



Review of Child Safeguarding Practice
Irish Province of the Order of Carmelites (O.Carm)

undertaken by

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

Date: April 2015

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Background

The National Board for Safeguarding Children in the Catholic Church (NBSCCCI) was asked by the Sponsoring Bodies, namely the Episcopal Conference, the Conference of Religious of Ireland and the Irish Missionary Union, to undertake a comprehensive review of safeguarding practice within and across all the Church authorities on the island of Ireland. The purpose of the review is to confirm that current safeguarding practice complies with the Standards set down within the guidance issued by the Sponsoring Bodies in February 2009, and that all known allegations and concerns had been appropriately dealt with. To achieve this task, safeguarding practice in each Church authority is to be reviewed through an examination of case records and through interviews with key personnel involved both within and external to a Diocese or other authority.

This report contains the findings of *the Review of Child Safeguarding Practice within the Irish Province of the Carmelites (O. Carm.)* undertaken by the NBSCCC in line with the request made to it by the Sponsoring Bodies. It is based upon the case material made available to the reviewers by the Provincial at the time of the Review, along with interviews with selected key personnel who contribute to child safeguarding within the Irish Province of the Carmelites. The NBSCCCI believes that all relevant documentation for these cases was passed to the reviewers and The then Provincial confirmed this.

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

Introduction

The Irish Province of Carmelites (O.Carm.) is part of the worldwide Carmelite Order. It comprises eight houses in Ireland and a Provincial Commissariat (self-governing) in Zimbabwe with eight communities. The Carmelite presence in Ireland stretches back to 1271 when the friars established their first foundations at Leighlinbridge, County Carlow, and in the Whitefriar Street area of Dublin. By the early sixteenth century there were twenty-five friaries throughout the country. The Order maintained a presence in the country over the centuries although most of its original foundations did not recover from the suppressions of the Reformation and Cromwellian periods.

A revival of the Order began in the latter half of the eighteenth century. By 1827, a chapel designed by the noted architect George Papworth, was built at Whitefriar Street on the site of the pre-reformation friary. Towards the end of the nineteenth century the Irish Province began to make a significant contribution to the spread of the Order worldwide by sending friars to Australia (1881) and New York (1889), and re-establishing the Order in Britain (1926). In 1946 a Mission was started in Southern Rhodesia (now Zimbabwe). There is now a growing Carmelite presence there, with a Zimbabwean born Commissary Provincial.

The Irish Province is governed by a *Rule*, approved by Pope Innocent IV in 1247, and by constitutions that have been drawn up from time to time from 1281 until the most recent in 1995. Lesser legislation in the form of Provincial Statutes, Decrees etc. has been introduced by the Provincial Chapters and Provincial Councils.

The Carmelite charism has been evolving over the centuries with three essential elements currently expressed as a *contemplative brotherhood in the midst of the people* (Constitutions 14 – approved General Chapter 1995). The Carmelite tradition is constant in seeking *the face of the living God* through contemplation and a prophetic reading of the signs of the times.

In Ireland there are eight communities:

- A city centre church (Whitefriar Street in Dublin), which offers spiritual and social services to people from the immediate area and beyond. This community also has responsibility for the local parish and provides a parish priest.
- A fee-charging College (Terenure College in Dublin) which provides primary (100 pupils) and secondary (750 pupils) education.
- Care of a large suburban parish (St. Colmcille's, Knocklyon, Dublin).
- Three rural friaries (Kildare, Kinsale, Moate) which provide Carmelite presence and pastoral service but without parish responsibility.
- A fourth rural friary (Knocktopher, Co. Kilkenny) has responsibility for the local parish (Ballyhale).
- Gort Muire is the Provincial residence and offices including the province archives and library, the formation community, centre of hospitality, retirement and care for those who are sick.

There are currently fifty-seven solemnly professed Carmelites in Ireland while the Commissariat of Zimbabwe has twenty-seven.

Standards

This section provides the findings of the review. The template employed to present the findings are the 7 standards, set down and described in *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*. This guidance was launched in February 2009 and was endorsed and adopted by all the Church authorities that minister on the island of Ireland, including the Irish Province of the Carmelites (O.Carm). The 7 standards are:

Standard 1 A written policy on keeping children safe

Standard 2 Procedures – how to respond to allegations and suspicions in the Republic of Ireland and Northern Ireland

Standard 3 Preventing harm to children:

- recruitment and vetting
- running safe activities for children
- codes of behaviour

Standard 4 Training and education

Standard 5 Communicating the Church's safeguarding message:

- to children
- to parents and adults
- to other organisations

Standard 6 Access to advice and support

Standard 7 Implementing and monitoring the Standards

Each standard contains a list of criteria, which are indicators that help decide whether this standard has been met. The criteria give details of the steps that a Church organisation - diocese or religious order - needs to take to meet the standard and ways of providing evidence that the standard has been met.

