

**Review of Safeguarding Practice
in the religious Congregation of
the Passion of Jesus Christ
(The Passionists)**

undertaken by

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

Date: December 2014

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Background

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

This report contains the findings of the *Review of Safeguarding Practice within religious congregation of the Passion of Jesus Christ (The Passionists)* undertaken by the NBSCCCI in line with the request made to it by the Sponsoring Bodies. It is based upon the case material made available to the reviewers by the Passionists, 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, and the Provincial has confirmed this.

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

Introduction

The Congregation of the Passion of Jesus Christ (Passionists) is an international congregation of priests and brothers with some 2200 members globally and ministries in 55 nations spread over 5 continents. The historic mission of the congregation has been defined by the theme of compassion and has been exercised mainly in preaching, the ministry of confession and reconciliation, and parish ministry.

The Generalate of the congregation is in Rome, presided over by a Superior General and Council.

The Passionist Congregation in Ireland dates back to 1856. Ireland is part of the Passionist Province of St Patrick, which spans Ireland and Scotland (and which also includes a house in Paris), and is a part of a Northern European configuration of Provinces. Ministries in South Africa and Botswana were previously part of the Province of St Patrick, but this is no longer the case. The organizational structure in the Province of St Patrick mirrors that of the Generalate, with a Provincial and a Provincial council at the apex. The Provincial is elected by the congregation and serves a four year term, with a usual tenure of two terms. The current Provincial, Fr Pat Duffy came into office in 2008 and his second term will end in 2016. The province consists of a body of some 50 men overall, with an average age in the mid-70s. In Ireland, the Passionists have established a number of communities. Each community has a superior, through whom it relates to the Provincial. Two communities provide parish ministries, in Mount Argus, Dublin (to the Archdiocese of Dublin) and in Holy Cross in the Ardoyne area of Belfast (to the Diocese of Down and Connor). The communities in the Graan in Enniskillen, Co Fermanagh and in Crossgar, Co Down provide pastoral renewal, reconciliation, retreat, and faith development ministries. Crossgar is the retreat centre, including school retreats. The largest community of Passionist priests and brothers, many of whom are retired, reside in St. Pauls Retreat in Dublin, consists of 20 men, and is situated alongside the parish church at Mount Argus. The Passionists provide chaplaincy to An Garda Siochana. They administer the English speaking parish in Paris, and also have one man in ministry on Tory Island, Co Donegal. One new Passionist priest was ordained last year and there are two men in formation. The congregation has a formation community based in London.

Responsibility for the safeguarding of children and young people rests with the Provincial. The Passionists appointed an external lay Designated Safeguarding Person in 2010, who is accountable to the Provincial and who relates, in safeguarding matters, to designated safeguarding members in each of the communities. Prior to 2010 the role of Designated Safeguarding Person was assigned internally to a member of the congregation. The Passionists have had a child safeguarding policy since 1996, and the current policy was approved by the Provincial and his council in February 2011. The electronic version of the current policy is dated 2012. There has been an Advisory panel in existence since 1996, to provide specialist advice to the Provincial in relation to the management of individual cases. The establishment of a Safeguarding Committee however is much more recent, and the reviewers were advised that this function (of providing an overview of safeguarding performance and strategy and of developing the preventative agenda) was previously carried out by the Provincial Council. The Passionist communities in Ireland are spread across both jurisdictions. Many aspects of safeguarding in the

ministries in Holy Cross and Crossgar are integrated with the safeguarding policies and procedures of the Diocese of Down and Connor; Mount Argus parish and the Graan are likewise integrated with the safeguarding policies and procedures of the Archdiocese of Dublin and the Diocese of Clogher.

The safeguarding review in the Passionist congregation was carried out in the Provincial House in Mount Argus, Dublin on the 4th and 5th November 2014, by a team of 2 reviewers commissioned by the NBSCCCI. The reviewers were given access to all data relating to allegations or concerns received by the Passionists about sexually abusive or sexually inappropriate behaviour by members of the congregation. This data included references to alleged adult and young adult victims (which are outside the terms of reference of this report) as well as a number of cases where the alleged perpetrator has not been identified. The reviewers read the files of the men who are members of the congregation against whom child sexual abuse allegations have been made, a sample of the files of deceased priests and brothers against whom sexual abuse allegations had been made, and files relating to men who are no longer members of the congregation. Interviews were held with the Provincial, the Designated Safeguarding Person, the Superior of St Paul's Retreat, members of the Advisory Panel and members of the Safeguarding Committee. The reviewers also assessed the Passionist safeguarding children document (2011), which is the basis on which performance against the safeguarding criteria was assessed, as well as other documentation made available to them.

