



Private and Confidential

Review of Safeguarding Practice

in the

Irish Province of Dominican Friars

undertaken by

The National Board for Safeguarding Children in the

Catholic Church in Ireland (NBSCCCI)

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Provincial of the Dominican Friars**

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Background

The reviews into safeguarding practice by the National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI) are now well established. The Sponsoring Bodies, namely the Episcopal Conference, the Conference of Religious of Ireland (CORI) and the Irish Missionary Union (IMU) in 2010 requested that NBSCCCI 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 an order or other authority.

This report contains the findings of the review of safeguarding practice within the Congregation of the Dominican Friars 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 by the Dominican Friars, along with interviews with selected key personnel who contribute to safeguarding within the congregation. The NBSCCCI believes that all relevant documentation for these cases was passed to the reviewers. The report will note large gaps in records. The Dominican Friars carried out a comprehensive search and believe that early information relating to safeguarding and allegations of abuse was not recorded.

The findings of the review, along with the recommendations arising from the findings, have been shared with the Reference Group in redacted form and views sought from that group.

Introduction

At the request of Father Pat Lucey, Provincial Prior of the Dominican Friars in Ireland, staff from the NBSCCCI engaged in a process of reviewing child safeguarding policy and practice on March, 28th and 29th, 2012. Over the two day fieldwork period, case files were examined and interviews with key personnel in the order's safeguarding structure took place.

The Dominican Friars have communities in several parts of Ireland, with their provincial office located in Tallaght, Dublin. They have houses with communities of men, or sole friars in Newry, Dundalk, Drogheda, Leeson Park, Tallaght, St Saviours Priory, Dublin, Newbridge, Athy, Kilkenny, Waterford, Ballybeg, Montenotte, Cork, Tralee, Limerick, Galway and Sligo. In addition, there are communities in other parts of the world belonging to the Irish province. However, these did not form part of the current review of safeguarding practice.

The Dominican Friars ran an orphanage in Dublin, which was closed in 1994. This institution was one of the 18 institutions whose former residents could make a claim to the Redress Board, which was established under the Residential Institutions Redress Act, 2002 to make fair and reasonable awards to persons who, as children, were abused while resident in industrial schools, reformatories and other institutions subject to state regulation or inspection.

The Dominican Friars have been in consultation with the Government and have given over substantial amounts of money as part of the redress process. The Dominican Friars decided to offer money without recourse to lawyers and therefore did not engage in a long drawn out and costly legal process. Applications to the Redress Board identified abuse by one Dominican friar now deceased. There were not any complaints about the friar before the orphanage was closed in 1994 and a number of settlements have been paid to the victims who have come forward. The same friar also abused when he had been Director of Vocations. There is no information available that indicates any of the abuse was made known to the order before the friar died.

In addition to the orphanage, the Dominican Friars ran both primary and secondary schools. They continue to have three primary schools as well as a second level school. There were 100 boarders in 1996/7. Steps were then taken to convert the secondary school to a mixed-gender day school. The second level school ceased to be a boarding school in 2002. Today the schools population is 822. There are no teachers who are friars, though there are chaplains in the schools. The schools are run by Boards of Management and have lay principals. In addition, the Dominican Friars own a holiday complex in Cork which is used for adventure activities for groups of children and disadvantaged families.

The Dominican Friars also run parishes on behalf of the Archdiocese of Dublin and other dioceses and they have a novitiate in Cork and a seminary in Dublin. There are currently 13 seminarians training to be priests with the Dominican Order.

This review has been conducted using a similar process to that applied to reviews undertaken in dioceses. However, the fieldworkers recognise the differences between diocesan friarhood and religious life and have tried to reflect in this report some of the distinct issues that arise for religious orders. For example, Dominican Friars working in parishes across Ireland put in place the safeguarding procedures of the diocese in which they work and in addition they participate in training offered by the host diocese as well as training provided through the provincial team.

Information within a religious order appears to be shared effectively. The members of the order are aware of those friars who are out of ministry and the restrictions imposed upon them. There are advantages to ensuring that members who harm children remain within the confines of the religious order, as this makes the management of risk easier than if the offender was living independently in the community, with little oversight. That said, the stress of living with someone who has committed offences against children can take its toll on the other residents of the religious house in which the offender lives, as well as on other members of the congregation. NBSCCCI met representatives of the order who are charged with offering support to men out of ministry and their views will also be reflected in this report.

The purpose of the review is set out within the Terms of Reference that are appended to this report. It seeks to examine how practice conforms to safeguarding standards in the Church, both at the time an allegation was received and currently. It is an expectation of the NBSCCCI that key findings from the review will be shared widely so that public awareness of what is in place and what is planned may be increased, as well as confidence that the Church is taking appropriate steps to safeguard children.

