

**Review of Safeguarding Practice**  
**in the Religious Order of**  
**Friar Servants of Mary (OSM) (Servites)**

**undertaken by**

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

**Date: December 2014**

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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 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, *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 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 Safeguarding Practice in the Religious Order of Friar Servants of Mary (OSM) (Servites)* undertaken by the NBSCCCI in line with the request made to it by the Sponsoring Bodies. It is based upon the case material made available to the NBSCCCI by the OSM, along with interviews with selected key personnel who contribute to safeguarding within the OSM. The NBSCCCI believes that all relevant documentation for these cases was passed to the reviewers, and the Prior Provincial has confirmed this.

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

## **Introduction**

The Order of Friar Servants of Mary, also known as the Servite Friars or Servites, is a community of Friars founded in 1233 in Florence, which arose as an expression of evangelical apostolic life. It was officially approved by the Church in 1304. It is one of the mendicant orders. There are about 900 Servite Friars in different continents of the world. The central administration, overseen by an elected Prior General and General Council, is in Rome and the Order is divided into provinces (or sub regions known as vicariates or delegations). Provinces are governed, in turn, by elected Prior Provincials and Provincial Councils.

Ireland is part of the Servite Province of the Isles, which was formed in 2000, bringing together the communities of the Irish Vicariate (which was founded from the USA) and the communities of the English provinces (which were founded from Italy). 2014 celebrates the 150<sup>th</sup> anniversary of the Servites coming to the English speaking world and beginning a community in London. There are currently 33 Friars in the Servite Province of the Isles in 5 communities, with an average age of 73.3 years, of whom a number are retired. Servite Friars provide parish ministry, chaplaincies and teaching.

Our Lady of the Sorrows Province in the USA opened the first Servite priory in Ireland in 1949 at Benburb, Co Tyrone. It was a house of formation. In 1969 a priory was opened in Dublin to facilitate students continuing their studies in Ireland and Benburb then developed into a retreat house for adults and those completing second level education. In 1978 the Servites took on the management of the parish of St Mary of the Servants in Blakestown, Dublin, where they remained for 28 years before shortage of personnel required them to hand it back to the Archdiocese of Dublin in 2006. The parish of the Divine Word, Marley Grange Dublin was entrusted to the Servites by the Archdiocese of Dublin in 1992 and the Order continues to minister there.

There are in 3 Servite communities in Ireland with 13 Friars in Benburb, 2 in Kiltipper Priory in Dublin and 3 in Marley Grange Priory in Dublin.

The review of the Servite Friars was carried out on the 6<sup>th</sup> and 7 the October 2014 by two reviewers from the NBSCCCI. The reviewers had access to safeguarding data and read a number of case files. They considered policy documents in relation to safeguarding, as well as minutes of meetings and communication material. Interviews were carried out with a range of people involved in the safeguarding structure, the Prior Provincial, the Designated Safeguarding Person and her deputy, members of Safeguarding Committees in Dublin and Benburb, a priest advisor, and the Prior in Benburb. They also contacted representatives from the PSNI, An Garda Síochána, TULSA and the SHSCT to get feedback on the quality of communication in relation to the safeguarding of children.

Overall responsibility for both the individual case management and the preventative aspects of safeguarding in the Servite Order rests with the Prior Provincial (whose remit is for the Province of the Isles – 3 communities in Ireland and 2 communities in England and personnel in Scotland). In their current structure, the Servites have formed a Province of the Isles wide safeguarding committee, which meets yearly and which is in

effect an information sharing initiative across the four jurisdictions of Northern Ireland, the Republic of Ireland, Scotland and England. The Servite safeguarding policy 2012 refers to its membership in Ireland of an inter-congregational advisory panel (with six Orders involved), whose function was to offer advice to the Orders on the management of referred cases. However the reviewers have been informed that this panel no longer exists and it is noted that the Servites joined the NBSCCCI National Case Management Reference Group (NCMRG) in September 2012, and this group now serve as the advisory panel for the Order. The Designated Safeguarding Person has been in post since March 2008 and reports directly to the Prior Provincial. The Servites have appointed a priest advisor to support men who have been convicted or who have been the subjects of allegations. They have sought to develop the wider (preventative) safeguarding agenda through 2 small safeguarding committees – one in Dublin (incorporating Marley Grange Priory, Kiltipper Priory and Rathfarnham Oratory) and one in Benburb.