Standard 1

A written policy on keeping children safe

Each child should be cherished and affirmed as a gift from God with an inherent right to dignity of life and bodily integrity, which shall be respected, nurtured and protected by all.

Compliance with Standard 1 is only fully achieved when an Order meets the requirements of all nine criteria against which the standard is measured.

Criteria

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

The Irish Province of the Order of Carmelites (O.Carm.) first published their child safeguarding document in 2006. It was revised in 2010 and 2013. The current document, *Safeguarding Children Policy*, was published in May 2013. They supplemented this document by publishing *Procedures for Child Safeguarding*, in January 2015, which is primarily procedural direction in the practical steps of receipt and management of safeguarding concerns. The original document consists of 23 pages, which the reviewers consider concise given that, excluding the introduction and appendices, policies and procedures for the Order are set out in nine pages. It is recognised that the supplementary *Procedures for Child Safeguarding* provides additional

policy and procedures; yet future consideration will need to be given to combining policies and procedures into one easily accessible document, with appropriate elaboration of safeguarding information, direction and guidance. With this in mind, both documents are well structured and easily read; and *Safeguarding Children Policy 2013* is available on the Order's website: <http://www.carmelites.ie/safeguarding.html>. The reviewers consider that both child safeguarding documents represent the Carmelite Order's policies and procedures, and further differentiation is not necessary throughout this review.

The Carmelite Safeguarding Children Policy states:

The Carmelite Order in Ireland asserts the right to dignity and safety of each and every child and is committed to promoting and ensuring among its members, employees and volunteers the protection and safeguarding of all children and young people.

The policy document is signed and dated by the Prior Provincial, therefore Criterion 1.2 is met.

The policy also states, *Each and every child is to be cherished and affirmed as a gift from God with an inherent right to dignity of life and bodily integrity which must be respected, nurtured and protected by all.*

The policy requires members and staff to comply with the safeguarding standards and in 2010, a letter was sent to all Priors and Communities directing that all members of the community, workers and volunteers should be made aware of the policy. Criterion 1.3 is therefore fully met.

The requirements of Criterion 1.5 are met in the Order's policies and procedures, and the reviewers were impressed with the detailed Code of Behaviour set out in the document. It is recognised that Carmelite friars engaged in parish and educational activities are also subject to Diocesan and Department of Education child safeguarding practices.

The Order of Carmelites has one friar who ministers as parish priest in Whitefriar Parish in Dublin; and who also has affiliation with Whitefriar Street National School. In Dublin, the Order also has pastoral responsibility for St. Colmcille's Parish, Knocklyon where there are four Carmelite friars involved in ministry. The parish of Ballyhale/Knocktopher is served from the Carmelite Friary in Knocktopher, Co Kilkenny. Safeguarding policies and procedures from the Archdiocese of Dublin and the Diocese of Ossory are in place in these respective parishes. Five friars are involved with the primary and secondary schools of Terenure College, which includes maintaining a public chapel on the school grounds. Again, the Archdiocese of Dublin, along with Department of Education policies and procedures apply to activities within Terenure College.

The Carmelite child safeguarding document provides for the implementation of a 'Care Covenant' or 'Risk Management Plan' to tackle child protection concerns made against a member of the Order. The agreement is unambiguous in setting out expectations of the respondent to address safeguarding issues. Criterion 1.6 is met fully.

The reviewers note that the child safeguarding document states that upon receipt of a complaint the policy directs that notification should first be made to Order's authorities;

identified as the Prior Provincial. The procedure then involves internal checks such as background check of the respondent, and details on the current and historical concerns. Finally, the respondent is met and notified of the allegation. At this point, if reasonable grounds are established the civil authorities are notified. The reviewers acknowledge that given the size of the Order, and the relatively small geographical area within which the friars reside, the above process could be completed in a short time. However, if the process was hindered, or the case complicated, this may result in undue delay in notifying the civil authorities. Therefore, Criterion 1.8 is considered to be met partially.

The requirements of Criteria 1.7 and 1.9 are met fully within the Carmelite safeguarding policies and procedures.

Recommendation 1

The Prior Provincial should amend the procedure for reporting to the civil authorities, and ensure clarity in the written document which emphasises reporting without delay once reasonable grounds for concern have been established. This could take the form of an initial notification, followed by further communication with the civil authorities when the Order has completed their information gathering process.