The review was initiated through the signing of a data protection deed, allowing full access by staff from NBSCCCI to all case management records. This access does not constitute disclosure, as the reviewers, through the deed, were deemed to be nominated data processors of the material for the Dominican Friars.

The process involved the fieldwork team reading all case management records of living friars against whom allegations have been made and friars who are members of the Dominican Order, twelve in total, some who have since been laicised or left the order. Further details will follow in the section on Standard 2 – *Management of Allegations*.

In addition to the reading and reviewing of case files, a number of personnel were interviewed including the provincial prior, the designated person, the friar support persons, and a member of the order's Advisory Panel.

The designated person had conducted an internal audit of and compiled a report on the implementation of safeguarding policies and procedures in Ireland and in overseas territories. That Dominican audit report was reviewed and will be commented on in this review report.

The final part of the review is an assessment of the order's Safeguarding Policy and Procedures against the standards set down in *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*.

As with all previous reviews, NBSCCCI has concentrated on an evaluation of current risk. Therefore an examination of case files relating to allegations against living friars, as well as the order's practices relating to the creation of safe environments for children, took priority during the fieldwork. The review process uses the seven standards outlined within *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* as an assessment framework. The report below therefore highlights findings under each standard and draws conclusions regarding the effectiveness of policies and practices to prevent abuse in the order, as well as the readiness of the relevant personnel within the order, to ensure that all allegations have been reported, that survivors have been responded to and that those who have harmed children and who remain within the order are appropriately managed so as to prevent further abuse. Where appropriate, recommendations for improvements are made.

STANDARDS

This section provides the findings of the review. The template employed to present the findings are the seven standards, set down and described in the Church guidance, *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*. This guidance was launched in February 2009 and was endorsed and adopted by all the Catholic Church authorities that minister on the island of Ireland, including the Dominican Friars.

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

N0.	Criterion	Met fully or Met partially or Not met
1.1	The order has a child protection policy that is written in a clear and easily understandable way.	Met fully
1.2	The policy is approved and signed by the provincial of the order.	Met fully
1.3	The policy states that all Church personnel are required to comply with it.	Met fully
1.4	The policy is reviewed at regular intervals no more than three years apart and is adapted whenever there are significant changes in the organisation or legislation.	Met fully
1.5	The policy addresses child protection in the different aspects of Church work e.g. within a church building, community work, pilgrimages, trips and holidays.	Partially Met
1.6	The policy states how those individuals who pose a risk to children are managed.	Met fully
1.7	The policy clearly describes the Church's understanding and definitions of abuse.	Met fully
1.8	The policy states that all current child protection concerns must be fully reported to the civil authorities without delay.	Met fully
1.9	The policy should be created at provincial level. If a separate policy document at parish or other level is necessary this should be consistent with the provincial policy and approved by the relevant provincial authority before distribution.	Met fully

Policy & Procedures

The Dominican Friars rewrote their policy and procedures in 2010, following implementation of *Safeguarding Children, Standards and Guidance Document for the Catholic Church in Ireland*. Previous to this, they had procedures based on *Our Children, Our Church* which was the guidance document that preceded the *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* document issued in 2009. The current policy document sets out clearly their intention to abide by national Church guidance and highlights what is required of all Dominican Friars, their employees and their volunteers.

The procedures booklet is easy to read, follows logically the seven standards and outlines roles and responsibilities for managing and reporting allegations. In addition, the booklet, which is aimed at providing information to friars, staff, and volunteers, sets out procedures to be followed in all areas of best practice, includes codes of behaviour, recruitment and the participation of children in Dominican sponsored activities. It is interesting to note from discussions with the leadership team, their sadness at the current absence of children from Dominican church life. NBSCCCI were advised that there were few, if any altar servers, no children's liturgies or events and fewer children attending church services. The leadership are actively considering how to rectify this situation by starting a process of re-engaging with children and families in ways which are safe, transparent and which encourages faith development in children.

The reviewers were advised that the policy and procedure document is disseminated amongst all Dominican friars, staff and volunteers. Information on safeguarding is also available on their website.

To improve communication in this area, NBSCCCI recommends:

Recommendation 1: That in order to communicate more openly, there should be a safeguarding icon on the Dominican website, with information relating to the policy and procedures and guidance on how to make a complaint.

Recommendation 2: That posters located in all Dominican properties need to be refreshed with current information on policies, procedures, reporting information, along with a list of who to contact within the Dominican Order, An Garda Síochána and HSE, if there is a safeguarding concern.

Standard 2

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

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

Table 1

Incidence of safeguarding allegations received within the Dominican Order against friars, from 1st January 1975 up to end of March 2012.