Overall, the reviewers have concluded that the Passionist Congregation has not achieved the implementation of all the standards as defined by the NBSCCCI to which they signed up to in 2009. Though the majority of the criteria have been met there is ground to be made up.

Prior to 2008/2009 the reviewers have seen historic gaps in safeguarding practice, including inconsistent levels of reporting and recording, and consider that the congregation, on occasions, neglected to implement canonical processes. It is clear that a major effort was made by the current Provincial and his council in 2008/09 (later supported by the Designated Safeguarding Person) to establish a base-line for safeguarding practice, by carrying out a detailed audit of information in the existing case files and by passing all of this information to the civil authorities, and there has undoubtedly been an improvement in case management since then. In two cases relating to deceased men, there were gaps in the exchange of information with the authorities, due to ambiguity about the nature of the cases. The reviewers consider that good practice requires that all safeguarding information is reported. There are examples of good practice, for example in victim/ survivor outreach; in the early commissioning of psychological assessments and treatment programmes and in the development of a recent paper describing how safeguarding could be addressed in the formation of candidates for the priesthood and brotherhood, but the overall conclusion is that all aspects of the safeguarding agenda needs to be more assertively owned and managed by the Passionists. There are key structures (such, for example, as the Safeguarding Committee and the Advisory Panel) which need to be strengthened. The review has concluded that the Passionists are now meeting a majority of the criteria which underpin the NBSCCCI safeguarding standards, but there is work remaining to be done to address the others. The

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review has made a total of 12 recommendations for improvement in 4 areas of safeguarding, interim amendments to the safeguarding policy, case management and maintenance of files, role and development of the Safeguarding Committee, and role and function of the Advisory Panel.

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 *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 Passionists. The seven standards are:

Standard 1 A written policy on keeping children safe

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

Standard 3 Preventing harm to children:

- Recruitment and vetting
- running safe activities for children
- Codes of behaviour

Standard 4 Training and education

Standard 5 Communicating the Church's safeguarding message:

- To children
- To parents and adults
- To other organisations

Standard 6 Access to advice and support

Standard 7 Implementing and monitoring the standards

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

Standard 1

A written policy on keeping children safe

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

Compliance with Standard 1 is only fully achieved when the Passionists meet 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 Partially
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 partially
1.6	The policy states how those individuals who pose a risk to children are managed.	Not met
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 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 safeguarding children document of the Passionist Congregation of St Patrick states that the Passionists “are committed to creating a safe, healthy and inclusive environment for all, particularly the children young people and vulnerable adults with whom we work”. The document states that all children have a fundamental right to be respected, nurtured, cared for and protected, and that this right is embedded in Gospel values, best practice guidelines and international and domestic laws. The reviewers note that the policy has been written to address children and young people and vulnerable adults. The document is well structured and accessible, with specific guidance on codes of good practice, definitions of abuse, recruitment and training, procedures and safeguarding roles. Criterion 1.1 is thus fully met.

The Passionists’ Safeguarding Children Policy was signed at a meeting of the Provincial Council on the 23rd February 2011. The policy document itself does not contain the signature/endorsement of the Provincial Council therefore Criteria 1.2 is partially met. The need for policies for children and vulnerable adults throughout the international congregation was mandated by the 46th General Chapter (Sept.-Oct. 2012) of the Passionist Congregation. The policy states that all Passionists undertake to ensure, through best practice, to create a safe environment for children and to ensure their protection from all forms of abuse, meeting Criterion 1.3. It was revised in 2012 meeting Criterion 1.4. The reviewers consider that completion of Criterion 1.5, assessed as partially met, requires formal reference to the use of celebrities or letters of good standing to accompany members who move between communities, or between vicariates, provinces etc. This is currently the practice, but needs to be stated in the policy document. Criteria 1.7 and 1.8 are fully met. The safeguarding document has been created at provincial level, and applies to all of the communities, and is consistent with Criterion 1.9. However the reviewers note that there is an extensive overlap with the diocesan safeguarding policies in all four of the Passionist communities. The reviewers have been advised that it is clearly understood, in the event of an allegation against a Passionist priest in any of these settings, the diocesan policy would be implemented in the first instance, with any subsequent management of the priest to be governed by the Passionist policy. It is recommended that this is stated in a formal memorandum of understanding or protocol with each of the diocesan safeguarding offices. It is noted that the NBSCCCI is currently planning for the development of a common Church safeguarding policy in 2015, and that any revisions to the policies of individual congregations will be interim in nature.