Standard 2

Management of allegations

Children have a right to be listened to and heard: Church organisations must respond effectively and ensure any allegations and suspicions of abuse are reported both within the Church and to civil authorities.

Compliance with Standard 2 is only fully achieved when an Order meets the requirements of all seven criteria against which the standard is measured.

Criteria

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 partially
2.6	There is guidance on confidentiality and information-sharing which makes clear that the protection of the child is the most important consideration. The Seal of Confession is absolute.	Met fully
2.7	The procedures include contact details for local child protection services e.g. (Republic of Ireland) the local Health Service Executive and An Garda Síochána; (Northern Ireland) the local health and social services trust and the PSNI.	Met fully

The reviewers consider Criteria 2.1 to 2.4 to be met fully. Within the Carmelite child safeguarding document there is guidance on responding to allegations and addressing child protection concerns. This guidance is consistent with current legislation and national guidelines. The Designated Liaison Person has held the role for a substantial period and was previously the Prior Provincial until 2009. He has extensive knowledge of the Order's safeguarding cases, and supports the current Prior Provincial in managing child safeguarding within the Order. The Carmelites also have a lay Deputy Liaison Person in post since June 2014. The responsibilities of the Designated Liaison Person are clearly defined in the safeguarding procedures, along with the responsibilities of members, employees and volunteers of the Order in hearing, recording and reporting concerns.

The Carmelite child safeguarding document provides direction and guidance on addressing child protection concerns as required by Criterion 2.1; where emphasis is placed on abusive behaviours. However, the document does not address complaints relating to unacceptable behaviour towards children, other than abuse. The reviewers recognise that, where friars are involved in educational and diocesan activities, procedures are in place from those agencies to meet Criterion 2.5. However, it would be beneficial for the Carmelite Order to have policies and procedures their members can refer to in this regard in relation to Carmelite ministries. Therefore, Criterion 2.5 is considered to be met partially.

Recommendation 2

The Prior Provincial should develop a complaints policy for use by those accessing Carmelite ministries.

Table 1

Incidence of safeguarding allegations received within the Carmelite Order (O.Carm.) against friars, from 1st January 1975 up to time of review.

NAME OF ORDER: Carmelite Order (O.Carm.)		
1	Number of friars against whom allegations have been made since the 1 st January 1975 up to the date of the Review.	11
2	Total number of allegations received by the Order since 1 st January, 1975	17
3	Number of allegations reported to An Garda Síochána involving friars since 1 st January 1975.	17
4	Number of allegations reported to the HSE (or the Health Boards which preceded the setting up of the HSE) involving friars of the Order since 1 st January 1975.	17
5	Number of friars (still members of the Order) against whom an allegation was made and who were living at the date of the review.	4*
6	Number of friars against whom an allegation was made and who are deceased.	6**
7	Number of friars against whom an allegation has been made and who are in ministry.	0
8	Number of friars against whom an allegation was made and who are “Out of Ministry, but are still members of the Order”.	3
9	Number of friars against whom an allegation was made and who are retired	1
10	Number of friars against whom an allegation was made and who have left the Order/ priesthood.	1*
11	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.	0

**One individual was a member of the Order when an allegation was made against him. He left the Order approximately fifteen years ago and is pursuing laicisation. While currently still a member of the Order he has not been involved in religious life with the Order of Carmelites since 2000.*

***Five of the deceased friars were named while one was unnamed.*

The reviewers had access to all case files generated from safeguarding concerns received by the Order of Carmelites. The files are well structured and recorded under the name of the respondent friar with reference to the complainant. The reviewers were impressed with the level of detail and organisation of the case files.

The Irish Province of Carmelites (O.Carm.) has received seventeen allegations against eleven friars since 1975. At the time of the review, seven allegations relating to four living friars had been received by the Order between 2000 and 2014. These allegations against four living friars were applicable to this review. A fifth individual, who was a friar at the time of concerns being received about him, left the Order in 2001 and is currently proceeding with laicisation. Concerns were received about this man in 2000 and he admitted to inappropriate sexual behaviour with a minor. This inappropriate behaviour happened in 1985. The Order facilitated therapeutic treatment and supported him in his desire to leave the Order. Notifications about the allegation were made to the civil authorities in 2000.