Dominican Order		
1	Number of Dominican friars against whom allegations have been made since the 1 st January 1975 up to the date of the Review.	27¹
2	Number of allegations reported to An Garda Síochána involving friars of the order since 1 st January 1975.	52²
3	Number of allegations reported to the HSE (or the Health Boards which preceded the setting up of the HSE,) involving friars of the Dominican Order since 1 st January 1975.	52
4	Number of friars against whom an allegation was made and who were living at the date of the review.	12
5	Number of friars against whom an allegation was made and who are deceased.	15
6	Number of friars against whom an allegation was made and who are “Out of Ministry, but are still members of the order”.	4³
7	Number of friars against whom an allegation was made and who have left the order/ friarhood.	4
8	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 st January 1975.	2
9	Number of friars against whom an allegation was made and who are in ministry, or retired.	4

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.

¹ Some of these allegations refer to 1973 – prior to any guidance or reporting requirements being in place. Allegations include suspicions and concerns.

² 4 were made directly to an Garda Síochána and there was no need for the Dominican order to report them.

³ 8 others relate to deceased friars. Others have been reported recently in preparation for the review and relate to 1973 &/or deceased friars

³ One of these men, alive at the time of the review, has since died

Notification to Civil Authorities

The Dominican procedures state clearly that upon receipt of an allegation, the designated person will inform the provincial and the civil authorities without delay. Since these procedures have come into place in 2010, allegations have been promptly reported, within days of receipt of the allegation to the order. Prior to this, there were long delays in reporting to the civil authorities. In fact it does not appear that allegations were, as a matter of course, reported to HSE. This may have been because of a belief that there was a national protocol in place under the provisions of the April 1995 notification of suspected cases of child abuse between health boards and An Garda Síochána which meant that reporting to An Garda Síochána allowed for an exchange of these notifications between the statutory agencies, but the fact remains that in the past allegations against members of the order were not reported.

In 2009, the current designated person took up his post and appears to have carried out a review of files, as a number of cases were reported to An Garda Síochána in that year which had been on file for some time. Some of the allegations reported stem back to a period before 1996, before there were any Church guidelines in place. In other cases, while not reported, action was taken to remove men from ministry and professional assessments were commissioned to guide the order on the management of risk.

However, there were notable exceptions, relating to men who left the order. It would appear from reading the records that risk presented by these men was never assessed. The departure of the men from the order, as far as the Dominican's were concerned, was the end of the matter, when in fact HSE should have been informed so that they could take responsibility for the assessment and management of risk, particularly as some of these men have since married and have children. These cases were notified to the HSE by the current designated person following his review of files.

During the course of the review, a current safeguarding allegation was notified to a Dominican friar. The matter was reported promptly to both An Garda Síochána and HSE, though the provincial and the designated person expressed some concerns about aspects of the receiving friar's actions, in terms of sharing full information. NBSCCCI were consulted and were impressed by the determination by the provincial and designated person in ensuring that the friar followed full reporting procedures, in line with their policy and procedures

Recommendation 3: In order to ensure that full information is being shared with HSE and An Garda Síochána, the Dominican Designated Person should seek to establish clear channels of communication with these statutory agencies to review allegations and ensure exchange of information in the interests of safeguarding children.

Case File Management

Reading the case files presents some difficulties, as there is an absence of narrative accounts of actions. The files have all been reconstructed using the NBSCCCI case file template and the NBSCCCI commend this action by the Dominican Friars. However in

restructuring files, there are significant gaps of records where written records information was not available to the designated person. It is clear from the files, for example that allegations have been notified to the civil authorities, as there have been An Garda Síochána investigations and in some cases criminal prosecutions however, the letter of notification is not on the file.

All new cases should be supported by a narrative account, which sets out the processes followed by the order. The absence of such an account in old files fails to do justice to both previous and the current provincial who did take appropriate corrective actions.

Recommendation 4: The designated person must ensure that all new files contain a narrative account of action and copies of all correspondence, criminal prosecutions, civil actions and other relevant documentation.

Recommendation 5: In the four ⁴ cases of men out of ministry, the designated person should seek to set up a master file with a chronology of events from the first reported allegation to current day. This file should detail all complainants and responses made to them by the order, investigations undertaken by the civil authorities, enquiries/assessments undertaken by the order, risk management plans and reviews of these as well as any advice obtained whilst managing the case.

⁴ One of these men, alive at the time of the review, has since died. Another friar is old and non compos mentis

Removal from Ministry

From reading the files, it would appear that on the whole action to remove men from public ministry was promptly taken, when an allegation was made. However, there is one friar, (Father X) a prolific abuser, in whose case when two boys made disclosures, earlier safeguarding action should have been taken. One boy disclosed that he had been abused. He was sent to the headmaster and was further abused by him (Father X). The boy then advised that this second abuse had happened, but he was not believed because the abuse was denied by Father X.