The Servites provide full ministry to families with children in Marley Grange parish and it is the Archdiocese's safeguarding policy which is referenced on the parish website. Direct contact between Friars in Benburb and children or young people is very limited. The reviewers were told of 2 local groups which use the facility on an occasional basis, both of which have their own safeguarding policies and provide their own supervisory arrangements. The reviewers were informed that the Servite Order has not yet completed its work on a child safeguarding policy and that it is currently guided by an interim document drawn from other policies and good practice documents and by a short document entitled *OSM Safeguarding Policy 2012*, signed off by the Prior Provincial on 06.08.2014. This is a policy for the Servite Province of the Isles, including Ireland, England and Scotland – which is referred to in this report as the overarching safeguarding document.

Overall, the review has concluded that safeguarding practice in the Servite Order is currently competent and effective in relation to case management and that there is evidence of good practice in relation the management of men who have been convicted or who have been subject to allegations against children. The Order is assessed as meeting a number of the NBSCCCI criteria, but a substantial amount of work remains to be done, and development in some areas has not achieved the level expected by 2014. A major gap is the lack of a dedicated safeguarding policy for the Servite ministries in Ireland. The reviewers have concluded that the current safeguarding structure is too diffuse, that there needs to be a clearer line of accountability in relation to the structure in Ireland, backed up by a formally adopted safeguarding policy and a strategic safeguarding plan, and that the agenda of prevention and awareness raising needs to be improved. It is noted that arrangements are in hand to move several of these issues forward in the near future. The reviewers have made nine recommendations relating to the areas of interim safeguarding policy, safeguarding structure, filing/administration, training and survivor /victim outreach.

## **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's *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 OSM. 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 an Order meets the requirements of all nine criteria against which the standard is measured.

### **Criteria**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>1.1</b>	The Church organisation has a child protection policy that is written in a clear and easily understandable way.	Met Partially
<b>1.2</b>	The policy is approved and signed by the relevant leadership body of the Church organisation (e.g. the Bishop of the diocese or provincial of a religious congregation).	Met Partially
<b>1.3</b>	The policy states that all Church personnel are required to comply with it.	Met fully
<b>1.4</b>	The policy is reviewed at regular intervals no more than three years apart and is adapted whenever there are significant changes in the organisation or legislation.	Not met
<b>1.5</b>	The policy addresses child protection in the different aspects of Church work e.g. within a church building, community work, pilgrimages, trips and holidays.	Not met
<b>1.6</b>	The policy states how those individuals who pose a risk to children are managed.	Not met
<b>1.7</b>	The policy clearly describes the Church's understanding and definitions of abuse.	Met fully
<b>1.8</b>	The policy states that all current child protection concerns must be fully reported to the civil authorities without delay.	Met partially
<b>1.9</b>	The policy should be created at diocese or congregational level. If a separate policy document at parish or other level is necessary this should be consistent with the diocesan or congregational policy and approved by the relevant diocesan or congregational authority before distribution.	Met partially

As already noted, the reviewers were directed to 2 documents for safeguarding guidance for the Servite Order. The reviewers were informed that the Servite Order is working on developing a fully comprehensive interim policy manual in order to correct the deficiencies identified by the HSE audit in June 2013. The Order is currently guided by a short document entitled *OSM*

*Safeguarding Policy 2012* (a re-print of the original OSM safeguarding policy of March 2010) which was signed off by the new Prior Provincial on 06.08.2014 on commencement of office. This document provides general guidance for the Servite Province of the Isles and mainly ‘signposts’ the reader to the NBSCCCI standards and guidance document (adopted in 2009). It also references the Catholic Safeguarding Advisory Service (CSAS) in the UK and is not specifically a document for Servites in Ireland. This is the only mandated safeguarding policy that was evident to the reviewers and is the basis against which the NBSCCCI safeguarding criteria have been assessed throughout this report. The second is a dossier of extracts from other policies and good practice documents, which the reviewers were informed, supplements the OSM safeguarding policy in Ireland. The supplementary dossier is not a formal document and the reviewers were unable to reference its contents in their assessment of the NBSCCCI safeguarding criteria.

A comprehensive, mandated child safeguarding policy is the cornerstone of an effective safeguarding structure and the reviewers are surprised that the Order has been unable to produce a fully developed policy for the Servites in Ireland, 5 years after committing to the NBSCCCI standards document. A weakness in the Order’s current safeguarding structure is the lack of direct accountability for the implementation of the NBSCCCI standards document and this will be addressed later in the report. Criteria 1.1 and 1.2 are assessed as partially met.