The Carmelite Order received eight allegations against six deceased friars. These allegations were received between 1995 and 2014. Four of the friars were deceased at the time the Order received the allegations against them while a fifth friar died approximately six months after the concerns became known to the Order. The sixth friar, now deceased, was dismissed from the Order in 2000. Following his dismissal, three further allegations were made against this individual between 2009 and 2014, one while he was still living and the other two after his death. The initial allegation was notified to the statutory authorities promptly, and all subsequent allegations were reported without delay.

There have been no criminal convictions relating to the allegations against any friar of the Order of Carmelites.

The reviewers acknowledge that the most recent concerns on safeguarding have been notified promptly to the civil authorities; and they are satisfied that all of the allegations known to the Carmelite Order have been reported to those authorities. Of the four living friars who have allegations against them, all are out of public ministry. However, the files indicated that, historically, there was a delay of approximately four months in reporting to the civil authorities, and in the case of one living friar (Fr. C) the delay was three years.

In the first of these cases, an allegation was received by the Order in 2002 against a friar (Fr. A) through the complainant's legal representatives. The alleged abuse happened around 1975. The respondent Fr. A agreed to step down from public ministry pending investigation and continued to live in community under supervision. However, the complainant availed of the Redress Board and the Order was given limited details regarding the allegation. Prior to the complainant's engagement with the Redress Board there is evidence on file that the Order was available to the complainant to discuss the allegation and provide pastoral care if requested. Still, no direct contact was made between the complainant and the Carmelite Order.

Approximately three years after receipt of the allegation, the Order was notified that there was to be no criminal prosecution in this case, and a year later Fr. A was re-admitted to limited public ministry, the celebration of occasional weekday Masses within the confines of the Order's friary churches only (no Sunday Mass or Confession supplies) and with the approval of the Prior Provincial and the local Prior. He continued to live under supervision in his community.

In 2011 the Order received another concern relating to Fr. A. This allegation, like the earlier one, related to an alleged incident dating back approximately forty years. The allegation received by the Order was through a third party. The Designated Liaison Person and a member of the Provincial Council met with siblings of the complainant. It was approximately four months after the initial complaint that the complainant was prepared to meet with the Designated Liaison Person and make his complaint first hand. It is recorded that notification was made to the civil authorities and Fr. A was informed of the allegation and directed to stand aside from all public ministry by the Prior Provincial on December 22nd 2011. He vehemently denied the allegation but accepted the extended restrictions. A month later he submitted a letter of retirement from priestly ministry due to age and health. There is evidence of a precept in place from 2011 directing that the friar step aside from all public ministries. The reviewers acknowledge that the Carmelite internal process of inquiry began upon receipt of the complaint against Fr. A. The reviewers concern in this regard is consistent with the findings of Criterion 1.8 above, and addressed through Recommendation 1.

The case file indicates that the Carmelites have been available to the complainant and his family, providing support, open communication, and pastoral care. The Order has also facilitated the complainant in receiving therapeutic support.

While Fr. A denied any wrongdoing, he has been cooperative with the Order's safeguarding requirements. The Order's risk management on this case is noteworthy, and the reviewers were impressed with the extent of child protective measures established with Fr. A through a 'Covenant of Care' agreement.

The reviewers were equally impressed with the 'Covenant of Care' and risk management plan in place with Fr. B whose alleged inappropriate sexual behaviour with a minor took place seventeen years prior to the complainant disclosing the abuse to authorities. It is currently under investigation by the civil authorities. Fr. B accepted, without objection, the restrictions imposed by the Order. There is evidence on the case file of the Order's support of the complainant. The Order consulted with the NBSCCCI regarding this case and followed the advice that was provided.

Allegations made between 2003 and 2006 against the third living friar (Fr. C) presented challenges to the Order. Fr. C has three allegations against him. While precise dates were not given by the complainants, all of the allegations against Fr. C were estimated to have occurred between 1970 and 1975 approximately.

The first of these allegations was received by the Order through the complainant's legal representatives in 2003. Two years later the second allegation made by another complainant was received through similar means. In both of these cases there is significant correspondence between legal representatives that provided little detail to assist the Carmelite Order in their preliminary investigations regarding the allegations against Fr. C. The matter was complicated further when the two complainants availed of the Redress Board, and additional information became unavailable to the Order. Approximately nine months after the second allegation against Fr. C, a third allegation was made against him.