In the case of a second boy, when the provincial at the time, put the allegation to the abuser, Father X admitted the abuse and stated he would not do it again. This happened in 1973 and the then provincial believed the abuser and allowed him remain in ministry. The abuser went on to abuse other children and was eventually convicted and served a jail sentence for abuse of children. The abuser (Father X) is out of ministry since 1994 and is being managed by a very tight supervision plan. At a subsequent court hearing, on further charges of abuse, the judge commented on the supervision plans and decided against issuing a second prison sentence, because he felt the arrangements made by the order to prevent further abuse were good.

It is clear that the inaction by the order, when first notified of the abuse by Father X placed other children at risk. This was acknowledged by the order in 2003 and the then provincial made a statement on behalf of the order apologising, expressing his concern for the children abused by Father X and regret that safe action was not taken at the time of the first disclosure.

The behaviour of Father X, initially denying the abuse and being believed and later admitting it but stating that it would never happen again, demonstrates two things. Firstly that the adults - and in this case, a friar who had power over children were given more credibility than children and secondly, that abusers are grossly manipulative and cunning and could easily convince others, who were insufficiently aware of the dynamics of child abuse, that the behaviour reported did not happen and/or could be stopped simply by the abuser stating that he would never abuse again.

Similar issues arise in relation to how allegations against Father Y (now deceased though alive at the time of the fieldwork) were managed. This friar was left in ministry after the first concerns about his potential as an abuser were raised in 1990 and it was over four years before this friar was removed from ministry. Allegations against him related to the period 1956 – 1962 and there is no evidence that he abused between 1990 and early 1995, when he was removed from ministry. What is of particular concern is that like Father X, Father Y was in a position of responsibility at a local second level school in the period when sexual abuse of children was alleged to have occurred. What is also alarming is that Father Y also participated in national Church initiatives that were aimed at improving the response made by the Church to allegations of abuse when they emerged. He occupied these positions up to the time when he was withdrawn from ministry in 1995.

There was no overlap between the period when Fathers X and Y were in ministry.

Recommendation 6. It must be noted that both of the offending friars ministered in a second level school and it was there that they abused. Consideration should be given by the Dominican Friars to extend an invitation to others who also may have been abused and who have never come forward, to do so, so that they can be provided with help and support.

Recommendation 7. While the review team did not audit the practice in any school as part of this process, NBSCCCI recommend that the designated person advises the second level school of the review findings in relation to past abuse there.

In terms of advice and guidance, the Dominican Friars have had an Advisory Panel in place since 1994. In 2009 they opted to enter into the Inter-Congregational Advisory Panel but found it unsatisfactory and opted out 12 December 2011. They then reactivated the Dominican Advisory Panel according to the standards laid down by the NBSCCCI *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*. This demonstrates an understanding on their part of the complexities of child protection and their need to be guided in their actions by professionals in the field. The new Dominican-only panel has just met on one occasion to clarify roles and responsibilities and has not yet had to deal with an allegation of abuse, or review a risk management plan. As part of the current review, NBSCCCI met one member of the new panel, who has professional experience in clinical work with children. NBSCCCI were impressed that this member recognised the responsibilities of the role and showed a great willingness to support the order in their management of allegations.

Recommendation 8: The Dominican Friars should organise training for all Advisory Panel members on roles and responsibilities, recognising and responding to allegations and on understanding, assessing and managing risk.

Risk management

The information contained in the case management records would indicate that there are two men out of ministry who are subject to risk management plans. There are a further two who, because of their advanced age and poor state of health, do not appear to present a risk. Information about all these men has been shared with the priory/establishment in which they are living.

Four men who are alive, against whom credible allegations have been made, have left the order. However, NBSCCCI did not see any evidence that appropriate risk assessments of these men have been conducted by any agency.

The risk management plans that are in place are tight and require a fair degree of supervision. NBSCCCI commend the seriousness with which the Dominicans have approached the task of managing risk posed by members who have remained in the order. This part of safeguarding is considerably challenging, as offenders seek to thwart the

authority of the provincial or prior of the community. NBSCCCI note that reviews of these plans have taken place and consequences of non-compliance have been highlighted.

As part of this aspect of safeguarding NBSCCCI met two friar support persons and will refer again to this under Standard 6 below. Managing the risk posed by men out of ministry against whom credible allegations have been made is less problematic to undertake where the offender is a member of a religious order. That of course does not make the task easier, but allows for restrictions to be specified and supervised and more likely to be adhered to, as the residency of the offender is at stake if he or she refuses to co-operate. It is also safer for children. It does require great inner strength on the part of the other residents who may feel that the offender has harmed children and let the order down. On the other hand, the potential for manipulation is great and the Dominicans need to continue to be alert to the possibility of fellow community members feeling that the offender is hard done by. In order to prevent this manipulation happening, the Dominicans have shared information about the offending friar within the community in which they live.