RECOMMENDATION 1

The Provincial should ensure that the interim revision of the Passionist’s child safeguarding document contains a formal endorsement by him and by the Provincial Council.

RECOMMENDATION 2

The Provincial should ensure that the interim revision of the Passionist child safeguarding document states that it is a formal requirement for members of the congregation, who are in transition between ministries/locations, to have a certificate or letter of good standing.

RECOMMENDATION 3

The Provincial should ensure that written protocols are in place with the relevant diocesan safeguarding offices to formalise the actions to be taken (a) in the event of an allegation (b) subsequent to an allegation.

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 the Passionists meet 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.	Not met
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

Chapter 8 of the safeguarding document (2012) provides step by step guidance on what action to take if there are allegations or suspicions of abuse, and Criterion 2.1 is met fully. Chapter 2 of the document locates the guidance within the existing policy and legal frameworks in both jurisdictions, and Criterion 2.2 is also fully met. There is a Designated Safeguarding Person, meeting the requirement of Criterion 2.3, and standard report form and process for recording, meeting Criterion 2.4. The arrangements for storing data are very secure. The reviewers note that the standard report form is not well evidenced in the files reviewed and that the files are generally poorly structured. This is further addressed in the next section. Criterion 2.5 refers to the need for a general complaints procedure which can be activated to deal with issues not related to abusive behaviour or intent. This is not addressed in the policy, and Criterion 2.5 is not met. Guidance on confidentiality and the seal of confession is addressed in the Policy document, and Criterion 2.6 is fully met. The reviewers note that the document provided to them (in hard copy) does not contain contact details for the civil agencies, but that these details are provided on an electronic version. They were assured that this was an omission and that relevant details are included in the local versions of the policy. It is accepted that Criterion 2.7 is therefore fully met.

RECOMMENDATION 4

The Provincial should ensure that the interim revision of the Passionist child safeguarding document contains a section setting out a general complaints policy.

Table 1

Incidence of Safeguarding allegations received within the Passionist Congregation from 1st January 1975 up to the date of the review.

PASSIONISTS		
1	Number of priests/brothers against whom allegations have been made since the 1 st January 1975 up to the date of the review.	20*
2	Total number of allegations received by the Order since 1 st January, 1975	42
3	Number of allegations reported to An Garda Síochána/PSNI/Other Police Service involving priests/brothers since 1 st January 1975.	40
4	Number of allegations reported to the TUSLA/HSE (or the Health Boards which preceded the setting up of the HSE,)/HSCT involving priests/brothers of the Congregation since 1 st January 1975.	36
5	Number of priests/brothers (still members of the Congregation) against whom an allegation was made and who were living at the date of the review.	3
6	Number of priests/brothers against whom an allegation was made and who are deceased.	16
7	Number of priests/brothers against whom an allegation has been made and who are in ministry.	1
8	Number of priests/brothers against whom an allegation was made and who are “Out of Ministry”, but are still members of the Congregation.	2
9	Number of priests/brothers against whom an allegation was made and who are retired.	0
10	Number of priests/brothers against whom an allegation was made and who have left the Congregation/priesthood.	1
11	Number of priests/brothers of the Congregation who have been convicted of having committed an offence or offences against a child or young person since the 1 st January 1975.	0

**There was in addition one allegation made against a student, this is not included as one of the 20 priests.*

The reviewers were given access to all of the safeguarding files held by the congregation in relation to allegations concerning children and young people, as well as a small number of allegations relating to young adults. The majority of the files are bulky, are not well structured and are very difficult to read because of the lack of narratives and analysis, repetitive and overlapping material and the extensive use of pseudonyms.

