



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

Second Review of Child Safeguarding Practice

in the

Society of Mary – The Marist Fathers

undertaken by

The National Board for Safeguarding Children in the

Catholic Church in Ireland (National Board)

Date of Review Report: August 2023

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Background

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

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

Church authorities who have entered into an agreement with the National Board through signing a Memorandum of Understanding have committed to following *Safeguarding Children - Policy and Standards for the Catholic Church in Ireland 2016*.

In order to assess compliance with the 2016 Standards, the Provincial Delegate for Safeguarding of the Marist Fathers invited the National Board to undertake a review of child safeguarding practice in 2023. The Society was previously reviewed in September 2014 under the *Safeguarding Children - Standards and Guidance for the Catholic Church in Ireland 2008*.

The report of the first Review can be found on the National Board’s website at www.safeguarding.ie/publications.

The recommendations from the 2014 Review are set out in the table below, with an indication about their implementation. The Society sent an update to the National Board about the implementation of the Review Report recommendations in September 2015, by which time full implementation had been achieved. This is commended.

Recommendation	Implemented – Yes / No
<p>Recommendation 1: That the Regional Superior of the Marist Fathers request the immediate assistance of the NBSCCCI in producing and adopting an interim policy and procedures document that would meet the requirements of the NBSCCCI’s Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland.</p>	<p>Yes - The Marist Fathers, in consultation with the National Board, produced its Interim Child Safeguarding Policy. This was approved by the National Board and signed off by the Regional Superior in December 2014.</p>
<p>Recommendation 2: That the Regional Superior ensures that the DLP further develop the case filing system to clearly differentiate and separate out cases of alleged child sexual abuse from those involving a complaint about alleged cruel physical punishment.</p>	<p>Yes - This received the immediate attention of the Regional Superior and was completed</p>
<p>Recommendation 3: That the incoming Regional Council of the Marist Fathers reviews the roles of the DLP, especially in relation to their Risk Management responsibilities and of the Co-ordinator of Safeguarding, especially in relation to their training and development responsibilities, with a view to having sufficient information with which to confidently plan for the filling of these two positions. The advice of the NBSCCCI can be sought in this regard.</p>	<p>Yes - In November 2014, two people were appointed to these positions. In September 2015, this was reviewed, and it was decided to have one person carry both responsibilities. There had been a reduction in the number of Marist priests; and Society-wide Training had been brought up to date.</p>

<p>Recommendation 4: That the Safeguarding Committee / Co-ordinator of the Marist Fathers conducts an audit of all lay staff employed in their community residences and plan and provide basic child safeguarding awareness training for them as a matter of urgency.</p>	<p>Yes - Following receipt of the Review Report, a register of all lay employees of the Society was compiled and all received Information sessions provided by National Board registered trainers, in three locations. The Society's Regional Safeguarding Committee monitored recruitment and training of lay personnel from then on.</p> <p>All lay personnel were Garda vetted.</p>
<p>Recommendation 5: That the Marist Regional Council consult the NBSCCCI in relation to how best to plan for and deliver child safeguarding training within the order.</p>	<p>Yes - In consultation with the National Board's Director of Training and Support, the Society developed a three-year Safeguarding Training Plan.</p>
<p>Recommendation 6: That the Regional Superior ensures that Marist Fathers develop a written Child Safeguarding Plan for their community residences</p>	<p>Yes - A written three-year Strategic Safeguarding Plan was developed and adopted by the Regional Safeguarding Committee at its April 2015 meeting.</p>
<p>Recommendation 7: That the Regional Superior expands the membership of the Safeguarding Committee and develop Terms of Reference for it, to include the development of policies and procedures, the oversight of Training, recruitment and vetting and internal audit of compliance with the NBSCCCI's standards.</p>	<p>Yes - The membership of the Regional Safeguarding Committee (RSC) was strengthened and expanded. Terms of Reference for the RSC were developed.</p>
<p>Recommendation 8: That the Regional Superior of the Marist Fathers charges the new and expanded Safeguarding Committee with the task of developing criteria and an appropriate methodology to apply in undertaking internal audit of the six Marist community residences.</p>	<p>Yes - In May 2015, the Regional Superior and the members of the RSC participated in a oneday training programme in which the internal audit methodology was addressed. Following this, the Society's Safeguarding Coordinator visited all of the community houses to advise them of the new audit process, and the first internal audit was subsequently completed for 2015.</p>

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

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

Introduction

Details of the history, mission, and activities of the Marist Fathers can be accessed on their website at <http://www.maristfathers.ie/>. The part of the Society that this Review covers is the Irish Region of the European Province. The Provincial therefore is located in the Paris Provincial Headquarters, and he has delegated the responsibility for safeguarding to the Provincial Delegate for Safeguarding, who is based in Dublin.