NBSCCCI recommends that annual reviews of the risk management plans need to involve all relevant personnel, so that attempted manoeuvring by the offending friar is prevented. In addition, NBSCCCI recognises the significant stress experienced by the two friar advisers NBSCCCI met and would encourage the order to provide them with training and support for their role.

Recommendation 9. That the designated person organises an annual review of the risk management plans (relating to those who have offended) to include the views of the prior, the adviser, the offending friar and the statutory agencies as appropriate.

Recommendation 10. That the provincial offer support and guidance to the friar advisors (to those who have offended), in their role and assist them to access training on their role.

Canonical Processes

There is a complete absence of records of canonical action having been taken in relation to any of the men against whom credible allegations have been made. NBSCCCI advised that information has been shared through the Master of the Dominican Order in Rome with the Congregation of the Doctrine of the Faith, but that this information was held in a separate file and not copied across to the case management files. It is the view of the NBSCCCI that canonical disciplinary procedures should be invoked in the case of at least two of the men who are still able-bodied but who are not friars of good standing. NBSCCCI recognise that keeping and managing these men within the order reduces risk to children. However, they do not and should not enjoy the same status as other friars and this should be acknowledged by ensuring that the canonical process is followed.

Recommendation 11. The provincial ensures that a canonical process is reinitiated in respect of two friars and that his votem on their future status be conveyed to the Congregation of the Doctrine of the Faith in line with current Church guidance.

Response to Survivors of Abuse

Through the review, NBSCCCI formed a view as to how well or otherwise complainants have been responded to in the past. Some significant issues need to be noted.

As already stated above, when some children came forward in 1980s, they were not believed. This represents a major failing on the part of the Dominicans in charge at the time.

A number of survivors have received financial settlements and have been offered counselling. There is evidence on file of one past provincial, the current provincial and designated person offering genuine remorse for the actions of their brothers in religion. This is the attitude that should underpin all safeguarding actions within the order, a genuine regret for the mistakes that have been made in the past and a firm commitment to ensuring that nothing of that nature ever happens again.

In addition, NBSCCCI commend the voluntary approach and financial contribution to the redress process that the current provincial, Fr. Pat Lucey and his team have made. NBSCCCI support their desire to make obtaining settlements easier for victims and avoiding bureaucracy and unnecessary expense. NBSCCCI would recommend that the approach taken by the Dominican Order be considered by others with a view to making it easier for victims of clerical abuse to obtain support.

There are, in our view, other victims of Dominican friars who have not yet come forward. NBSCCCI believe that the current leadership team should initiate a review of the files of the two able bodied friars who are out of ministry to ensure that all allegations have been reported and that victims have been offered support and counselling. In addition, NBSCCCI would encourage the Dominican Order to post a notice on their website inviting anyone who has been abused by a Dominican friar to report this, either to the designated person or to the civil authorities so that appropriate help, counselling and support can be offered.

Recommendation 12. That the designated person should initiate a review of the files of the two able bodied friars who are out of ministry to ensure that all allegations have been reported and that victims have been offered support and counselling.

In conclusion, in terms of responding to current allegations and managing current risk today, there is evidence, and a willingness, on the part of the present leadership, to report concerns to statutory bodies.

There was a real sense of accepting past failures and a determination to ensure that the review by NBSCCCI of past practice identified the unacceptable deficiencies, which meant that avoidable abuse took place, through a failure to take the necessary protective actions. In current cases there is evidence of genuine attempts at quickly ensuring that risk is notified to the civil authorities and managed, within the order.

The current leadership team appear to understand their obligations and are showing a determination to improve practice. The records demonstrate a commitment to understanding and managing risk. The implementation of the recommendations highlighted above will assist them with any future responses to allegations of abuse by their members.

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 an order meets the requirements of all twelve criteria against which the standard is measured. These criteria are grouped into three areas, Safe Recruitment and Vetting, Codes of Behaviour and Operating Safe Activities for Children.