The reviewers accept that Criterion 1.3 is met fully, as the overarching document states that all Servite friars as well as employees and volunteers are required to comply with it. Criteria 1.4 is assessed as not met, as a policy for Ireland has not been instigated. The overarching document does not address child protection in different aspects of the Church’s work, and Criterion 1.5 is assessed as not met. The use of celebrets or letters of good standing (which is current practice) for men moving site should be referenced in this part of the policy. Criterion 1.6 requires the safeguarding policy to set out the internal processes, including the canonical process that will be implemented when the civil processes have been brought to a conclusion. This is not met. The overarching document contains definitions of abuse, and Criterion 1.7 is met. The reviewers consider that Criterion 1.8 is partially met. Whilst it states that the Order is committed to working with statutory authorities to ensure that allegations are dealt with justly and promptly, it is not clear about the time frame for the Designated Safeguarding Person’s reporting to the civil authorities. Criterion 1.9 is partially met, as the current policy framework for Servites in Ireland is interim and incomplete.

The NBSCCCI is currently reviewing its standards and guidance document, *Safeguarding Children* (2008) and the Order needs to take cognizance of any emerging recommendations.

## **RECOMMENDATION 1**

**The Prior Provincial should consult immediately with the NBSCCCI about the most efficient process for completing a viable interim safeguarding policy for the Servites in Ireland pending the publication of the NBSCCCI review. The interim policy needs to address Standard 1 *A Written Policy on Keeping Children Safe*, with particular reference to Criteria 1.1, 1.2, 1.4, 1.5, 1.6, 1.8 and 1.9 above.**



## **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 an Order meets the requirements of all seven criteria against which the standard is measured.

### **Criteria**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>2.1</b>	There are clear child protection procedures in all Church organisations that provide step-by-step guidance on what action to take if there are allegations or suspicions of abuse of a child (historic or current).	Met fully
<b>2.2</b>	The child protection procedures are consistent with legislation on child welfare civil guidance for child protection and written in a clear, easily understandable way.	Met partially
<b>2.3</b>	There is a designated officer or officer(s) with a clearly defined role and responsibilities for safeguarding children at diocesan or congregational level.	Met partially
<b>2.4</b>	There is a process for recording incidents, allegations and suspicions and referrals. These will be stored securely, so that confidential information is protected and complies with relevant legislation.	Met partially
<b>2.5</b>	There is a process for dealing with complaints made by adults and children about unacceptable behaviour towards children, with clear timescales for resolving the complaint.	Not Met
<b>2.6</b>	There is guidance on confidentiality and information-sharing which makes clear that the protection of the child is the most important consideration. The Seal of Confession is absolute.	Met fully
<b>2.7</b>	The procedures include contact details for local child protection services e.g. (Republic of Ireland) the local Health Service Executive and An Garda Síochána; (Northern Ireland) the local health and social services trust and the PSNI.	Met fully

The current overarching document describes what to do to process an initial complaint and Criterion 2.1 is assessed as met fully. The overarching document does not reference civil child protection procedures or legislation in any of the jurisdictions and is therefore assessed as partially met.

The reviewers consider that the role of Designated Safeguarding Person in the Servite safeguarding structure has been focused correctly on case management, which has been done well. However, the wider preventative agenda of safeguarding needs further attention. Criterion 2.3 is therefore assessed as partially met. As will be demonstrated in this report, the role of the Local Safeguarding Committees in Benburb and in Dublin needs to be revised in line with NBSCCCI guidance. The two committees need to be strengthened and both need to report to the Prior Provincial/ Provincial Council. This should be done via the nominated Safeguarding Person. The preventative safeguarding work in the Order has to date, in the assessment of the reviewers, developed separately from the work on case management. The role of the Servite Provincial Safeguarding Committee relates to sharing of information and good practice across the jurisdictions, but not to accountability for action in any jurisdiction. Its role, as described to the reviewers, should not be confused with the NBSCCCI guidance on Safeguarding Committees (Standards and Guidance 2008 Resource 1). The structure should be revised to remove this body from the line of accountability. The safeguarding structure of the Servites needs to demonstrate that there is a system of direct reporting and accountability to the Prior Provincial/ Provincial Council for the implementation of all of the safeguarding standards in Ireland. It is therefore recommended that the Prior Provincial and the Provincial Council formally review the safeguarding structure.

The overarching document does not contain guidance on recording, and Criterion 2.4 is assessed as partially met. Criterion 2.5 refers to the need for a general complaints procedure which can be activated to deal with issues not related to abusive behaviour or intent. This is not addressed in the overarching policy. Criterion 2.6 is met (p11) in the overarching policy, as is Criterion 2.7.