Since the 2014 Review, the Society has undergone significant changes in Ireland. Since 2016, it now one of eight Regions (countries) that constitute the Province of Europe. The number of members has reduced, and the number of community houses has halved. There are now 19 Marist priests in Ireland, along with two Marist students from two African countries. Of the nineteen (19) priest members, eight (8) are in full-time ministry, with a further four (4) in part-time or restricted ministry. Five (5) are retired, two of whom are living in nursing homes. At the time of the Review fieldwork, one (1) priest member was out of ministry. One (1) further priest member lives on his own and practices as a professional psychotherapist. The average age of the nineteen Marist priests living in Ireland is 78.5, with four men aged below 75.

There are now three locations of Marist Fathers community houses. One is in the south inner city of Dublin in St. Teresa's parish in Donore Avenue. Three members of the Society live in the parochial house, and a further three who are attached to this Marist community live between two other houses close by. The second location is in St. Brendan's parish in Coolock, where six members live between two houses, one being the parochial house. Both of these parishes belong to the Archdiocese of Dublin. The third location is in the Cedron community in Dundalk, Co. Louth, where six Marist Fathers live. This community is in the Archdiocese of Armagh. The Marist Fathers have an oratory, St. Mary's in Dundalk, which is a private (non-diocesan) church, but in which members of the public can attend Mass and other liturgical events.

There are three second-level schools that have been established by the Marist Fathers, the Catholic University School (CUS) in Leeson Street, Dublin, Chanel College in Coolock, Dublin, and St. Mary's College in Dundalk. CUS also has a primary school. The CUS primary school and St. Mary's College are both co-educational schools. The Marist Fathers have formed the Marist Education Authority (MEA), a trust body that oversees the operation and management, including Faith Leadership and Governance, of the four schools in the Republic of Ireland.

Any ministry by a Marist priest in either archdiocese or in any of the schools comes under the child safeguarding policy and procedures of the relevant archdiocese, or of the Department of Education.

Process of Review

This Review was to have been undertaken by two reviewers. However, due to changed family circumstances, one reviewer had to withdraw before the fieldwork was conducted.

The Review fieldwork took 2 full days on August 30 and 31, and a further two hours on September 22, and a meeting was held with two people on October 3.

The Marist Fathers do not have a specific Marist ministry with children and young people, and this is factored in regarding their compliance with the Standards, as not all Indicators apply.

The priest members of the Society who work in two Dublin parishes do have a ministry with children, which ministry is conducted under the aegis of the safeguarding procedures of the Archdiocese of Dublin.

The following is a list of the people met or interviewed via Zoom or by phone call in the course of the Review.

- The Provincial Delegate for Safeguarding
- The outgoing DLP / Safeguarding Coordinator
- The new DLP / Safeguarding Coordinator
- The Safeguarding Manager
- The Safeguarding Office Assistant
- Eight Marist Fathers with various roles
- A member of the Safeguarding Committee
- A friend of a Marist priest who has been providing him with support

In addition, the reviewer wrote to the Garda National Protective Services Bureau and to three Area Managers with the Child and Family Agency, Tusla, in whose areas the three Marist Fathers' community houses are based. These letters requested the opinions of the statutory agencies about the management of child safeguarding by the Society. At the time of writing, no replies have been received from any of the recipients.

The reviewer is sincerely grateful for the openness and helpfulness of all of the priest members of the Society, as well as from their safeguarding and other support personnel. The hospitality and assistance provided to the reviewer by all is very much appreciated.

STANDARDS

The Standards are a level of practice required to ensure good child safeguarding arrangements.

Each standard is self-contained and supported by indicators to evidence if safeguarding arrangements and practice meet the required standard. The National Board has produced detailed Guidance, which is accessible on its website at <https://www.safeguarding.ie/guidance>.

The Marist Fathers agreed to adopt *Safeguarding Children: Policy and Standards for the Catholic Church in Ireland, 2016* as its child safeguarding policy through the signing of a Memorandum of Understanding with the National Board. The adherence of the Society to the Policy and Standards is confirmed on its website, at www.maristfathers.ie/safeguarding

The seven Standards are:

Standard 1: Creating and Maintaining Safe Environments

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

Standard 3: Care and Support for the Complainant

Standard 4: Care and Management of the Respondent

Standard 5: Training and Support for Keeping Children Safe

Standard 6: Communicating the Church's Safeguarding Message

Standard 7: Quality-Assuring Compliance with the Standards

Standard 7:

This Review concentrates on practice through evaluating written records, interviews with Church personnel and information from complainants and respondents.

An assessment of practice under each standard is set out below.

Standard 1: Creating and Maintaining Safe Environments

Church bodies provide an environment for children that is welcoming, nurturing and safe. They provide access to good role models whom the children can trust, who respect, protect and enhance their spiritual, physical, emotional, intellectual and social development.

