

- **Notwithstanding a commitment under the Framework Document to inform the Health Board in any situation where child protection was an issue, Bishop Comiskey did not inform the Health Board of any of the allegations that arose in this case until 2001.**
- **It was unacceptable that Bishop Comiskey should have made erroneous statements to the Gardai and the media in view of the information available to him in relation to Fr Collins.**

FR JAMES DOYLE

The first allegation to come to the attention of the Inquiry, in connection with Fr James Doyle which was reported to the authorities in St. Peter's, arose in 1972 when a prefect in the secondary school of St Peter's College reported an incident of sexual abuse by James Doyle on one of the boys in the boarding school (see Matthew 4.2.1).

The incident was reported to a clerical member of the secondary school staff who passed it on to the Dean of St Peter's, Dr Thomas Sherwood, who is now deceased. The Dean told the Inquiry that he was not satisfied with Dr Sherwood's reaction which he considered questioning and dismissive, and so brought the matter to the attention of the President of St Peter's College. The President recommended that James Doyle leave St Peter's and join a religious order rather than the diocesan priesthood. James Doyle did not leave St Peter's but the President of the College informed him that he would not be called to the Diaconate that year and his suitability for the priesthood would have to be re-examined at the end of the year.

The President of St Peter's was replaced in 1973 and in May 1974, James Doyle was approved for orders of deacon and priest. The new President at the time confirmed to the Inquiry that he knew nothing about any incident concerning James Doyle apart from alcohol abuse. He also confirmed to the Inquiry that he could not remember what kind of document he signed recommending Doyle for orders, and stated that the Dean regularly handed him over the list of people and that he would simply sign his name to it. He said he was not aware of any interview between James Doyle and the former President relating to child sexual abuse nor was he aware that Doyle's ordination had been postponed for a year. He stated that whilst a file would have been kept in St Peter's on a potential candidate, he did not in fact refer to the file when recommending James Doyle for ordination.

The Inquiry has seen a series of memoranda and correspondence relating to this incident which would have been available to the authorities in St Peter's and the Diocese when making the decision to ordain this priest. These records clearly state that an incident of interfering with boys in the boarding school had occurred but it appears that these records were either ignored or not consulted when James Doyle's ordination was decided upon.

Fr Doyle served in a parish in Belfast from 1974 until 1979 and although the Inquiry has heard that there were rumours of him interfering with altar boys at that time, no specific allegation was made until 2001 when a young boy came forward to the Diocese of Down and Connor. The Inquiry does not have any details of this allegation which is being handled at present by the authorities in Northern Ireland.

Fr Doyle returned to Wexford and was appointed as curate to Clonard in 1979. Evidence was given to the Inquiry that just after his appointment, an incident arose in which it was alleged that he attempted to sexually assault a young male hitch-hiker in his car. The victim reported the incident to the Gardai and a Garda from Gorey went directly to a priest of the diocese, whom he knew, to speak to him about it. The Gardai had decided not to pursue this matter but thought that the priest they spoke to should reinforce their insistence that no further events of this kind should occur. It was understood by the priests who knew of this incident at the time that it related to a verbal propositioning of a young male hitch-hiker and not child sexual abuse. The diocesan priest approached by the Gardai who was not in a position of authority over Fr Doyle, spoke with Bishop Herlihy's secretary as well as another senior priest in the diocese and it was agreed that Fr Doyle should be encouraged to get medical assistance for his alcohol problem. He agreed to do so. The priest in question also advised the Garda to speak with Fr Doyle's parish priest and believes he mentioned the incident to Bishop Comiskey in 1990 during the prosecution of Fr Doyle.

The four priests who knew of the incident in 1979 did not report either the incident or their intervention to Bishop Herlihy.

According to Garda Patricia O'Gorman, who made a statement in 1990 in the course of a Garda investigation leading to the prosecution of Fr Doyle, complaints against Fr Doyle were investigated by the Gardai in or about 1980 when it was reported that Fr Doyle had committed acts of indecent assault on young altar boys. She stated it was decided that there was insufficient evidence to prefer any charges at the time. However, she confirmed that the matter was brought to the notice of the then Bishop, Donal Herlihy, and it was arranged that Fr Doyle would receive psychiatric attention. She said that Fr Doyle's behaviour was monitored for a couple of years by An Garda Síochána and no further incidents of wrongdoing came to their attention. A former Superintendent told the Inquiry that he also reported these incidents to Bishop Herlihy at this time.