The case file indicates that after the third allegation was made against Fr. C in 2005 he was informed of the allegations and details of the complaints. He was requested to stand down from public ministry, and while he denied any wrongdoing he complied with safeguarding restrictions. The civil authorities were notified of the three allegations against Fr. C on the same day; which constituted an approximate delay in notification of three years for the first allegation, one year for the second, and three months for the third allegation. Clearly the Order had some doubts about the first two allegations, which were assessed as not meeting the threshold of reasonable grounds for concern; with hindsight, and given the third allegation, the reviewers believe that an initial report should have been made much earlier to the civil authorities

Since informing Fr. C of the allegations, the case management by the Carmelite Order has been very well managed. They have commissioned an independent review of the case, and been informed by the outcome of that review regarding how the case was managed. The review concluded that Fr. C should have limited ministry, where adequate safeguarding precautions are in place to ensure the safety of children he may have contact with. The Order has also imposed continued restrictions on Fr. C, formalised through a 'Covenant of Care' agreement and risk management plan.

The fourth friar Fr. D has been in dispute with the authorities of the Order since he was accused of the sexual abuse of a minor thirteen years ago. The complainant lived in close proximity to the family home of Fr. D who had been residing there permanently for approximately six years at the time. He had the permission of the Provincial.

On receipt of the allegation Fr. D was directed by the Provincial to take up permanent residence in a Carmelite community.

Fr. D protested his innocence of the allegation, and in the criminal trial he was found not guilty. On the basis of this verdict he returned to the family home which caused great anxiety to the complainant.

Fr. D continued to contravene restrictions placed on him by the authorities of the Order, and to act contrary to the expressed desires of the bishop in whose diocese he was residing. Fr. D's failure to comply with the explicit directives of the Provincial on his place of residence and other matters have caused the complainant avoidable distress.

Concerns around Fr. D were reinforced recently when, without faculties for any ministry, he presented a letter of good standing/celebrity not issued by the current Provincial to allow him concelebrate at a wedding Mass.

The authorities of the Order have consulted with the NBSCCCI on a number of occasions in connection with this case. The parents of the complainant have been met and remain distressed on behalf of the complainant.

A report on the case has been sent through the office of the Order's Procurator General to the CDF in Rome. Fr. D continues to be out of public ministry and his permission to live outside of a Carmelite community is permanently revoked. The files show that he is defiant of the Order's authority and, despite the sanctions imposed to date, shows no regard for the on-going wellbeing of the complainant.

Clearly this last case is extremely challenging for all parties. It demonstrates the significant difficulties which can arise in managing cases where there has not been a criminal conviction.

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 Church organisation provides guidance on appropriate/ expected standards of behaviour of, adults towards children.	Met fully
3.5	There is guidance on expected and acceptable behaviour of children towards other children (anti-bullying policy).	Met 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 other form of degrading or humiliating treatment.	Met partially
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.	Met fully

Criteria – Operating safe activities for children

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

As mentioned earlier in this report, the Order's ministries in schools and parishes are subject to Department of Education and diocesan safeguarding guidelines. However, it is necessary for the Carmelite Order to have safeguarding policies and procedures, providing direction to its members, that coexists and compliments the Governmental and Diocesan procedures.

With regard to meeting the criteria requirements of Standard 3, the Order of Carmelites fair very well. Criteria 3.1 to 3.4 are considered to be met fully. The reviewers are satisfied that suitable procedures are in place for the safe recruitment of personnel to the Order's ministries and work. The policy directs that appropriate induction on Carmelite child safeguarding expectations is provided which incorporates child protection training. The Order's policy on Garda vetting states; *It is recognised by the Civil and Church Safeguarding bodies that Garda Vetting is a deterrent to those who pose a threat to children and minors and who may see involvement with Church ministries and activities as a way to access children.* The

Order's child safeguarding policies and procedures instruct that Garda vetting is required for all members in ministry, employees, and volunteers who have contact with children; and this is completed by the Designated Liaison Person.

The Carmelite policies and procedures include a *Code of Behaviour and Discipline for Members, Employees and Volunteers*. That provides extensive direction and behavioural expectation; and covers areas of general conduct, respect for physical integrity, respect for privacy, meetings with children and young people, and children with special needs or disability.

The Order's child safeguarding document (page 5) refers to the development of a *code of behaviour and discipline for children* that would meet the requirements of Criteria 3.5 and 3.7. However, while the principles of the policy are outlined and adhere to good practice, the policy has not yet been developed and cannot be evaluated in this review. The reviewers concede that the Carmelite Order may intend for organisers of each pastoral and social activity associated with the Church and friaries to develop specific policy relevant to the activity. However, this is unclear in the document, and the reviewers feel a formal policy is required. Criteria 3.5 and 3.7 are considered to be met partially. Given the pending revision of the Church's standards the reviewers are not making a recommendation in relation to these deficits, but would encourage the Order to adopt the revised guidance produced by NBSCCCI in relation to these criteria

Criterion 3.6 is considered to be met fully. The Order's policies and procedures set out the *responsibilities of members, employees, and volunteers* where they observe, suspect or hear a disclosure of abuse. The reviewers are satisfied that the content of the document section reflects the principles of 'whistle blowing', and therefore meets the requirements of Criterion 3.6.