The Marist Fathers have produced a comprehensive Safeguarding Handbook that was formally adopted in September 2017, to provide guidance to the Society on how to comply with the 2016 *Safeguarding Children Policy and Standards*. The reviewer has evaluated this handbook, and it is consistent with the 2016 document. The priest members of the Society have each received a copy of this handbook and have signed a document stating that they will abide with its requirements.

The members of the Society do not engage in any specific Marist Fathers' ministry with children or young people, and none of the lay staff employed by the Society interacts with children or young people in the course of their work.

The Safeguarding Office Assistant and the DLP (both laypersons) together ensure that the Garda vetting of priest members who require this is up to date. The reviewer examined the Garda vetting records, which confirm that necessary vetting is being conducted. The statistics regarding vetting are set out in the following table.

Year	Marist priests vetted	Visiting Marist priests / Visiting students vetted	Lay staff Vetted
2017	1		
2018	9		
2019	7		1
2020	3	1	
2021	21	1	
2022		1	
2023		5	

Where members of the Society might encounter children and young people is at their community residences, although it is not a practice that children and young people are invited to visit. Each community house has a Local Superior who has the responsibility of also being the Local Safeguarding Representative. These three priest members ensure that their confreres are aware of the requirements of a safe environment. All visitors are asked to sign in and out; and the private living and sleeping areas of community houses are out of bounds to any visitors.

The three Local Superiors have placed the framed Child Safeguarding Policy Statement immediately inside the entrances of their community houses. These also have details of who to contact with a child safeguarding concern.

No activities involving children and young people take place in or in the grounds of the Marist Fathers' community houses. The last such activity by an external group was in Dundalk in 2016, and the reviewer established that the correct procedures were followed and records kept.

There is a complaints procedure, and a whistleblowing policy and procedure in place. Neither had been used by anyone up to the time of the Review fieldwork.

The policy for the use of social media, photography, Internet etc. adopted by the Society is that set out in the 2016 *Safeguarding Children Policy and Standards for the Catholic Church in Ireland*.

The Marist Fathers have signed a Child Safeguarding Protocol Agreement with the Archdiocese of Dublin Child Safeguarding and Protection Service, in March 2023. This is particularly relevant, as the Society manages two parishes on behalf of the archdiocese. The Marist priests who minister in these two parishes do so under the auspices of the archdiocese's safeguarding policy and procedures.

The Safeguarding Officer Administrator and the DLP together ensure that any priest member coming to Ireland from abroad, who wants to minister while in Ireland, has to follow a clear procedure before they can receive permission to do so. The priest member coming to Ireland from abroad signs the SOA Form. The information provided in the SOA Form by the applicant is subject to verification with the diocese by the SM Provincial Safeguarding Delegate, which may require cross-checking other relevant sources as appropriate. This includes providing a letter from their Local Superior confirming that they are in good standing. They also receive the Safeguarding Handbook, undergo a briefing on its content, and sign a document stating that they will abide by its requirements.

Marist priests who minister as school chaplains, chaplains to convents, or as priests in Dublin parishes are all required to undertake to abide by the relevant safeguarding policies and procedures, and the records of these commitments have been examined in the course of this Review.

One matter requiring clarification is that a Marist priest who lives on his own has a professional practice as a psychotherapist. His details, which are available on a number of professional practice websites, do not make it clear that he is a priest or that he is a member of the Society. His particular areas of practice interest include working with family groups and with adolescents. This is clearly not a Marist ministry; however, it is external work being conducted by a member of the Society.

It would be important that the Provincial of the European Province would seek clarification about the work of this priest member, in terms of what safeguarding policy and procedures apply to his professional work, and the indemnification of the Marist Fathers that may be needed in relation to his practice as a psychotherapist.

This Standard is met.

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

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

The Marist Fathers have employed a professionally qualified social worker as their Designated Liaison Person and Safeguarding Coordinator. He has a relevant professional background, having worked with abuse perpetrators as a Probation Officer, and with children in a senior role in a Family Centre. He has been in post since September 2021; and his predecessor overlapped with him for almost two years. This was prudent due to the slow 'opening up' process post pandemic, and the preparation required for this Review, both of which would have been major challenges for somebody new in post.

The Marist Fathers also use the services of an experienced external professionally qualified psychologist in the role of Safeguarding Manager. This laywoman has a great deal of experience with safeguarding within Catholic Religious Orders in Ireland and overseas. She had been the DLP for the Marist Fathers at the time of the 2014 National Board Review, and her role has developed significantly since then, in assisting the Provincial Delegate for Safeguarding with implementation of the recommendations of that Review, as well as in assisting the Society to become compliant with the 2016 *Policy and Standards*.

There may be changes required to this structure in the near future. The central importance of the Safeguarding Manager post will lessen as the DLP / Safeguarding Coordinator takes up their role and responsibilities more fully, and the incumbent Safeguarding Manager becomes more an external consultant. The role of the Safeguarding Committee may well change, and this will be addressed under Standard 7 below.