Criteria – Safe Recruitment and Vetting

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

Criteria – Codes of Behaviour

Number	Criterion	Met fully or Met partially or Not met
3.4	The order provides guidance on appropriate/ expected standards of behaviour of adults towards children.	Met partially
3.5	There is guidance on expected and acceptable behaviour of children towards other children (anti-bullying policy).	Met partially
3.6	There are clear ways in which Church personnel can raise allegations and suspicions about unacceptable behaviour towards children by other Church personnel or volunteers ('whistle-blowing'), confidentially if necessary.	Met fully
3.7	There are processes for dealing with children's unacceptable behaviour that do not involve physical punishment or any	Not Met*

	other form of degrading or humiliating treatment.	
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*

Criteria – Operating Safe Activities for Children

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

* See comments below about the absence of children in Church life

Procedures

A review of the safeguarding procedures has already been referred to. The Dominican Order procedures for preventing harm are clear, aimed at all personnel and were redrafted in line with *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*. Training has taken place in 2011, conducted by NBSCCCI, to ensure that all members are aware of the procedures and of their individual responsibilities in relation to safeguarding children.

Some Dominican friars will, in addition, be guided by the procedures of the diocese or organisation in which they work. While these, at least within a church setting are similar to the procedures of the Dominicans, reporting structures may differ.

NBSCCCI have referenced above the information drawn to our attention by the designated person, about the absence of children in Dominican church life, along with their stated desire to address this deficit. It is important that all members remind themselves of the safeguarding/prevention measures which they have signed up to in their procedures document, when progressing their attempts to re-engage children in church life.

People

Given that there are a number of Dominican houses across the country, each prior has responsibilities for safeguarding. It may be constructive if the priors or their nominees come together on a regular basis to form a safeguarding committee for the Dominican Order. The role of the committee would be akin to that of a diocesan committee, which would be to oversee the implementation of policy and procedures, training and audits.

NBSCCCI were very pleased to learn that the designated person has undertaken an audit of the implementation of policy and procedures and have noted that there was a full response from Dominican houses. The compiled response indicated that safeguarding is a live issue in all houses across Ireland. As already stated above, the responses however indicate a reluctance to engage with children, through altar serving and other youth ministries. It would be important for a newly constructed safeguarding committee as recommended above to review the findings of the internal audit and implement action where appropriate to improve and encourage safe activities with children.

Recommendation 13: That the provincial should establish a Safeguarding Committee within the Irish province to ensure the comprehensive implementation of policy and adherence to procedures, as well as participation in training and safeguarding audits.

Vetting

As most Dominican friars work in dioceses, vetting is conducted through the diocese in which they work. Most of the vetting checks are processed through the Archdiocese of Dublin.

The designated person requests copies of the vetting receipt for central records. The designated person believes that 96% of the province has been Garda vetted. The 4% not vetted, would be the very old and infirm.

Recommendation 14: The designated person should maintain a database of all active personnel which details their ministry and dates on which they have been vetted, alongside dates for re-vetting in line with legal requirements.

Standard 4

Training and Education

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

Criteria

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

While the Dominican Order does not have a dedicated training officer, they have availed of both local and national training. The provincial and designated person both regularly attend training events provided by the NBSCCCI. They also invite trainers and experts in to raise awareness amongst all members of the order. In the recent past NBSCCCI have raised awareness of national policies and procedures and An Garda Síochána have been invited in to speak about reporting procedures. Dominican friars have also attended training put on by the dioceses in which they are working.

NBSCCCI have already noted the need for training for the Advisory Panel and the friar advisers. Anyone who holds a safeguarding role within the order should have their training needs assessed. A plan should then be created, aimed at developing the competencies that each of these individuals possess with regard to their responsibilities to act within their respective roles. Support for this work may be sought from the NBSCCCI.

Standard 5

Communicating the Church’s Safeguarding Message

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

Criteria

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

Child Protection Policy Display and Availability

The current information on display about the Dominican Order’s *Safeguarding Policy and Procedures* needs updating in line with the new procedures developed in 2010. In addition, NBSCCCI would recommend that clearer information about reporting a concern is displayed on the website and in all Dominican houses and establishments across Ireland.

In addition to the policy and procedures, the designated person has written a book called *A New Vision – A New Dawn*, which sets out his views of building a world committed to protecting children. This book has been circulated to all Dominican houses in Ireland and across the Irish province and should be read in conjunction with the policy and procedures.

Standard 6

Access to Advice and Support

Those who have suffered child abuse should receive a compassionate and just response and should be offered appropriate pastoral care to rebuild their lives.

Those who have harmed others should be helped to face up to the reality of abuse, as well as being assisted in healing.