#### **RECOMMENDATION 2.**

**The Prior Provincial should ensure that Criteria 2.2, 2.4 and 2.5 of Standard 2 *How to Respond to Child Protection Allegations and Suspicions*, are addressed in the interim safeguarding policy for Ireland.**

#### **RECOMMENDATION 3.**

**The Prior Provincial needs to review the safeguarding structure of the Servite Order in order to better align it with the implementation of the NBSCCCI safeguarding standards in Ireland and to develop and strengthen the area of prevention (2.3).**

**TABLE 1  
INCIDENCE OF SAFEGUARDING ALLEGATIONS RECEIVED WITHIN THE  
ORDER AGAINST FRIARS BETWEEN 1<sup>ST</sup> JANUARY 1975 AND THE TIME OF  
THE REVIEW**

<b>1</b>	Number of Friars against whom allegations have been made since the 1 <sup>st</sup> January 1975 up to the date of the review.	6
<b>2</b>	Total number of allegations received by the Order since 1 <sup>st</sup> January, 1975.	8
<b>3</b>	Number of allegations reported to An Garda Síochána/PSNI involving Friars since 1 <sup>st</sup> January 1975.	7
<b>4</b>	Number of allegations reported to the TUSLA/HSE/HSC (or the Health Boards which preceded the setting up of the HSE,) involving Friars of the Order since 1 <sup>st</sup> January 1975.	7
<b>5</b>	Number of Friars still members of the Order) against whom an allegation was made and who were living at the date of the review.	4
<b>6</b>	Number of Friars against whom an allegation was made and who are deceased.	1
<b>7</b>	Number of Friars against whom an allegation has been made and who are in ministry.	1
<b>8</b>	Number of Friars against whom an allegation was made and who are 'Out of Ministry', but are still members of the Order	3
<b>9</b>	Number of Friars against whom an allegation was made and who are retired	3
<b>10</b>	Number of Friars against whom an allegation was made and who have left the Order	1
<b>11</b>	Number of Friars of the Order who have been convicted of having committed an offence or offences against a child or young person since the 1 <sup>st</sup> January 1975	2

There have been allegations made against a total of 6 Servite Friars within the time span of the review, of whom 2 are now deceased. The reviewers have read the files of all 4 of the Friars who are alive and the files of one of the deceased men. The reviewers note from the records that the number of potential victims is in excess of 8. Two Servite Friars have been convicted of offences against children and one of these is among the deceased. The files are structured chronologically, but information relating to the case narrative and implementation of processes is difficult to access. In some cases there are gaps in the recording of information. The files need to be reviewed and to be structured according to the NBSCCCI guidelines.

In summary, the reviewers have noted that all of the allegations made in relation to men who are living took place between 1986 -1993, with significant time lapses between alleged events and the date of reporting to the Order (8 -27 years). This information is not available on file in relation to the file of the deceased Friar, the records of which are very limited and do not demonstrate any safeguarding action. The situation in relation to reporting to the civil agencies is not always clear from the records. There was one case reported post 2008 when the Order signed up to the NBSCCCI standards – in this case, the Order have advised that there were mitigating circumstances that protracted the reporting process, nevertheless there was a delay of 2 months before the allegation was reported to the civil authority agencies. The reviewers have also seen evidence of variable practice in relation to the application of canonical processes. There are 2 cases where preliminary investigations were not carried out. There is evidence that the Order was generally prompt in restricting the ministry of Friars following allegations and that cases were referred for risk assessment. From 2010 onwards, there is ample evidence of regular case management and review, and the reviewers are satisfied all known risks are actively assessed and reviewed.

Two Servites have been convicted of offences against children. Friar A was convicted in excess of 20 years ago for offences involving several children and was sentenced to 3 months imprisonment. He died a short time later.

Friar B received a 3 year suspended prison sentence in relation to one victim within the past decade and has been placed on the Sex Offender register. There are other allegations which occurred in another Servite jurisdiction, on file. He is now elderly and lives in a priory where he has been the subject of restrictions, a covenant of care and review by the Servites, as well as supervision from the Probation Service.

Friar C was the subject of an allegation over 20 years ago and was subject to restrictions in his ministry and a number of risk assessments have been carried out. The covenant of care which was put in place in 2010 is regularly reviewed with Public Protection personnel. There were delays in reporting this case to the civil authorities and there are gaps in the file record. Whilst the file records intention to instigate a canonical process, there is no reference to this having been carried out. He is elderly, has been managed through a covenant of care since 2010 and carries out limited ministry within a priory.

Friar D was also the subject of an allegation over 20 years ago which was not substantiated at the time. The case was reported promptly to the civil authorities. His ministry was restricted, he was subject to several risk assessments and there is evidence of considerable deliberation by the Servites about how to proceed. The reviewers are surprised that a canonical process was not instigated in this case, 15 years ago, in order to establish whether there was a semblance of truth to the allegations/ concerns and to reach a resolution in relation to this Friar's ministry. He has been the subject of a covenant of care since 2010. He is also elderly and requires high dependency care.

