



THE NATIONAL BOARD FOR
SAFEGUARDING CHILDREN
IN THE CATHOLIC CHURCH

**Review of Child Safeguarding Practice
in the Religious Congregation of**

Sisters of Mercy

undertaken by

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

Date: August 2015

CONTENTS

Background	<i>Page 3</i>
Standard 1 <i>A written policy on keeping children safe</i>	<i>Page 18</i>
Standard 2 <i>Management of allegations</i>	<i>Page 20</i>
Standard 3 <i>Preventing Harm to Children</i>	<i>Page 30</i>
Standard 4 <i>Training and Education</i>	<i>Page 35</i>
Standard 5 <i>Communicating the Church's Safeguarding Message</i>	<i>Page 38</i>
Standard 6 <i>Access to Advice and Support</i>	<i>Page 42</i>
Standard 7 <i>Implementing and Monitoring Standards</i>	<i>Page 46</i>
Recommendations	<i>Page 50</i>
Terms of Reference	<i>Page 51</i>

Background

The National Board for Safeguarding Children in the Catholic Church (NBSCCCI) was asked by the Sponsoring Bodies, namely the Irish Episcopal Conference, the Conference of Religious of Ireland and the Irish Missionary Union, to undertake a comprehensive review of child 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 *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* issued 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 four Irish Provinces of the Congregation of The Sisters of Mercy 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 Sisters of Mercy, along with interviews with selected key personnel who contribute to safeguarding within the Sisters of Mercy. The NBSCCCI believes that all relevant documentation for these cases was passed to the reviewers, and the Provincials have confirmed this.

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

Introduction

The Religious Sisters of Mercy (R.S.M.) were founded in Dublin in 1831 by Catherine McAuley in response to the poverty she had seen in the city. Catherine sold her inheritance, Coolock House and grounds, to fund the establishment of a house on Baggot Street in Dublin City to serve both as a school and as a refuge for women who needed shelter. In 1827 she opened a school for children in the new house in Baggot Street, thus pre-dating the State Education System by a few years. She also welcomed homeless children into the house. Neither Catherine nor her companions were Religious at this time.

Catherine was urged to become a religious sister because society at the time, both civil and ecclesiastical, could not comprehend lay women doing this kind of charitable work under their own auspices. Following her novitiate at the Presentation convent in George's Hill she returned to Baggot St. and called her group Sisters of Mercy.

Catherine McAuley died in 1841. During her short religious life the Congregation spread rapidly throughout Ireland and England, with more invitations from Bishops to set up foundations in their dioceses than she could manage. Following her death, the Congregation continued to spread throughout Ireland, England, the Americas, Australia and New Zealand. Catherine's founding wish of caring for the poor, sick and uneducated resulted in the establishment of schools, hospitals and orphanages throughout the world.

Religious Sisters of Mercy in Ireland

Since the time of Catherine McAuley, the Sisters of Mercy have evolved in Ireland through local, diocesan and most recently provincial arrangements. From 1831 to the 1970s the Religious Sisters of Mercy in Ireland, with a few exceptions, consisted of autonomous houses which were founded at the request of and usually remained under the direct authority of the local bishop. Each had its own responsibility for supporting and financing membership and mission, and for attracting and forming new members.

Vatican II introduced major changes in religious life and the structure of the Mercy Congregation changed accordingly. The convents within a particular diocese amalgamated in the 1970s and 1980s and it was then, for the first time, that convents which were autonomous, shared resources and responsibilities. Each diocesan structure was approved by the Holy See.

By 1985 these diocesan unions of convents had replaced autonomously governed communities with new centralised forms of government in all dioceses. Many of these diocesan units had mission outreach abroad. In the early 1990's these diocesan units began to work towards further union and in June 1994 the Holy See authorised the establishment of the Congregation of the Sisters of Mercy. This new entity included the 26 diocesan groups in Ireland, with their mission outreach abroad, and the Sisters of Mercy in South Africa. The new Congregation called *Congregation of the Sisters of Mercy* (hereinafter called The Congregation) is divided into seven provinces; four of the provinces are in Ireland, one in the United States, one in Kenya and one in South Africa.

The Congregation of approx. 2,000 members is governed by a Congregational Leader and Team who live in Dublin. Each province has a similar governance structure and remains autonomous with regard to membership and finance.

The four Irish provinces are:

Northern Province

The Northern Province was formed from eight former diocesan units. The geographical area spans the six counties of Northern Ireland and eight counties in the Republic of Ireland. It includes the Dioceses of Raphoe, Derry, Down and Connor, Dromore, Armagh, Clogher, Kilmore and Meath together with communities overseas in Nigeria and Zambia.

Southern Province

The Southern Province was formed through the bringing together of the former diocesan units of Cloyne, Cork and Ross, Ferns, Kerry, Ossory, Waterford and Lismore. This Province also has responsibility for communities in Peru. Their communities in British Columbia, Canada closed in 2008.

Western Province

The Western Province was formed from seven of the original diocesan units - Achonry, Ardagh and Clonmacnoise, Clonfert, Elphin, Galway, Killala and Tuam. They had a mission area in Peru which is now part of the Southern Province

South Central Province

The South Central Province was formed from five former independent diocesan units located in the Dioceses of Dublin, Kildare and Leighlin, Cashel and Emly, Limerick and Killaloe. In addition, South Central has responsibility for the mission in Brazil.

The Constitutions of the new Congregation were approved by the Congregation for Institutes of Consecrated life and Societies of Apostolic Life in 1995. Each Province has its own separate leadership team, with responsibilities for all aspects of governance, including child safeguarding. Each Province has its own child safeguarding structure with a dedicated child safeguarding co-ordinator, safeguarding committee and designated liaison person. The Provinces share an overarching child safeguarding policy, *The congregation of the Sisters of Mercy Safeguarding Children Information- Policy Principles and Guidance Manual*, but each Province has developed individualised procedures unique to their ministries.

Mission and Ministry

Over the decades, the founding charism of the Congregation was manifested in the establishment of schools, hospitals and childcare facilities. This was done usually without State aid, and this work has been repeated in many parts of the world.

In the 1990s and early 2000's many of the Congregation's primary schools in the Republic of Ireland were handed over to the dioceses in which they were situated. CEIST (Catholic Schools and Irish Schools Trust) was set up to act as trustee to their second level schools in the Republic. In Northern Ireland the schools were transferred to the respective dioceses with the exception of two grammar schools, one secondary school and one primary school. Currently the sisters are co-patrons of twenty one community schools in the Republic of Ireland. They no longer own any residential childcare facilities, and most of their hospitals have been moved into company structures.

Historical Context of Child Safeguarding within the Congregation of the Sisters of Mercy

In 1999, the Irish government established a non-statutory *Commission to Inquire into Child Abuse*, chaired by a High Court Judge; this was re-established on a statutory basis in May 2000. One of its principal purposes was to provide an opportunity for persons who had experienced abuse in childhood in institutions to recount that abuse, but it also had extensive investigatory functions. The period covered by the work of the Commission was initially from 1946 to 1999, but it was subsequently extended to cover the years from 1914 to 2000. The Commission having concluded its work, it submitted a report to the government which was released on 20 May 2009 and came to be known as the *Ryan Report*.

The legislation which established The Commission precludes disclosure of information outside that forum, as does the legislation which established the Redress process.

In 1996 the Congregation set up a helpline for use by former residents of its industrial schools. Once *Faoiseamh* and later *Towards Healing* were established, the Congregation discontinued its own service and subscribed to these larger services. The Congregation commissioned a review of children's residential services and the Children's Research Project at Trinity College undertook the research and published *Lives in Care: Issues for Policy and Practice in Irish Children's Homes* in 1998.

In 1996 a full-time Congregational Archivist was employed to enable former residents to retrieve their records and other information. She identified and catalogued all Mercy childcare facilities' records and to date she has responded to 6,550 individual enquires. A qualified psychologist was engaged to be available to those receiving personal information through the Congregational Archivist.

In May 2004 the Sisters of Mercy in Ireland formally made an unconditional apology for any abuse suffered by children in their care. In doing so they accepted that children had suffered while in their care.

The focus of the NBSCCCI's review is on current child safeguarding practice alongside the management of allegations. For that reason this review report does not revisit the

work of either the Commission to Inquire into Child Abuse or the Residential Institutions Redress Board. The records of these entities are governed by statute.

Congregational Guidelines for Good Practice in Safeguarding Children

In 1996 the Congregational Leadership Team (CLT) introduced to the members of the Congregation, guidelines for good practice regarding the protection of children. These were updated in 1997 and presented at the Plenary Conference of the Congregation's leadership teams. These guidelines were in line with the Church's document *Child Sexual Abuse: Framework for a Church Response 1996*.

The Congregational Policy on Child Protection Issues was further updated and formally launched within the Congregation in 2000. It was to be read in conjunction with *Child Sexual Abuse: Framework for a Church Response (1996) and Children First* published by the Department of Health and Children in 1999. Following the launch training sessions took place in each Province.

These child protection guidelines formed the basis for good practice across the membership of the Provinces and were reviewed and further updated in 2005. Following the publication of *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland (2009)*, the Congregation revised its guidelines on child protection issues. The new document called *The Congregation of the Sisters of Mercy Safeguarding Children Information, Policy, Principles and Guidance Document* was formally launched by the Congregational Leader at the Plenary Leadership Conference in October 2009. The content of this revised Congregational Policy, modelled closely on the 2009 document of the Irish Church, had already been approved in September 2009 by the NBSCCCI. Following the formal launch each Province arranged training sessions in their particular Province.

In March 2013 the Congregational Leadership Team (CLT) began to work on producing a *User Friendly Guide to the Mercy Congregation Safeguarding Policy*. In order to draft this document, legal and other expert advice was sought from many sources. At the Congregational Plenary Conference in November 2013, CLT presented a draft form of this document to the Provincial Teams. Having received feedback and with further consultation, the *User Friendly Guide to the Mercy Congregation Safeguarding Policy* was launched in February 2014. A copy was made available to every member of the Congregation. At Provincial level meetings were held to raise awareness and to encourage ownership and implementation of the seven standards.