The Marist Fathers have case management responsibilities under Standards 2, 3 and 4. Since the 2014 Review, there have been seven (7) allegations received concerning five (5) priest members of the Society. These are set out in Table 2 overleaf.

Table 2: Number of allegations against priests received by the Marist Fathers since the previous Review

SM Priest	Current Status	Number of Complainants	Gardai notified	Tusla notified	National Board Notified	Appropriate and timely Canonical action taken
1	Restricted ministry	1	Yes – within 4 days	Yes – within 4 days	Yes – within 5 days	Yes
2	Restricted ministry	First	Yes – within 2 days	Yes – within 2 days	Yes – within 2 days	Yes
		Second	Yes – within 4 days	Yes – within 4 days	Yes – within 5 days	Yes
3	Out of ministry	First	Yes – within 3 days	Yes – within 7 days	Yes – within 14 days	Yes
		Second	Yes – within 3 days	Yes – within 3 days	Yes – within 6 days	Yes
4	Part- time parish ministry	1	Complainant had gone to the Gardai himself	Yes – next day	Not until 07/07/2022	Yes
5	Deceased Mar 2006	1	Yes – within 12 days	N/A	Yes – within 12 days	N/A
6	No priest identified	1	Yes – within 23 days	Yes – within 23 days	Yes – within 4 days	N/A

There are two cases where delays in making notifications can be identified. The National Board was not notified in the case of Priest 4 until seven months later. That notification was made on the same day as the Society notified the DDF in Rome. Unfortunately, the explanation provided by the Marist Fathers for this delay is not satisfactory.

In case 6, notifications to the statutory agencies were delayed while extensive efforts were made to identify a priest who could match the description given by the complainant. Once these efforts were unsuccessful, the Society made its notifications; but due to there being no identified alleged abuser, no further actions could be taken. The Society did contact the National Board for advice in this case. The management of this case will be detailed further below.

Notifications in the other four cases were timely and carried out satisfactorily. The case management files are well ordered and are kept up to date. They are stored in a fireproof safe in a locked room, and there is a strict protocol in place about who can have permission to access them.

The reviewer examined the case management files of five (5) members of the Marist Fathers, living and deceased, and further comments about the Society's responses to complainants and its management and support of respondents are made under Standards 3 and 4 below.

With one exception, when there was a delay in notifying the National Board, this Standard is met

Standard 3: Care and Support for the Complainant

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

In the preparation phase for this Review, the Marist Fathers were asked to consider whether any complainant of abuse with whom they had a current relationship and who they believe is in a good place emotionally could be approached and invited to speak with the reviewer. No complainants were identified.

The Society placed a notice on its website to advise people that the Review was imminent and to invite people to come forward. The wording of this notice was,

Safeguarding Audit Notice

The Marist Fathers in Ireland has invited the National Board for Safeguarding Children in the Catholic Church in Ireland (National Board) to conduct a review of its Child Safeguarding practice on the 30th and 31st August 2023.

If you have any views about Safeguarding in the Marist Fathers, we invite you to come forward to us (admin@maristfathers.ie), or to the National Board (01-5053124).

If you wish to report a child safeguarding concern, please contact the Marist Fathers Designated Liaison Person (DLP) (Name, phone number, and email address provided), or An Garda Síochána (01-6663430/35), or TUSLA (www.tusla.ie/get-in-touch/duty-social-work-teams/) to locate a Tusla office in your area).

Two people contacted the National Board about the Review when they became aware that it was happening.

One had been a student in a secondary school owned and managed by the Society over 47 years ago. He expressed to the National Board his complete dissatisfaction with how the school management and the Marists Fathers dealt with his complaint of peer abuse at the school. This person is referred to as Complainant H. While the school was conducting an investigation of this complaint, the Society understood that it was a school matter and was being correctly managed in accordance with Department of Education protocols.

In early February 2023, the complainant made contact with the DLP, as he believed that the school investigation was dragging on. The DLP spoke by phone with the complainant on a number of occasions, through to May, and explained to him that as there was a school investigation in progress, he could not intervene until that process was concluded. The DLP noted the complainant's distress, and encouraged him to avail of the professional support of a trained counsellor, providing him with contact details of Towards Healing and two other support services. The complainant indicated however, that this was not what he wanted.

In late August 2023, he contacted the National Board, which notified the Society of his concerns. The Marist Fathers planned a pastoral response to him, which process was paused on advice from the National Board, to allow a Garda investigation to proceed.

The National Board had significant contact with this complainant, who in turn was unhappy with the National Board's management of his information, following our advising him of an unintended possible breach of his data in correspondence with the Marist Fathers. We therefore reported a possible breach to the Data Commissioner.

In mid-September 2023, the complainant made additional complaints to the National Board related to the school matter, which are currently under investigation by the Gardaí.

