



THE NATIONAL BOARD FOR
SAFEGUARDING CHILDREN
IN THE CATHOLIC CHURCH IN IRELAND

Review of Safeguarding Practice

in the

Presentation Brothers

Anglo-Irish Province

undertaken by

The National Board for Safeguarding Children in the

Catholic Church in Ireland (National Board)

Date of Review Report: May 2023

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Background

The National Board for Safeguarding Children in the Catholic Church in Ireland (National Board) was established in 2006 to:

- provide advice, services and assistance in furtherance of the development of the safeguarding of children within the Roman Catholic Church on the Island of Ireland;
- monitor compliance with legislation, policy and best practice; and
- report on these activities, as is comprehensively set out in the Memorandum of Association of the Company.

Church authorities who have entered into an agreement with the National Board through signing a Memorandum of Understanding have committed to following *Safeguarding Children - Policy and Standards for the Catholic Church in Ireland 2016*. In order to assess compliance with the 2016 Standards, Brother Raymond Dwyer, Province Leader invited the National Board in late 2022 to undertake a review of Case Management practice. The reason for requesting a partial Review was that the Presentation Brothers have no ministry with children and young people.

The Order was previously reviewed in January 2014 under the *Safeguarding Children - Standards and Guidance for the Catholic Church in Ireland 2008*. The report of the first Review can be found on the National Board website at www.safeguarding.ie/publications.

The Recommendations from the first Review in relation to case management were that:

Recommendation	Status of implementation
<p>Recommendation 1: The Province Leader should ensure that in the revision of the Presentation Brothers safeguarding policy and procedures explicit reference is made to how individuals who are deemed a risk to children are managed.</p>	<p>The Order adopted the 2016 Safeguarding Children Policy and Standards in full to replace its own safeguarding policy and procedures. This is stated on the Order’s website, as follows:</p> <p>Please note that the previous Anglo-Irish Safeguarding Policy has been superseded by the NBSCCI’s Safeguarding Children Policy and Standards for the Catholic Church in Ireland 2016. While this is now the policy, our procedures to implement this policy come from the Standards Guidance section of the NBSCCCI website.</p> <p>@ https://presentationbrothers.org/safeguarding-children/</p>
<p>Recommendation 2: The Province Leadership Team should review the current role descriptions for the designated person, the deputy designated person, victim support personnel and other relevant personnel within the safeguarding structure.</p>	<p>The Order’s DLP has a written role description. There has been no need to have a Deputy DLP or a Victim Support Person, which will be explained in the report under Standards 2 and 3 below. The DLP is experienced and has received training for his role.</p>

<p>Recommendation 3: The Province Leader in consultation with the designated person must develop a clear protocol around the creation and maintenance of case records. In addition, the master files should be reviewed a minimum of every quarter to ensure full information is on the case management file.</p>	<p>All case management files that deal with members of the Order who were discussed in the previous Review Report are being prepared for placing in the Order's Archives. The files that have been opened since that Review are maintained by the DLP and are stored in the Province Leader's office. All members about whom allegations or concerns have been reported since the first Review are deceased.</p>
<p>Recommendation 5: That the Province Leader ensures that all allegations, which meet the threshold of notification, are reported to the civil authorities and the NBSCCCI without delay.</p>	<p>Implemented</p>
<p>Recommendation 6: The designated person must ensure that full records, including relevant copies of notification and key information are held on the case file. The records should also follow the NBSCCCI case file template.</p>	<p>Implemented</p>
<p>Recommendation 7: That on a regular basis the province leadership should meet the TUSLA liaison officer and the Garda liaison officer, the HSC and the PSNI to ensure full exchange of relevant information and communication necessary to safeguard children and manage risk.</p>	<p>All required information has been shared with the relevant statutory agencies.</p>
<p>Recommendation 9: That the province leader appoints and trains a number of people to act as a victim support team both from a lay/religious perspective and a male/female perspective. The support person should inform survivors of the State sponsored Caranua service.</p>	<p>The Order now has nobody acting in the specific Victim Support role; the DLP has undertaken this responsibility.</p>
<p>Recommendation 10: That the province leader appoints and trains a number of people to act as a team of advisors.</p>	<p>As all respondents are deceased, this recommendation is not relevant.</p>

The purpose of this second round of Reviews is to assess child-safeguarding practice against the Catholic Church in Ireland's current standards as detailed in *Safeguarding Children - Policy and Standards for the Catholic Church in Ireland 2016*. The Review seeks a level and quality of evidence to provide:

- Public confidence that the Church body is safe for children.
- Affirmation to child safeguarding personnel that they are doing the right things well.
- Confirmation to the Church authority that what they want to be done is in fact being done.
- Independent verification of Self-Audit – or correction and/or improvement of Self-Audit.
- Opportunities for learning.