Fr Doyle's parish priest in Clonard said that he had been notified of two incidents by a former Superintendent, one involving the hitch-hiker which he understood the Gardai were dealing with, and the other involving an altar boy. The parish priest reported the second incident to Bishop Herlihy, who appeared shocked. The Bishop arranged for Fr Doyle to attend Monsignor Professor Feichin O'Doherty for psychological examination.

When a new parish priest was appointed in 1985, he was not informed by either the Bishop or the outgoing parish priest about the incident concerning Fr Doyle.

Professor Feichin O'Doherty provided a report to Bishop Herlihy on 31 October 1982. In that report, Professor O'Doherty stated:

"Father [Doyle] has had a history of auto-eroticism and homo- and heterosexual behaviour. These problems were manifest during his seminary years, but passed unnoticed. As far as one can see, he did not face up to celibacy in any realistic sense... It would also seem desirable that he should have a change of role, away from working with young people".

This advice was not acted upon by Bishop Herlihy and neither was it taken up by Bishop Comiskey who, although not given any direct information about Fr Doyle by any of the priests in the parish who knew his history, did have Professor O'Doherty's report available to him when he became Bishop of Ferns in 1984.

The decision by Bishop Herlihy to send Fr Doyle for a psychological examination in relation to allegations of child sexual abuse marks recognition by the Bishop that this problem was not exclusively a moral issue which appears to have been his view and indeed the generally accepted view up until then.

No further incident is reported to the Diocese until April 1990 when Fr Doyle molested Adam (see 4.2.3). Bishop Comiskey told the Inquiry that upon hearing Adam's complaint, he was influenced by the Department of Health Guidelines which had been published in 1987. He said he was anxious that the incident should be reported but he was uncertain if he should go to the Gardai and report the matter himself. He therefore encouraged Adam's parents to inform their doctor and told them to ensure that the doctor inform the Health Board. Around that time he heard of the other reports concerning Fr Doyle referred to above.

Bishop Comiskey then instructed Fr Doyle to take leave of absence from the parish and this was put into effect one month after meeting Adam's parents.

Bishop Comiskey told the Inquiry that within months of arriving at Ferns, he was aware that Fr Doyle was being treated by Dr John Cooney, St Patrick's Hospital, Dublin, for alcohol dependency. He said that while there was a clear reluctance on the part of the priests of the diocese to tell him about sexual abuse incidents with Fr Doyle, they did not have the same reluctance in discussing alcoholism as it was regarded as a less shameful complaint. Bishop Comiskey stated to the Inquiry that he had no idea that Fr Doyle had any problem other than alcoholism. He said that he had received no file from St Peter's when he became Bishop and in fact all that was available to him was Professor Feichin O'Doherty's report which had been sent to Bishop Herlihy.

Having given assurances to the Gardai of Fr Doyle's cooperation with any criminal prosecution, Bishop Comiskey arranged for him to attend for treatment in Stroud, Birmingham. Whilst receiving treatment, Fr Doyle pleaded guilty in Wexford District Court to a charge of indecent assault on a minor and a three-month sentence was

imposed, which was suspended on condition that he remain away from the parish of Clonard for the period.

The Fr Doyle case received extensive coverage in the local papers and, contrary to the orders of the court and statutory prohibitions, the media made known the identity of the boy involved. The coverage by one local newspaper in particular provoked a considerable backlash against that paper in the Wexford area as it was felt that Fr Doyle had been badly treated by the publicity his case had attracted. As the media had already given enough information to disclose the identity of the complainant, this backlash was also directed towards him and his family.

The psychologist treating Fr Doyle at the Stroud Institute identified Fr Doyle's key problem as being one of alcoholism and maintained that the child abuse only occurred during an alcoholic blackout. He did not believe Fr Doyle's basic sexual orientation was towards children. Towards the end of Fr Doyle's time in Stroud, he appeared in court on a drunk-driving charge, was banned from driving for one year and fined £150. Notwithstanding this, he left Stroud in September 1991, and was offered occasional and unpaid work by a parish in Southwark. Bishop Comiskey required Fr Doyle to agree in writing to the following conditions: that he would abstain from alcoholic drink; that he would receive counselling for his alcoholism; that he would attend after-care support and that *"if he drank again, he undertook to leave the presbytery without waiting to be confronted and without attempting to negotiate"*.