In early November 2023, the National Board initiated discussions with The Vicar Provincial of the Society, advising him to meet with the complainant. He has since met the complainant, and he is currently considering how the pastoral mediation process could be resumed to resolve the outstanding matters.

Regarding compliance with Standard 3, the National Board is of the view that the Marist Fathers could have been more proactive at an earlier stage in undertaking pastoral outreach to complainant H.

A second person who contacted the National Board provides support to a respondent priest, and their concerns will be addressed under Standard 4 below.

Care is taken in this section to avoid identifying any complainant, so the sequence that is followed in the table under Standard 2 is not reproduced here, in case particulars might inadvertently make individuals recognisable. All of the seven complainants are male, and for ease of reading, each is assigned a letter in order to tell them apart.

Complainant A came forward some years after the death of the Marist priest against whom he wanted to report an allegation. This man was already in counselling, which supported him in making his complaint. He was met by a senior priest of the Society, and an unconditional apology was made to him. Certain practical supports were made available to him, which he accepted. It appears from the case management file that this complainant was satisfied with the response that he received; and no further contact with the Society was required. This support work is commended.

In the case of Complainant B there is very little recorded on the case management file about him. He had made his complaint directly to the Gardaí. The preliminary canonical investigation that followed the statutory processes resulted in no conclusive finding. That investigation report suggested that the complainant might not have identified the alleged perpetrator correctly.

When the Society received notification from the respondent priest's legal representative that the DPP directed no further action, the Safeguarding Manager telephoned the Gardaí to seek to make contact with the complainant. The Garda shared 'sensitive information' regarding the complainant's circumstances, and indicated that contact details could not be released.

There is no written record in the case file to evidence this contact. The Marist Fathers requested that the Gardaí would communicate to the complainant that the Society would like to make contact with him. This case was discussed thereafter at a Case Management meeting at which the Safeguarding Manager presented all of the available details on the complainant.

Complainant C was represented by a solicitor who made a complaint on his behalf. This was against a priest member of the Society who was already subject to a Safety Plan from earlier allegations. This solicitor would not allow his client to be interviewed by the DLP. A legal agreement was negotiated with this complainant, but without the priest or the Society admitting liability. The complainant would not make a statement to the Gardaí, or engage with Tusla.

Complainant C also made a complaint against another Marist priest. The Society's dealings with him followed the same course in that case.

Complainant D received ongoing support from the DLP. He took part in the preliminary canonical investigation. He requested and had a meeting with Provincial Delegate for Safeguarding, and he was provided with counselling. A mediated process was set up for this complainant, through which an agreement was negotiated. The case was closed at this point, as the complainant did not want to follow through with contacting the Gardaí or Tusla, despite being encouraged to do so by the DLP. The DLP had a meeting with the complainant prior to closing the case and explained the options that remained available to him. This complainant was treated with understanding and sensitivity, which is commended.

Complainant E is an Irish man living in another country. He contacted a diocese to report an allegation of childhood sexual abuse against an unidentified priest. The Marist Fathers made extensive and lengthy enquiries, including with the diocese, and maintained contact with the complainant, sharing information with him; but the complainant could not positively identify the man who he alleged had abused him. This complainant had access to Church supports where he lived abroad. The case was closed, a decision made in conjunction with the complainant.

Complainant F initially made his complaint against another Marist priest to a diocese, which Church body reported it to the Marist Fathers. He was already engaged with Towards Healing as a counselling client. The DLP communicated with him via the Clinical Director of Towards Healing, as he had stated that he did not want to engage with the Society. By this channel, the complainant was invited by the Society's DLP to participate in a preliminary canonical investigation, but he declined. There is little further information about Complainant F in the case management file, as the Society could not source additional information. What is evidenced however is that extensive efforts were made by the then DLP to ensure that the complainant was kept informed of

developments in the case. Correspondence on file from the Regional Safeguarding Delegate to the Clinical Director of Towards Healing, made clear that both he and the then DLP would be available to assist with any matter related to this complainant at any time. The Safeguarding Manager informed the reviewer that the Marist Fathers were satisfied that the complainant was in professional care support, and were happy to cover the financial expenses incurred.

Complainant G made a report about the same priest to a different diocese, and the Society and the diocese cooperated in the management of this allegation and in the coordination of the response to the complainant. The pastoral support to him was provided by the diocese. This was deemed to be in his best interests, rather than risking further traumatizing him by having to repeat this story to another Church body.

There is evidence in the case management files that the concerns of some complainants have been addressed by the Marist Fathers. The support provided to two complainants has been commended. Complainant C decided not to engage with the Society; Complainants E and G were supported by other Church bodies, by joint agreement.

Following the 2014 Review, the Marist Fathers recruited four laypersons who were to have acted in the role of Support Person for complainants. These were trained by the National Board. However, they were never used, as complainants reportedly opted to find their support elsewhere, either through the DLP or from other sources.