Following completion of the fieldwork the reviewers became aware of a series of 9 allegations which had been made by one person in respect of 9 members of the Passionist congregation, received by the Passionists in September 2009 and which were reported to An Garda Síochána at that time. The allegations, against 7 of the members, alleged abuse when the complainant was under 18 years of age. These allegations were contained in the file of one of the deceased priests notified to the reviewers, but whose file was not chosen as part of a random sample of deceased files for review. The reviewers are concerned that the Passionists have not established 5 individual files, per priest, detailing the allegation as required under the NBSCCCI's recording guidance.

Most of the allegations refer to the 1950s, and all of the members of the congregation who are implicated are now deceased. The allegations, none of which have been substantiated, were passed to the civil authorities at the time. The Passionists were subsequently requested to revise and resubmit the information contained in Table 1.

The reviewers were given information relating to 42 allegations which are recorded above as relating to children or young people, within the terms of reference of the review. They also saw names of 4 children/ young people which were shared with the congregation's solicitor by Father A, under legal privilege. As this was disclosed under legal privilege the details could not be confirmed and the congregation was unable to contact the alleged victims. This was notified to the civil authority agencies as part of an "omnibus reporting process" in 2009.

The reviewers have concluded that 40 of the 42 allegations have been reported to An Garda Síochána or to the PSNI or to Scottish police. In 2 cases, allegations relating to deceased men (received in 2010 and 2014) have not been reported on the basis that victims did not confirm information. The evidence made available to the reviewers establishes that a substantial number (27) of the allegations were known to the congregation prior to 2008/09, when it signed up to the NBSCCCI safeguarding standards, but that only a small number had been shared with An Garda Síochána/PSNI prior to a full disclosure of information to the civil agencies in both jurisdictions on 30 September 2009 in an 'omnibus' letter. The allegations noted above, from one complainant was shared with the Gardai in a separate letter in 2009. 36 of the 42 allegations/concerns have now been reported to the child protection agencies – the majority of these via the 'omnibus' letter of 2009 referred to above. The reviewers have concluded that reporting to the civil agencies by the Passionists was inconsistent prior to 2008/2009; that action was taken to audit the files at that time resulting in a complete disclosure in 2009. The Reviewers now acknowledge that a pattern of prompt reporting has been in place subsequently. In two cases relating to deceased men there were gaps in the exchange of information with the authorities due to ambiguity about the nature of the cases. The reviewers consider that good practice requires that all safeguarding information is reported.

The 42 allegations referred to above relate to a total of 20 men who are, or at one time, were members of the Passionist congregation. None of the 20 men subject of child sexual abuse allegations or concerns have been convicted or were subject to prosecution. Sixteen of these men are deceased, and 1 is no longer a member of the congregation. One priest has remained in ministry and 2 priests are out of ministry but are members of the congregation. In addition the student against whom there was an allegation was asked to leave.

The largest number of allegations relates to Father A, who has remained a member of the congregation but has been out of ministry for more than two decades. There is reference in this file to a history of alleged sexual assaults which occurred between 1960 and 1998. By 2000 several psychological assessments had been carried out, one of which notes that the possibility of future allegations is unpredictable. This is the case (above) where the file contained names of additional victims self-disclosed under terms of legal privilege. The reviewers have been informed that there was risk assessment and management, and therapeutic treatment of Fr A and that he was subject to regular discussion at Provincial Council meetings. Prior to 2010 there is some evidence on file of formal review through the Advisory Panel, but the references are inconsistent and records of management plans are very limited. It is not clear from the file whether precepts were issued and no reference to any canonical process until 2011, when the case was referred by the current Provincial to the Congregation for the Doctrine of the Faith (CDF) in the Vatican. The use of Covenants of Care is evident since 2010, but their terms do not refer to restrictions on contact with children. The reviewers consider that it would have been appropriate to instigate a preliminary inquiry, under canon law, prior to 2000, when there was a clear history of concern about this priest's behaviour, backed up by psychological evidence. The congregation is currently awaiting the response from the CDF.

Father B has remained in full ministry following a third party anonymous hearsay statement, concerning possible inappropriate contact with young adult men and possibly boys. No allegation was made in this case and it was not reported to the civil authorities for 2 years. Father B undertook a psychological assessment, and continued in his ministry following recommendations from the Advisory Panel. He was never asked to leave his ministry, and reviewers are satisfied that this was an appropriate outcome in these circumstances.

