



THE NATIONAL BOARD FOR
SAFEGUARDING CHILDREN
IN THE CATHOLIC CHURCH

Review of Child Safeguarding Practice
in the religious congregation of
Sisters of St. Clare

undertaken by

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

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 Irish Episcopal Conference, the Conference of Religious of Ireland and the Irish Missionary Union, to undertake a comprehensive review of safeguarding practice within and across all the Church authorities on the island of Ireland.

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

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

This report contains the findings of the Review of Child Safeguarding Practice in the Religious Congregation of the Sisters of St. Clare undertaken by the NBSCCCI in line with the request made to it by the Sponsoring Bodies.

The findings of the review have been shared with a reference group before being submitted to Sr. Anne Kelly along with any recommendations arising from the findings. The review is not based on a review of case material as during the relevant time period there were no allegations made against members of the congregation that were within the Terms of Reference. There was one allegation of emotional abuse against two deceased sisters which was examined and is commented on in the body of the report. The reviewer also examined the policies and procedures of the Congregation and held interviews with key personnel involved in the safeguarding process within the congregation, particularly in the services run by the congregation.

1. Introduction

The Sisters of Saint Clare trace their history from the present day back to the earliest days of Saint Clare in Assisi. Records show that the Congregation has been in Ireland from as early as the fourteenth century. The Congregation was enclosed until 1804 when the Archbishop of Dublin petitioned Rome to modify aspects of the rule and the Sisters founded an orphanage at Harold's Cross which opened in 1806.

In 1829 the Sisters were invited to open a convent in Newry, Northern Ireland. This was the first convent in that part of Ireland since the Reformation, and at the request of the Bishop of Dromore they established schools; first in Newry and later in different parts of Ireland: Cavan and Kenmare in 1861; Ballyjamesduff and Keady in 1872. The Sisters founded a Convent in Cavan in 1861 and ran an industrial school there, St. Josephs, until a fire in 1943, destroyed the building. Thirty five children and one adult employee died as a result of the fire.

There were more foundations in the twentieth century, to Dioceses in Ireland, England and Wales. By the early 1960's Convents were opened in several U.S. dioceses and in the 1970's missions began in El Salvador and Guatemala. Currently, there are Sisters living in six countries, spread across three continents. Some are active apostolates, some are retired, and all Sisters are committed to the charism of contemplation, community and poverty.

The Sisters of St Clare continue to live their lives through contemplative prayer. In Ireland there are Convents in Newry, Belfast, Coalisland, and Keady in Northern Ireland, and in the Republic of Ireland in Dublin, Cavan and Kenmare.

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

The Sisters of St. Clare have had a very active role in the education and care of children, and founded a number of primary and secondary schools across Ireland. This role has significantly diminished over time and the Sisters currently hold governance and are engaged directly with children in one secondary school, The Sacred Heart School, in Newry, Northern Ireland. One Sister is currently the principal, two Sisters are teachers, and one Sister works in the Information Technology department of the school. All of these Sisters have undertaken relevant safeguarding training. A number of Sisters serve on the Boards of Management of various schools across Ireland. In all instances the Sisters are required to adhere to the child protection policy and procedures of the school, which follows Department of Education in Northern Ireland and the Department of Education and Skills guidance in the Republic of Ireland.

The Sisters are also engaged in pastoral ministry, evangelisation, health and social care, counseling, care of the sick and homeless, and retreat work. All of this work is with adults. Where Sisters assist in parish ministry they follow the Diocesan policy, within which they minister.

3. Profile of Members:

There are currently one hundred and twelve members of the Religious Congregation of the Sisters of St Clare in Ireland, with seventy two currently residing in Ireland. Approximately thirty to thirty five of the Sisters are away at any one time on various international Missions. There are sixty Sisters aged between eighty and one hundred years. Eleven Sisters are aged between sixty and eighty years, and there is one Sister under forty.

4. Policy and Procedures Document:

The Sisters of St. Clare have a comprehensive child safeguarding policy document which is signed by the Abbess General and dated October 2010. Technically this policy should have been revised every three years, but given their aging profile, limited ministry with children and requirement that they follow Education child protection policy and procedures, the reviewer is satisfied that the current policy is still acceptable.

The policy outlines that the guiding principle of the Congregation of the Sisters of St. Clare is that it is always unacceptable for a child to experience abuse of any kind. The policy is embedded within Gospel values and in international and domestic Law. It provides detailed explanations of forms of abuse, recognising abuse, what to do if abuse is reported or suspected and procedures on how manage the respondent to the allegation.