Criteria

Number	Criterion	Met fully or Met partially or Not met
6.1	Church personnel with special responsibilities for keeping children safe have access to specialist advice, support and information on child protection.	Met fully
6.2	Contacts are established at a national and/ or local level with the relevant child protection/ welfare agencies and helplines that can provide information, support and assistance to children and Church personnel.	Met fully
6.3	There is guidance on how to respond to and support a child who is suspected to have been abused whether that abuse is by someone within the Church or in the community, including family members or peers	Met fully
6.4	Information is provided to those who have experienced abuse on how to seek support.	Met fully
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

In the past the responses made by the order to complainants was not well recorded. Evidence was provided of a number of financial settlements having been made. More recently offers of pastoral support and counselling appear to be the norm. A previous provincial, the current provincial and the designated person have all apologised unreservedly for the abuse by Dominicans and have offered meetings of reconciliation.

It would be an important step for the Dominicans to place a notice on their website, in line with Recommendation 6, inviting all those who have been harmed by abuse to come forward so that a pastoral response and counselling can be offered.

In terms of friars who have offended, at least two of these have support people (advisers). This is an effective way of assisting with risk management and reducing the likelihood of

reoffending. The advisers also need support, training and supervision and need to be more included in the development and review of the risk management plans.

The others in the safeguarding structure who require advice and support are the provincial and the designated person. While they clearly access advice from the NBSCCCI, they should also ensure supervision and support for themselves, to enable them to continue with this stressful work.

Standard 7

Implementing and Monitoring Standards

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

Criteria

Number	Criterion	Met fully or Met partially or Not met
7.1	There is a written plan showing what steps will be taken to keep children safe, who is responsible for implementing these measures and when these will be completed.	Met partially
7.2	The human or financial resources necessary for implementing the plan are made available.	Met fully
7.3	Arrangements are in place to monitor compliance with child protection policies and procedures.	Met fully
7.4	Processes are in place to ask parishioners (children and parents/ carers) about their views on policies and practices for keeping children safe.	Met partially
7.5	All incidents, allegations/ suspicions of abuse are recorded and stored securely	Met fully

It is refreshing to learn that the Dominican Friars now take seriously their responsibilities to ensure that all their friars, staff and volunteers are aware of their responsibilities under safeguarding. This is evidenced by the designated person initiating an internal audit of the Irish Province by letter of 28/11/2011 to all Priors / Superiors in Ireland, and in communities attached to the Irish Province, in Trinidad, Tehran, South America, Lisbon, Rome and Oslo.

11 pieces of information were sought:

- Garda vetting
- Sign in / sign out books for altar servers
- Supervision of children; no adult to be alone with a child
- Ensure that outside agencies using Dominican premises have appropriate child safeguarding procedures in place
- Health and safety of premises
- Ensure that outside agencies using Dominican premises have appropriate insurance cover
- Ensure that visiting friars are in good standing

- Ensure that frosted panels are installed in confessionals, parlours and areas where children have access
- Ensure that all child protection records are securely stored
- List all Youth Ministry groups active in the Priory
- Ensure that safeguarding information, posters etc. are displayed in all Churches / Pories which are open to the public

All houses responded and the data that has been returned should be analysed by a newly established Safeguarding Committee and reported on in the future.

NBSCCCI commend this action and encourage regular audits of this nature.

In addition both the designated person and the provincial, regularly visit houses across the Irish province, to assess the implementation of safeguarding policy and procedures.

Reference was made to the holiday camp owned by the Dominican Friars. The review team did discuss with the designated person and provincial the potential risks associated with the camp and in particular with allowing other providers to run activities there.

Recommendation 15: NBSCCCI recommends a review of the policies and practices in the camp and recommend that the provincial team satisfy themselves that risks are assessed and minimised and that the best safeguarding policies and practices are put in place.

The leadership team will change later this year and NBSCCCI would ask that the new provincial team carry out audits and visitations of this nature to ensure that safeguarding remains a “live issue” across the Irish province.

A particular challenge for religious orders or congregations is the fact that their leadership team will change regularly. This creates a problem of ensuring that a new team is fully briefed and aware of the safeguarding issues that exist within the order. There is a need to establish a specific briefing protocol to ensure that change does not lead to information being lost or vital safeguarding initiatives being stalled.

Recommendation 16: NBSCCCI recommends that a protocol be devised to ensure continuity in safeguarding practice between leadership teams.

Recommendations

Recommendation 1:

That in order to communicate more openly, there should be a safeguarding icon on the Dominican website, with information relating to the policy and procedures and guidance on how to make a complaint.

Recommendation 2:

That posters located in all Dominican properties need to be refreshed with current information on policies, procedures, reporting information, along with a list of who to contact within the Dominican Order, An Garda Síochána and HSE if there is a safeguarding concern.

Recommendation 3:

In order to ensure that full information is being shared with HSE and An Garda Síochána, the Dominican designated person should seek to establish clear channels of communication with these statutory agencies to review allegations and ensure exchange of information in the interests of safeguarding children.

Recommendation 4:

The designated person must ensure that all new files contain a narrative account of action and copies of all correspondence, criminal prosecutions, civil actions and other relevant documentation.