In consultation with Provincial Safeguarding Personnel and others, CLT began work reviewing and updating *The Congregation of the Sisters of Mercy Safeguarding Children Information – Policy, Principles and Guidance Document (2009)*. In May 2014 CLT agreed that this revised document be adopted as policy for all members of the Congregation of the Sisters of Mercy, their employees and volunteers. In April 2015 the Mercy Sisters' Safeguarding Children Policy document was again updated and this policy - *The Congregation of the Sisters of Mercy Safeguarding Children Information – Policy*,

Principles and Guidance Manual is publicly available through the website:
www.sistersofmercy.ie

The Provincial Leader has overall responsibility for monitoring, auditing and ensuring the implementation of the seven standards in her Province. CLT meets as necessary with the four Provincial Leaders in Ireland and with the person on each team who holds responsibility for safeguarding children, and in more recent times the Provincial Safeguarding Managers also attend. It is in an effort to coordinate and ensure implementation of the policy across all Provinces and to provide support and direction as needed, that these meetings are held. Each year an Annual Progress Report is received from the Provinces and after consideration by CLT feedback is offered to each Province.

Northern Province Profile

The Northern Province of the Sisters of Mercy encompasses the entire northern coastline of the island of Ireland and stretches in conical formation to its most southerly point at the Offaly/Tipperary border. It is comprised of 14 counties in the two jurisdictions - the six counties of Northern Ireland (Armagh, Antrim, Derry, Down, Fermanagh and Tyrone) and eight counties from the Republic of Ireland (Cavan, Donegal, Leitrim, Louth, Meath, Monaghan, Offaly and Westmeath). It also includes missionary activity in Nigeria and Zambia. There are in total 409 Sisters within the community of the Sisters of Mercy Northern Province.

The Northern Province has transferred many of its previous ministry projects to other forms of management. The Province has replaced the previous emphasis on institutional provision with a number of outreach ministries, which include work in peace, reconciliation and healing; in ecology and justice; in early childhood intervention; in pastoral outreach and family ministry, in spirituality; in creative approaches to health care and psychological and other therapies. Significant resources – personnel and financial – have been directed towards the establishment and development of centres dispersed across the Province, and examples include Athboy, Belfast, Bundoran, Castleblaney, Mullingar, Drogheda, Dungannon, Derry, Dundalk, Letterkenny, Tullamore, Newry, Omagh, Enniskillen and Stranorlar. There are 9 Sisters based in the mission areas of Zambia and Nigeria, developing projects to address conditions of extreme poverty and the HIV/AIDs pandemic. The Provincial Office is located in Clogher, Co Tyrone.

There are 48 Sisters involved in ministries with children in the Northern Province. Currently seven Sisters have direct ministry with children under the Mercy Child Safeguarding Policy. One Sister in Northern Ireland provides a counselling service while another provides art therapy. In the Republic of Ireland five Sisters provide piano/music tuition to children and young people. One Sister is employed in teaching in the Republic of Ireland. In Northern Ireland one Sister is employed in teaching and another as a school chaplain.

There are a further twenty four Sisters in the Republic of Ireland, and fourteen Sisters in Northern Ireland, who are involved in voluntary organisations, schools and parishes. All Sisters employed or volunteering in schools, parishes and voluntary organisations adhere to the Child Safeguarding Policy and guidelines of these organisations.

Overall responsibility for the life and Mission of the Sisters of the Northern Province rests with the Provincial Leader and her team. There are 19 convent communities which are home to larger groups of Sisters, and each facility has one or more Community Leaders. In some cases, where numbers are very large or where care requirements are more complex, a lay manager may also be appointed for day-to-day management of one or more community facilities. There are also 11 Area Groups throughout the Province comprising of clusters of Sisters living singly or in small groups. Each area group has one or more Area Co-ordinators.

Community Leaders and Area Group Co-ordinators convene meetings regularly to reflect on aspects of the Mercy Charism and its expression in the present context. They contribute to and are part of the overall leadership of the Province, and the decision making style is participative. The Provincial Leadership Team meets several times a year with Local Leaders and Area Group Co-ordinators and each member of the Provincial Team links with a number of community houses. Ten of the communities in the Northern Province are designated as assisted living communities which have facilities and staffing to meet the needs of Sisters who require assistance with daily living activities. The overall distribution of Mercy Sisters within the Northern Province is as follows; Meath and Drogheda (62); Westmeath and Offaly (59); Down and Bessbrook (40); Armagh and Tyrone (excluding Bessbrook) (31); Louth and Monaghan (33); Donegal (30); Fermanagh (29); Belfast and Downpatrick (28); Derry and Strabane (31); Cavan and Leitrim (17); Nigeria and Zambia (9); Nursing care (37); Working outside the Northern Province (3).

Accountability for child safeguarding rests with the Provincial Leader. She is supported directly by the Safeguarding Co-ordinator with a remit to oversee the safeguarding structure, and whose role includes that of Designated Liaison Person; by the Assistant Provincial Leader (who has a professional background in child care social work); and by a fully functioning Safeguarding Committee. The Sisters of Mercy Northern Province have appointed a Deputy Designated Liaison person, Local Safeguarding Representatives, 5 Accredited Safeguarding Trainers, 4 Support Persons, 2 Advisors, 2 Vetting Co-ordinators, a Human Resource Co-ordinator, and a Ministry Co-ordinator to support the Safeguarding arrangements. The Northern Province has been working to a Strategic Safeguarding Plan since 2013, and child safeguarding is a standing item on the agenda of the Provincial Team, with reporting procedures in place. The Community Leaders and Area Co-ordinators carry out the role of Local Safeguarding Representatives in their communities and clusters, and all child safeguarding issues are addressed in their regular meetings with Provincial Leaders and with each other. Sisters in each of the local communities (including the overseas communities) are monitored and surveyed routinely to ensure that the information held in relation to child safeguarding practice is kept up to date. There is a strong child safeguarding Communications Policy, and the reviewer was

told that communication is both formal and informal, within an open collegiate culture. The Northern Province has also created a detailed data base for each Sister, which includes information on a number of child safeguarding aspects which are tracked by the Provincial Team – for example, Sisters in direct contact with children, and training and vetting updates. In accordance with legislative requirements in Northern Ireland, a Safeguarding Vulnerable Adults Policy has been developed and circulated to all communities.

The child safeguarding review of the Sisters of Mercy Northern Province was carried out by one reviewer at the Provincial Office between 23rd and 25th June 2015. There was a full disclosure of child safeguarding data by the Northern Province to the NBSCCCI, and the reviewer was given access to all of the relevant files. He read a total of 7 files. The files of all of the 4 Sisters who were living and against whom allegations had been made were reviewed. The four Provincial Leaders also invited the reviewers to examine all cases relating to emotional and physical abuse. A sample of one further file relating to a living Sister and 2 files relating to deceased Sisters which did not meet the criteria for inclusion in the audit were also considered. The reviewer was given access to a variety of files containing information and evidence of child safeguarding activities (minutes of meetings, policies, plans, activity summaries, the Provincial data base, training, vetting and communications material etc), and carried out a total of 12 interviews with individuals or groups of staff directly involved in child safeguarding. Interviews were carried out with the Provincial Leader, the Assistant Provincial Leader, the Safeguarding Co-ordinator, the Deputy DLP, the Safeguarding Committee, 4 Local Safeguarding Representatives, 3 Trainers, 2 Support Persons, 2 Advisors and 2 Vetting Co-ordinators. As part of the audit the reviewer made contact with Tusla and An Garda Síochána.

Southern Province Profile

The Southern Province stretches from East to West along the southern coast of Ireland. Mercy Sisters' style of community life takes various forms ranging from large and medium sized convents to more modern houses within local community settings. Leadership matches the type of community with some larger communities having a Leader/s while others share leadership.

As of May 31st 2015 there are 436 Sisters in the Southern Province. 10 Sisters are based in Peru, one in Chile one in India, and one in Nigeria.

As a result of changing mission needs and the ageing profile of members there are now fewer Sisters in the traditional formal ministries of Education, Health care and Child Care. There are 72 Sisters who have ministry with children. 10 of these Sisters have direct contact with children in ministries managed by the Southern Province. 62 Sisters have contact with minors through their involvement with other agencies. There are thirty six Sisters in Ireland who have indirect contact only with Children/Minors through membership of Boards of Management, Companies, and Trusteeships.

In local areas Sisters work with voluntary groups such as the Samaritans, St Vincent de Paul Society, the Simon Community, day care centres and other voluntary groups. In the

Southern Province the Congregation has been responsible for the establishment of six addiction treatment centres including one for adolescents in Ballyragget in Co Kilkenny. Sisters are also involved in various aspects of parish ministry, bereavement counselling, suicide counselling, liturgy preparation, and faith formation and prayer groups.

The Southern Province has responsibility for mission amongst the poor in the cities of Lima and Trujillo and the mountain area of Mache in Peru. Peruvian and Irish Sisters are supported financially by the Province as they continue the Mercy mission of Education, Addiction Treatment, Vocational Training, Prison Visitation and the provision of Legal Aid to prisoners and destitute women.

The Southern Province had nine child care facilities spread over a wide geographical area and many Sisters have been and continue to maintain relationships and provide support to former residents. There is a Pastoral Fund, operative in the Province from June 2003 that exists for the sole purpose of supporting former residents, and the Province continues to provide financial support through *Towards Healing*.

Collectively financial support has been given to support the establishment of Right of Place in both Cork and Kerry. Support, both financial and time, has been and continues to be given to other Local Survivor Groups e.g. Munster Survivors and Lámh. The Congregation has striven to develop and continue relationships between these groups and members of the Province.

