

Introduction

22.1 Fr Donal Gallagher was a member of the religious order of the Vincentians. He was born in 1936, ordained in 1962 and died in 1994. He served in a parish in the Archdiocese of Dublin, St Peter's Phibsborough, from 1975 to 1979. This parish is run by the Vincentians by agreement with the Archdiocese. He was a teacher and chaplain at a secondary school in the Archdiocese from 1980 to 1983 and he served in the parish again from 1983 to 1994.

22.2 There are 14 complaints of child sexual abuse against Fr Gallagher known to the Commission. It is likely, on the basis of evidence reviewed by the Commission, that he abused many more children.

22.3 Fr Gallagher was an alcoholic. A letter written by the provincial of his order in 1989 shows that, in 1974, while director of vocations, he was indulging in inappropriate behaviour with seminarians and altar boys. The provincial said that he was shocked at the way Fr Gallagher used his hands on them. There is no evidence that any action was taken by the order at the time this was going on or, indeed, on foot of this letter.

First complaints

22.4 The first external complaint of child sexual abuse against Fr Gallagher was made in 1981. Two young boys complained to the order that they had been sexually assaulted while they were attending an international camp for young people in north Dublin. This camp was run by a friend of Fr Gallagher's and was not connected with the Vincentians. The order told the Commission that there are no written records of what happened but "*it is likely that these complaints were instrumental in his move*" from teaching to the parish of St Peter's in 1983. Fr Gallagher was not attached to the Archdiocese at the time these complaints were made. There is no evidence that the order told the Archdiocese about these complaints when he returned to parish work. In effect, nothing at all seems to have been done about the complaints other than to move him on.

22.5 Around this time, during the course of a retreat in the school to which Fr Gallagher was attached, a member of the order asked the class in question for their opinion of Fr Gallagher. The boys said they did not have much time for the priest. One of the boys said *"If Gallagher was in a room you made sure to keep your back to the wall"*.

22.6 Despite this, Fr Gallagher was allowed to remain as a priest teacher in that school until he was transferred in the summer of 1983 to the parish of St Peter's. Extraordinarily, in the circumstances, in September 1983 he was appointed chaplain to St Mary's School for the Deaf.

St Mary's School for the Deaf

22.7 Fr Gallagher started abusing girls as soon as he was appointed to St Mary's. A report was compiled in April 1985 by another member of the Vincentians who was also a chaplain at the school. This report shows that a complaint was made within a month of Fr Gallagher's arrival at the school. In October 1983, in confession, Fr Gallagher embraced a 15 year old girl and started plucking at her bra strap. This came to the attention of the other chaplain who reported it to the principal. She spoke to Fr Gallagher and told him that the pupil was upset by his behaviour. At the same time, some of the senior girls complained to the other chaplain that Fr Gallagher was kissing them in confession. The other chaplain assumed that the warning from the school principal would suffice and took no further action. One complainant told the Commission that Fr Gallagher would abuse her in confession by putting his hand down her trousers. She was nine years old at the time. He would have an altar bowl and a napkin at one side. When he had finished abusing her he would wash his hands in the altar bowl and dry them with the napkin.

22.8 In December 1984, there was *"general fuss and skittishness"* when one of the classes in St Mary's were going to confession. The principal investigated the cause of this fuss and was told by the girls that Fr Gallagher kissed each of them after confession. What the girls did not tell her at that time was that during confession he used to run his hands all over their bodies inside their clothing and then kissed them all on the lips at the end of confession. The principal again spoke about the matter to Fr Gallagher who said that, if the behaviour offended the girls, he would stop. The principal,

incredibly, felt that perhaps Fr Gallagher's approach reflected the newer approach to the sacrament of reconciliation (confession) and took the matter no further. The principal told the Commission that, when she read the draft of this section of the report, she wondered how she "*could have been so blind. Abuse would not have entered my mind; I could not imagine a priest doing anything like that.*"

