

APPENDIX

On 5 August 2005, a complainant informed the Inquiry that she had been abused sexually by two priests of the Diocese of Ferns. In one case, if not both, it was alleged that the abuse occurred when the victim was a child. It appears that the same complainant had on 11 May 2005 spoken to the acting Diocesan Delegate in the Diocese of Ferns of her complaints and identified one of those priests but had not made a written complaint.

Upon receiving notice of this complaint, the Diocese reviewed the personnel file relating to the priest identified by her. This review resulted in the production of two letters which clearly related to the present complainant without identifying her by name. The same file revealed a third letter in which it was alleged that a young man had been abused by a priest as a child. This documentation was forwarded to the Inquiry by the Diocese.

In those circumstances, it was felt by both the Inquiry and the Diocese that an investigation should be undertaken as to the manner in which the discovery had been made in the first place.

An examination of discovery issues was carried out at a plenary hearing of the Inquiry on 2 of September 2005, at which the Diocese and the Inquiry was represented by Solicitor and Counsel. In July 2005, Bishop Walsh had instructed Arthur O'Hagan Solicitors, who are solicitors to the Diocese, to carry out an inspection of all of the files of the Diocese to establish as conclusively as possible what further documents (if any) existed that might be material to the work of the Inquiry. Mr Edward Gleeson, partner in Arthur O' Hagan Solicitors informed the Inquiry that he appointed a member of his staff to review the 234 personnel files in the possession of the Diocese relating to priests living and dead who had operated in the Diocese of Ferns.

A total of eight further files were identified as possibly being of relevance to the Inquiry. The Inquiry was satisfied that three of these eight files had no relevance to its Terms of Reference whatsoever.

The Inquiry has accepted the unequivocal assurance of the Apostolic Administrator and Arthur O'Hagan Solicitors based on the investigation and audit carried out that all relevant documentation has been furnished to the Inquiry. The Inquiry has also accepted that the omission of the documents identified in the course of this further investigation was due to a regrettable error on the part of the Diocese and did not constitute the withholding of cooperation on its part.

The Inquiry is satisfied that the cases cited below do not impact on the work done by the Inquiry or on the conclusions or recommendations reached by it.

A full examination of the files and documents relating to the cases which came to light subsequent to 31 August 2005 and the incorporation in the Report of the findings of the Inquiry in relation thereto would involve an unacceptable delay. On the other

hand, the Inquiry is conscious that the omission of any reference to the facts disclosed by this additional material would invite concerns and suspicions which would be contrary to the public interest. In the circumstances, the Inquiry has set out hereunder a précis of the material revealed by this documentation but not investigated by the Inquiry.

1. Fr V:

The first indication of any difficulty with this priest was expressed by a parishioner who complained in a letter in 1993 to Bishop Eamonn Walsh that Fr V had seriously breached confidences when asked to counsel a matrimonial matter. The letter described this priest as having an involvement with the local school and youth organisations and as being *"in a position of trust and he abuses this trust on more than one level"*.

The author of the letter, who signed her name, stated that she no longer wanted this priest to be an influence on her children. A copy of this letter was sent to Bishop Comiskey who acknowledged it by thanking the correspondent for her courage in writing to him and who said that the contents of it had come as a shock to him. No further response appears to have been made to that letter.

In January 1995, a person met with the vicar general, Monsignor Breen, and alleged that he had heard indirectly that Fr V had been drinking heavily during a party and had made sexual advances towards a ten year old boy.

The vicar general informed Bishop Comiskey of the complaint. The bishop wrote to the father of the boy asking to meet with him and his wife to ascertain more clearly what was alleged to have occurred. Bishop Comiskey met with the family in January 1995 but no allegation or accusation against Fr V was made by either the parents or the child in question. Indeed, they were angered that a complaint had been made to the bishop.

Bishop Comiskey approached Fr V who denied that the alleged incident ever occurred. Bishop Comiskey took no further action in relation to the matter. Fr V on his own initiative attended a psychologist expert in this area to obtain reassurance and confirmation that he had no problems of a sexual nature.