Recommendation 5:

In the four⁵ cases of men out of ministry, the designated person should seek to set up a master file with a chronology of events from the first reported allegation to current day. This file should detail all complainants and responses made to them by the order, investigations undertaken by the civil authorities, enquiries/assessments undertaken by the order, risk management plans and reviews of these as well as any advice obtained whilst managing the case.

Recommendation 6:

It must be noted that two of the offending friars ministered in a second level school and it was there that they abused. Consideration should be given by the Dominican Friars to extend an invitation to others who also may have been abused and who have never come forward, to do so, so that they can be provided with help and support.

Recommendation 7:

While the review team did not audit the practice in any school as part of this process, NBSCCI recommend that the designated person advises the second level school of the review findings in relation to past abuse there.

⁵ One of these men, alive at the time of the review, has since died.

Recommendation 8:

The Dominican Friars should organise training for all Advisory Panel members on roles and responsibilities, recognising and responding to allegations and on understanding, assessing and managing risk.

Recommendation 9:

That the designated person organises an annual review of the risk management plans (relating to those who have offended) to include the views of the prior, the adviser, the offending friar and the statutory agencies as appropriate.

Recommendation 10:

That the provincial offer support and guidance to the friar advisors (to those who have offended), in their role and assist them to access training on their role.

Recommendation 11:

The provincial ensures that a canonical process is initiated in respect of two friars and that his votem on their future status be conveyed to the Congregation of the Doctrine of the Faith in line with current Church guidance.

Recommendation 12:

That the designated person should initiate a review of the files of the two able bodied friars who are out of ministry to ensure that all allegations have been reported and that victims have been offered support and counselling.

Recommendation 13:

That the provincial should establish a Safeguarding Committee within the Irish province to ensure the comprehensive implementation of policy and adherence to procedures, as well as participation in training and safeguarding audits.

Recommendation 14:

The designated person should maintain a database of all active personnel which details their ministry and dates on which they have been vetted, alongside dates for re-vetting in line with legal requirements.

Recommendation 15:

NBSCCCI recommends a review of the policies and practices in the camp and would recommend that the provincial team satisfy themselves that risks are assessed and minimised and that the best safeguarding policies and practices are put in place.

Recommendation 16:

NBSCCCI recommends that a protocol be devised to ensure continuity in safeguarding practice between leadership teams.

Review of Safeguarding in the Catholic Church in Ireland

Terms of Reference

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

1. To ascertain the full extent of all complaints or allegations, knowledge, suspicions or concerns of child sexual abuse, made to the diocese / religious congregation by individuals or by the Civil Authorities in the period 1st January 1975 to date of Review against Catholic clergy and/or religious still living and who are ministering/or who once ministered under the aegis of the diocese / religious congregation and examine/review and report on the nature of the response on the part of the diocese / religious congregation.
2. If deemed relevant, select a random sample of complaints or allegations, knowledge, suspicions or concerns of child sexual abuse, made to the diocese / religious congregation by individuals or by the Civil Authorities in the period 1st January 1975 to date of Review against Catholic clergy and/or religious now deceased and who ministered under the aegis of the diocese / religious congregation and examine/review and report on the nature of the response on the part of the diocese / religious congregation.
3. To ascertain all of the cases during the relevant period in which the diocese / religious congregation:
 - knew of child sexual abuse involving Catholic clergy and/or religious still living and including those clergy and/or religious visiting, studying and/or retired;
 - had strong and clear suspicion of child sexual abuse; or
 - had reasonable concern;and examine/review and report on the nature of the response on the part of the diocese / religious congregation.
4. To consider and report on the following matters:
 - child safeguarding policies and guidance materials currently in use in the diocese / religious congregation and an evaluation of their application;
 - communication by the diocese / religious congregation with the Civil Authorities;
 - current risks and their management.

Accompanying Notes

Note 1

Definition of Child Sexual Abuse:

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

“While definitions of child sexual abuse vary according to context, probably the most useful definition and broadest for the purposes of this report was that which was adopted by the Law Reform Commission in 1990⁶ 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”.

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 friar 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).

⁶ 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 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.
- Note 4** **Random sample:**
The random sample (if applicable) must be taken from complaints or allegations, knowledge, suspicions or concerns of child sexual abuse made against all deceased Catholic clergy/religious covering the entire of the relevant period being 1st January 1975 to 1st June 2010 and must be selected randomly in the presence of an independent observer.
- Note 5** **Civil Authorities:**
Civil Authorities are defined in the Republic of Ireland as the Health Service Executive and An Garda Síochána and in Northern Ireland as the Health and Social Care Trust and the Police Service of Northern Ireland.