22.9 In February 1985, a number of parents complained to the principal about Fr Gallagher's behaviour. They urgently requested that he be removed from his chaplaincy. The principal told the Commission that, initially, she had difficulty in believing them. She approached the other chaplain about the problem and he talked to the provincial of the order. An investigation was carried out by another Vincentian, Fr Cleary. He told the parents that Fr Gallagher would be removed from the school and sent to a home in the country. He was not sent to a home in the country. The school principal was not informed about this investigation. In May 1985, Fr Gallagher attended a school play staged by the pupils of St Mary's at a venue outside the school. Subsequently, complaints were made by a number of other parents and, in May 1985, a parent complained that her daughter had been sexually abused in the kitchen by Fr Gallagher. The school principal was not aware of this complaint and considers that the incident could not have occurred in the school kitchen. Fr Cleary spoke to the parents who had made new complaints and compiled a report on all the complaints that had emerged.

22.10 Following Fr Cleary's report, it appears that Fr Gallagher may have been sent for some sort of therapy but the Commission has been unable to establish whether this therapy took place, and if it did, the nature of the therapy. In any event, he continued to minister in St Peter's and this meant the children in that school had some exposure to him (as, indeed did children of other local schools).

22.11 One complainant's mother, in her evidence to the Commission, stated that, when her daughter made her confirmation a year or two later, Fr Gallagher was one of the priests on the altar and that this upset her greatly. The school principal has told the Commission that the confirmation took place in St Peter's, and that Fr Gallagher was the master of ceremonies for the confirmation. This mother also told the Commission that she wrote to

Archbishop McNamara in 1985 to complain about Fr Gallagher but there is no record of any such correspondence in either the Archdiocesan or the Vincentian files.

22.12 In spite of the overwhelming evidence, and the knowledge of his Vincentian superiors, that Fr Gallagher was an abuser, he was allowed to continue as a curate in St Peter's for the next four years.

Stroud, 1989

22.13 In February 1989, Fr Gallagher was admitted to Stroud. The reasons for his admission are not clear but the emphasis in the correspondence from Stroud is on his alcoholism. A letter written by a parishioner in May 1989 makes it clear that his drinking had become uncontrollable. He would wander the streets at night looking for houses prepared to take him in and offer him drink. He was constantly at the bar of a local football club and quite often had to be taken back to the presbytery by the club members.

22.14 Stroud asked a number of Fr Gallagher's friends to write to him telling him how his behaviour affected them. One letter written by Fr Mark Noonan, who had been appointed provincial of the Vincentians in 1986, detailed a history of abuse going back almost 15 years. In that letter Fr Noonan referred to:

- Fr Gallagher using his hands on seminarians and altar boys in a "*shocking*" manner when he was Director of Vocations;
- his consistent drunkenness;
- the view held by the school boys about him;
- the abuse of the girls in the School for the Deaf.

22.15 He remained in Stroud for almost six months. The correspondence from Stroud made it clear that his problem was not under control. The underlying tone was that alcohol was the primary problem. Nevertheless he was returned to full duties. There is no record that any attempt was made to monitor or control him, but his fellow priests in St Peter's were aware of his history. The Archdiocese of Dublin had still not been informed.

22.16 He returned to Stroud in September 1989. The staff in Stroud at that time were quite alarmed at his attitude and they suggested a further visit.

22.17 During a further visit in November the staff at Stroud stated: "*It is quite essential that he bring his anxieties about his perceived sexual orientation out in the open and on the table*".

22.18 A behavioural contract was drawn up with him in December 1989. The first four clauses dealt with his alcoholism. In the next three he undertook to avoid all contact with altar boys, to avoid being alone with children and never to touch a child.

22.19 Fr Gallagher returned to St Peter's as curate and was allowed to remain there unsupervised for the next four years. His order has confirmed to the Commission that, in all that time, they did nothing to see if he was keeping to the terms of the behavioural contract.