When the personnel file relating to Fr V was reviewed by Bishop Walsh in July 2002, he interviewed Fr V and it was established, that on assessment, no evidence had been found that Fr V possessed any propensity or orientation towards minors which would have caused concern and that Fr V could continue to work well as a priest.

2. Fr W:

It appears that in about September 1994, Bishop Comiskey received an anonymous complaint which suggested that there may have been a sexual relationship between Fr

W and an underage girl. The files indicate some measure of dispute between Fr W and his parishioners but do not disclose any specific complaint of child sexual abuse.

The only issue in this file that might have been relevant to the work of the Inquiry was the suggestion that there had been a complaint that Fr W had been in a sexual relationship with an underage girl. Bishop Comiskey has told the Inquiry that although he invited the anonymous caller to come forward to either the Gardai or himself, they did not do so. Fr W vehemently denied the allegation.

3. Fr X:

In 1995, a complainant whom the Inquiry names as “Veronica” and who was then twenty three years of age, sought and obtained a meeting with Bishop Comiskey. Veronica complained of inappropriate sexual conduct by Fr X. The Bishop’s record of this meeting would suggest that some relationship had commenced when Veronica was sixteen years of age although the note clearly records “before 18 nothing criminal”. A further note on the file dated May 1995 records that an improper relationship between the priest and the complainant went back “as far as when she was fourteen years of age”.

It appears that another priest of the diocese conducted some investigation or acted as an intermediary of some description at that time.

A file note records the fact that the legal implications of Veronica being underage at the time of the inappropriate conduct had been explained to, and understood by Veronica.

The matter was reviewed by Bishop Walsh in May 2002 when the diocese was informed personally by Veronica, who subsequently confirmed by letter of June 2002 that the relationship between her and Fr C took place when she was over the age of eighteen years. In her letter and communications with the Diocese she insisted that the matter should not be re-opened as it would cause embarrassment to her and to her family.

On 24 June 2002, Bishop Walsh met with Fr X and informed him of the outcome of the meeting with Veronica, but did request that Fr X to meet with Dr James O’ Donoghue of the Kedron Counselling and Therapy Centre to obtain an assessment and reassurance in relation to his emotional needs. The Therapy Centre forwarded a detailed report to Bishop Walsh recommending –among other things- that the priest continue in ministry.

4. Fr Y:

In a letter dated March 1991 from Fr Z to Bishop Comiskey, the priest explained that a female named by the Inquiry as “Gwen” had, in the previous summer, “become very attached to [Fr Y]” and became very upset when he left the diocese. Gwen was in fifth year in school at the time and therefore aged about 16. Bishop Comiskey said that he spoke with Fr Y about a teenage girl who was “hanging around the rectory” but that he had not heard any rumour or accusation of child sexual abuse. Bishop Comiskey

has told the Inquiry that he ordered Fr Y to discontinue this arrangement with Gwen. Some time after that, Fr Y left priestly ministry.

5.Fr Z:

In a letter dated 3 February 1991, Bishop Comiskey informed Fr Z that allegations had been made to him concerning his ministry especially in relation to priestly celibacy. The Bishop met with Fr Z in February 1991 after he had been informed that a female named by the Inquiry as "Geraldine" had stayed with Fr Z in his presbytery in a parish of the Diocese. Geraldine was aged 17 at the time. Fr Z readily admitted this and explained that his purpose in providing accommodation for Geraldine was to assist her at a time of crisis in her life. Fr Z vigorously justified his actions and the scandal which it might cause as being necessary for her welfare in spite of the risk of it being misconstrued. Bishop Comiskey accepted that Fr Z had not violated any law of the Church or of the land in "reaching out" to Geraldine. He queried the prudence of the action taken by the priest. It does not appear that any allegation of abuse by Fr Z of Geraldine was made by anyone at any time.

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