The Provincial Solidarity Trust Fund has, since its inception in 2000 provided funds for many social initiatives, local community developments and partnerships in rural and urban areas right through the Province which stretches from East to West along the Southern coast.

The current Provincial Leadership of the Province was elected at Chapter in March 2013 and took up office on 20th May 2013.

The Provincial Leader holds overall responsibility for safeguarding children and a member of the Leadership Team has child safeguarding as a designated area of responsibility. The Southern Province has employed a lay person as a Child Safeguarding Manager /Designated Liaison Person who is assisted by a Deputy Designated Liaison Person. There is also a Safeguarding Committee comprising of seven people and thirteen Local Safeguarding Representatives. A panel of Support Persons for complainants and Advisors for those who are subjects of a complaint has been formed, and a Sister has been trained to act as Authorized Signatory for Garda Vetting.

The NBSCCCI review of child safeguarding structures and case management within the Sisters of Mercy Southern Province took place over two days at the beginning of July 2015. During the course of the two days the reviewer was given the opportunity to interview a number of personnel involved in the child safeguarding structure within the Province. The reviewer met with the Provincial and the member from her Provincial Leadership Team (PLT) who holds special responsibility for all child safeguarding matters within the Province. The Safeguarding Manager/Designated person, the Deputy Designated Liaison Person and the person with sole

responsibility for vetting within the Province were also met. The Child Safeguarding Committee invited the reviewer to meet with them at the commencement of their scheduled meeting which took place on one of the review days. Four of the Provinces thirteen Safeguarding Representatives also made themselves available for the purposes of the review. The reviewer had the opportunity to speak with a Sister Advisor by phone and with a Support Person by phone.

In relation to contact with civil authorities the reviewer met with a representative of Tusla, Child and Family Agency and communicated with An Garda Síochána.

The reviewer also met with the Provincial's administrative staff who contribute greatly to the practical organisational needs within the Child Safeguarding Office.

A review of case files took place. As a measure of transparency the Provincial invited the reviewer to consider not only all the files in their possession which dealt with allegations of sexual abuse but also made available their files relating to allegations of physical abuse for comment. There are a significant number of these allegations relating to physical abuse and the review of which is strictly speaking outside the terms of reference for this review. However, the reviewer was happy to be given relevant information about these files and acknowledges that the willingness of the Provincial to do so underpins the level of frankness and openness to scrutiny evident in the Province's safeguarding management and structure experienced by the reviewer.

Taking into account the extent of child care facilities in the Southern Province once managed by the Province there are a significant number of files relating to cases dealt with by the Residential Institution Redress Board (RIRB). Examination of these cases falls outside the remit of this review and no comment is therefore offered in relation to RIRB cases.

Western Province Profile

The Western Province comprises the counties of Leitrim, Sligo, Mayo, Galway, Roscommon, Longford and Westmeath. The Province is divided into 28 clusters. These clusters vary in composition e.g. large assisted living communities, groups of small communities, apartments linked with adjacent community. Each cluster has two Co-ordinators who have responsibility for local leadership and care of the Sisters in the cluster. The Members of the Provincial Leadership Team meet regularly with Co-ordinators and visit the clusters as required.

As of May 2015 there are 516 Sisters in the Western Province.

The ministries carried out by the Sisters in the Province are many and varied. The vast majority give voluntary service while a small number remain in paid employment. As of May 2015 there are 88 Sisters in direct ministry with children.

These are spread over a variety of ministry areas. The Province owns two centres where children are welcome. Although the number of Sisters in the Mercy Sister's traditional education ministry has gradually decreased over the years a few Sisters continue to teach

fulltime. Many who have retired as teachers continue to support schools by offering voluntary service on a part time basis. Other areas of ministry where Sisters are in contact with children are: Counselling/Family Therapy/Bereavement Support; Diocesan Advisors; Health Care both in hospital and community settings; Parish Ministry; Retreat Work; Teaching of Music; Homework Support.

The Western Province historically had charge of nine industrial schools in its geographical area. It continues to provide pastoral outreach and financial support to its former residents.

The current Provincial Leadership of the Province was elected at Chapter in March 2013 and will continue in this role until 2019.

The Provincial Leader holds overall responsibility for safeguarding children and a member of the Leadership Team, known as the Safeguarding Provincial link, has child safeguarding as a designated area of responsibility.

The Western Province has within the last year, appointed a lay person as a Safeguarding Manager /Designated Liaison Person, who is assisted by the former Designated Liaison Person. There is also a Safeguarding Committee comprising of eleven people and six Local Safeguarding Representatives who have responsibility for communicating the safeguarding message to the clusters. Support Persons for complainants and (of) Advisors for those who are subjects of a complaint have been identified and trained. The Province has one Training Officer and a Designated Signatory and Co-ordinator for Garda vetting.

The NBSCCCI review of child safeguarding structures and case management within the Western Province took place on the 18th June 2015. During the course of the day the reviewer met with the Provincial Leader, the Chairperson of the Safeguarding Committee, a Local Safeguarding Representative, the Safeguarding Manager/Designated Liaison Person, the Deputy Designated Liaison Person, the Safeguarding Trainer, and the Garda Vetting Officer. The reviewer met with a number of members of the Safeguarding Committee and observed part of a formal meeting of the Committee.

The reviewer was given full access to all files in relation to sexual abuse and all files in relation to physical and emotional abuse were offered for view and comment. A sample of these files was taken as reference to the transparency and openness of the Leadership team to the review process, and as a means to further assess the response to complainants.

South Central Province Profile

South Central Province stretches across the country from North Dublin to West Clare. It includes a mission area in Brazil, established in 1982, where now there are just two Sisters who are involved primarily in Adult Education and Community Development work, one in Paraiba and one in Joao Pessoa.

At present there are 508 members in South Central Province.

The South Central Province's communities are organised into 28 cluster groups, each of which has a designated Local Leader (who also acts as the Local Safeguarding Representative). Each cluster meets regularly with the Local Leader to reflect on aspects of our Mercy charism and its expression in their present context. Local Leaders have immediate responsibility for the pastoral care of members. The Provincial Team meets several times a year with the Local Leaders and each member of the Team links with a number of the community houses. They have two nursing homes and twelve houses in the Province designated as 'assisted living' houses where Sisters are mostly retired and many in need of some medical care.

Ministry/Work:

Most of the Sisters are retired from full time active ministry although many tend to remain active and in voluntary work into old age. Through the years since the foundation most members worked in education and health care, with a small proportion in child care. The South Central Province no longer has Sisters employed as nurses in hospitals, only one is full time employed in a school and there is no-one working in child care. A number of Sisters left education and healthcare over the past fifty years to train in counselling and social work as new needs were identified. Two Sisters work in hospital chaplaincy.

Education

The Mercy South Central Province shares the trusteeship of Mary Immaculate College in Limerick, which traditionally was under the management of the Bishop of Limerick and staffed by Sisters of Mercy and lay staff. In 2007 they handed over the twenty secondary schools in their trusteeship to the CEIST Trust. The primary schools that were under their trusteeship have almost all been handed over to the Dioceses. Many Sisters continue to support the promotion of education through membership of School Management Boards, pastoral, support and catechetical work within schools. A further number work within the Church parish context helping in pastoral service or liturgical work.

Healthcare

The Sisters of Mercy (South Central) are trustees of the National Rehabilitation Hospital in Dun Laoghaire but are in the process of setting up an Independent Voluntary Trust to take on their responsibility. Three hospitals in Dublin, the Mater Misericordiae University Hospital, Temple Street Children's University Hospital and Cappagh Orthopediac Hospital are in company structures in which the Provincial leadership team are members. Since 2010, they have been creating another governance structure so that

the Sisters of Mercy role will be replaced by another body. Members are involved in various forms of healing ministry. Seven Sisters are involved in the Cuan Mhuire service set up by one Sister fifty years ago and operating as a distinct entity. Three Sisters work as community nurses, employed by HSE.

Work for Justice

Since the 1970's the Sisters have opened houses for Sisters in disadvantaged areas with a view to identifying with, supporting and advocating for local residents. They are motivated by the Christian vision of a world of equality, justice, peace and care for the Earth. There is a justice awareness group active within the Province and they link with the Mercy International Association in promoting awareness of global issues. A number are actively involved in campaigning against trafficking of people, with organisations such as MECPATHS, Ruhama and TORL (Turn Off the red Light). The Sisters have been active in promoting the rights of refugees and asylum seekers. In 2007 they initiated a Mercy Law Resource Centre in Cork Street, Dublin. The client group are mainly those who are homeless or those who are in danger of becoming homeless.

One Sister works in a community organic garden and is in the process of initiating another similar project.

Pastoral Outreach

The Sisters of Mercy's ministry in present times is largely pastoral in nature and very much focussed on unmet needs and marginalised areas. A number work in a voluntary capacity in outreach to Refugees and Asylum seekers, particularly through Doras Luimni, founded by one of their members, and in the Shannon-Ennis area. They have four Sisters working in prison chaplaincy in Dublin and one in Portlaoise; one other Sister is Social Worker in the Bedford Row Family Centre in Limerick working with prisoners and their families. (This was a joint Franciscan / Mercy initiative which is now a separate Company). A Sister works in the Irish Commission for Prisoners Overseas. Past residents of their industrial schools remain a priority. For almost twenty years they have contributed to the funding of *Towards Healing* (formerly *Faoiseamh*) service. A number of past residents of industrial schools have kept in contact with individuals in the communities and the Sisters have provided pastoral support to many through the years.

The Children's Grief Project in Limerick was initiated by a Sister who is a Social Worker and a Play Therapist. She works full time in this project, providing a safe and supportive place for children and their families who are grieving. There is an outreach to school staffs and parishes, helping to raise awareness of the effects of bereavement on children.