The final file reviewed was that of Friar E. In this case the Friar agreed to restricted ministry within a very short time of an allegation. He was subject to risk assessment and

a covenant of care. A canonical process was instigated relatively quickly and has been completed.

The reviewers have noted that within the Servite community there are men who are under restriction and who have been subjected to regular safety planning for several years now and most are very elderly. There is also evidence that the Order shares its monitoring and review with the Safeguarding Office of the relevant Diocese.

**RECOMMENDATION 4.**

**The Prior Provincial should ensure that the safeguarding files are structured and organized as recommended in NBSCCCI guidance and standards document, *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland.***

### **Standard 3**

#### ***Preventing Harm to Children***

*This standard requires that all procedures and practices relating to creating a safe environment for children be in place and effectively implemented. These include having safe recruitment and vetting practices in place, having clear codes of behaviour for adults who work with children and by operating safe activities for children.*

Compliance with Standard 3 is only fully achieved when the Servites meet the requirements of all twelve criteria against which the standard is measured. These criteria are grouped into three areas, safe recruitment and vetting, codes of behaviour and operating safe activities for children.

#### **Criteria – safe recruitment and vetting**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>3.1</b>	There are policies and procedures for recruiting Church personnel and assessing their suitability to work with children.	Met fully
<b>3.2</b>	The safe recruitment and vetting policy is in line with best practice guidance.	Met fully
<b>3.3</b>	All those who have the opportunity for regular contact with children, or who are in positions of trust, complete a form declaring any previous court convictions and undergo other checks as required by legislation and guidance and this information is then properly assessed and recorded.	Met fully

The Servites' overarching document contains a short statement (p18) standards and guidance document on safe recruitment, referring the reader to the checklist, sample declaration form and sample interview questions contained in the NBSCCCI's Safeguarding Children, Standards and Guidance Document. The reviewers have been informed that all religious and lay employees and volunteers, have been vetted and that the processes used, are those of the relevant Diocese. The Servites hold a central database (which also contains tracking information on celebrities/letters of good standing). The reviewers are satisfied that good practice in vetting is evidenced, although they consider that the policy, as it stands, needs to be amended. It is not sufficient to simply refer staff to another document, and this needs to be addressed in the revision of the policy. However, it is agreed that that these Criteria 3.1 -3.1 are fully met.

**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).	Not met*
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 partially
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.	Not met*
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.	Not Met*
3.9	Policies include guidelines on the personal/ intimate care of children with disabilities, including appropriate and inappropriate touch.	Not Met*

*\*The reviewers note these criteria have limited or no applicability; where they apply, the Order advise that they follow the procedures of the relevant Church Authority.*

The overarching document provides (p19) a code of behaviour which addresses Criterion 3.4. Whilst there is no reference in the document to a *whistle blowing policy*, this is addressed on the Order’s website [www.servite.org](http://www.servite.org), under the heading of *Reasons for Whistleblowing*. The reviewers consider that Criterion 3.6 is partially met and that reference to *whistle blowing* needs to be stated in the revision of the policy. Criteria 3.5 and 3.7 – 3.9 are not met as they are not addressed in the overarching Servite policy document. The reviewers recognize that whilst that the range of activity relating to children and young people is very limited in the Benburb site and the criteria do not have active application there, they are relevant to the ministry in Marley Grange Parish where they are addressed under the auspices of the policy of the Archdiocese of Dublin.

**Criteria – Operating safe activities for children**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>3.10</b>	There is guidance on assessing all possible risks when working with children – especially in activities that involve time spent away from home.	Not Met
<b>3.11</b>	When operating projects/ activities children are adequately supervised and protected at all times.	Not Met
<b>3.12</b>	Guidelines exist for appropriate use of information technology (such as mobile phones, email, digital cameras, websites, the Internet) to make sure that children are not put in danger and exposed to abuse and exploitation.	Not Met

Criteria 3.10 - 3.12, as stated above, are not met as they are not addressed in the overarching Servite policy document. The reviewers recognize that whilst that the range of activity relating to children and young people is very limited in the Benburb site and the criteria do not have active application there, they are relevant to the ministry in Marley Grange Parish here they are addressed under the auspices of the policy of the Archdiocese of Dublin.