Father C is elderly and retired and has been out of ministry for 20 years. In 1992 the congregation was in receipt of an allegation that he had abused a teenage girl over several years. He was psychologically assessed, received residential treatment and the Advisory Panel consulted. This case was not reported to the civil authorities for 4 years. Father C has been the subject of a Protection Plan from 1998, and a Covenant of Care from 2010. There is no reference in this case to consideration of the need for a preliminary inquiry under canon law, which, should have at least been considered following his removal from pastoral ministry in 1994.

The case of Father D refers to a student in religious formation against whom an allegation was made. The case was referred to the police, although no formal complaint was made. There is evidence of input from the Advisory Panel and a psychological assessment was commissioned. The congregation did not admit the man to profession.

The allegation in relation to Father E (deceased) did not come to light until some weeks after his death, when it was reported that he had been involved in an abusive relationship with a woman over a number of years, beginning when she was a teenager. There is no doubt that this was child abuse, and vulnerable adult abuse, whereby the perpetrator continued to have a hold over his victim rendering her vulnerable into adulthood. The impact of the abuse had serious and long standing consequences for the victim. She feels very strongly that she had to run away and that he pursued her across the world.

In the case of Father F (deceased), the file records a total of 6 allegations over a span of approximately 40 years. A preliminary inquiry under canon law was instigated at an early stage and concluded that no conclusive evidence was found to link the priest to an (early) allegation. The congregation continued to support the alleged victim until his tragic death from suicide some years later. The reviewers have noted however that a number of concerns in this case were received after the preliminary inquiry. These concerns, which did not become formal complaint, were not reported to civil authorities. It is not clear whether the accumulation of concerns was considered, in order to establish whether there were reasonable grounds for such concerns whether there was any discussion of the need to re-establish the inquiry. The reviewers saw evidence that this case was discussed by the Advisory Panel from 1998, but there is no evidence of a precept or safety plan when Father E was deemed to be retired in 2000 and his ministry was described as restricted.

In the case of Father G, another deceased priest, an allegation was made in 2005 that he had abused a teenage girl. The file does not contain details of what happened after the allegation, although it was referred to An Garda Siochana quite quickly. There is no evidence of any canonical process or assessment or any precept in this case during the 4 years between the allegation and his death.

The case of Father H, refers to an allegation made of abuse to a young adult. The Advisory Panel found at the time that this priest did not pose a risk. The reviewers could not source the basis for this assessment. One year after the death of Father H a second allegation was received from a person alleging abuse as a child/young person.

One priest, Father I, left the congregation in the 1970s and there has been no subsequent contact with him. An allegation was received in 2005 and retracted a week later. This was reported to the civil authorities in 2009.

The reviewers have concluded that prior to 2009, there are instances where the Passionist congregation deferred from reporting child abuse information to the civil authorities and also neglected the use of canonical processes in the cases of men who had been subject of allegations. The use of risk assessments is quite evident, but the contributions of the Advisory Panel to the management and decision making processes are not well recorded. The decision of the Provincial to commission a detailed audit of cases in 2008/2009 and to share all of the reporting information with the civil authorities at this time is commended.

RECOMMENDATION 5

The Provincial should ensure that all active files are structured according to NBSCCCI guidance.

Standard 3

Preventing Harm to Children

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

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

Criteria – safe recruitment and vetting

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

The child safeguarding document (2012) addresses Criteria 3.1. - 3.3 in Chapter 3 *Recruitment and Training* and meets best practice requirements. In practice all of the vetting functions for the Passionists are carried out via the diocesan processes in Down and Connor, Dublin and Clogher.