Prayer - Spirituality

The ministry of prayer is a core work of the Province. Two Sisters work in a Spirituality Centre in Coolock. A small group of Sisters work in Glendalough in collaboration with the Archdiocese of Dublin, providing hermitage style retreats.

*Review of Child Safeguarding Practice in the Irish Provinces of the
Religious Sisters of Mercy*

The review into the South Central Province was undertaken by an NBSCCCI reviewer over one day, and the reviewer was given access to all case management material and met all the key personnel within their child safeguarding structure. The reviewer was impressed by the commitment to child safeguarding demonstrated through their policies, procedures, practice and concern to ensure safe care for all those to whom they minister.

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 *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 Religious Sisters of Mercy. 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.

The approach taken in this review report is to consider all the Provinces together in the assessment of their compliance against Standards 1, 3, 4, 5, 6 and 7. Standard 1 relates to the common Congregational Policy and is therefore applicable across each Province.

Standard 2's policy aspects are common and are comprehensively addressed across all four Mercy Provinces in the Congregational Safeguarding Policy 2015 – Policy Principles and Guidance Manual, which is the over-arching Safeguarding Policy. However within the management of cases this has been subdivided into 4 sections as each Province is separate canonically and one of the Provinces includes a separate jurisdiction and therefore adheres to Northern Ireland legislation, policy and procedures. Standards 3, 4, 5, 6 and 7 are set out in policy terms as one, but with comment on Provincial variations.

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 Religious Sisters of Mercy 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 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 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 Congregation of the Religious Sisters of Mercy *Safeguarding Children Information – Policy, Principles and Guidance Manual* which was most recently revised in April 2015 is a highly comprehensive document which fulfils all above criteria.

The *User Friendly Guide to Mercy Congregation Safeguarding Policy* was produced in February 2014 and is a summary version of the larger document. This is an added valuable resource for Sisters in particular for those who are of more mature years and for whom the larger document can be daunting to read. Both documents set out the Congregation's requirements of each of its Provinces to have a Child Safeguarding Policy which accords with Standards and guidance required by NBSCCCI within Ireland and overseas ministries with due regard to local laws and Church guidance. The Policy clearly states that all current child protection concerns must be fully reported without delay as evidenced on Page 17. The Policy clearly describes the Church's understanding and definitions of abuse as detailed in Appendix 4.2.

The Policy requires that every Mercy ministry and community has in place what is required by them by the Mercy Child Safeguarding Policy and the NBSCCCI. It is clearly stated that the Policy is binding upon all Mercy Sisters, employees and volunteers in Mercy communities and ministries.

The Sisters should be commended on this document and the commitment to ensure that each member of the Congregation sign that they have received, read and will abide by the Policy.

There are a significant number of Sisters across the four Provinces whose ministry brings them into direct ministry with children and young people through schools, parishes and voluntary organisations. The Sisters working in these settings are governed by the Child Safeguarding Policies of the organisations that contract their services. To achieve best practice, it is recommended that a Protocol be put in place, applicable to Sisters working in external organisations, which clarifies which organisational policy will be implemented in the first instance in respect of any new allegation, and which sets out the interfaces with the Mercy Policy and the communication protocols within the Congregation.

RECOMMENDATION 1:

The Congregational Leadership should develop a Protocol applicable for Sisters working in external organisations, which clarifies which Organisational Policy will be implemented in the first instance in respect of any new allegation and which sets out the interfaces with the Mercy Policy and the expected communications protocols within the Congregation.

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 Congregation of the Sisters of Mercy meet the requirements of all seven criteria against which the standard is measured.

Sisters of Mercy South Central Province

Procedures regarding receiving safeguarding concerns are set out in their Policy document, entitled “Congregation of the Sisters of Mercy - Safeguarding Children Information - Policy, Principles and Guidance Document’ (October 2009) and updated in April 2015.

The Mercy South Central Province has three Designated Liaison Persons with extensive experience in safeguarding. Their roles and responsibilities are clearly defined and they are competent and confident in their role. Since 2012 the Local Leaders in each cluster are formally designated as the Local Safeguarding Representatives.

The Reviewer read all cases held by Mercy South Central Province.

Sisters of Mercy Northern Province

In relation to Criterion 2.1 the reviewer has noted that all Sisters in the Northern Province are required to formally confirm that they have received the Policy manual, and all receive basic Awareness Raising training. The role of DLP in the Northern Province has been integrated with the post of Safeguarding Co-ordinator. The current DLP is a lay person, and is a qualified Social Worker with considerable child care experience as well as experience in working with vulnerable adults. She has been in post since 2012, and works in close consultation with the Provincial Leader and the Deputy Provincial Leader. As already noted, the Deputy Provincial Leader is also a qualified Social Worker with long child care experience. The reviewer notes that there is a general Complaints Procedure meeting the requirements of Criterion 2.5.

The reviewer has read the files of Sisters in respect of whom child sexual abuse allegations have been made within the terms of reference of the NBSCCCI process. The files are well organised and appropriately structured, with good safeguarding narratives and summaries, and separate sections for legal and administrative documentation.

Sisters of Mercy Western Province

The Western Province has employed a part time Safeguarding Manager (Designated Person) since January 2015. The Safeguarding Manager's role is to deal with allegations of abuse and to ensure that there is an accountable system of child safeguarding within the Province. The Safeguarding Manager is a lay person and qualified Social Worker with substantial experience in all aspect of child safeguarding. There is a consensus within the Leadership Team that the Safeguarding Manager has challenged them and facilitated a heightened awareness and confidence in relation to child safeguarding within the Province.

The current Deputy DLP is a Mercy Sister who held the role of DLP from 2008. This Sister saw her main responsibility as "facilitating healing and reconciliation for those we had abused". She informed the reviewer that she availed of external supervision throughout her term to consider her own prejudices and to promote transparency in her practice. The sense of compassion and objectivity from the former DLP and former Provincial Leader set an early tone of pastoral response to allegations which has been continued by the present Child Safeguarding Team.

The Western Province also has a Sister who operates as a Safeguarding Link between the Leadership Team and the Province, and who is also the Chairperson of the Safeguarding Committee.

The files read by the reviewer were well constructed and adhered to guidance by the NBSCCCI. The reviewer witnessed that they are securely and confidentially stored and access to them is strictly limited to those who need to have access to this personal sensitive data, in line with data protection legislation and Church guidance on record keeping and storage of data.

Sisters of Mercy Southern Province

The Mercy South Provincial, appointed in 2013 a part-time Safeguarding Manager/Designated Officer. This lay professional who also works in a similar capacity for two Dioceses is highly skilled and knowledgeable in the area of child safeguarding management. Notwithstanding the fact that policies and procedures were in place prior to her appointment in 2013; it is widely acknowledged by personnel within the child safeguarding structure of the Sisters of Mercy Southern Province and by the Provincial herself, that the expertise and knowledge that the Safeguarding Manager brought to the post has led to the development of a highly consolidated and enthusiastic child safeguarding structure within the Province.

One of the first tasks which the Safeguarding Manager took on board on taking up her post was to create a heightened awareness of the safeguarding message amongst each Sister across the spread of communities and ministries in the Sisters of Mercy Southern Province. This was done by visiting each community, initially in the company of the Provincial Team Member with special responsibility for Child Safeguarding and latterly

by visiting the communities with the Deputy Designated Liaison Person. This awareness training managed effectively by an ‘outside’ professional had a positive effect in promoting the safeguarding message and highlighting the responsibility of all members towards the safeguarding of children.

All safeguarding files are secured safely and confidentially. They are kept current and relevant. The Provincial indicated that a task recently completed by the Safeguarding Manager in collaboration with the Deputy Designated Liaison Officer, a member of the Congregation who previously held the post of Designated Liaison Officer was to ensure that all relevant safeguarding information was collated and placed in relevant files. In order to do this, safeguarding files and other files, for example older personnel files were checked to ensure that all relevant safeguarding data was extracted and placed in the correct file and dealt with accordingly. This was a mammoth task which took place over the course of a number of months. The Provincial informed the reviewer that she requested that this exercise took place as she wanted to ensure that no stone was left unturned in the quest for complete transparency in relation to child safeguarding issues.

Table 1

**Incidence of safeguarding allegations received within the Religious
Congregation against Sisters of Mercy, from 1st January 1975 up to time of
Review**

Name of Congregation Sisters of Mercy		
1	Number of Congregational Sisters against whom allegations have been made since the 1 st January 1975 up to the date of the Review.	17
2	Total number of allegations received by the Congregation since 1 st January, 1975	31
3	Number of allegations reported to An Garda Síochána/PSNI involving Sisters of the Congregation since 1 st January 1975.	29
4	Number of allegations reported to TUSLA /HSE/HSC (or the Health Boards which preceded the setting up of the HSE,) involving Sisters of the Congregation since 1 st January 1975.	28
5	Number of Sisters (still members of the Congregation) against whom an allegation was made and who were living at the date of the review.	8
6	Number of Sisters against whom an allegation was made and who are deceased.	4
7	Number of Sisters against whom an allegation has been made and who are in ministry.	3
8	Number of Sisters against whom an allegation was made and who are 'Out of Ministry', but are still members of the Congregation.	2
9	Number of Sisters against whom an allegation was made and who are retired	3
10	Number of Sisters against whom an allegation was made and who have left the Congregation.	5
11	Number of Sisters who have been convicted of having committed an offence or offences against a child or young person since the 1 st January 1975.	0

The following cases were examined across the 4 Mercy Provinces and are recorded below in no particular order:

Sister A

An allegation against Sister A was made known to the Mercy Congregation in 2008 and reported to the civil authorities within two week of receipt. The Sister was removed from ministry with children and restrictions applied. A psychological assessment was commissioned by the Congregation. There was appropriate consultation with Tusla, and there was a Church inquiry and a review by the National Board's Case Management Committee (NCCMC). The Sister has no current ministry with children and continues to live within the Mercy community. There is evidence on file of pastoral support being offered where possible.