Some 18 months after his discharge from Stroud, Fr Doyle informed Bishop Comiskey that he was working occasionally as chaplain to a mixed secondary school with over 600 pupils in addition to his parish work.

At this stage, a civil action was taken by Adam's parents in relation to the assault by Fr Doyle in April 1990. Fr Doyle discharged his own legal expenses and the settlement amount. During the preparation for the defence, Bishop Comiskey became aware of a number of other incidents involving Fr Doyle. Bishop Comiskey said he was satisfied with Fr Doyle's work as chaplain because the school management and church authorities had been informed about Fr Doyle and knew his full history.

In 1994, on his return from London, Fr Doyle commenced working in a half-way residential out-patient support house for adults. Bishop Comiskey told the Inquiry that he is not sure how Fr Doyle came to be working there but when he heard about this placement, he said he was pleased and thought it was a perfect half-way house and that Fr Doyle represented no danger to children there. However, the Archbishop of Dublin, Archbishop Desmond Connell, asked Bishop Comiskey to remove Fr Doyle from the centre because he had no supervision and was accountable to nobody while he was there. Bishop Comiskey maintained that Fr Doyle was functioning in a healthy way and that the centre was an appropriate place for him to be, given the requirement of supervision and monitoring. At Archbishop Connell's suggestion, Bishop Comiskey informed the Gardai in Wexford of Fr Doyle's address. The Archbishop of Dublin issued a decree withdrawing faculties from Fr Doyle and forbidding him from exercising any ministry in the Diocese which involved *"the care of souls"* including the public celebration of Mass. He was also prohibited from wearing clerical dress.

During his response to complaints surrounding this priest, Bishop Comiskey told the Inquiry that he had come under a degree of pressure from priests in the parish for bringing about the reporting of Fr Doyle's incident to the Gardai and the Health Board. In November 1990, Bishop Comiskey called a meeting with a number of senior churchmen in the Diocese and briefed them on the case. Bishop Comiskey told the meeting that the Child Abuse Guidelines which had been issued by the Department of Health in 1987 made it mandatory for all doctors to report abuse.

Bishop Comiskey advised the priests that the policy he proposed to adopt thereafter imposed the following requirements:

- *A Bishop must be notified of any accusation and the Bishop must thereafter investigate whether the charge is credible;*
- *A Bishop must meet with the priest in question and carry out any investigatory judgement that is necessary;*
- *A Bishop must offer what assistance he could to the victim; and*
- *A Bishop must relieve the accused priest temporarily of his duties in order to protect other children at risk.*

The Inquiry has seen no evidence that Bishop Comiskey subsequently referred to this policy in dealing with complaints of child sexual abuse.

Bishop Comiskey told the Inquiry that he developed this policy through reading an extensive amount of American documentation which he had on the subject. The policy as enunciated above clearly understood that the Diocese would take responsibility for the care of the victim as well as dealing with the accused priest.

Bishop Comiskey did not envisage reporting allegations to civil authorities himself at this stage. He told the Inquiry that, prior to 1990, the question of reporting child abuse complaints or allegations to the Garda authorities never arose. He recognised that this issue arose in some cases after 1990 following his review of the Department of Health Guidelines of 1987. In particular, Bishop Comiskey has said that he was guided by the Department of Health recommendations on reporting where the alleged victim was still a child at the time of making the complaint. Adam is the only such case that arose during Bishop Comiskey's episcopacy where a complaint was notified to An Garda Síochána, in this case by the complainant's local doctor. Bishop Comiskey did not report other allegations made by children where the priest was deceased at the time of the allegation. He did not report any adults who made allegations as he believed that that was the responsibility of the adult him or herself. It appears that the child protection aspect of such reporting was not appreciated by the Bishop at this time.