**RECOMMENDATION 5.**

**The Prior Provincial should ensure that Standard 3: *Preventing Harm to Children* is fully addressed in the Servites interim policy for Ireland.**



#### **Standard 4**

##### ***Training and Education***

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

##### **Criteria**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>4.1</b>	All Church personnel who work with children are inducted into the Church's policy and procedures on child protection when they begin working within Church organisations.	Met fully
<b>4.2</b>	Identified Church personnel are provided with appropriate training for keeping children safe with regular opportunities to update their skills and knowledge.	Met partially
<b>4.3</b>	Training is provided to those with additional responsibilities such as recruiting and selecting staff, dealing with complaints, disciplinary processes, managing risk, acting as designated person.	Met partially
<b>4.4</b>	Training programmes are approved by National Board for Safeguarding Children and updated in line with current legislation, guidance and best practice.	Met fully

The reviewers have been informed that all Servite religious, employees and volunteers receive basic induction training on the NBSCCCI standards and are satisfied that Criterion 4.1 is met fully. In Benburb this has been provided by members of the Local Safeguarding Committee who are accredited training facilitators for the Archdiocese of Armagh. The Order has confirmed that a catalogue of preventative/training work has been carried out. Criteria 4.2 and 4.3 are addressed insofar as training opportunities become available. There is however no evidence of a training needs assessment or a training plan and these criteria are assessed as partially met. Criterion 4.5 is met fully.

#### **RECOMMENDATION 6.**

**The Prior Provincial should ensure that a training needs assessment and training plan for safeguarding children and young people is put in place.**

## **Standard 5**

### ***Communicating the Church's Safeguarding Message***

*This standard requires that the Church's safeguarding policies and procedures be successfully communicated to Church personnel and parishioners (including children). This can be achieved through the prominent display of the Church policy, making children aware of their right to speak out and knowing who to speak to, having the Designated Person's contact details clearly visible, ensuring Church personnel have access to contact details for child protection services, having good working relationships with statutory child protection agencies and developing a communication plan which reflects the Church's commitment to transparency.*

#### **Criteria**

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

The reviewers have seen evidence that the Order has prepared posters and other publicity material on safeguarding for open display and Criterion 5.1 is assessed as fully met. Criterion 5.2 is assessed as not met as it is not addressed in the overarching Servite policy document. Whilst it is recognized that the range of activity relating to children and young people in Benburb is very limited, this measure is implemented through the safeguarding process of the Archdiocese of Dublin in Marley Grange. Criteria 5.3 and 5.4 are met fully. The Civil Authorities have confirmed that communication with the Order in relation to safeguarding is good, therefore Criterion 5.5 is met fully. Whilst there is

evidence of communications activity and it is referred to in the overarching safeguarding document, this needs to be captured in a written communications policy and Criterion 5.6 is assessed as partially met.

**RECOMMENDATION 7**

**The Prior Provincial should ensure that Standard 5 *Communicating the Safeguarding Message* is fully addressed in their interim safeguarding policy for Ireland.**

## 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.	Not met
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 Servite Order has been a member of the NBSCCCI's National Case Management Review Group (NCMRG) since 2012 which provides specialist advice and support, Criterion 6.1 is therefore met fully. The Order has established positive links with the NBSCCCI, as well as with statutory agencies and Criterion 6.2 is also fully met. The advice provided in the overarching safeguarding document about how to respond to a child who is suspected to have been abused is very limited and Criterion 6.3 is assessed as not met. The overarching safeguarding policy is also limited in relation to engagement with victims and survivors, whilst contacts have been made with victims in more recent cases and counselling offered, the uptake has not been good. The Order has now appointed a support person, who advised that she has been asked to take on this role but has not as yet had the opportunity to work with any cases. Criterion 6.4 is assessed as partially met. The Order needs to develop a survivor/ victim policy statement and

communications materials. In relation to Criterion 6.5, the Order has one priest advisor who supports four men. The work of the priest advisor, which is intensive within such a small group, is commended by the reviewers who were impressed by this man's candour, openness and commitment to his task. However the reviewers did not see records of contacts between the priest advisor and the men for to whom he gives support and it would be best practice to address this recording deficit.

**RECOMMENDATION 8**

**The Prior Provincial should ensure that the Order addresses the issue of how to respond to children suspected of suffering abuse (6.3) and develops a policy and communications material for survivor/victim outreach and engagement.**

## **Standard 7**

### ***Implementing and Monitoring Standards***

*Standard 7 outlines the need to develop a plan of action, which monitors the effectiveness of the steps being taken to keep children safe. This is achieved through making a written plan, having the human and financial resources available, monitoring compliance and ensuring all allegations and suspicions are recorded and stored securely.*

### **Criteria**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>7.1</b>	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.	Not met
<b>7.2</b>	The human or financial resources necessary for implementing the plan are made available.	Met fully
<b>7.3</b>	Arrangements are in place to monitor compliance with child protection policies and procedures.	Not met
<b>7.4</b>	Processes are in place to ask parishioners (children and parents/ carers) about their views on policies and practices for keeping children safe.	Met partially
<b>7.5</b>	All incidents, allegations/ suspicions of abuse are recorded and stored securely.	Met fully