The safeguarding document does not contain an anti-discriminatory policy and therefore Criterion 3.8 is not met.

The requirements of Criteria 3.9 and 3.12 are met through the Order's *Code of Behavior*, while Criteria 3.10 and 3.11 are met through a dedicated policy on activities and *Outings and Overnights away from Home*.

Recommendation 3

The Prior Provincial should consider the development of an anti-discriminatory policy that would give guidance on the inappropriateness of discriminatory behaviour based on race, culture, age, gender, disability, religion, sexuality or political views.

Standard 4

Training and Education

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

Criteria

No	Criterion	Met fully or Met partially or Not met
4.1	All Church personnel who work with children are inducted into the Church's policy and procedures on child protection when they begin working within Church organisations.	Met fully
4.2	Identified Church personnel are provided with appropriate training for keeping children safe with regular opportunities to update their skills and knowledge.	Met fully
4.3	Training is provided to those with additional responsibilities such as recruiting and selecting staff, dealing with complaints, disciplinary processes, managing risk, acting as designated person.	Met fully
4.4	Training programmes are approved by National Board for Safeguarding Children and updated in line with current legislation, guidance and best practice.	Met fully

The commitment to safeguarding training and awareness within the Order of Carmelites is commendable. The reviewers saw detailed evidence of extensive training within the Order, and each year the Carmelite communities are internally audited against the NBSCCCI Safeguarding Children Standards. A copy of the audit is included in the Order's safeguarding document under appendix 5. Since 2009, the Carmelite Order has a Co-Ordinator of Training. This individual has significant experience and has completed training with the NBSCCCI to fulfil his role.

The Carmelite Order's safeguarding policies and procedures set out the induction process for members, staff and volunteers. Those individuals who have contact with children are inducted on the safeguarding policies and procedures. In addition, the reviewers noted an appropriate dissemination of training among all of the personnel who have additional safeguarding roles.

To ensure continued awareness of safeguarding issues and maintain practice standards, the Prior of each community takes the role of Local Safeguarding Officer and ensures the adherence to the 7 standards by their community. An aspect of this role is the identification of training needs and the facilitation of training when required.

The reviewers also considered the Carmelite Order's safeguarding plans for 2015 and 2016. It is evident from these plans that there is a clear commitment to on-going training within the Order.

Standard 5

Communicating the Church's Safeguarding Message

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

Criteria

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

The Order of Carmelite's child safeguarding statement is openly displayed in the parishes and Churches in which the friars have ministries. Their policies are presented alongside Diocesan and Department of Education safeguarding information. The complete policy is also available from the website dedicated to the Irish Province of the Order of Carmelites (<http://www.carmelites.ie/safeguarding.html>). Contact details for the Order and the statutory authorities are also available on their safeguarding page.

The reviewers note that the Carmelite safeguarding statement includes the following:

It is the policy of the Order to do all in its power to create safe environments for children and young people so that they can participate appropriately and securely in the pastoral and social activities of our churches and friaries.

The child safeguarding statement also provides mobile contact details for the Designated Liaison Person and the Deputy Liaison Person. Again, the statement includes contact details for the statutory authorities and the NBSCCCI.

The reviewers are satisfied that the requirements of Criteria 5.1 to 5.5 are met.

The Carmelite child safeguarding document does not have a written communications policy. While the reviewers acknowledge that the Order use its website appropriately in communicating the safeguarding message, there was little evidence of further communication to circulate the Order's openness to safeguarding issues. Therefore, Criterion 5.6 is considered partially met.

Recommendation 4

That the Prior Provincial should invite the safeguarding committee to review how the Order communicates its safeguarding message and having done so develop a safeguarding communications policy.

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

No	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

The Carmelite Order has ministries within the Archdiocese of Dublin and the Diocese of Ossory, and within the remit of the Department of Education. Members of the Order have availed of training and support from these sources, and there is reference on file to show that the Order have accessed child protective services, seeking advice from civil and religious agencies. It was noted that the Carmelites have a positive, professional relationship with relevant professionals in the field of child safeguarding, and there was evidence, through correspondence on file, to show that the Prior Provincial and Designated Liaison Officer have sought advice on the management of cases from the NBSCCCI.

