

Introduction

21.1 Fr Horatio was born in the 1940s and ordained in the 1960s. He served in a number of parishes and eventually became a parish priest. He is now retired from ministry.

First complaint, 1980

21.2 In 1980 the parents of a 15-year-old boy complained to the Archdiocese that Fr Horatio had abused their son after he had met him in a gay club. Monsignor Glennon and Bishop Forristal met the boy and his parents and subsequently met the priest. Fr Horatio said he had thought the boy was over 18 and that the boy had touched him first. Fr Horatio told them that, two years earlier, he had volunteered to be part of the apostolate of the Church to homosexuals. He had consulted Bishop Kavanagh who had consented. It was through this ministry that he had met the boy. Monsignor Glennon concluded that Fr Horatio spoke “*convincingly and with restraint*”. He “*confessed that he had been foolish on several occasions*”. In his covering letter to the Archbishop, Monsignor Glennon said that this “*young man*” (meaning Fr Horatio) had got a “*fright*” and that he and Bishop Forristal thought the priest “*candid and clear*”.

21.3 At the time of this complaint, Fr Horatio was involved in marriage counselling and in teaching adults. It is clear that Archbishop Ryan consulted the two priests who were Fr Horatio’s superiors in these activities and he also consulted Bishop O’Mahony. The marriage counselling superior suggested that Fr Horatio be allowed to continue his marriage counselling work as this would “*save him embarrassment and loss of face with counsellor and priest colleagues*” as “*a sudden change to a curacy in the more immediate future would, I think, raise unhelpful questions and be an occasion for unwelcome comment*”. He should also be moved from his present “*too easy*” chaplaincy which would ensure that he would be “*usefully occupied*” at weekends and put him in touch with the “*mainstream*”. On the occasion of his appointment as parish chaplain, the Archbishop should explain to him “*how delicate and how very dangerous is the work of counselling homosexuals*”. He should be

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This is a pseudonym.

told that a number of priests and laypeople now regarded him as someone “*closely associated with the ‘Gay Rights’ people. To what extent he is involved, I cannot say, but one must ask the question, ‘What effect does all this have on his credibility as a marriage counsellor?’*”.

21.4 Apparently, Fr Horatio had come away from the meeting with Monsignor Glennon and Bishop Forristal with the “*impression that what he was doing was all right and he could continue to help ‘GR’ as he had been doing. It seems to me that there is need for clarification of his role in respect of ‘GR’.*”

21.5 Neither his superior in his teaching position nor Bishop O’Mahony saw any reason why he should be moved from his teaching position at that stage. He was moved to another chaplaincy.

1989

21.6 In 1989, Fr Horatio approached Bishop Murray and told him that he was attracted to a young girl in a family to which he was close. He said there was no physical relationship but he had emotional difficulties. It was decided to move him to another parish. It subsequently became apparent that there was more to this attachment than had been told to Bishop Murray.

Report to Gardaí, 1995

21.7 In 1995, as a result of the Archdiocesan review of all relevant files, it was decided that the 1980 complaint should be reported to the Gardaí and that Fr Horatio should have a fitness for ministry review. Fr Horatio was named in the first list of priests given to the Gardaí by the Archdiocese in November 1995. The boy was contacted by the Gardaí but he did not wish to make a complaint. A file was sent to the Director of Public Prosecutions (DPP) for instructions in February 1996. Monsignor Stenson queried with the Gardaí why a file had been sent to the DPP even though there had been no formal complaint. He noted in March 1996 that he had been informed that the Garda procedure in such cases was to complete the file and send it to the DPP, even though no action could be taken, unless the person withdrew the complaint and said there was no substance to it. If the complaint was not withdrawn, it was interpreted as having been lodged but that the party involved did not wish to pursue it at that moment.

21.8 In March 1996 the DPP stated that directions could not be given regarding prosecution as the question had never been a live issue. They could only “*note that there was no evidence against the suspect at present*”.

Anonymous complaint, 1996

21.9 In January 1996, Archbishop Connell received an anonymous letter alleging that Fr Horatio had had a sexual relationship with the writer when he was 19 years old and that Fr Horatio had also had a sexual relationship with a 15-year-old and that he was continuing to have homosexual relationships. Bishop O’Mahony dealt with the matter. Fr Horatio told Bishop O’Mahony that he thought this complaint related to the 1980 incident. It is clear to the Commission, from other documentation, that he was correct in his assessment. The complaint did refer to the 1980 incident. Bishop O’Mahony arranged for an assessment at the Granada Institute.

21.10 Fr Horatio told Granada that he had had a sexual relationship with a married man. He admitted touching and hugging the 15-year-old who had complained in 1980, whom he had presumed was over 18. In June 1996, Granada concluded that Fr Horatio was predominantly heterosexual but with some capacity to respond emotionally and sexually to adult males. He did not have a high sexual drive and there was no evidence of attraction to children or adolescents. He showed no signs of a “*compulsive tendency to act out sexually*” and was unlikely to become involved in “*homosexual encounters*” in the future. From a clinical point of view, there were no substantive reasons to restrict his ministry, other than to the gay community.