Criteria – Codes of behaviour

Number	Criterion	Met fully or Met partially or Not met
3.4	The Church organisation provides guidance on	Met fully

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	appropriate/ expected standards of behaviour of, adults towards children.	
3.5	There is guidance on expected and acceptable behaviour of children towards other children (anti-bullying policy).	Not met
3.6	There are clear ways in which Church personnel can raise allegations and suspicions about unacceptable behaviour towards children by other Church personnel or volunteers ('whistle-blowing'), confidentially if necessary.	Not met
3.7	There are processes for dealing with children's unacceptable behaviour that do not involve physical punishment or any other form of degrading or humiliating treatment.	Not met
3.8	Guidance to staff and children makes it clear that discriminatory behaviour or language in relation to any of the following is not acceptable: race, culture, age, gender, disability, religion, sexuality or political views.	Not met
3.9	Policies include guidelines on the personal/ intimate care of children with disabilities, including appropriate and inappropriate touch.	Not met

Chapter 5 of the safeguarding document (2012), entitled *Code of Practice* sets out a code of behaviour for Passionists interacting with children and young people, which meets the requirements of Criterion 3.4. However Criteria 3.5 – 3.9, which refer to specific aspects of relationships with children, are not addressed in the policy. In reaching this judgement the reviewers have considered the overlap between diocesan and Passionists policies for the four communities whose ministries have regular contact with children. It is recommended that the Passionists have a single complete understanding of safeguarding which binds all members of the congregation to all aspects of the same policy. Aspects such as 'whistle blowing' or anti-discriminatory practice have considerable relevance to parish and retreat ministries, for example and should be clearly stated by the Passionist congregation in its own right.

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

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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
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The reviewers consider that Chapters 5.2 (Meetings with children and young people); 5.3 (Health and Safety); 5.4 (Use of computers) and 5.5 (Trips away from home) in the Passionist safeguarding document (2012) provide a range of guidance which adequately addresses Criteria 3.10 – 3.12, all of which are fully met

RECOMMENDATION 6

The Provincial should ensure that the interim revision of the Passionist child safeguarding document makes full reference to Criteria 3.5 – 3.9, in relation to anti-bullying, whistle blowing, dealing with unacceptable behaviour, anti-discriminatory practice and intimate care for children with disabilities.

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 partially
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 partially
4.4	Training programmes are approved by National Board for Safeguarding Children in Ireland and updated in line with current legislation, guidance and best practice.	Met fully

The reviewers were informed that safeguarding awareness training in all 4 communities is delivered via the diocesan training programmes. The Designated Safeguarding Officer has assessed this with the diocesan trainers, and is fully satisfied that the system is working. The Superior in St Pauls Retreat is also a trainer and he has delivered training to the community there. The reviewers consider that Criteria 4.1 and 4.4 are met fully. The provision of training for identified Church personnel and those with additional responsibilities has been insufficient, and Criteria 4.2 and 4.3 are partially met. It is recommended that the congregation develops a more planned approach to training, beginning with the introduction of a regular training needs assessment. This should also include reporting of the delivery of diocesan training to the Passionist communities. This is one of the roles of the Safeguarding Committee (see discussion under Standard 7 and Recommendation 12)

RECOMMENDATION 7

The Provincial should ensure that the Safeguarding Committee assesses plans and monitors the training to meet the assessed needs of the congregation, as part of an annual training report.

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 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.	Not met

The Passionist safeguarding children document is available throughout the communities to members of the congregation. It was not publicly available on the Passionist website at the time of the review and Criterion 5.1 was therefore assessed as partially met. Whilst the rights of children to be safe from abuse and guidance about who to speak to if they have concerns is available at all locations as per local diocesan guidance, the reviewers were not made aware that any communication material had been generated by the Passionists to enhance communication with children or young people in relation to safeguarding. Criterion 5.2 is assessed as partially met.

Contact details for the Designated Safeguarding Person are easily available, and Criterion 5.3 is fully met. The Passionist communities rely heavily on local diocesan safeguarding guidance and the reviewers have been assured that the Passionist child safeguarding document also contains the local contact information. It is agreed that Criterion 5.4 is fully met. There is no evidence of a written communications policy, and Criterion 5.6 is assessed as not met. This is a function of a working Safeguarding Committee, and should be taken forward by the new grouping.