Introduction

Since the Review Report of January 2014, the Anglo-Irish Province of the Presentation Brothers has greatly changed. Most significantly, no Brothers remain in the UK, and the majority of the Brothers living in the Republic of Ireland are retired. The Order no longer has any ministry with children and young people. However, two Brothers are involved in Secondary Schools and in those situations, they follow the policy and procedures of the Schools. All Brothers are familiar with their safeguarding responsibilities should they engage in any underage contacts and are aware of their mandatory reporting responsibilities

The membership of the Province at the time of the Review fieldwork on March 20, 2023 was thirty-six (36) finally professed Brothers, one (1) temporary professed Brother, and one (1) novice. The average age of this membership was eighty years (80). There were Six (6) Brothers over 90 years of age; sixteen (16) Brothers in the age range 80 to 89; 10 Brothers in the age range 70 to 79; one (1) Brother in his 60s; one (1) Brother in his 50s; one (1) Brother in his 40s; and two (2) Brothers in their 20s. These men are located in eight (8) community houses in Ireland, four of which are in Cork City, with others in Counties Offaly, Dublin, Waterford and Kerry.

Of the four (4) Brothers who are still working, two (2) are involved in second level schools, one (1) works with the Traveller community, and one (1) is the Director of the LEAF (Leadership Education and Formation) Project, which works with young adults in the age range 19 to 35 years (see <https://presentationbrothers.org/home/fresh-leaves-the-story-of-the-l-e-a-f-project/>). These four Brothers follow the safeguarding policy of the external services or agencies in which they work. The period covered by this Review is from February 2014 to March 2023. The reviewer has examined all child protection concerns reported to the Presentation Brothers during this time-period, as well as cases reported earlier and still being managed at the time of the Review.

Process of Review

The on-site fieldwork was carried out on March 20, 2023 in the Provincial House in Cork City. The reviewer met with the Province Leader and the Designated Liaison Person, as well as examining fourteen (14) case management files that had been identified as relevant to the period covered by the Review.

Standards

Each standard contains a list of indicators, by compliance with which the standard is met. To support implementation of the Standards, the National Board has produced detailed Guidance, which is accessible on its website (<https://www.safeguarding.ie/guidance>). The Presentation Brothers have adopted in full the guidance of the National Board.

This Review concentrates on practice, and an assessment of practice under each of the three Case Management Standards.

Standard 2: Procedures for Responding to Child Protection Suspicions, Concerns, Knowledge or Allegations

Standard 3: Care and Support for the Complainant

Standard 4: Care and Management of the Respondent

Standard 2: Procedures for Responding to Child Protection Suspicions, Concerns, Knowledge or Allegations

Church Bodies have clear procedures and guidance on what to do when suspicions, concerns, knowledge or allegations arise regarding a child's safety or welfare that will ensure there is a prompt response. They also enable the Church to meet all national and international legal and practice requirements and guidance.

The Order's Child Safeguarding Statement required under the Children First Act 2015 is available on its website at <https://presentationbrothers.org/wp-content/uploads/2022/11/Pres-2022-Child-Safeguarding-Statement.pdf>

Two DLPs have served in the period covered by this Review, and there was a handover process between them before the first of these retired. The current DLP took on the role in 2017. The reviewer was provided with fourteen (14) case management files to examine and twelve (12) of these were deemed relevant to the second Review. The two files that were excluded contained details of an allegation of abuse in the UK made against a Brother based in the UK, and an allegation against a layperson. The case management files have been structured according to the complainants' names rather than the respondents' names; and while this is not a problem in terms of Standard 2, it has made the creation of Table 1 a little more challenging.

The following table sets out the allegations reported to the Presentation Brothers since the first Review. Both physical and sexual abuse have been alleged by complainants, and the letters P and S are used in the table to denote which type was alleged.

Table 1 –Allegations reported to the Presentation Brothers since February 2014.