Garda investigation, 1993

22.20 Early in 1993 a social worker was taking a group therapy session for deaf girls in a training centre. Three of the girls who had been pupils in St Mary's told her of the abuse. She contacted the Gardaí who initiated an investigation. Statements were taken from the three complainants. No parents were interviewed, and no inquiries were made either at the school or with the Vincentians. The Gardaí interviewed Fr Gallagher who denied the accusation completely. The sergeant who conducted the investigation stated in his report: "*Fr Gallagher is a professional man and strikes me as a sincere and genuine individual. I can see no useful purpose to be gained by the prosecution of Fr. Gallagher at this late stage*". It was the view of the sergeant that, due to the passage of time and the fact that the abuse had been disclosed in a group therapy session, the chances of a successful prosecution were slim. Whatever the chances, they were certainly not helped by the decision not to seek any corroborating evidence.

22.21 A file was sent to the Director of Public Prosecutions (DPP) who, on the basis of the paucity of the information, the lack of corroboration and the fact that the girls did not have completely accurate recall of events, decided not to prosecute. The DPP went on to say: "*I make this decision on the*

evidence on file, and on the assumption that this is the only available evidence". The DPP also said that the Superintendent had asked for directions as to how the Gardaí should proceed with the investigation. The DPP said that he would not presume to direct the superintendent in this matter: "... *if the Gardaí consider that further investigation is warranted, such investigations should be carried out*".

22.22 There is no doubt that further investigation was warranted. Corroboration and detail could have been provided by the parents and the school authorities if such had been sought by the Gardaí.

22.23 The direction of the DPP was sent to the Gardaí in June 1993. Around this time, there were newspaper reports about Fr Gallagher and the way in which the parents who complained had been treated. Fr Gallagher was not named. The head of the order told Archbishop Connell that Fr Gallagher was the person being referred to. This seems to be the first time the order contacted the Archdiocese about Fr Gallagher. In June 1993, a mother contacted the Archdiocese and told them that her daughter was the complainant mentioned in the newspaper reports. She met Monsignor Stenson and the Archbishop. She told the Commission that neither the order nor the Archdiocese had offered her daughter any form of counselling or therapy.

22.24 Later in June 1993, Fr Noonan asked Fr Gallagher to abstain from all public exercise of his ministry until the DPP had reached a decision. In fact, the DPP had given his direction at this time but clearly Fr Noonan was not aware of this.

1994

22.25 There is no evidence that the order to abstain from public ministry was rescinded but it clearly was not being implemented. In May 1994, it was alleged that Fr Gallagher was drunk while officiating at a baptism ceremony and that, at a reception afterwards, he slapped one of the young men attending on the backside and made advances towards two more young men and a young girl. He was then suspended from all duties. Shortly afterwards he was readmitted to Stroud where he died in June 1994.

22.26 The Gardaí revisited the file in 2003. This time, they got a statement from the school authorities which confirmed that the complaints had been made in 1984. Of course, it was now too late to do anything about this.

The Commission's assessment

Church authorities

22.27 Fr Gallagher's victims were sadly failed by the Vincentians. Despite the fact that there were suspicions about his behaviour as far back as 1974 he continued abusing both boys and girls over the next 20 years and, apart from the period he spent in Stroud, no real efforts were made to curb his behaviour. It appears that his alcoholism was presented as an excuse and accepted.

22.28 It is astonishing that Fr Gallagher was appointed as a school chaplain in 1983 given what was then known about him.

22.29 It seems from the files that the Archdiocese was not aware of Fr Gallagher's activities before 1993. The letter which the mother wrote in 1985 is not in the files. The Commission finds it surprising that the Archdiocese did not hear something, even on the grapevine, of Fr Gallagher's problems given that he was attached to a parish. The Commission is astounded that these problems were not brought to the Archdiocese's attention by the Vincentians. The Vincentians communicated with the Archdiocese only when the newspaper reports appeared in 1993.

22.30 In spite of the knowledge available to both the Archdiocese and the Vincentians, Fr Gallagher seems to have been left in place for a further year.

Gardaí

22.31 The investigating garda sergeant accepts that there were shortcomings in the investigation but submits that these arose due to the nature of the offence and the manner of its reporting. The social worker who brought the incidents of abuse in St Mary's to the attention of the Gardaí acted promptly and appropriately.