The development of the safeguarding agenda in the Servite Order has been imbalanced in a number of aspects. Firstly it has been very concentrated on case management, which from 2010 onwards has, as already noted, been done well, relative to the work that is also necessary on prevention. It is acknowledged that there have been some improvements, having appointed a Servite Friar as Safeguarding Co-ordinator for Training in May 2013, but the pace of development is slow. The reviewers were advised that in terms of safeguarding, the Order is restructuring and will, in the near future, appoint key safeguarding personnel to fulfil the preventative roles. Secondly, the reviewers have concluded that the two main sites of the Order in Ireland, Benburb and Dublin, operate as quite separate entities from a child safeguarding perspective. Whilst they provide different ministries, they need to operate from a shared policy framework, which should be a single Irish safeguarding policy. Thirdly there must be accountability internally for the implementation of the safeguarding policy in Ireland, which cannot be delivered through the Provincial safeguarding structure in its current form, because that is not its function.

The reviewers have already commented that the Order is effective in relation to case management, but should ‘reset’ its focus to ensure that it addresses the preventative dimension of safeguarding. It is acknowledged that the Order has been moving in this

direction, but the pace of development has been slow. Alongside the role of the Designated Safeguarding Person, the Order needs to revisit the terms of reference of the local safeguarding committees. The reviewers were impressed with the knowledge and commitment shown by the members of these committees whom they met, but it became clear that there was a degree of confusion about role and structure. The local safeguarding committees need to be reconstituted to ensure that they oversee the development of the safeguarding policy, develop and evaluate training plans, oversee vetting and report formally to the Prior Provincial on a regular basis on key safeguarding trends. They should be accountable, through the nominated safeguarding person, directly to the Prior Provincial and the Provincial Council. As already noted, the role of current Provincial Safeguarding Committee is that of sharing information and good practice and it is not a core component of the structure needed to take forward safeguarding in Ireland

The reviewers consider that Criterion 7.1 has not been met. In order to take this work forward, the Servite Order needs to carry out an assessment of its current strengths and weaknesses and develop a three year strategic safeguarding plan to address the gaps that have been identified and to put in place realistic time frames and structures for action. It is understood that financial support will not be an obstacle, and that Criterion 7.2 is met fully. Criterion 7.3 is not met under the current arrangements, but can be addressed as above. Criterion 7.4 is assessed as partially met, as it is not addressed in the overarching safeguarding policy. The reviewers recognize that it is implemented in Marley Grange Parish, but under the terms of the safeguarding policy of the Archdiocese of Dublin. The range of activity relating to children and young people in Benburb is very limited and the criterion has minimal active application there.

Finally the reviewers consider that Criterion 7.5 is fully met.

**RECOMMENDATION 9.**

**The Prior Provincial should ensure that the review of the safeguarding structure, in conjunction with Recommendation 3, leads to the strengthening of the local safeguarding committees and the development and implementation of a three year safeguarding plan.**

## **Recommendations**

### **RECOMMENDATION 1**

The Prior Provincial should consult immediately with the NBSCCCI about the most efficient process for completing a viable interim safeguarding policy for the Servites in Ireland pending the publication of the NBSCCCI review. The interim policy needs to address Standard 1 *A Written Policy on Keeping Children Safe*, with particular reference to Criteria 1.1, 1.2, 1.4, 1.5, 1.6, 1.8 and 1.9 above.

### **RECOMMENDATION 2.**

The Prior Provincial should ensure that Criteria 2.2, 2.4 and 2.5.of Standard 2 *How to Respond to Child Protection Allegations and Suspicions*, are addressed in the interim safeguarding policy for Ireland.

### **RECOMMENDATION 3.**

The Prior Provincial needs to review the safeguarding structure of the Servite Order in order to better align it with the implementation of the NBSCCCI safeguarding standards in Ireland and to develop and strengthen the area of prevention (2.3).

### **RECOMMENDATION 4.**

The Prior Provincial should ensure that the safeguarding files are structured and organized as recommended in NBSCCCI guidance and standards document, *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*.

### **RECOMMENDATION 5.**

The Prior Provincial should ensure that Standard 3 *Preventing Harm to Children* is fully addressed in the Servites interim policy for Ireland.

### **RECOMMENDATION 6.**

The Prior Provincial should ensure that a training needs assessment and training plan for safeguarding children and young people is put in place.

### **RECOMMENDATION 7**

The Prior Provincial should ensure that Standard 5 *Communicating the Safeguarding Message* is fully addressed in their interim safeguarding policy for Ireland.