Sister B

This allegation which was reported by the complainant to the DLP in 2014 related to allegations of physical and emotional abuse in the 1950's. Within this context some of the allegation was considered suggestive of non-contact sexual abuse. The concerns were immediately reported to Tusla, An Garda Síochána and the NBSCCCI. The case was subsequently presented at the National Board's Case Management Committee. When the DLP was informed that Tusla and An Garda Síochána were not to investigate further, a preliminary investigation under Church law was initiated. The investigation concluded that the concerns of sexual abuse were unfounded and that it was probable the allegations of physical and emotional abuse had occurred. The findings were appropriately communicated to the Sister, who is retired. The complainant was offered pastoral support throughout the process.

Sister C

A concern that was raised in the early 1990s, of which there are no reported written contemporaneous notes, resurfaced in the mid 1990s and was internally reviewed by the Congregation. It was understood that the complainant did not want to progress the matter and it was not reported to the statutory authorities at this time.

The Mercy Sisters, following advice from a panel of external advisers, attempted a pastoral response towards the complainant and commissioned an assessment of the respondent. The outcome of this assessment was that there was no evidence of sexual intent, within the concern raised. In 2012 the Provincial reviewed the case and decided that in light of current reporting procedures the matter should be reported immediately to the civil authorities. This was completed in 2012.

Sister D

In the case of Sister D, an allegation of sexual assault of a child was made in the late 1990s. The allegation was reported to have taken place several years earlier. Precautionary steps were taken by the Province at the time of the allegation to ensure that Sister D had no contact with children or vulnerable adults. The file indicates that the allegation was notified to the appropriate authorities in a timely way and dealt with in an appropriate manner. At the conclusion of their inquiries in 2000 the HSE advised Sister D, that its investigation did not disclose any concerns in relation to child sexual abuse. The Provincial Leadership Team removed all restrictions in relation to Sister D. She left the Congregation.

Sister E

Allegations against Sister E relate to incidents in the 1970s. They were brought to the attention of the Congregation in the early 2000s and the civil authorities were notified within two weeks of the initial concern. In consultation with the HSE, all appropriate precautionary child safeguarding measures were taken and safety plans were put in place by the Congregation. The Sister was removed from ministry with children and restrictions were applied and regularly reviewed. The Sister was found not guilty in the criminal court. The Sister has no current ministry with children and continues to live within the Mercy community. There is evidence on file of pastoral support being offered to complainants.

Sister F

In 2009 an allegation against Sister F, relating to other incidents outside of the remit of this review was brought to the attention of the Mercy Sisters. This allegation was reported to the civil authorities and following their investigations no further action was taken by them.

There is significant evidence on file of an appropriate pastoral response to the complainant.

The reviewer is satisfied that the Congregation responded appropriately to the allegations against Sister F. There is evidence on file of their on-going contact with the statutory agencies.

Sister G

A letter was received from a third party in 2012 outlining that she had received information that a Sister, who worked in a school, had been accessing child pornography and having a relationship with an unidentified student. The DLP immediately reported this concern to the HSE, An Garda Síochána and the NBSCCCI. As a precautionary measure, the Sister was withdrawn from her ministry and advice sought from the National Board's Case Management Committee. The Garda investigation concluded that the Sister had not been accessing child pornography and the allegation in relation to the

student was withdrawn. The reviewer is satisfied that all child protection concerns have been investigated and addressed.

Sister H

In the case of another Sister an allegation in relation to an unnamed complainant was made known to the Congregation in the early 1990s. Precautionary restrictions were put in place in relation to Sister H's exercising ministry. The Congregation reported this allegation to the civil authorities. The Congregation was informed that the complainant withdrew the allegation. Sr H subsequently left the Congregation.

A second allegation arose after Sister H had left the Congregation. The allegation was made to the An Garda Síochána and was subject of a Garda investigation. Ultimately, Sister H was exonerated of wrongdoing. The Congregation of the Sisters of Mercy had no function in relation to the investigation of this complaint or in relation to the imposition of child safeguarding restrictions.

Sister I

The HSE notified the Congregation of an allegation in relation to Sister I in 2001 and there has been recent contact between the civil authorities and the Congregation in relation to this matter. The civil agencies concluded that the information did not meet the threshold of a child protection concern and the Sister is retired.

Sister J

In 2010 An Garda Síochána wrote to the Congregation relating to an ex-resident of institutional care. They outlined allegations of physical and sexual abuse and neglect of a named child dating back to the 1960s. They later named Sister J as the respondent. Subsequently, the Sister in question informed the Congregation that An Garda Síochána had contacted her and stated that she would not be hearing from them again. The Provincial Leader wrote to An Garda Síochána offering pastoral support to any potential complainant following the establishment of the Garda help-line post Ryan Commission.

Sister K

In a case involving Sister K, the case files indicate that in the late 2000s a complaint of sexual and physical abuse was brought to the attention of the Provincial through the complainant's solicitor. The file indicates that the appropriate notifications to the civil authorities took place without delay. The allegation is that the abuse took place decades earlier. Civil proceedings were commenced and no finding of culpability was reached against the Sister or the Congregation. The Provincial spoke of her compassion for this claimant and the Congregation sought to offer her pastoral support through her solicitor.

While going through High Court documents in this case recently, the Safeguarding Manager became aware of a previously unknown individual who gave information by affidavit of physical abuse which she alleged she suffered from the same Sister. Efforts were made to make contact with this person but to no avail.

During a recent review of the case an anonymous complaint of physical abuse was noted by the Safeguarding Manager. Efforts were made to identify this person, without success. The Safeguarding Manager informed the reviewer that one of her tasks is to manage any presenting risk. In this case the risk was assessed as low taking into account this Sister's circumstances. Risk management is reviewed regularly and the file reflects this.

Sister L

The Congregation was notified of an allegation in relation to Sister L many years ago in a Mercy institution. No specific name or dates were provided. The Congregation attempted to further ground the information and reported the matter to the civil authorities approximately three months later. The Mercy safeguarding personnel fully cooperated with An Garda Síochána. There has been no further information received. The complainant declined to be contacted and the respondent is believed to have left the Congregation over forty years ago.

Sister M

The concerns in relation to Sister M emerged through the disclosure from two children in the early 1990s. The Sisters of Mercy sought advice from a psychologist and the concern was immediately reported to the HSE. As a precautionary measure the Sister was removed from her ministry. The HSE informed An Garda Síochána, a full investigation was carried out, and the children were provided with counselling.

Two years later a further allegation was made identifying a younger child as part of the previous concern. This was reported to the HSE six months later as the Sister in Charge had considered it part of the initial investigation.

The respondent Sister was removed from all ministries with the public and initially relocated to another convent. The DPP directed that there should be no prosecution and the Sister subsequently left the Congregation. The management and investigation of the case was continued by the HSE at the time.

Deceased Sisters

Sister 1

A case became known to the Designated Officer in 2010 in which the complainant alleged sexual abuse in an industrial school in the late 1930's and 1940's. The allegation of sexual abuse was made in the course of the complainant discussing episodes of physical abuse in relation to two other Sisters. The file clearly shows that the allegation was immediately reported to the civil authorities. In addition the complainant and family members were met with by the Designated Officer in order to allow her tell her story. The file indicates good interagency cooperation at the time of the receipt of the complaint.

Sister 2

A more recent allegation of sexual abuse received by the Congregation relates to abuse alleged over 45 years ago in a primary school. The Sister in question is deceased. All appropriate notifications to the civil authorities were made promptly by the Safeguarding Manager. The complainant's solicitor informed the Congregation of the complaint. The Congregation's endeavours to contact the complainant through the solicitor yielded no response.

Sister 3

Sister 3 is deceased and died approximately one year before the allegation against her, which dates back to the 1940s, was received by the Order. The complainant was informed of this and there has been no further contact with the Order.

While the allegation was received in 1999, the statutory authorities were not informed until 2012. This was due to the lack of clarity regarding notification of allegations against deceased Sisters to the relevant authorities.

Sister 4

The allegation against Sister 4, deceased, relates to alleged sexual abuse by two members of the same family. The allegation was investigated by An Garda Siochana who determined that it was a false allegation.

The reviewer saw 3 additional safeguarding files which were not designated as meeting the threshold for child sexual abuse. Two of these were selected as a sample of files on physical/emotional abuse allegations against deceased Sisters. In both cases the events referred to the past, and there is evidence of prompt outreach to the complainants by the Mercy Order. In one case reporting to the relevant police service did not take place for a number of years, and in the other (more recent) it took a number of months. Both Sisters were deceased at the time the allegations were first received.

The third file related to an anonymised and unconfirmed allegation which unfolded in another country. This case was carefully managed at all stages by the Province, but there was a

significant delay in referring it to the HSE because, it was deemed at the time when it first emerged, to lie outside the jurisdictions in Ireland. Subsequent communication with the HSE was close and responsive. The HSE informed the Sisters of Mercy that the allegation did not meet the criteria for inclusion in the HSE audit process. The case was reviewed by Tusla, formerly the HSE, and with their agreement the case is now closed.

Other Concerns

Case 1

The Congregation was contacted by a solicitor in relation to civil proceedings alleging that a child was sexually assaulted on Mercy convent grounds by a priest who is now deceased. The Congregation immediately informed the civil authorities and responded to the solicitor. The case is on-going.

Case 2

In 2015 the Congregation received an allegation through An Garda Síochána that a child known to the Mercy Congregation had been sexually abused by a man within a family that she visited on weekends during the 1970s and 1980s. The DLP immediately informed the NSBSCCI and took advice accordingly. The DLP offered counselling support to the complainant through An Garda Síochána.

The reviewers have no concerns about the current management of allegations by the Provincial Teams and DLPs. There is evidence on file of appropriate liaison with the civil authorities and the NSBSCCI. Offers of care and support to complainants have been made, as well as care and management of those who have been accused, who remain the responsibility of the Congregation.