RECOMMENDATION 8

The Provincial should ensure that the Safeguarding Committee addresses the following gaps in the communication agenda a) website publication of safeguarding document b) communication material for children and young people c) development of a Passionist 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

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 partially
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 partially
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 partially

The Passionists have had an Advisory Panel in place since the 1990s, whose role has been to provide specialist advice on child protection matters to the Provincial and the Provincial Council. The reviewers understand that some consideration was given to joining an inter-congregational advisory group at one time, but that this was rejected in favour of continuing with their own panel. The core membership of the panel has consisted of a civil lawyer, a canon lawyer and a forensic psychologist, with additional input from other professionals with a background in child protection, There is a considerable wealth of experience and knowledge. The reviewers were told that this panel did not keep a separate record of its meetings or of its decisions and that the relevant material is contained within individual case files. Written terms of reference for this panel were not available. The panel does not have a recognized chairperson and it is convened when and as necessary by the Provincial. It does not have a role currently in monitoring the

management of the men against whom allegations have been made who are out of ministry within the congregation. The reviewers have seen references to the Advisory Panel in the files which they have read. However the content is often unclear. The widespread use of pseudonyms has already been commented upon. In many instances the reporting of discussions and decisions is incomplete.

The reviewers have seen evidence of the use of Covenants of Care in respect of the men who are out of ministry because of allegations. Whilst these documents address restrictions in ministry and movement etc, they are not explicit about contact with children and young people. The format of these documents (which is based on a template provided by the Safeguarding Office in the Archdiocese of Dublin) needs to be reviewed.

The reviewers have concluded that Criterion 6.1 is currently partially met. The Passionists need to review the working of the Advisory Panel, to clarify and state its terms of reference, to describe its role, to put in place arrangements for recording its meetings and recommendations, and to update and clarify expectations of membership. This should be undertaken in consultation with the NBSCCCI. They also need to review the scope of the covenants of care which are currently in use.

The reviewers have concluded that the organizational shape of the Passionist congregation, spread across jurisdictions and dioceses, creates a degree of diffusion in relation to child safeguarding, and Criterion 6.2 is assessed as partially met. This needs to be counter-balanced by stronger links with the NBSCCCI in relation to safeguarding policy and structure. Criterion 6.3 is fully addressed in the Passionists' child safeguarding document (2012).

The reviewers have seen commendable evidence in the files of attempts by the Passionists to reach out to and engage with victims and survivors. The reviewers were given a statement outlining the aspects of the Passionist safeguarding service which seek to support those affected by abuse. The current Provincial and the Designated Safeguarding Officer have made themselves personally available to victims/ survivors, and there has been a considerable investment in the provision of counselling and other forms of support. There is also evidence that this was the practice of previous Provincials and Delegates. The reviewers consider that Criterion 6.4 is fully met. The development of dedicated material (eg. pamphlets) for victims/survivors should be considered as part of the overhaul of the communications policy (Recommendation 8).

The 2 members of the Passionist Congregation in respect of whom allegations have been made in relation to children are subject to Covenants of Care, currently monitored by the Superior, Provincial and the Designated Safeguarding Person. They have both been in this situation for many years and have undergone periods of treatment both abroad and within in the community. More recently one of them has undergone a further risk assessment. They are not managed by individual Priest Advisors, as this model is deemed not to work in a close knit environment. The community Superior, who met with the reviewers, stated that he has contact with these men on a daily basis and would be very aware of any changes. He currently receives support from the Designated Safeguarding Person and the Provincial. However it is also evident that his relationship with the accused men can be very demanding and that he needs to have more directive training and supervision for the mandate he has received from the Provincial and

Council for his interventions. The reviewers consider that the Advisory Committee should review the covenants of care on a regular basis, so that responsibility for the management of men who are out of ministry is formally managed by the Superior together with the Provincial Council with oversight by the Advisory Panel. Criterion 6.5 is therefore assessed as partially met, and it is recommended that the training and support needs of the Community Superior are also kept under review.

The reviewers were shown a document entitled '*and formation of Passionist Students* which describes a screening process now in place for candidates for the priesthood for any learning/ social/ relational difficulties and pathologies, with a view to the early detection in formation. The reviewers commend this imaginative thinking about how psychological or emotional tendencies which could potentially undermine the safety of children and young people can be addressed at an early stage.

RECOMMENDATION 9

The Provincial should carry out a review of the terms of reference and membership of the Advisory Panel in conjunction with the NBSCCCI, setting out its role within the overall safeguarding structure, and updating its membership, internal management arrangements, and recording arrangements.

RECOMMENDATION 10

The Provincial should, in conjunction with NBSCCCI, review and extend the scope of the Covenants of Care to explicitly state restrictions on contact with children and young people.