21.11 In July 1996, Dr Patrick Walsh of Granada attended a meeting of the advisory panel to discuss this case. At the start, the chairman of the advisory panel asked Dr Walsh if it were possible to make an informed judgment after three meetings. Dr Walsh replied that he judged Fr Horatio to be very open and honest: “*Usually and obviously dealing in this area we get denial and minimalisation but one gets a sense over the course of interviews*”. He pointed out that it was critical to have as much information as possible about any complaints or concerns.

21.12 In terms of treatment and assessment, Dr Walsh said:

“From the beginning of the assessment one is involved in treatment. There is an invitation to individuals to take responsibility for past actions and that is how we try to connect with them. We are surprised by the level of co-operation of clerical abusers. Quite a number of people have been compliant with the process and that is a start. We also take for granted that there is a lot more. It takes time for full openness to develop - but that is down the road in the process”.

21.13 In relation to Fr Horatio, Dr Walsh told the advisory panel that he had not included in his report the priest’s admission of a relationship with a woman whom he had wanted to marry. It is clear that the members of the panel had no idea of the woman’s age at the time the relationship began and assumed that she was in the priest’s age group. It subsequently became clear that this was not the case. Dr Walsh told the Commission that the priest did not tell him the truth about this relationship. Dr Walsh understood that she was an adult, that the relationship had ended and had been divulged to and dealt with by his bishop.

21.14 In response to a question from a panel member that, if Fr Horatio was predominantly heterosexual, why his ministry should be confined in relation to homosexuals, Dr Walsh replied that it was *“precautionary and to prevent people drawing conclusions”*.

21.15 Dr Walsh recommended that Fr Horatio stay in treatment for 12 months and meet Monsignor Dolan every four months. The panel supported Dr Walsh’s recommendations and they were accepted by Archbishop Connell. Monsignor Dolan met Fr Horatio and reassured him that he was not considered to be in the child sexual abuse category: *“if he was, he might not still be in ministry and there would be a greater level of supervision on him”*.

21.16 In subsequent reports in December 1996 and in April 1997, Dr Walsh said that Fr Horatio was no longer in need of individual therapy. He reported that Fr Horatio remained very aware that he needed to avoid involvement with gay men. However, he had not experienced any need or desire to establish such an involvement or to act out sexually in any way. Dr Walsh concluded

that he was stable and conscientious and could continue in his work as a priest without restrictions.

21.17 In August 1997, Fr Horatio became a parish priest. In September 1997 the advisory panel recommended to the Archbishop that the case should be concluded.

Adult complainant

21.18 In November 1997, the previously anonymous complainant, who had contacted Archbishop Connell in January 1996, made a signed complaint that Fr Horatio had sexually assaulted him on several occasions when he was 19 years old. As this is not a complaint of child sexual abuse, the Commission did not examine its handling in detail. However, it was connected to the child sexual abuse complaint which had been made in 1980. Many attempts were made by the Archdiocese to meet the complainant to discuss his allegations but he was reluctant to meet. In 1999, the Archbishop requested the convening of an emergency meeting of the advisory panel to discuss the case. In advance of this, Dr Walsh's views were sought and he wrote that there was insufficient reason to remove Fr Horatio from ministry on the basis of the second complainant's communications as it appeared that Fr Horatio had resolved the issues that had affected him previously. He did say that it would be useful for the priest to have a review assessment, "*to document his current level of functioning and level of risk for acting inappropriately*", but this never occurred. In June 1999, the advisory panel concluded there was no reason to change its conclusions reached in 1996 and 1997 that there was no "*substantive risk to minors*" if Fr Horatio continued in ministry. However, "*with hindsight*", it was "*possible that the panel might have had reservations*" about appointing Fr Horatio as a parish priest.

21.19 The panel recommended that Fr Horatio should meet Dr Walsh again with a view to assessing the need for ongoing therapy and that the delegate should explore with him the possibility of voluntary early retirement "*both to reduce the risk of scandal and also for his own sake*".

21.20 Meanwhile, Fr Horatio had told his curate about this complaint. The curate was angry about the situation because he had already been in a parish with an abuser. The curate was not told of the 1980 complaint. In a letter to

Monsignor Dolan, the curate said that while he was aware it was not looked upon as a case of child sexual abuse, “*even though this may be debated in other circles*”, it was inappropriate to appoint him to the same parish as Fr Horatio, given his (the curate’s) “*circumstances in previous appointments*”. Monsignor Dolan, of course, was not involved in or consulted about Fr Horatio’s appointment as a parish priest.