The reviewer accepts that the Society did not receive necessary information to allow it to reach out to and to engage with Complainant F, who declined to have any contact with the Marist Fathers; and Towards Healing, which acted as intermediary, was unable to assist despite being requested by the Society to do so.

From an examination of the records, there is evidence that the Marists have reached out appropriately to some complainants. However, in the cases of complainant B and H, the opinion of the National Board is that more could have been done; and that as a result, that **Standard 3 has not been met.**

Recommendation 1

That the Society's Provincial Delegate for Safeguarding in Ireland ensures that every effort is made to engage with complainants to the Society of abuse by a Marist Father, and that these complainants receive timely and appropriate pastoral outreach and support.

Standard 4: Care and Management of the Respondent

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

The reviewer met with the three Local Safeguarding Representatives of the Marist Fathers. These men are also the Local Superiors of their community houses, and two of them are acting in the role of Priest Advisor. In a small congregation, it has become usual for members to have more than one task or responsibility. Having had a conversation about safeguarding in general, one of the Local Superiors left the meeting to allow for a discussion of the priest support role.

The first priest advisor was supporting a priest living in his community house. He understood his role as listening, providing emotional support, and giving practical assistance to the respondent confrere. He accompanied him to various meetings with police and defence legal personnel. The relationship was described as positive and helpful. The priest advisor had role specific National Board training.

The second priest advisor spoke in detail about the circumstances of the man he was supporting, against whom two separate allegations had been made. He said that he was most comfortable in the support role being natural and informal in what is a small living situation. He was very concerned about the emotional impact of the two allegations on the man he was supporting. This priest advisor clearly understood his confrere's need for ongoing support through two very protracted legal processes, both of which resulted in no prosecution. Tusla were not concerned and did not pursue the matter, in either case. He spoke of having a sense that an injustice had occurred in the more recent case in which the DPP took two and a half years to reach a decision.

This matter was also raised with the reviewer the second person who had contacted the National Board in order to participate in the Review. This person had a pre-existing friendship with the respondent priest, and provided him with a great deal of support over the years of the two allegations being investigated. They spoke strongly about the need of the leadership of religious orders to follow up robustly with the Gardaí and with the Office of the DPP to ensure that cases are processed quickly. She could see what the avoidable and unacceptable delays were doing to her friend and how he was made to suffer unnecessarily.

She discussed the real difficulty of retaining one's good name and reputation in such a situation, and of how the presumption of innocence is not embraced by everyone.

Two priests who had been subject to allegations of abuse anonymously returned questionnaires to the National Board in which they were asked about their experience of care and support after the Society had received a report about them.

Neither priest made any complaint about how they had been treated by the Marist Fathers. Both spoke of confreres who had supported them, and they each mentioned the Safety Plan with which they were required to comply. Both men wrote of being consulted and briefed regularly. It is clear that they retained the community of their fellow priests, which helped them cope with the emotional ordeal that being a respondent causes.

The Marist Fathers follow a risk management process and have an accountability structure. The diagram that shows the steps in this process is reproduced as Appendix 2 of this Review Report. In this process, the DLP is identified as the risk manager.

The reviewer examined six case management files. One of these related to a deceased priest, and another recorded a complaint where no Marist priest could be identified. The responsibility for support and monitoring does not arise for either case.

Four living priest members of the Society have been subject to case management processes since the previous Review. In Table 2 under Standard 2 above, they are the first four priests. In the following section, the generic term, 'Safety Plan' is used. This mechanism is sometimes referred to in other Church bodies as a Safeguarding Plan, or as a Behaviour Contract.

Priest 1 is subject to a Safety Plan and his ministry is restricted. He lives with one other Marist priest who is in a leadership role within the Society, and who acts as his priest advisor. He is monitored by the Safeguarding Manager. Priest 1 was discussed in the previous Review Report, as there had been three earlier allegations made against him. HSE / Tusla ceased involvement with him in 2014.

The most recent allegation was quickly notified to the Gardaí and Tusla. No criminal proceedings followed. The priest denies what has been alleged by the complainant. The relevant bishop has requested that the Marist Fathers keep him and his diocesan safeguarding office informed about this priest, while they have allowed him to continue in restricted ministry.

A preliminary canonical investigation was conducted, and this resulted in the European Provincial issuing a penal precept. A new Safety Plan was drawn up and signed by the priest, his Local Superior, the Provincial Safeguarding Delegate and the DLP.

In the past seven months, there have been five Case Management meetings attended by the Safeguarding Manager, the DLP and the Provincial Safeguarding Delegate.

Two separate allegations were made against Priest 2, five years apart. Soon after the first allegation was received, the relevant bishop withdrew the priest's faculties to minister. A precept was issued by the European Provincial, which underpinned the interim Safety Plan that was drawn up. This plan was approved by Tusla. No criminal process followed the notification to the Gardaí.

The Society referred the case to the National Case Management Committee for advice, after which the priest attended an assessment centre in the UK for a risk assessment. A preliminary canonical investigation was conducted, but the outcome was inconclusive.

