Garda Siochana, and it was An Garda Siochana who contacted the Congregation. Whilst the Rosminians had their own shortcomings in managing the sheer volume of complaints at the time, they were frequently discouraged from making direct contact with past pupils, either because of the danger of contaminating evidence/interfering with a criminal prosecution or because of ongoing litigation. The Rosminians state that they are being proactive about addressing the challenges they have faced in the past. In the current Safeguarding Policy, the Congregation evidences willingness to make the offer of pastoral outreach, and leaves it up to the victim/survivor as to whether they wish to engage with that. In the child safeguarding policy, the Congregation accepts that it is not always easy for the victim/survivor to engage with the Congregation’s offers of pastoral support, particularly when legal matters are on-going.

The Rosminians have stated that they did try to reach out by relating to and supporting organizations that represented past pupils, as well as conducting an enormous number of casual and formal meetings with past pupils, not all of which was recorded in writing. The reviewers have been given an extensive list of public, and private, initiatives,

demonstrating that the Institute has invested time and resources in victim/survivor outreach at a number of levels.

During the course of the review, the reviewers met with a survivor of one of the Rosminians' Industrial Schools. In the course of a wide-ranging discussion about the experience of survivors of institutionalized abuse, they discussed the impact of abuse on his life and the life of his family, and the importance of Church organizations having and maintaining direct dialogue with survivor groups when developing future safeguarding strategy.

The reviewers consider that it is important that the openness now displayed by the Rosminians in recognizing the voices of victims/survivors is encapsulated in a victim/survivor support policy. They are more advanced than most in understanding of the principles that should underpin such a policy.

The reviewers have already made reference to the development of the Review Panel, whose role is to support and review the implementation of safety planning. The Institute currently has 2 priest advisors who work directly with those men who have remained members of the congregation. The changes in understanding of how canon law should be applied in the context of child sexual abuse is an important development, and the input of a Canon Lawyer from outside the Institute is appropriate. The reviewers consider that Criterion 6.5 is fully met.

RECOMMENDATION 4: The Provincial should ensure that the Institute develops a policy statement based on learning from its approach to victim/survivor outreach.

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

Number	Criterion	Met fully or Met partially or Not met
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 Partially*
7.5	All incidents, allegations/ suspicions of abuse are recorded and stored securely.	Met Fully

**Does not have active application*

The reviewers saw a copy of the Rosminian Strategic Plan 2015 – 2018, which sets out goals, current progress, key performance indicators, target completion dates, updates, and assignment of responsibility for a number of actions. These include an update of Garda vetting, new policy induction, training needs assessment, protocols for pastoral support, annual review, DLP hand-over protocol, etc. It is also noted that internal self-audits against the standards are on file dated 27.05.13 and 27.04.15. The Provincial has confirmed that all safeguarding actions will be financed, and the reviewers confirm that Criteria 7.1 and 7.2 are fully met. In relation to Criterion 7.3, the Rosminians have had a Safeguarding Committee in place since 25.09.2014, whose role will be to advise the Provincial on the overall development of the safeguarding agenda. The reviewers have been informed that the Safeguarding Committee is responsible for the implementation of the Province safeguarding policies and procedures, the assessment of training needs and ensuring adequate succession planning. (As already noted this function was previously carried out through Clonturk House Leadership meetings). The reviewers accept that Criterion 7.3 is met fully, although it is recommended that the terms of reference of the Safeguarding Committee are formally stated and endorsed. The safeguarding policy states that parents/guardians/carers are welcome and encouraged to provide the congregation with their views and feedback. As previously noted the Rosminians do not

have a direct service to children or young people, and this criterion does not have active application. Criterion 7.5 relating to secure storage is met fully.

RECOMMENDATION 5: The Provincial should ensure that the Safeguarding Committee has formal terms of reference, consistent with NBSCCCI guidance (Resource 1)

Recommendations

The 5 recommendations from this review address the themes of filing/record keeping, training and communication, and development of a victim/survivor policy

RECOMMENDATION 1:

The Provincial needs to put in place memorandums of understanding with the diocesan safeguarding authorities about the interfaces between diocesan and Rosminian safeguarding policies.

RECOMMENDATION 2:

The Provincial should ensure that all active files, and any new files contain a chronological safeguarding narrative summarizing key milestones in the management of each case, using the NBSCCCI template.

RECOMMENDATION 3:

The Provincial should ensure that that a formal communications policy is agreed, and that this is subject to ongoing review by the Safeguarding Committee

RECOMMENDATION 4:

The Provincial should ensure that the Institute develops a policy statement based on learning from its approach to victim/survivor outreach

RECOMMENDATION 5:

The Provincial should ensure that the Safeguarding Committee has formal terms of reference, consistent with NBSCCCI guidance (Resource 1)

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 1st January 1975 to 1st 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 1st January 1975 to 1st 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 1990¹ 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.

¹ 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 1st January 1975 to 1st 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.

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