21.21 Monsignor Dolan had agreed with Fr Horatio that he should meet Dr Walsh annually but this did not happen. The advisory panel’s suggestion in relation to Fr Horatio, namely that the delegate discuss the possibility of early retirement with him was not pursued. In 2005, in the course of investigating this case, Fr Aquinas Duffy spoke to Bishop Field, the area bishop, who said he was not aware that a formal complaint had been made in 1980. He thought that the only issue was in relation to the adult who had complained. Bishop Field suggested at that stage that Fr Horatio meet Dr Walsh again. In January 2005, Dr Walsh confirmed that he had not seen Fr Horatio since 1999. He stated that the advice he had offered in his 1997 report that Fr Horatio did not require therapy continued to be appropriate. The advisory panel was told this in January 2005 and it agreed that the file on Fr Horatio was closed: “*The only issue of concern is always the threat of public scandal*”.

Further complaint, 2005

21.22 In September 2005, Archbishop Martin received a letter from a woman’s solicitor seeking compensation for “*repeated and wanton acts of sexual abuse perpetrated on her as a young girl*” by Fr Horatio between 1987 and 1990 when she was aged 16 to 19 years. The alleged abuse was stated to have taken place in a number of locations, including holiday homes which were available to Fr Horatio. The key to one such holiday home was given to him by Fr Sean Fortune, a notorious child sexual abuser from the diocese of Ferns. Fr Horatio said that the only link between him and Fr Fortune was that they both lived in the same area at the time.

21.23 This woman said that Fr Horatio began to talk of marriage in 1989. Fr Horatio told the Archdiocese that he went to see Bishop Donal Murray in 1989, told him the “*whole story*” and asked to be released from the priesthood and laicised. He said that Bishop Murray responded that he should take some time to consider it and that he would be moved to another parish. Fr

Horatio began to make provision for earning a living. He moved parishes as already described. The relationship continued for some months. He said that the woman ended the relationship in 1990.

21.24 Bishop Murray's evidence to the Commission is that he was not told the whole story (in 1989) about Fr Horatio's relationship with the woman. The bishop was not aware that there was a sexual relationship nor was he aware of her age when the relationship began.

21.25 Archbishop Martin asked Fr Horatio to step down from ministry. The Archdiocese made extensive inquiries. It transpired that a number of priests were aware of the relationship between Fr Horatio and the girl at the time and it was thought that he had intended to leave the priesthood and marry her. There did not seem to be a great awareness of her age at the time.

21.26 In the course of the inquiries, Fr Horatio admitted for the first time that he had abused a boy of about 15 in 1983/4. He had never told anyone about the incident. He said that he did not tell Dr Walsh about that boy during his assessment in the mid-1990s because he felt he was in enough trouble. He had told Dr Walsh about the woman but did not discuss it fully.

21.27 The Archdiocese reported to the HSE and the Gardaí in accordance with the procedures. The woman complainant was offered counselling.

21.28 A draft statement to be read out at Sunday masses in Fr Horatio's parish was read to him. He was unhappy about the use of the phrase "*child sexual abuse*" as people would think he had abused a small child. The statement was re-worded to say that he was temporarily standing aside as parish priest because of an inquiry into an allegation of the "*sexual abuse of a minor*". When the statement was being read out, an explanation was given that a minor is a person under the age of 18 and not necessarily a young child. Some weeks later, Bishop Field reported that there was some anger in the parish about the statement and that a nun had told him it should have been made clearer that it was not a case of paedophilia.

21.29 Fr Horatio was again sent for assessment to the Granada Institute. In October 2005, the advisory panel recommended that a canonical precept be

imposed on him and said it did not see “*any prospect of a return to ministry*” by him. It recommended that he continue therapy on an active basis and that appropriate monitoring be provided. In November 2005, Archbishop Martin accepted his resignation as parish priest and he was nominated as a beneficiary of the Clerical Fund Society. A precept decreed that he was not to celebrate mass in public and that only those who knew the reason for the decree could attend any private mass; he was to have no unsupervised contact with minors, including all informal contact such as being alone with them in their homes or any other setting; he was not to wear clerical garb and he was to continue to consult on an ongoing basis with the Granada Institute.

21.30 The Archdiocese gave all the information which it had concerning Fr Horatio to the Gardaí.

The Commission’s assessment

21.31 Nothing happened as a result of the initial complaint even though Fr Horatio accepted that the incident had occurred, even if he said he thought the complainant was an adult. This follows the usual pattern of such complaints in the 1970s and 1980s. There is one unusual aspect to the handling of this complaint: Archbishop Ryan did tell a number of other people and sought their views on what to do. The apostolate to the gay community seems to have been an informal arrangement. The Commission considers that it is quite appropriate to have such an apostolate but that it should have been more formal and the priests delivering it should have been more carefully chosen and monitored.

21.32 It is clear that quite a few people knew about the relationship between Fr Horatio and the girl while it was going on. The Commission accepts that they may not have known her age but it is astonished that, in this and many other cases, the Church authorities seem to have turned a blind eye to behaviour by priests which is clearly in breach of its laws, both moral and canonical.

21.33 The Archdiocese dealt appropriately with the woman’s complaint in 2005 and followed the agreed procedures. However, the Commission is concerned that the wording of the statement to the parish did try to minimise the seriousness of the allegation. The allegation was of child sexual abuse –

the girl was 16 when the sexual activity began. Furthermore, Fr Horatio had also admitted to abusing two 15-year-old boys.