**RECOMMENDATION 8.**

**The Prior Provincial should ensure that the Order addresses the issue of how to respond to children suspected of suffering abuse (6.3) and develops a policy and communications material for survivor/victim outreach and engagement.**

**RECOMMENDATION 9.**

**The Prior Provincial should ensure that the review of the safeguarding structure, in conjunction with Recommendation 3, leads to the strengthening of the local safeguarding committees and the development and implementation of a three year safeguarding plan.**

**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 Church Authority (Diocese/religious congregation/missionary society) by individuals or by the Civil Authorities in the period 1<sup>st</sup> January 1975 up to the date of the review, against Catholic clergy and/or religious still living and who are ministering/or who once ministered under the aegis of the Church Authority, and examine/review and report on the nature of the response on the part of the Church Authority.
2. If deemed relevant, select a random sample of complaints or allegations, knowledge, suspicions or concerns of child sexual abuse, made to the Church Authority by individuals or by the Civil Authorities in the period 1st January 1975 to the date of the review, against Catholic clergy and/or religious now deceased and who ministered under the aegis of the Church Authority.
3. Examine/review and report on the nature of the response on the part of the Church Authority.
4. To ascertain all of the cases during the relevant period in which the Church Authority
  - 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 Church Authority.

As well as examine

- Communication by the Church Authority with the Civil Authorities;
- Current risks and their management.

4. To consider and report on the implementation of the 7 safeguarding standards set out in *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*, including the following:
5.
  - a) A review of the current child safeguarding policies and guidance materials in use by the Church Authority and an evaluation of their application;
  - b) How the Church Authority creates and maintains safe environments.
  - c) How victims are responded to by the Church Authority
  - d) What training is taking place within the Church Authority
  - e) How advice and support is accessed by the Church Authority in relation to victim support and assessment and management of accused respondents.
  - f) What systems are in place for monitoring practice and reporting back to the Church Authority.

## **Accompanying Notes**

### **Note 1: Definition of Child Sexual Abuse:**

The definition of child sexual abuse is in accordance with the definition adopted by the Ferns Report (and the Commission of Investigation Report into the Catholic Archdiocese of Dublin). The following is the relevant extract from the Ferns Report:

“While definitions of child sexual abuse vary according to context, probably the most useful definition and broadest for the purposes of this Report was that which was adopted by the Law Reform Commission in 1990<sup>1</sup> and later developed in Children First, National Guidelines for the Protection and Welfare of Children (Department of Health and Children, 1999) which state that “child sexual abuse occurs when a child is used by another person for his or her gratification or sexual arousal or that of others”. Examples of child sexual abuse include the following:

- exposure of the sexual organs or any sexual act intentionally performed in the presence of a child;
- intentional touching or molesting of the body of a child whether by person or object for the purpose of sexual arousal or gratification;
- masturbation in the presence of the child or the involvement of the child in an act of masturbation;
- sexual intercourse with the child whether oral, vaginal or anal;
- sexual exploitation of a child which includes inciting, encouraging, propositioning, requiring or permitting a child to solicit for, or to engage in prostitution or other sexual acts. Sexual exploitation also occurs when a child is involved in exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, video tape, or other media) or the manipulation for those purposes of the image by computer or other means. It may also include showing sexually explicit material to children which is often a feature of the ‘grooming’ process by perpetrators of abuse.”

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<sup>1</sup> This definition was originally proposed by the Western Australia Task Force on Child Sexual Abuse, 1987 and is adopted by the Law Reform Commission (1990) *Report on Child Sexual Abuse*, p. 8.

**Note 2: Definition of Allegation:**

The term allegation is defined as an accusation or complaint where there are reasonable grounds for concern that a child may have been, or is being sexually abused, or is at risk of sexual abuse, including retrospective disclosure by adults. It includes allegations that did not necessarily result in a criminal or canonical investigation, or a civil action, and allegations that are unsubstantiated but which are plausible. (NB: Erroneous information does not necessarily make an allegation implausible, for example, a priest arrived in a parish in the Diocese a year after the alleged abuse, but other information supplied appears credible and the alleged victim may have mistaken the date).

**Note 3: False Allegations:**

The National Board for Safeguarding Children in the Catholic Church in Ireland wishes to examine any cases of false allegation so as to review the management of the complaint by the Diocese/religious congregation/missionary society.

**Note 4: Random sample:**

The random sample (if applicable) must be taken from complaints or allegations, knowledge, suspicions or concerns of child sexual abuse made against all deceased Catholic clergy/religious covering the entire of the relevant period being 1<sup>st</sup> January 1975 to the date of the Review.

**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.