The cases demonstrate a development of child safeguarding practice over time and a sense that there is a reflective approach to the management of the allegations that are dealt with sensitivity and earnestly. The sample cases of physical and emotional abuse reflect the same themes of immediate referral to statutory agencies and creative, compassionate, pastoral approach to complainants.

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 Religious Sisters of Mercy 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

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 Fully
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 Fully
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.	Met Fully
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

Standard 3 is addressed across all Mercy Provinces in the Congregational Safeguarding Policy 2015 – Policy Principles and Guidance Manual, which is the over-arching safeguarding policy.

All Provinces have provided the reviewers with detailed evidence of implementation of Criteria 3.1 - 3.12 in a reference document for the review.

Sisters of Mercy Northern Province

The Province has two Authorised Vetting Co-ordinators, one with responsibility for each jurisdiction. The vetting records of each Sister are tracked and reviewed. In Northern Ireland the initial substantive tranche of vetting applications was administered in 2011 through the Diocese of Down and Connor. The Northern Province registered with Access N.I., however due to policy change and a reduction in the number presenting; the Province now works through an umbrella body in the locality (Edwards Enterprises, Aughnacloy) to process new applications to Access N.I. In the Republic of Ireland the Vetting Co-ordinator is the nominated Garda Liaison person. It was confirmed to the reviewer that there are no members of staff who are involved in any way with children in the Republic. There is currently no requirement for staff vetting for those working with vulnerable adults in the Republic of Ireland.

The Province has developed a comprehensive recruitment handbook and identified a Sister to act in the role of Human Resource Co-ordinator to support the implementation of safe recruitment procedures. All the criteria are assessed as fully met.

The policy position and information on expected standards of behaviour, Anti-bullying policy, Whistle-blowing, Dealing with challenging behaviour, Anti-discriminatory statement and Guidance on intimate care of children with disabilities is readily and prominently available, and all the criteria in this section are assessed as fully met.

The Northern Province has a Health and Safety Policy, Supervision Guidelines, and detailed guidance on the Use of Information Technology, and all 3 criteria are assessed as fully met

Sisters of Mercy Southern Province

The Southern Province has a comprehensive Employment Guidelines Policy and Procedures document updated in May 2015. There is also in place a Sisters of Mercy Southern Province Working Agreement between Sisters of Mercy Safeguarding Manager and Sisters of Mercy Employee Co-ordinator instituted in May 2015. This is a comprehensive document which ensures that steps are taken to provide for safe recruitment practices. There is also a statement of Safeguarding Procedures for Staff (November 2014). The Congregation has in place a Policy for Sisters in Mission outside their Province of origin. (May 2010). The Southern Province has responsibility for the Mercy Congregation ministry in Peru where ten Sisters, four of whom are Irish work in projects in three locations. Since taking up office in 2013 the Safeguarding Manager and the Deputy Designated Officer have travelled to the Mission there and liaised with the leadership to promote, develop and make applicable to the local situation there the child safeguarding message and guidelines in accordance with local law and custom.

The Southern Province has appointed a Sister who has responsibility for vetting all new employees, all Sisters except for those very incapacitated and all volunteers including those who work in a voluntary capacity on Mercy Boards of Directors. This Sister is an Authorised Signatory for the purposes of vetting and has undergone training with the

Garda Vetting Office. Her appointment by the Provincial is for three years which commenced in summer 2013. She has a comprehensive up to date data base of vetting requirements and presents as an extremely competent person in this role.

The *Mercy Safeguarding Ethos Policy Statement and Code of Behaviour* poster which is displayed in all communities and ministries underlines the standards expected of all adults working within Mercy ministries towards children. All Sisters, staff and volunteers are expected to sign up to the code of behaviour and these forms are then kept in a data base. The South Province has recently undergone an exercise of training in the Code of Behaviour and completed forms are therefore current. There are 72 Sisters who have ministry with children. 10 of these Sisters who have direct contact with children in Mercy run ministries undergo specific Mercy Child Safeguarding Training in relation to activities and projects and the requirements of them to adhere to the Standards. 62 Sisters who have contact with minors through their involvement with other agencies are required to fill in a questionnaire to indicate if they understand and comply with that agency's Child Safeguarding Policy. These documents are available on file.

A specific file in this regard is kept with records of training undertaken by each Sister. Examples of training in this area include for example: the purpose of signing in/out of an activity and the requirement of Parental Consent Forms. The Southern Province Self - audit process which commenced in 2014 is also used by the Province to ensure that all activities are held in a safe environment.

Sisters of Western Province

The Western Province has a robust Recruitment Policy document and Vetting Procedures laid out in its overarching Safeguarding Policy. In addition, the reviewer met with the Designated Vetting Officer who was knowledgeable and meticulous in her role. The reviewer was provided with access to the Gardai Vetting files for the Congregation which are dated 2011 and consideration is being given as when to resubmit. The Province has achieved almost full compliance with a few Sisters who are in nursing homes not able to complete the form. The Province keeps separate records for vetting forms submitted by Sisters who are in ministry with children. The Province also uses the services of a catering and cleaning company for the care of its older population and has ensured that it submits Gardai clearance for all of these employees.

In relation to Criteria 3.4-3.9, again there was detailed evidence provided by the Provincial Team in a reference document for the review. All of these criteria are fully met through the overarching Child Safeguarding Policy of the Mercy Sisters which includes Whistle blowing Guidelines, Complaints Procedures, and Codes of Behaviour, Anti-bullying Guidelines and Guidance on Intimate Care of Children with Disabilities.

The reviewer also examined the written procedures relating to Criteria 3.10-3.12, which was provided in a reference document for the review. Once again all of these criteria are fully met through the overarching Policy document which includes Photography/IT guidelines and various Consent Forms. Mercy West Province additionally fulfils Criteria 3.11 with their development of a good practice Guideline for Teaching Music and Parental Consent Form for Music.

Sisters of Mercy South Central Province.

The Mercy South Central Province meets all the criteria for Standard 3 as evidenced in a reference document compiled for the review process and through the common Child Safeguarding Policy document. This includes a Policy on the Movement and Transfer of Sisters between Provinces and countries, and extensive Policies on Whistleblowing and Codes of Behaviour.

Within the South Central Province, a member of the Leadership Team is designated as the Safeguarding Co-ordinator who has overall responsibility for the creation of safe environments for children within Mercy South Central ministries. In addition there are Child Safeguarding Representatives in each cluster who carry local responsibilities.

All staff and volunteers are required to sign the Declaration on Page 77 (Appendix 3.2) of the Child Safeguarding Policy, declaring any previous court convictions or disciplinary procedures in relation to children. Mercy South Central has appointed an Authorised Signatory to co-ordinate all their Garda Vetting Procedures and has established a Review Group to be consulted should concerns arise.

The ethos of the South Central Province is that all children in their care should have access to a safe and secure environment which is free from abuse and harm.

Standard 4

Training and Education

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

Criteria

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

Standard 4 is addressed across all four Mercy Provinces in the Congregational Safeguarding Policy 2015 – Policy Principles and Guidance Manual, which is the over-arching safeguarding Policy.

All Provinces have provided the reviewers with detailed evidence of implementation of Criteria 4.1 – 4.2 in a reference document for the review.

Sisters of Mercy Northern Province

Extensive training in Safeguarding Children has been delivered to all Sisters and staff within the Northern Province. The Safeguarding Training Plan for the Northern Province 2013 – 2016 is available as Appendix 1 to the Strategic Safeguarding Plan 2013- 2016, and provides details of a range of training activity. It is approved and monitored by the Safeguarding Committee. The Province has five NBSCCCI accredited Trainers. Basic Awareness Training is delivered to all staff, and additional training is assessed and provided as required to those with specific child safeguarding roles and responsibilities. Training materials and attendance records are maintained

on a central data base in Provincial Office, and reviewed. Criteria 4.1 – 4.4 are assessed as fully met.

Sisters of Mercy Southern Province

The Southern Province is involved in an on-going Provincial Child Safeguarding Heightening Awareness Programme. There are in place Safeguarding Procedures for Staff Guidelines – Working Agreements Guidelines. All new staff members are required to undergo induction Child Safeguarding Training and complete forms to verify this. All Sisters, staff and volunteers have been required to undergo further training in the Mercy Safeguarding Procedures and Mercy Code of Behaviour in recent months and have signed up to these Policies.

There is an excellent Training Programme in place overseen by the Safeguarding Manager. The evidence for this is the clarity with which the various personnel involved in the child safeguarding structure spoke of their roles and responsibilities. Without exception each person spoke with enthusiasm and certainty of their role and the training they received from not only the Safeguarding Manager which was described as excellent but also from other sources such as the NBSCCCI training and training sourced from other outside agencies.

The Province has recently completed a Training Needs Analysis for all staff involved in the Province's child safeguarding structure based on Questionnaires of Training Needs and a Training Plan extending to December 2016 has been devised. This is a comprehensive Plan which is presented in a way which is both feasible and accessible.

Sisters of Mercy Western Province

It is clear that the Western Province has had a commitment to promoting Child Safeguarding Training over a number of years and has engaged in training with both the NBSCCCI and independent facilitators. The launch of the User Friendly Guide and delivery of Awareness Raising in early 2015 consolidated learning for all members of the Congregation and lay employees. This is evident in the letters, training outline, attendance sheets made available to the reviewer.

The Western Province completed a Training Needs Analysis for the Congregation in 2014 and recently adapted a revised Training Plan 2015-2018. The reviewer met with the Safeguarding Trainer who detailed that the focus of the Plan is to ensure all staff have Awareness Raising Training and those members who have child safeguarding responsibilities such as the Province Leadership Team should have a yearly top up session. The Plan also outlines the aim to secure a second Trainer; the Province has taken advice and guidance from the NBSCCCI in this regard. The Safeguarding Trainer for the Western Province also functions as the Safeguarding Co-ordinator and Trainer in the Diocese of Ardagh and Clonmacnois. She is a competent and enthusiastic individual who aims to present the safeguarding message in a positive way.