Brother	Current status	Number of allegations	Type of abuse alleged	Gardai / PSNI notified	Tusla / Gateway services notified	The National Board notified
Bro. 1	Deceased	1 1 1 (3)	P P & S P	Two weeks Two weeks No*	Two weeks Two weeks No*	Two weeks One week No*
Bro. 2	Deceased	1 1 1 (3)	S S S	Two weeks Two weeks By Tusla	Two weeks Two weeks Tusla reported to the Order	Two weeks Two weeks Same day
Bro. 3	Deceased	1	P	By another Church body^	By another Church body^	By another Church body^

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Bro. 4	Deceased	1	P & S	One week	One week	One week
Bro. 5	Deceased	1	Not specified	Notified by Tusla	Tusla reported to the Order	No
Bro. 6	Deceased	1	P	By another Church body+	No+	Four and a half years+
Bro. 7	Deceased	1	P	By another Church body+	No+	Four and a half years+
Bro. 8	Living	1	S	Notified by Tusla	Tusla reported to the Order	Thirteen days
Bro. 9	Deceased	1	P	Same day	Same day	Same day
Bro. 10	Deceased	1	S	Next day	Next day	Next day

*Complainant has provided no details of what is alleged

^Notifications were made by the diocese in which this man taught

+This report was originally made to the diocese in which the named respondents taught. Legal correspondence from two different law firms has lacked required detail

Twelve (12) case management files were reviewed related to twelve (12) individual complainants, one of whom had not identified himself. There were ten (10) Brothers named as alleged abusers; but one of them could not be identified from the name provided by the complainant, as no Brother with that name had ever been a member of the Order.

The period during which these complaints were received was between January 22, 2014 and December 12, 2022. The allegations related to the years between 1954 and 1988.

There were seven (7) allegations of sexual abuse, and seven (7) allegations of physical abuse; in the cases of three (3) complainants, they reported both forms of abuse, which is why the number is greater than twelve (12).

One respondent, Brother 1, was alive when one report of physical abuse was received about him. He was elderly and in a supported living arrangement, and he died in the year following the receipt of the report by the Order.

All respondent Brothers, except one (1) are deceased; and the allegation against the one man who is still alive, Brother 8, was withdrawn.

All allegations relate to school settings, in both the Republic of Ireland and Northern Ireland. There were two delayed notifications to the National Board in a case involving two Brothers, Brother 6 and Brother 7, who had taught in the same school. There is some mitigation from the fact that the details provided to the Order have been sketchy, and that they came from three different sources. It took some time to assemble sufficient detail from a diocese and two different law firms to ascertain what needed to be notified. Both respondents were deceased when the first report was made to the Order by the diocese.

The case of Brother 5 should have been notified to the National Board, even though there was very little detail provided about it to the Order. The other delays in notifying the National Board are due to the receiving Church body, and should have been notified much sooner.

Notifications were made in an acceptable timeframe by the Presentation Brothers to the Statutory Authorities and with one exception to the National Board. Where the information was firstly notified to another Church body, the Presentation Brothers established that they had made the required notification.

This standard is met in terms of notification to the statutory authorities. In future all notifications should promptly be made to the National Board

Standard 3 - Care and Support for the Complainant

Complainants who have suffered abuse as children receive a compassionate response when they disclose their abuse. They, and their families, are offered appropriate support, advice and pastoral care.

In preparing for this Review, the National Board asked the Presentation Brothers if they could identify any complainants who might be willing to speak with a reviewer in the course of the Review. The Province Leader and the DLP reviewed all of the open cases and could not identify a complainant who met the criteria, i.e. a person who is in active contact with the Order and who is in a good enough emotional space to be able to participate in an interview.

The Presentation Brothers have taken a policy decision of trying to avoid court-based conflicts with complainants, on the basis that these can be an additional source of avoidable hurt to them. They have been actively trying to reach mediated settlements with those complainants who have been open to participating in that process. This is commended.

The information that is presented here is taken from the case management files that were examined by the reviewer, all of which are kept under the name of individual complainants rather than respondents. All complainants have been male, and all have been pupils at Presentation Brothers' schools.

The first complainant had made reports directly to the Order about two Brothers, one living at the time of the complaint, and the other deceased. The complainant had been taught by the named Brothers at the primary school he had attended. A member of the Leadership Team met with the complainant and gave him an apology on behalf of the Order; the Province Leader was abroad at the time. The then DLP also met with the complainant and provided him with contact details of One in Four and Towards Healing. The following year the Order reached an out of court settlement with the complainant.

The second complainant contacted the Order through his solicitor. As is the practice of the Presentation Brothers, their DLP wrote to the complainant through his solicitor to offer support, including offering the services of Towards Healing. An out of court settlement was reached with this complainant.