The then CDF in Rome was consulted, and the written decision that was sent back to the Society was that a decree limiting the faculties of the priest should be issued and that a new and detailed Safety Plan be drawn up and signed. Three months later, the relevant bishop restored limited faculties to Priest 2.

Very regular Case Management and Monitoring Review meetings have been held about this priest in the six years since the first allegation about him was received.

The second allegation led to another preliminary canonical investigation, which resulted in an 'inconclusive' outcome.

At the time of the Review fieldwork, a file was being prepared by the Provincial Safeguarding Delegate for the Provincial to submit to the DDF in Rome.

Priest 3 was also subject to separate and unrelated allegations from two men. These were well managed by the Society, but the statutory investigative and decision-making process were unduly delayed, which significantly affected the priest. The first allegation was reported to a diocese, and the two Church bodies cooperated in their shared response to it. The priest was stepped aside from his parochial duties and an agreed statement was read out to parishioners at the weekend Masses. The respondent moved to a house in a different diocese for the duration of the statutory processes, and the safeguarding office in that diocese was informed. A Safety Plan was agreed and signed, and a priest advisor was appointed by agreement. The actions of the Gardaí and Tusla were quickly concluded. As Tusla did not conduct a risk assessment, the priest agreed to attend a specialist centre in the UK for an assessment. When the assessment report was ready, the Marist Fathers referred the case to the National Case Management Committee, and the advice received was that Priest 3 should be returned to ministry. This was done through further cooperation with the referring diocese.

Over the course of the eleven months from receipt of the initial report to Priest 3 returning to ministry, a number of formal monitoring meetings were held.

The second allegation against Priest 3 was received two and a half years after he returned to ministry. He again stepped aside to allow the Garda investigation to be completed. The pandemic restrictions delayed the statutory processes. Unfortunately, it took the DPP a further two and a half years to make the decision not to prosecute.

There was no opportunity for the priest to minister due to the pandemic. He was again subject to a Safety Plan. Twenty-two formal monitoring meetings were held while a decision was awaited from the Garda investigation. When the parish reopened following the lifting of pandemic restrictions, a statement about Priest 3 was read out at the weekend Masses. There is to be no prosecution, and a preliminary canonical investigation is proceeding. This priest has been very well supported by the Society throughout.

The case involving Priest 4 is now closed. This priest maintains a ministerial role in his parish. The investigative processes took just over a year in this case. No criminal prosecution was pursued, and Tusla did not play an active role. The preliminary canonical investigation that followed led to an 'inconclusive' outcome and a suggestion that the complainant may have identified Priest 4 incorrectly. The Provincial referred the case to the DDF in Rome, and the written decision that was returned was that there was no semblance of truth in the allegation. This priest is in good standing.

The opinion of the reviewer is that the Marist Fathers have managed their responsibilities to care for and manage respondent priest members, and that the system for monitoring respondent priests is effective.

The reviewer suggests that when a case is formally closed, a case file summary should be written up and signed by the DLP and the Provincial Safeguarding Delegate.

This Standard is met.

Standard 5: Training and Support for Keeping Children Safe

Church personnel are trained and supported in all aspects of safeguarding relevant to their role, in order to develop and maintain the necessary knowledge, attitudes and skills to safeguard and protect children.

Over time, fewer Marist Fathers require safeguarding training. The DLP is a National Board registered Trainer, and she has provided relevant training to members over the years. There is evidence in the files maintained on Training that when appropriate, Marist priests have attended National Board training, as well as training events provided by the Archdioceses of Dublin and Armagh. The Local Superiors are made aware of training opportunities that are available for the priests in their community houses, and training needs are identified through the annual self-audit.

Refresher training was delivered to all Marist priests in March 2021.

Visiting students and priests receive induction from the DLP and the Safeguarding Office Assistant. They are provided with,

- The Marist Code of Behaviour for all SMs, and the summary leaflet of Safeguarding Children Policy and Standards 2016.
- 1A Template 1: an agreement form for Marist personnel to be signed by visitor and returned to the SOA for filing.
- Safeguarding training for students and priests coming to study or minister in Ireland is arranged by a National Board registered trainer, or through the Dublin Archdiocese.

Under Standard 7 below, the future role of the Marist Fathers' Safeguarding Committee (MFSC) is discussed. The members of the MFSC have themselves received ongoing training. To date, this group has overseen the training function of the outgoing DLP, and has signed off on the Strategic Child Safeguarding Plans that have incorporated Training and Communication Plans. The reviewer has evaluated these plans and has found them to be appropriate to the level of child safeguarding within the Society.

Each community house has its own small Local Safeguarding Committee that feeds into the larger MFSC, and these local groups generate suggestions about areas in which training would be helpful. Among the areas identified in the last two years are training in relation to understanding online pornography, training to help clarify the support role of priest advisors, and of community safeguarding representatives.