Sisters of Mercy South Central Province

Mercy South Central has an agreed Training Schedule date 2013-2015. This is updated and reviewed as required and has been presented to the Safeguarding Committee for their approval and is issued as part of the Strategic Plan.

The province has four qualified Trainers who have all completed courses with the NBSCCCI, and are due to attend annual update training in September 2015. These qualified Trainers offer training every three years for anyone with a significant contact with children within the Congregation

An attendee's record of all courses provided in the Province and all evaluation documents are recorded and maintained in the Provincial Office.

The Safeguarding Committee have received training from the NBSCCCI on their role and responsibilities. The Provincial Leader and the DLP regularly attend National Child Safeguarding training events organised by the NBSCCCI

Overall there is a strong commitment to and investment in training by all Provinces. The Provincial Team Leaders and Safeguarding Co-ordinators regularly attend training organised by the NBSCCCI and seek out advice on all aspects of child safeguarding including prevention policies and practices as well as case management.

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 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.	Met fully

Standard 5 is addressed by all four Mercy Provinces in the Congregational Safeguarding Policy 2015 – Policy Principles and Guidance Manual, which is the over-arching Safeguarding Policy.

All Provinces have provided the reviewers with detailed evidence of implementation of Criteria 5.1 – 5.6 in a reference document for the review.

Sisters of Mercy Northern Province

The Policy document was distributed to all houses and communities in May 2015, and is publicly available on the Northern Province website. A shortened version of the Policy – a User Friendly Guide – was distributed to every Sister in 2014.

The Northern Province has produced an Information leaflet for distribution to young people, which is a simple, uncomplicated summary (of what is abuse, what should I do and how can I help keep other children safe? - ‘Safeguarding Children – Information for Young People’). This is commended. Contact details for the Safeguarding Co-ordinator are widely available, and she makes regular direct contact with the communities, including site visits where there is contact with children and young people.

The Northern Province has a written Communications Policy, which is implemented through events and meetings, newsletters, displays and reports. The reviewer has noted feedback from a number of those interviewed about the open and positive culture within the Province in relation to communication about child safeguarding, as well as examples of innovative approaches such as the use of live streaming between communities to facilitate dialogue. The Local Safeguarding Representatives play an essential role in facilitating the communication of the child safeguarding message throughout the Northern Province.

Sisters of Mercy Southern Province

There is a very well defined Communication Strategy in the Southern Province. The Child Protection Policy Guideline poster is a clear document incorporating the ‘Mercy Safeguarding Ethos’ and also the ‘Mercy Code of Behaviour’. The posters containing contact details for the Designated Officer and Deputy Designated Officer and those of the civil authorities display the relevant important contact information along with a photo of the above personnel. The Mercy South website displays safeguarding information in a clear format.

The Province has good links established with the civil authorities and this was confirmed to the reviewer by those agencies. At Provincial Team level, the child safeguarding message is regularly transmitted to the members of the Province through the Provincial newsletters - *Provincial Briefings* and *Province Life*.

The Provincial and Safeguarding Manager spoke of their on-going efforts to improve the communication of their safeguarding message to children who may use their services and activities. This criterion is currently partially met. Taking into account the small number of Sisters who have direct ministry with children in the Province (10) and the relatively small number of children who are involved in the different activities, as a result means that having an overall strategy of communicating, the safeguarding message is challenging. This situation is currently being addressed by the Safeguarding Manager and plans are afoot to encourage children to participate in a safeguarding poster venture which will increase their awareness of the need to be safe.

Sisters of Mercy Western Province

There is a Mercy Sisters Child Safeguarding Ethos Policy Statement on display in all premises in the Western Province which includes the contact details of the Designated Liaison Person/Deputy Designated Liaison Person, and civil authorities. In February 2015 an information sheet detailing all County and National Tusla and An Garda Síochána contact details was developed and circulated. The User Friendly Guide was circulated in 2014 to all Sisters and staff in the Western Province and there is evidence of all signed Acceptance Forms. The Child Safeguarding Policy manual is also easily accessible on the Western Province website.

The Western Province has good links with the local civil authorities and the Safeguarding Manager wrote officially to them on her uptake of her post in January 2015. The Safeguarding Committee has the expertise of a current Principal Social Worker within its membership and a retired Garda.

There is a clear and effective Safeguarding Communications Framework build into the structure of the Western Province. The Local Safeguarding Representatives feed information and prompt understanding of child safeguarding to the Cluster Leaders. They in turn communicate information from the Clusters to the Child Safeguarding Provincial link and through their Representative on the Safeguarding Committee. This facilitates an easy flow of child safeguarding information throughout the Province and ensures that roles and responsibilities are clearly defined and actioned.

The strategy of communicating the safeguarding message to children and young people is an identified piece of work within the Safeguarding Strategic Plan. The Local Safeguarding Representatives have drafted a Children's poster and are currently liaising with Sisters in ministry, children and their parents on its best use and content. This is an exacting piece of work for the Western Province as there is no specific ministry site for children and there are currently eighty eight Sisters in direct ministry with children.

Sisters of Mercy South Central Province

The South Central Province communicates the Church's child safeguarding message through a variety of means. The User Friendly Guide was distributed within the Province in 2014 and the Province publishes a *Chronicle* which contains regular articles on child safeguarding.

The Children's Grief Centre in Limerick has produced "child friendly" materials on child safeguarding. This is to be commended and should be adapted and made available across all Mercy South Central ministries with children.

The South Central Child Safeguarding poster provides contact details of the civil authorities and the DLPs.

Child safeguarding is given a prominent place on the Mercy South Central website, which also includes a complete version of the Child Safeguarding Policies and Procedures.

RECOMMENDATION 2:

All Provincial Leaders should ensure that child safeguarding information for children and young people as evidenced in the leaflet devised by the Northern Province “Safeguarding Children- information for Young People”, and in the Limerick’s Children’s Grief Centre is made available to children and young people in all Mercy Provinces.

Standard 6

Access to Advice and Support

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

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

Criteria

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

Standard 6 is addressed across all four Mercy Provinces in the Congregational Safeguarding Policy 2015 – Policy Principles and Guidance Manual, which is the overarching Safeguarding Policy.

Each Province provided the reviewer with detailed evidence of implementation of Criteria 6.1 – 6.5 in a reference document for the review.

Sisters of Mercy Northern Province

The Northern Province is a member of the National Case Management Committee (NCMC) run by the NBSCCCI, through which it accesses special advice, which is evidenced in the files reviewed. Northern Province personnel have developed good relationships with the NBSCCCI in the course of inter-actions relating to policy, training, and advice and case management. The reviewer had the opportunity to speak to representatives of the civil authorities who confirmed positive liaison and working relationships with the child safeguarding personnel involved in case management in the Northern Province. The Province safeguarding personnel have also developed close links with national and local counselling and support groups. Within their procedures, there is detailed guidance on how to respond to children who may have been abused. It is the policy of the Northern Province to offer complainants/survivors the opportunity to meet with a representative of the Mercy Congregation and it has identified 4 Sisters to undertake the role of Support Persons. This practice is confirmed in the files which were reviewed. As part of their efforts to engage with complainants/survivors, the Northern Province has produced an internal paper on pastoral care which summarizes arrangements for complainant/survivor outreach. Whilst Criterion 6.4 is assessed as fully met, the reviewer recommends that the Congregation develop policy and practice in this area further by (a) considering an information leaflet for complainants/survivors (b) considering the development of a complainant/survivor policy. In relation to Sisters who are respondents, the Northern Province has two experienced Advisors in place who have provided both support and mentoring when required. Criteria 6.1 – 6.5 are therefore assessed as fully met

Sisters of Mercy Southern Province

The Southern Province child safeguarding structure operates under the expert guidance of its Safeguarding Manager who works in collaboration with the Provincial and other safeguarding personnel. There is firm evidence of good teamwork within the structure. The Southern Province has signed up to the National Case Management Committee established within the NBSCCCI and has to date brought a number of cases to this group for advice and consultation. There is also evidence of collaboration with the local agencies in working in a unified approach to child safeguarding. The Provincial has appointed two Support People, one religious and one non-religious to be available to support a complainant. Both have undergone training for this role and although neither has been called upon in their role of Support Person thus far they are prepared and available if necessary. Many case files examined indicate that offers of pastoral support have been made to complainants although they have not always been responded to by complainants.

Case files in relation to cases which emerged from the 1990's do not always show clear evidence of pastoral support offered.

Much behind the scenes' work takes place within the Province in supporting those who have been abused and the Province is involved in working with survivors groups and agencies across the Province. It is also acknowledged that the Mercy Congregation were at the fore front in terms of the provision of a helpline and counselling service in the early 1996 in reaching out to those were abused and who came forward at that time.

Two Advisors, one religious and one non-religious have been appointed by the Provincial. Neither has been called upon to fulfil the role and both are trained in the role and available should their services be required.

Sisters of Mercy Western Province

As part of the child safeguarding structures developed by the Sisters of Mercy in Ireland, Support Persons for complainants and Advisers for respondent Sisters have been appointed in the Western Province and their functions clarified in the Congregation's Policy document. There are three people in each of these roles, i.e. three Support Persons and three Advisers. They were all well briefed about their responsibilities and had a good understanding of what they would be expected to do, if and when called on. However, none of these Sisters has yet been asked to act within their nominated safeguarding role and so could not speak of any experiences in that regard.

There is evidence in the case files of a pastoral and creative approach to complainants. The survey conducted by the Western Province in 2004 indicated that they are in contact with approximately 350 ex residents and provide various forms of support. It is clear that there is huge energy and commitment from the Province to continue this work. As outlined in the commentary for Mercy South Province it would consolidate this approach with the development of a strategy regarding how to “effectively *engage* and offer support to those coming forward with allegations.”