The third complainant made personal contact with the Order and he was met by the DLP. Although offered the services of Towards Healing, he declined. He did not want to be identified in notifications to the statutory agencies or to the National Board. He requested his solicitor to seek an out of court settlement. This was accommodated and a settlement was reached.

The fourth complainant provided the Order with a name of a man who had never been a member of the Order. The complainant lived abroad and was in receipt of therapeutic services there. He had telephone contact with the DLP. He subsequently said that he wished to withdraw his complaint; and given that there was no complaint, no further action could be taken by the Order.

The next complainant made contact with the Order through his legal advisor. The DLP made contact with him through his legal advisor and offered him the services of Towards Healing. The matter was resolved by an out of court settlement.

The sixth complainant did not contact the Order at any stage. They made their allegation directly to Tusla, which did not supply the Order with the complainant's details, thus preventing them from offering pastoral care and support.

The seventh complainant dealt through his solicitor, who wrote to the diocese within which the two named Brothers had taught at a Presentation Brothers school. While this matter has been the subject of correspondence for over four years, involving the diocese, two law firms and the Order, there has been little progress made. It appears from the case management file that the diocese that first received the letter from the complainant's solicitor has been managing matters.

The DLP met with the eighth complainant and offered him the services of Towards Healing. He alleged that a named Brother had sexually abused him when he was in his class in a Presentation Brothers' primary school. The Order reached a mediated settlement with the complainant.

The ninth complainant first approached Tusla to make a retrospective allegation of sexual abuse against a named, living Brother. The DLP provided his contact details to the Tusla social worker who had contacted him, requesting that they provide these to the complainant. He also provided the social worker with the contact details for Towards Healing. However, the complainant did not engage with the DLP. The Order was subsequently informed by the Gardai that the case was closed as the complainant had withdrawn his allegation.

The tenth complainant spoke to the DLP by phone and named a deceased Brother who he alleged had physically abused him when he was a pupil in his class in a Presentation Order school in the 1960s. The DLP offered to meet with the complainant, but he declined. The DLP told the complainant that he would notify the allegation to the Gardai. The complainant was to have made further contact with the DLP, and when he did not do so, the DLP attempted to contact him, but with no success. He texted the complainant and provided him with contact details for the relevant Garda office, and offered him counselling services from Towards Healing. The complainant had not made any further contact at the time of the Review fieldwork, approximately five months after his original phone call.

The next complainant contacted an office of the Presentation Brothers, and the recipient of this call gave the details to the Order's DLP. The DLP phoned the complainant, who told him that it was not a good time for them to talk, and took the DLP's number to call him back. He did not do so, but in a response to a text from the DLP, he undertook in a text to make contact again. He has not done so in the approximately three months between that text message and the Review fieldwork.

The last complainant had been in contact with One in Four and had been provided with the DLP's phone number. He phoned the DLP and they met soon afterwards. At that meeting the DLP offered the complainant a meeting with the Province Leader, and counselling with Towards Healing. The complainant subsequently met with the Province Leader, and afterwards expressed his satisfaction with the apology that he received from him. The case remains open, as the complainant has stated that he will make further contact with the Order in the future.

Five of the complainants made contact with the Order during 2022, and it appears that some of them were influenced by the publicity surrounding disclosures about abuse of students in schools owned and managed by a number of Religious Orders.

It is clear that where complainants opted to have contact with the DLP, they received an appropriate service response. Those who dealt through their solicitors received the offer of contact, as well as information about appropriate services. In the cases of five complainants, out of court settlements were made.

The reviewer is of the opinion that **this standard is met.**

Standard 4 - Care and Management of the Respondent

The Church Authority has in place a fair process for investigating and managing child safeguarding concerns. When the threshold for reporting has been reached, a system of support and monitoring for respondents is provided.

Since the previous Review, two allegations have been received against named Brothers who were alive at the time the allegations were reported.

The first of the respondent Brothers was elderly and in supported accommodation. The allegation against him was of physical abuse some forty years previously when he worked as a teacher. As this man was in a supervised setting, no risk assessment was conducted, or specific management plan was developed in respect of him. He died in the year following the allegation being received. In the case of the second Brother, he was old and frail when the allegation about him was received. This allegation was subsequently withdrawn.

Both living Brothers received ongoing support from the Order following receipt of the allegations against them.

All of the other named Brothers were already deceased when allegations against them were received, so no case management responses were required of the Order.