The policy clearly outlines the role of the Designated Liaison Person and provides contact details in both the North and South of Ireland for this role holder, along with the contact details for the appropriate statutory and civil agencies. The policy outlines the congregation's commitment to 'Best practice' and provides a detailed Appendix in relation to Code of Conduct.

The child safeguarding policy of the Sisters of St Clare is easy to read and comprehensive in its content. The reviewer is satisfied that it is adequate and fit for purpose.

5. Structures:

The congregation is divided into five worldwide Regions. The Central Leadership team of five Sisters is headed by the Abbess General who is Sister Ann Kelly, based in Dublin. To assist her in all matters relating to child safeguarding she has appointed a Designated Liaison Person

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

There has been one allegation of emotional abuse from one complainant in relation to two members of the Sisters of St. Clare, who were in teaching positions approximately forty years ago. This allegation was reported in 2012 to the designated Liaison Person, who notified the Abbess General Sr. Ann Kelly, who in turn sought advice and guidance from the NBSCCCI. The allegation was referred to the relevant civil authorities and counseling was offered to the complainant through *Towards Healing*. There are no concerns about the management of this case.

Information on abuse in the Sisters of St. Clare residential establishments is documented in the report of the Commission to Inquire into Child Abuse (Ryan Report). The legislation which set up the Commission to Inquire into Child Abuse does not allow disclosure of any information outside that process; therefore any cases heard by the Commission fall outside the remit of this review.

7. Conclusion:

The Sisters of St. Clare have historically played a significant role in the education and care of children in Ireland. This direct role has diminished over time and they currently have governance of one secondary school in the Newry area of Northern Ireland.

The Sisters of St. Clare have a comprehensive and easy to read child safeguarding policy which provides information for both the North and South of Ireland. The Sisters will adopt the revised “One Church Policy” when it is finalised early in 2016. The Sisters also adhere to the child safeguarding policy of the relevant education authority and diocese.

There has been one allegation of emotional abuse made against two members of the Sisters of St. Clare, dating forty years ago. This allegation was referred to the relevant authorities and advice was sought by the Abbess General from the NBSCCCI. The reviewer has no concerns about the management of this case.

The reviewer concludes that there are no concerns about the child safeguarding practice within the Congregation of the Sisters of St. Clare.

Review of Child Safeguarding in the Catholic Church in Ireland

Terms of Reference

Small Religious Congregations

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

Introduction

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

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

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

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

The proposed review would consider the following:-

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

The objective of the review would be to confirm if there have been any allegations and how known allegations have been responded to; in addition the review seeks to confirm what the current arrangements for safeguarding children are. In particular, emphasis will be placed on establishing how policies and practice match up to the standards set down in *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* published by the National Board for Safeguarding Children in the Catholic Church in Ireland and launched in February 2009. Priority, at all times, will be given to how policy and practice can be improved and strengthened. If policies and/or practices are identified that are concerning, inadequate, or dangerous, they will be addressed through the provision of

guidance and support, and through the reporting of these situations to the appropriate statutory authorities, if this has not already happened. Similarly, those that are good examples will be highlighted with a view to them being adopted comprehensively across all parts of the Church. All cases that relate to alleged or known offenders that are alive will be read and included in the review. In cases where the alleged or known offender is deceased, these will be sampled in an attempt to gather learning from them that will be used to inform the framing of recommendations.

Guidance Documents

The review will be guided by the following:-

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

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

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

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

Step Guide to the Review Process

Step 1.

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

Step 2.

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

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

Step 3.

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

Step 4.

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

Step 5.

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

Step 6.

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

Step 7.

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

Step 8.

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

Step 9.

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

Step 10.

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

Step 11.

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

Step 12.

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

Step 13.

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

Step 14.

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

Step 15.

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

Step 16.

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

Step 17.

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

Step 18.

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

Step 19.

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

Step 20.

The report will be legally proofed by NBSCCCI lawyer.

Step 21.

The report will be forwarded to the NBSCCCI for approval

Step 22

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

Step 23.

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

Guide for Reviewers

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

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

In relation to category 1 above;

1. The reviewers will establish whether any service they provided is included in the list of children's residential services produced by the Residential Institutions Redress Board (RIRB);
2. If this is the case, reference should be made to this.
3. If complaints have been referred to the Redress Board or Ryan Commission, this review cannot access these records and that will be stated in the report.
4. If the order has received complaints which have not been processed through Redress or Ryan these cases will be thoroughly examined as detailed above.

Review of Policy and Procedures

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