RECOMMENDATION 11

The Provincial should immediately establish that one of the roles of the Advisory Panel is to formally review all existing Covenants of Care on a regular basis, and should also ensure that the training and support needs of the personnel who manage and monitor the covenants are kept under review.

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 partially
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

The reviewers were shown a written safeguarding plan for the period 2014 -2016 which identifies six key areas for development, policy review, implementation of NBSCCCI recommendations, management of the men who are out of ministry, policy for visiting clergy, vetting of staff who work with vulnerable adults in St Pauls Retreat and website update. It is understood that the provision of financial resources for the implementation of the safeguarding plan is not an issue. Criteria 7.1 and 7.2 are assessed as met fully.

The role of the Safeguarding Committee in the Passionist Congregation is at a very early stage of development and the current group, consisting of people with specific roles, ministries and experience from the Passionist Congregation and staff met for the first time in September 2014. The reviewers consider that Criterion 7.3 is partially met. They were told that the developmental aspects of safeguarding were previously addressed within the ‘organic’ structures of the congregation, utilising the Provincial Council and the diocesan safeguarding frameworks that were already in place. The reviewers consider that the Passionists need to be much more explicit about how the preventative aspects of safeguarding are addressed. The Safeguarding Committee needs to state its terms of reference and to put in place an annual report to the Provincial and Provincial Council, which gives an overview of progress in relation to Passionists own safeguarding policy, the strategic plan, the activities and interfaces with the dioceses, as well as data on

reporting trends, training needs assessment and provision, self-audits against the standards, vetting activity, communication and any other safeguarding issues.

In relation to the six objectives listed in the current safeguarding plan, the reviewers have already commented that the terms of reference of the Advisory Panels (based on NBSCCCI guidance – Resource 1) are relevant to the management of the men out of ministry. The NBSCCCI guidance draws a clear distinction between the supportive/developmental role of Safeguarding Committees and the case management remit of Advisory Panels. Both are required as entities which are separate from the congregations own governance structures.

Criterion 7.4 is also assessed as partially met, on the basis that some consultation with parishioners takes place as part of the overlapping activity with the parishes. It is not however formally reported by the Passionists. Reporting on parishioners views on safeguarding should be included within the annual report referred to above.

The reviewers have already commented on the security of the storage systems, and Criterion 7.5 is met fully

RECOMMENDATION 12

The Provincial should clarify the terms of reference of the Safeguarding Committee in conjunction with the NBSCCCI, setting out its role within the overall safeguarding structure, and its accountability to him and to the Provincial Council for monitoring all preventative aspects of safeguarding within the Passionist congregation as a whole. He should require an annual report from the committee on the implementation of the safeguarding standards within the Passionist congregation.

Recommendations

RECOMMENDATION 1

The Provincial should ensure that the interim revision of the Passionist child safeguarding document contains a formal endorsement by him and by the Provincial Council.

RECOMMENDATION 2

The Provincial should ensure that the interim revision of the Passionist child safeguarding document states that it is a formal requirement for members of the congregation, who are in transition between ministries/locations, to have a celebret or letter of good standing.

RECOMMENDATION 3

The Provincial should ensure that written protocols are in place with the relevant diocesan safeguarding offices to formalise the actions to be taken (a) in the event of an allegation (b) subsequent to an allegation.

RECOMMENDATION 4

The Provincial should ensure that the interim revision of the Passionist child safeguarding document contains a section setting out a general complaints policy.

RECOMMENDATION 5

The Provincial should ensure that all active files are structured according to NBSCCCI guidance.

RECOMMENDATION 6

The Provincial should ensure that the interim revision of the Passionist child safeguarding document makes full reference to Criteria 3.5 – 3.9, in relation to anti-bullying, whistle blowing, dealing with unacceptable behaviour, anti-discriminatory practice and intimate care for children with disabilities.

RECOMMENDATION 7

The Provincial should ensure that the Safeguarding Committee assesses, plans and monitors the training to meet the assessed needs of the congregation, as part of an annual training report.

RECOMMENDATION 8

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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 safeguarding tandards set out in the NBSCCCI's *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* including the following:

*Review of Safeguarding Practice in the religious Congregation of the
Passion of Jesus Christ (The Passionists)*

- 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.”

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.

Note 2: Definition of Allegation:

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

Note 3: False Allegations:

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

Note 4: Random sample:

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