This Standard is met

6: Communicating the Church's Safeguarding Message

Church Bodies appropriately communicate the Church's child safeguarding message

The Marist Fathers manage two parishes for the Archdiocese of Dublin and so follow the Communications Plan of that Church body in these parishes.

Reference has already been made to the display of the Marist Fathers Child Safeguarding Statement in the entranceways of all community houses.

The Marist Fathers have safeguarding information accessible on their website, at <http://www.maristfathers.ie/safeguarding/> and this is maintained by the Provincial Safeguarding Delegate. The reviewer suggests that the Marist Fathers Safeguarding Committee review the safeguarding websites of other Church bodies in Ireland, with a view to updating and refreshing the Marist Fathers' website and presenting the safeguarding information in a more prominent and accessible way.

The existence of the three small local safeguarding committees in the community houses ensures that the safeguarding of children is considered on a regular basis and is kept before the priests for their consideration.

The Marist Fathers do not have any ministry with children and young people and do not need to generate special forms of communication with and for those age groups.

This Standard is met.

Standard 7: Quality-Assuring Compliance with the Standards

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

The Marist Fathers commissioned the 2014 Review and implemented the recommendations contained in the resultant Review Report. As indicated in the diagram at the beginning of the section on Standard 2 earlier, there is a well-planned and effective safeguarding structure in place within the Society. As changes that have already been flagged, including the change of focus by the current Safeguarding Manager, this structure will need to be amended to take account of such changes.

The Marist Fathers have continued to conduct annual internal audits of safeguarding since these were introduced as part of the 2016 Policy and Standards. The DLP has been responsible for sending out the audit paperwork, and has visited each community house to work through this with the local safeguarding committees. The audit returns are brought to the MFSC, and feed into safeguarding planning.

The reviewer has examined the last three-year Strategic Plan for the Marist Fathers that covered the period 2016 to 2019. Since then, shorter one-year plans have been followed. These have included Training and Communications.

The reviewer has examined the DLP Report to the Provincial Safeguarding Delegate for 2021 and 2022, and these are satisfactory. He has also read the reports compiled on the internal audit returns for the same years, and these meet the required standard of detail and analysis.

Since the pandemic restrictions, the operation of the MFSC has been weakened, and there is now an opportunity for the Society to revisit this important part of the safeguarding structure. Meetings have become less regular than was the case before Covid-19, and those that have taken place have been through Zoom video conferencing. The reviewer suggests that the Provincial Delegate for Safeguarding and the DLP plan and convene an in-person meeting of the MFSC, when this Review Report is published. In considering the report, the committee members can participate in a guided discussion on the future role and function of the MFSC.

It could be that this committee can discharge its responsibilities by meeting twice a year. The first meeting could be held in the spring to deal with the internal audit returns; and the second meeting could review the operation of the current Safeguarding Plan, and draw up the one-year Safeguarding Plan for the following year.

The reviewer spoke at length with one long-serving member of the MFSC, as well as with the Local Superiors. There is a shared sense that the MFSC needs to be repurposed and revitalised. There will be a revised Policy and Standards for the Catholic Church in Ireland published in 2024, and this will need to be disseminated within the Society, discussed and adopted. The MFSC can have a significant role in overseeing the implementation of this once it becomes available. The committee can also provide support to the Provincial Safeguarding Delegate and the DLP, and is an appropriate forum to which they can bring safeguarding issues and concerns related to Standards 1, 5, 6 and 7. The Marist Fathers can, if the MFSC sees it as helpful, request the National Board to provide tailored facilitation and training as part of the renewal of the committee. The clarity about the role and function of the MFSC that can be generated through such an initiative would be welcomed by all involved.

This Standard is met

Conclusion

The Marist Fathers have met six child safeguarding Standards, 1, 2, 4, 5, 6 and 7, and this is commended.

A minor problem under Standard 2, relating to a late notification of a case to the National Board, can be easily remedied. The Society's DLP needs to ensure that notifications to the Gardaí, to Tusla and to the National Board are made quickly once a report is received of an allegation against a priest member.

The Review has highlighted some difficulties with Standard 3, and that requires attention. One Recommendation has been made in relation to this standard.

Recommendation 1: That the Provincial Delegate for Safeguarding ensures that every effort is made to engage with complainants to the Society of abuse by a Marist Father, and that these complainants receive appropriate pastoral outreach and support.

It is clear that a number of changes within the safeguarding structure of the Society are in train. Change is constant, as has been identified earlier in this report, as the membership of the Society contracts and the number of community houses decrease.

The Provincial Delegate for Safeguarding has resigned from that position and he has been temporarily replaced, until his successor is appointed.

The Safeguarding Manager is stepping back to being an external consultant who can be conferred with on an as-needed basis.

The National Board is very grateful to the Vicar Provincial for his positive engagement with the Review process.