BISHOP EAMONN WALSH

The case of Fr James Doyle was considered by the ad-hoc Advisory Panel established by Bishop Walsh on his appointment to Ferns. On the advice of the Advisory Panel he issued a Precept to Fr Doyle restricting him in the following manner:

- *To refrain from all unsupervised access with minors,*

- *All persons involved in his placement at [the adult support centre] be fully aware of his history,*
- *His role must be purely a bookkeeping one,*
- *He is to cease saying Mass even in private in his place of residence or anywhere else lest he give the impression that he had some chaplaincy role when his role was bookkeeping, and*
- *That the local Garda station be advised of Fr Doyle's whereabouts as well as the local Bishop.*

Bishop Walsh has told the Inquiry that the Fr Doyle case has been discussed three times in the last year with the Health Board and the Gardai. Both of these agencies expressed themselves satisfied that his accommodation and occupation were compatible with child protection policies and believed that his present residence was as safe an environment as possible.

In April 2002, a further complaint was made by Barry (4.2.4). Barry met with the Delegate and the Apostolic Administrator in relation to his allegation of abuse by Fr Doyle. He also alleged that his younger brother was abused by this priest. He has been offered the services of the victim support person of the Diocese.

Bishop Walsh invited Fr Doyle to apply for laicisation but Fr Doyle declined. The Pope, on the application of Bishop Walsh, dismissed Fr Doyle from the clerical state in December 2004. Fr Doyle has informed the Inquiry that he has received no financial assistance from the Diocese of Ferns since August 1991 when he left Wexford for Stroud. He has been promised financial aid but to date this has not been forthcoming. He has received payment from the St Aidan fund which is a priests' fund and not a fund of the Diocese.

THE INQUIRY VIEW ON THE DIOCESAN HANDLING OF THE FR DOYLE CASE:

- **If, as appears to be the case, the President of St Peter's was satisfied as to the truth of the allegations of child sexual abuse against James Doyle in 1972, the ordination of James Doyle with the unsupervised access to children which that necessarily entailed, was wholly inappropriate. No doubt in 1972 the understanding of child sexual abuse was less developed than today, but the then President of the college did recognise that the suitability of Mr Doyle would require re-examination.**
- **Such records as were available to St Peter's do not appear to have been accessed by the authorities there in making a decision to ordain James Doyle. In addition, these records were not passed on to the Diocese of Ferns upon Fr Doyle's ordination.**
- **By October 1982, Professor O' Doherty was in a position to say that the problems of Fr Doyle which had manifested in the seminary rendered him unfit for ordination and that it was desirable that he should have a role**

away from working with young people. Whilst the Inquiry would regard referring Fr Doyle to Monsignor Professor O'Doherty as adequate and appropriate in the context of the time, the failure of the Bishop and his successor to act on the recommendations contained therein was entirely unsatisfactory.

- The fact that three priests of the Diocese, apart from the authorities in St Peter's, were aware of Fr Doyle's activities but did not consider it necessary or appropriate to speak with Bishop Herlihy or his successor, indicates a system of secrecy which did not advance the achievement of child protection in the Diocese. The diocesan priests did speak with Gardai and ensured medical intervention for Fr Doyle, but ultimately, under Canon law, the responsibility for the disciplining all priests rests with the Bishop. One of these priests was in fact aware of the allegation made against this priest seven years earlier whilst he was a seminarian and so was aware of a dangerous pattern of behaviour.
- It is matter of some concern that the psychiatrists treating Fr Doyle in Stroud, the Bishop of Ferns and the Archbishop of Southwark would have countenanced allowing him work either in a parish or as a chaplain to a secondary school given their understanding that one relapse from sobriety could result in him abusing a child.
- Bishop Comiskey was unaware that Fr Doyle took up a position in a treatment centre in Dublin. The Inquiry was surprised that a priest who had been convicted on charges of criminal sexual abuse could have been permitted to move back to this country and take up a position in another diocese without his Bishop being notified.
- The Inquiry believes that Bishop Walsh's response as outlined in the Report was adequate and appropriate in the context of child protection.

FR ALPHA

Fr Alpha was a curate in the Diocese of Ferns in the 1970s and 1980s. The Inquiry has heard from one priest who expressed his personal concern and unease with Fr Alpha's behaviour during his early years as a curate in the Diocese. The priest described an experience with a potential sexual connotation with Fr Alpha which caused him some concern and made him very uneasy and somewhat fearful of the growing presence of boys in Fr Alpha's house. When allegations against Fr Alpha were made in 1995, this priest spoke to Bishop Comiskey about his own experience of Fr Alpha. Bishop