The reviewers have no concerns in relation to the Carmelite Order's relationship with the relevant statutory agencies.

The Order of Carmelites established an Advisory Panel in 2007 to assist the Prior Provincial and Designated Liaison Person in the investigation and management of allegations against members of the Order. The reviewers were extremely impressed with the professionals, both in diversity and experience, which the Order had engaged on the advisory panel. The panel

includes; a social worker, three psychotherapists (including the training coordinator and Deputy Liaison Person), a former solicitor, a canon lawyer and the assistant provincial. It was evident from case files that the Panel has advised the Carmelite Order on case management and response to levels of risk through case review.

The requirements of Criteria 6.1 and 6.2 are met fully.

The Carmelite Order's child safeguarding document gives unambiguous guidance on hearing a disclosure of abuse. This is detailed under the section *Responsibilities of Members, Employees and Volunteers*. While this gives assistance on practical steps to an initial disclosure, it provides guidance for an immediate response to hear and support the complainant. The subsequent involvement of the Designated Liaison Person is also clearly defined.

Where the representatives of the Order have had the opportunity to meet with, or have other contact with, the complainants they have advised of therapeutic services (Towards Healing) and have facilitated the person in attending counselling, and have always tried to deal with settlements in a non-adversarial way.

As mentioned previously in this report, the Order has a dedicated website for the Irish Province. Child Safeguarding on the site takes a prominent position and is easily accessible. The information provided on the safeguarding page is detailed and informative. Notification of the NBSCCCI child safeguarding review is also prominent on the site. The notification reads; *The Order invites anyone who has concerns about safeguarding practices in any of our centres of ministry to contact the Designated Person...[Contact details provided]*.

The reviewers are satisfied that Criteria 6.3 and 6.4 are fully met.

The Order provides a priest advisor and support person, when accepted, to friars who have received allegations against them. There is evidence on the case files that respondent friars have received appropriate support from the Order. There is also detail regarding interventions that have been offered to respondent friars, such as legal advice, therapeutic intervention, and risk assessment. Support and interventions are offered to help the individual manage their behaviour and diminish the risk they may pose to children. Criterion 6.5 is met fully.

The Carmelite Order communicated publicly that they had invited NBSCCCI to conduct a review of child safeguarding practice. As a consequence one interested party met the reviewer to share his concerns. These concerns were communicated to the Order, in line with the protocol agreed about the involvement of third parties in NBSCCCI reviews.

Standard 7

Implementing and Monitoring Standards

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

Criteria

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

The child safeguarding committee within the Carmelite Order is relatively new and there is evidence on file to indicate that the advisory panel are actively involved in the management of cases through reviewing the Order's response to allegations and risk. It is evident that the advisory panel's role in advising on keeping children safe is valued by the Order. However, the overall response to child safeguarding, maintaining awareness and implementing practical measures to ensure child protection fall to the safeguarding committee. The Carmelite Order defines the role of the child safeguarding committee as follows:

The Committee assists the Prior Provincial:

- in maintaining a safe environment for children and young people in the Order's friaries and places of ministry;
- by visiting the friaries and places of ministry to support the implementation of best safeguarding practice guided by the Order's child safeguarding policy and *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*.
- by carrying out an annual audit of the friaries and places of ministry;
- in providing training in safeguarding for the members of the Province and their co-workers;
- in identifying emerging needs and priorities;
- in drawing up a Child Safeguarding Plan;
- in helping to identify human resources which may be required for best safeguarding practice in the Province.

The reviewers noted child safeguarding plans for 2015 and 2016 on file. These plans were developed by the child safeguarding committee and supported by the Prior Provincial. It is evident from these plans that child safeguarding is not stagnant within the Order and the Carmelites are aware of the need to continuously assess policies and procedures to ensure best practice. The reviewers consider Criteria 7.1 and 7.2 as met fully.

As mentioned previously, the Carmelite Order requires their communities to complete a yearly self-audit against the NBSCCCI's 7 standards. The Order places emphasis on ensuring compliance with the 7 standards and identifying practical implications of the standards when the criteria are applied to each setting. Criterion 7.3 is met fully.

The reviewers acknowledge that diocesan policies and procedures are in place in the parishes maintained by Carmelite friars. However, within these parishes the Carmelite friars are in a position to hear parishioner's views on policies and procedures to keep children safe. The Order has not considered this within their child safeguarding document, and it would be beneficial to recognise formally the input parishioners may have into the Order's safeguarding.

