

Introduction

- 25.1 In July 1995, the Gardaí received a complaint from a young woman who claimed that she had been sexually abused by Fr Donato in the early 1980s when she was a school-girl. She claimed she had been seeing him for some time in relation to some personal problems. On a particular day, he asked her to come and sit on his lap. She claimed he spread her legs apart and then he slowly put one leg over the arm of the chair. She said he put his hand up her skirt and into her pants and, while he was doing this, he asked her had anyone else done it to her.
- 25.2 She said she went to see the parish priest that same day in the early 1980s. She claimed that he told her it was her own fault; that she should not dress the way she did and she should not say things about Fr Donato who was one of his best friends.
- 25.3 The young girl reported the matter to her teacher. The school principal was informed. The principal spoke to the girl's mother.
- 25.4 The parents of the young girl went to see the parish priest who told them that Fr Donato was a very affectionate young man. He said he had spoken to him and that he had felt that something had happened. He had warned Fr Donato to stay away from the young girl and assured the parents that it would never happen again. There is no evidence that the parish priest ever reported the matter to the archdiocesan authorities.
- 25.5 When the complaint was made to them in 1995, the Gardaí interviewed a number of the young girl's friends, her brother and Fr Donato himself in October 1995. Fr Donato recalled embracing her on the last day they had met in order to comfort her but he stated that there was no sexual element to it. He said that any touching that occurred "*was done through emotion and care for her and was not of a sexual nature*". He told Gardaí he did recall the parish priest receiving a complaint.

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This is a pseudonym.

25.6 The case did not result in a prosecution as the DPP considered there was insufficient evidence.

Priest's background

25.7 Fr Donato was born in 1940 and ordained in 1970 for a foreign diocese. He initially worked in that diocese but, according to his local bishop, he got into difficulty with gambling debts and the bishop advised him to return to Ireland. In 1977, Archbishop Ryan considered his request for a pastoral appointment in Dublin and gave him an appointment in January 1978. Fr Donato's gambling difficulties were disclosed to Archbishop Ryan by his previous bishop. In 1981 he was formally incardinated (see Chapter 3) into the Archdiocese of Dublin. The committee which advised the Archbishop on matters of incardination had no reservation about his incardination.

25.8 In 1983 he was appointed to a new parish. It was during his period in this parish that the alleged indecent assault of the young schoolgirl occurred. He was subsequently appointed to other positions in the Archdiocese.

25.9 As already stated, a complaint had been made to the parish priest in 1984 but he did not inform the Archdiocesan authorities. The Archdiocese became aware of this complaint when the Gardaí told Monsignor Stenson about it in December 1995.

Adult complainant

25.10 The Archdiocese was, however, aware of a different complaint about Fr Donato in October 1992. This did not involve child sexual abuse. The mother of a 20 year old woman complained that her daughter was the victim of very unwelcome attentions from Fr Donato. She threatened to go to the media if nothing was done about him. With great haste a full investigation had been set in motion by the end of October. Canon Ardle McMahon was put in charge of the investigation. By early December, Canon McMahon had concluded his investigation stating that:

- Both the priest and the young woman in question denied any sexual irregularity.
- The relationship had lasted less than three months.
- The priest admitted some errors in judgment.

- The situation called for an expeditious solution: the report did not suggest what should be done.

Even though this was not a case of child sexual abuse, the young woman and her mother were adamant that Fr Donato should be removed. They reported the matter to the Gardaí who investigated whether an offence had been committed. No prosecution ensued.

25.11 Other problems, apart from the complaint of sexual harassment, arose about Fr Donato's ministry. Archbishop Connell met Fr Donato in June 1994 and suggested a sabbatical. In August 1994, he approved a year's sabbatical for him. This was to be spent attending a third level course. By the end of 1994 it was clear that Fr Donato was not actually attending the course.

25.12 In May 1995, Fr Donato stated that he wished to be released from ministerial priesthood. At the end of June, Archbishop Connell released him from ministry. This occurred 14 days before the young woman who had made the 1984 complaint went to the Gardaí. The request to be laicised from the priesthood was left in abeyance until August 1998 when Monsignor Dolan wrote to Fr Donato asking whether he still wished to be laicised. At this stage the Archdiocese had had little or no contact with Fr Donato for over three years. In September 1998, as no response had been received from him, Archbishop Connell withdrew his faculties. In December 1998, Fr Donato wrote to Archbishop Connell and told him that he was married; however, he did not wish to be laicised.

25.13 On further investigation, it transpired that Fr Donato had commenced a long-term relationship with a woman in or around 1977, the year he was first appointed to a position in Dublin, and they had had a daughter in 1979. They subsequently married in or around 1997. The Archdiocese had not been aware of this relationship.

The Commission's assessment

25.14 The only complaint of child sexual abuse of which the Archdiocese became aware was the one involving the school girl who complained to the parish priest in 1984 and to the Gardaí in 1995. The parish priest was remiss in not reporting the matter to the Archdiocese.

25.15 It would appear that for the entire time this priest was working in the Archdiocese of Dublin, he had a relationship with a woman who bore him a child in 1979 yet the Archdiocese seems to have been totally unaware of this. Although he explained in a letter to Archbishop Connell in December 1998 that he was now married, it appears that he was not laicised until 2007.

25.16 No one in the Archdiocese knew anything about him for the years between 1995 and 1998 or tried to find out where he was, even though he was still a priest of the diocese and one against whom a complaint of child sexual abuse had been made.

25.17 The Gardaí carried out the investigations appropriately.