The reviewer accepts that in the cases reported, the risk was limited due to the age and infirmity of the respondent Brother. However, it would be appropriate in all cases that the Province Leader and the DLP conducts and records their assessment of risk on the casefile, in line with the National Board guidance under Standard 4, page 16 - 4. 2B Guidance on the Risk Assessment for Cleric and Religious to Produce an Interim Management Plan.

Although there has been very little call on the Order to manage the behaviour of respondents in the period being reviewed, the reviewer is of the opinion that **this standard is met.**

Standard 5: Training and Support for Keeping Children Safe, and Standard 6: Communicating the Church's Safeguarding Message

While this Review has concentrated on the Case Management Standards 2, 3, 4 and part of 7, it is pertinent to mention briefly two other Standards, 5 and 6.

The age profile of the members of the Province is such that very few are going out to work. However, it is possible that visitors to some of the Order's community houses are under 18 years of age. While it is not expected that all members would participate in safeguarding children training, the reviewer asked about the briefing and training that is done with active members. Representatives of all of the communities attended a safeguarding children training session in 2019. This has not been repeated since, although another similar session is being planned. The Province Leader and the DLP are regular attenders at National Board training events.

The Presentation Brothers' website at <https://presentationbrothers.org/about-us/anglo-irish-province/> has a Safeguarding section. In this, the Order makes it clear that it has adopted the national *Safeguarding Children Policy and Standards of the Catholic Church in Ireland 2016* as its own policy.

The main safeguarding page contains the contact details for the DLP for Ireland, as well as the DLPs for England, and for the Americas and West African Provinces. It also contains the contact details for the National Board. It would further enhance this page if contact details for the Garda Domestic Violence and Sexual Assault Investigations Unit in Harcourt Square, Dublin 8 could be added to it.

The Child Safeguarding Statement of the Order, signed by the Province Leader on November 18, 2022 is also available on their website. The contact details for the DLP are made available at the end of that statement.

Safeguarding is on the agenda of all community and province meetings. The Province Leader makes regular visitations to community houses, during which he highlights the area of safeguarding in his meetings with the community members.

Standard 7: Quality-Assuring Compliance with the Standards

The Church body develops a plan of action to quality assure compliance with the safeguarding standards. This action plan is reviewed annually. The Church body only has responsibility to monitor, evaluate and report on compliance with the indicators under each standard that apply to it, depending on its ministry.

The element of Standard 7 that is relevant to this Review is the Annual Report of the Designated Liaison Person to the Church authority. The reviewer has examined the report for the year 2022, signed on January 17, 2023 by the DLP prior to sending it to the Province Leader. It is a detailed typed report of activity under Standards 2, 3 and 4, and is of a suitable standard.

The Province Leader invited the National Board to undertake this Review.

The reviewer suggests that the Order places a notice on its website, for a period of one month, to inform anyone who visits it that a Review of child safeguarding is being conducted by the National Board, as no such notice was posted in advance of the Review fieldwork being conducted. The notice should advise that if anyone wishes to discuss any concern related to the safeguarding of children, they could contact the National Board and/or the Order. The relevant contact details should be included in such a notice, and the National Board can assist in the drafting of the notice.

This standard is met.

Conclusion

The Anglo-Irish Province of the Order no longer has any Brothers living and working in the UK, and the age profile of the 38 men who comprise the Province is such that only four are still working. The Presentation Brothers Order Anglo-Irish Province no longer has any ministry with children and young people. Those Brothers who teach or engage with children are employed by an external body to do so, and so follow the policy of that body. Given the absence of any directly controlled ministry, the Safeguarding Children Standards (1, 5, 6 and part of 7) no longer apply. Because of this, it was not appropriate to conduct a Review against all seven of the national Standards. The Province Leader requested that the case management Standards 2, 3, and 4 would be reviewed, along with the elements of Standard 7 that relate to case management.

The Order has responded effectively to the allegations that it has received since the previous Review, most of which were made against deceased Brothers. In most cases, notifications were made in a timely manner.

Complainants were engaged with, if they chose to meet with the DLP and the Province Leader, and effective pastoral care responses were made to them.

As only two Brothers were alive when allegations against them were received, with one of these being withdrawn, there was not a great need for managing respondent Brothers.

Governance under Standard 7 has been properly conducted.

The reviewer has made a number of suggestions in the course of this Review Report, which if taken up would further improve child-safeguarding practice. A final suggestion here is that child safeguarding awareness raising would continue for Brothers who occasionally encounter children and young people. No formal recommendations however were made, as all Standards reviewed were met.