As with the other Provinces, the Western Province is a member of the NBSCCCI's National Case Management Committee and have sought advice regularly on cases which are active.

Sisters of Mercy South Central Province

The child safeguarding policy of the Sisters of Mercy sets out the intent that *those who have suffered child abuse should receive a compassionate and just response and should be offered appropriate pastoral care to rebuild their lives*. There is clear evidence in the case files that the complainants are made aware of support services and encouraged to seek help where appropriate.

The Province has two Sisters nominated as Advisors to any respondent and they have two designated Support People identified to assist those making a complaint. These individuals are fully versed in their roles and received training through the NBSCCCI in April and May 2015.

Where it is felt that additional expertise is required, Mercy South Central is committed to seeking external support and availing of advice from the NCMC. The Congregation is aware that the NBSCCCI is available to them for advice and guidance and have spoken positively about their relationship with the NBSCCCI.

Detailed in the earlier sections of this report are references to support offered by the Mercy Sisters to former residents of their industrial schools. This is an important aspect of their reaching out to those who they have cared for in the past, not exclusively those who have alleged abuse. This is a good initiative and should be communicated more widely by the Provincial Teams on their websites.

RECOMMENDATION 3:

The Congregational Leadership Team should

- (a) consider developing an Information Leaflet for Complainants/Survivors**
- (b) consider the development of a more standardized Strategy for the support of former residents which is consistently applied across each of the Provinces.**

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

Standard 7 is addressed across all four Mercy Provinces in the Congregational Safeguarding Policy 2015 – Policy Principles and Guidance Manual, which is the overarching Safeguarding Policy.

Each Province provided the reviewers with detailed evidence of implementation of Criteria 7.1 – 7.5 in a reference document for the review

Sisters of Mercy Northern Province

The implementation of the Child Safeguarding Standards is overseen within the Northern Province by the Safeguarding Committee. The fact that the Province has had a Safeguarding Committee in place since 2000 with a developmental brief, has been a major factor in driving and sustaining the high standards of child safeguarding evident in this review. The current Committee dates from 2013 and contains a range of relevant expertise. It works to appropriate Terms of Reference, is chaired by the Assistant Provincial Leader, and is attended by both the Provincial Leader and the Safeguarding Co-ordinator. The Committee is currently working to the 2013 – 2016 Strategic Safeguarding Plan, and has carried out yearly Self-audits in relation to the implementation of the Standards. It is actively involved in any issues related to the Child Safeguarding Policy and Procedures, in the design, implementation and review of the Training Plan, and in co-ordination of vetting/recruitment and communication. The

Provincial has confirmed that adequate financial and human resources are always available for child safeguarding. In relation to Criterion 7.4 the reviewer has seen samples of consultation forms for children (for the counselling service) and parents. These are commendable developments, and the analysis and application of the data will be the next step. The reviewer has confirmed that there are secure storage arrangements. All criteria related to Standard 7 are assessed as fully met.

Sisters of Mercy Southern Province

A new Child Safeguarding Committee within the Southern Province was set up in autumn 2013 at the invitation of the Provincial. The Child Safeguarding Committee oversees the implementation of the seven Standards and audits their implementation. They are also responsible for the Safeguarding Strategy Plan. The Committee Members are drawn in equal number from highly experienced members of both the religious and non-religious communities. Their backgrounds are diverse coming from areas such as education/chaplaincy/legal/academic/social work/law enforcement, nursing, child care and counselling. All have signed Acceptance of 'Safeguarding Policy and Procedures' Form and are Garda vetted. They have also signed up to the *Mercy Code of Behaviour*. The Committee understands that its tenure of office is initially for a three year period. As a Committee they have received excellent training for their role and present as a highly competent group, confident and enthusiastic in their role. This is an extremely hard working and diligent Committee who had to date convened on 16 occasions with Members working in Sub-committees in between meetings. All meetings are minuted.

One of the first tasks of the Committee was to meet with the Safeguarding Representatives and gain feedback from them. Two meetings took place in January and April 2015 of all personnel involved within the safeguarding structure in the Province in an exercise to bring about a common unity and purpose in the child safeguarding structure, to share information and to bring clarity of role and role-awareness. These meetings were highly valuable and the feedback given to the reviewer from all involved and especially from the Safeguarding Representatives who met with the reviewer was that each person felt a sense of value attributed to their role. On this point the reviewer was impressed with the level of confidence, knowledge and enthusiasm with which the Safeguarding Representatives presented in discussion of their role. There are 13 Safeguarding Representatives in the Southern Province drawn from Southern Province Communities covering a wide geographical area.

The Safeguarding Committee saw it as their role to disseminate the information and address the questions raised in these meetings to help formulate the Sisters of Mercy Southern Province Strategic Plan 2014-2016. The Committee has formulated three documents which together constitute the Southern Province Safeguarding Plan 2014-2016. These documents are entitled:

- Safeguarding Training Plan 2014-2016*
- Safeguarding Operational Plan 2014-2016;*
- Safeguarding Strategic Plan 2014-2016;*

These are excellently presented documents which set out in a comprehensive way forward planning for the safeguarding structure until end 2016. The Operational and

Strategic plans both follow the requirements of the NBSCCCI's seven Standards. All documents are highly readable and more importantly the plans going forward are attainable, feasible and realistic. Checks and balances are in place including the requirement of Self-audit of which one has already been completed recently in the Province.

The committee also worked on a number of interim Policy documents e.g. Definition of Personal Care; Guidelines on Supporting and Managing individuals when an Allegation has been made; Modern Technology and Internet Use, Photography and its Use. The content and format of some of these documents have been integrated into the Congregation document. This Province has had its share of very difficult times in the past and there is an acknowledgement that as a Province they did not always get their child safeguarding structures right in the past.

Sisters of Mercy Western Province

The Provincial Leader, Safeguarding Provincial Link and the Safeguarding Committee in the Western Province are responsible for implementing the seven Standards and for identifying desired outcomes and how they will be achieved. This is evidenced in the Safeguarding Strategic Plan of the Western Province 2015-2018. The seven Standards are actioned with evidence of the Standard, a start and completion date and the person or group responsible for achieving the piece of work. The Plan is easy to read, dynamic and achievable.

The Safeguarding Committee in its current form was established in January 2015 and comprises of eleven lay and religious persons with extensive knowledge and experience of child safeguarding. It is chaired by the Provincial Safeguarding Link person. Prior to 2015 the functions of the Committee were in the hands of the Provincial Safeguarding Link person and Local Safeguarding Reps who met on a regular basis. The Committee has met monthly in preparation for the review by the NSBCCCI and intends to meet on quarterly basis going forward. The reviewer was able to meet with nearly all members of the Safeguarding Committee and witnessed how they structure their meetings and manage their agenda. The reviewer observed a high level of cohesiveness and professionalism in their duties. The Members are committed to implementing an annual review of cases and case records, to the monitoring and support of all Sisters working in direct contact with children and to carrying out an annual review of pastoral care demand, planning and future provision in line with need.

Sisters of Mercy South Central Province

The South Central Province has developed their child safeguarding approaches through extensive development of their Safeguarding Policies and Procedures. A Safeguarding Committee for the South Central Province was first established in 2009. A new Safeguarding Committee with extended expertise and varied backgrounds was appointed in 2014 and training was provided for this Committee by the NBSCCCI in February 2015. The role of the Safeguarding Committee is to review and monitor all child

safeguarding issues in the Mercy South Central Province. The meetings are attended by the Safeguarding Co-ordinator and the Designated Officers.

Mercy South Central Province in accordance with Sisters of Mercy Safeguarding Children Policies and Procedures document Page 28 is committed to conducting a full review of its implementation of the Standards every three years or sooner if required.

An extensive Child Safeguarding Needs Analysis was conducted by the South Central Provincial Team in 2009 and updated in 2013 and again in 2014. This process enabled them to identify the most appropriate Policy and Procedures for each of their missions, identify gaps and put in place corrective measures. Safeguarding forms a regular agenda item on Leadership Team meetings, where all aspects of Policy, Procedure and Practice are discussed.

An annual Self-audit is conducted in each Province in accordance with the Sisters of Mercy Safeguarding Children Policies and Procedures document Page 48, template 122/5. In order to assist with this an Information gathering tool has been devised and can be viewed on Page 51.

Overall Assessment and Conclusion

The present child safeguarding structure as a whole, within the four Mercy Provinces, is contributed to by a dynamic, enthusiastic and hardworking team of personnel drawn from members within the Province and from those outside of the Congregation. The professionalism, determination and knowledge of those involved is obvious and the existence of which gives a confidence and assurance that the structures in place will be further consolidated and continue to secure a “culture” of child safeguarding that is robust and accountable.

RECOMMENDATIONS

RECOMMENDATION 1:

The Congregational Leadership should develop a protocol applicable for Sisters working in external organisations, which clarifies which organisational policy will be implemented in the first instance in respect of any new allegation and which sets out the interfaces with the Mercy policy and the expected communications protocols within the Congregation.

RECOMMENDATION 2:

All Provincial Leaders should ensure that child safeguarding information for children and young people as evidenced in the leaflet devised by the Northern Province “Safeguarding Children- information for Young People”, and in the Limerick’s Children’s Grief Centre is made available to children and young people in all Mercy Provinces.

RECOMMENDATION 3:

The Congregational Leadership Team should

- (a) consider an information leaflet for complainants/survivors**
- (b) consider the development of a more standardized strategy for the support of former residents which is consistently applied across each of the Provinces.**

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 Standards set out in *Safeguarding Children* (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,

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.

video tape, or other media) or the manipulation for those purposes of the image by computer or other means. It may also include showing sexually explicit material to children which is often a feature of the ‘grooming’ process by perpetrators of abuse.”

Note 2: Definition of Allegation:

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