The parishes also have Child Safeguarding Representatives and the reviewers met with one representative during this review. He presented as committed to and competent in his role and along with his parish priest described practical measures the parish had taken to ensure that safeguarding policies and procedures were adhered to.

In a number of areas of their safeguarding policies and procedures, the Carmelites provide for the consultation and involvement of parents or guardians. While this is primarily related to Carmelite activities for young people, the response to discipline issues, the disclosure of abuse, or the pastoral care of a young person, the reviewers welcome the acknowledgement and need for cooperation with parents on safeguarding issues. The reviewers are satisfied that the requirements of Criterion 7.4 are met fully.

In conclusion the reviewers were impressed by the commitment and obvious efforts made by the Carmelites in all aspects of child safeguarding. They are clearly challenged by one case which needs to be resolved through the Congregations in Rome who have disciplinary powers.

Recommendations

Recommendation 1

The Prior Provincial should amend the procedure for reporting to the civil authorities, and ensure clarity in the written document which emphasises reporting without delay once reasonable grounds for concern have been established. This could take the form of an initial notification, followed by further communication with the civil authorities when the Order has completed their information gathering process.

Recommendation 2

The Prior Provincial should develop a complaints policy for use by those accessing Carmelite ministries.

Recommendation 3

The Prior Provincial should consider the development of an anti-discriminatory policy that would give guidance on the inappropriateness of discriminatory behaviour based on race, culture, age, gender, disability, religion, sexuality or political views.

Recommendation 4

That the Prior Provincial should invite the safeguarding committee to review how the Order communicates its safeguarding message and having done so develop a safeguarding communications policy.

Review of Safeguarding in the Catholic Church in Ireland

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

1. To ascertain the full extent of all complaints or allegations, knowledge, suspicions or concerns of child sexual abuse, made to the Church Authority (Diocese/religious congregation/missionary society) by individuals or by the Civil Authorities in the period 1st January 1975 up to the date of the review, against Catholic clergy and/or religious still living and who are ministering/or who once ministered under the aegis of the Church Authority, and examine/review and report on the nature of the response on the part of the Church Authority.
2. If deemed relevant, select a random sample of complaints or allegations, knowledge, suspicions or concerns of child sexual abuse, made to the Church Authority by individuals or by the Civil Authorities in the period 1st January 1975 to the date of the review, against Catholic clergy and/or religious now deceased and who ministered under the aegis of the Church Authority.
3. Examine/review and report on the nature of the response on the part of the Church Authority.
4. To ascertain all of the cases during the relevant period in which the Church Authority
 - knew of child sexual abuse involving Catholic clergy and/or religious still living and including those clergy and/or religious visiting, studying and/or retired;
 - had strong and clear suspicion of child sexual abuse; or
 - had reasonable concern;
 - and examine/review and report on the nature of the response on the part of the Church Authority.

As well as examine

- Communication by the Church Authority with the Civil Authorities;
 - Current risks and their management.
- .
5. To consider and report on the implementation of the 7 child safeguarding standards set out in *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* (2009), including the following:
 - a) A review of the current child safeguarding policies and guidance materials in use by the Church Authority and an evaluation of their application;
 - b) How the Church Authority creates and maintains safe environments.
 - c) How victims are responded to by the Church Authority
 - d) What training is taking place within the Church Authority

- e) How advice and support is accessed by the Church Authority in relation to victim support and assessment and management of accused respondents.
- f) What systems are in place for monitoring practice and reporting back to the Church Authority.

Accompanying Notes

Note 1: Definition of Child Sexual Abuse:

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

“While definitions of child sexual abuse vary according to context, probably the most useful definition and broadest for the purposes of this Report was that which was adopted by the Law Reform Commission in 1990¹ and later developed in Children First, National Guidelines for the Protection and Welfare of Children (Department of Health and Children, 1999) which state that “child sexual abuse occurs when a child is used by another person for his or her gratification or sexual arousal or that of others”. Examples of child sexual abuse include the following:

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

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

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

necessarily result in a criminal or canonical investigation, or a civil action, and allegations that are unsubstantiated but which are plausible. (NB: Erroneous information does not necessarily make an allegation implausible, for example, a priest arrived in a parish in the Diocese a year after the alleged abuse, but other information supplied appears credible and the alleged victim may have mistaken the date).

Note 3: False Allegations:

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

Note 4: Random sample:

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

Note 5: Civil Authorities:

Civil Authorities are defined in the Republic of Ireland as the Health Service Executive and An Garda Síochána and in Northern Ireland as the Health and Social Care Trust and the Police Service of Northern Ireland.