

Introduction

27.1 Fr Septimus was ordained in the 1950s. He served in a number of parishes of the Archdiocese and ultimately became a parish priest. In 1997, Archbishop Connell imposed a canonical precept placing certain restrictions on his contact with children and imposing other conditions. His active ministry effectively ended in 2002 when he was forced to step down as a parish priest by Archbishop Connell. He has not resumed ministry since then.

27.2 The Commission is aware of 17 complaints of child abuse in relation to Fr Septimus. The nature of the abuse alleged against him predominantly involved the administration of severe beatings to boys on their bare buttocks, sometimes using a strap or other implement. Following the beatings, the boys would then be forced to stand facing away from Fr Septimus in a state of undress. Sometimes the beatings resumed. There was one allegation of Fr Septimus masturbating following a beating while the beaten boy was in the room and facing away from him. The Commission is satisfied from the evidence considered that the beatings were for the sexual gratification of Fr Septimus and that the abuse constituted child sexual abuse.

First complaints, 1982

27.3 The first recorded allegations to the Archdiocese against Fr Septimus were made in October 1982. A woman contacted Bishop O'Mahony and reported on behalf of three named people. One was a witness to the beating of altar boys "*with their pants down*". Another was a mother whose son was made to remove his underwear for misbehaving and the third was a mother whose son was refusing to serve mass because he did not want the priest "*putting his hands up my pants anymore*". In 1983, she reported, on behalf of a mother, about a further incident of a boy being beaten with his pants down. There is no evidence that Bishop O'Mahony spoke to the named people or made any further inquiries. He did not report the complaints to Archbishop Ryan.

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This is a pseudonym.

27.4 In February 1983, Fr Septimus was admitted to St John of God hospital in a state of “*acute anxiety and depression*” which, according to the psychiatrist who treated him there, had been brought on by an allegation that he had assaulted a boy. It seems that this had occurred while on a camp and was not related to the allegations made by the woman to Bishop O’Mahony. This psychiatrist had treated him 20 years earlier when Fr Septimus had had a breakdown “*brought about through intense psychological stress*”. In March 1983, Bishop O’Mahony recorded a discussion between himself and the psychiatrist as follows:

“The priest has made a very good recovery and has come to terms with his sexuality. Homosexuality is covert rather than overt. The beatings are a moderated manifestation of the tendency. He should be able to minister without too much difficulty. “It is not a very serious problem”. He should avoid boys’ clubs/camps etc. No change is recommended provided there is no scandal”.

27.5 All the discussions between Bishop O’Mahony and the psychiatrist in 1983 are not recorded. However, in a report in 1995, the psychiatrist indicated that he had discussed the matter with Bishop O’Mahony at the time and had “*agreed that it would be best to leave him in the parish but to ensure that he did not continue to work with young boys*”.

27.6 At this stage, Bishop O’Mahony seems to have made further inquiries about the complaints. There is no evidence that he spoke to the people who had been named by the woman who had approached him. He did speak to the principal of the local school and another person associated with the school. There is no obvious connection between these people and the complaints. They were dismissive of the woman and said she had made a similar complaint against a former principal. Bishop O’Mahony decided that “*the entire matter would be dropped*”.

Complaints reconsidered, 1995

27.7 Fr Septimus was appointed a parish priest in the early 1990s and there seems to have been no consideration of the complaints against him at the time of his appointment. In 1995, these issues were addressed again in the context of a general review of all child abuse cases. In April 1995, Bishop O’Mahony made a note about the case. This note stated that the incidents

complained of by the woman had never taken place and *“people then saw through her and no longer tolerated her gossip”*. It also noted that the complainant was reconciled with the priest and *“she is now paying her dues.”* The note also stated that the incidents referred to by the psychiatrist took place on a camp. Bishop O’Mahony had advised Fr Septimus not to go on further camps and he had not done so. Bishop O’Mahony, in an affidavit provided to the Commission, said that the woman contacted him in April 1995 and *“indicated that none of the incidents reported by her”* had occurred. Bishop O’Mahony’s April 1995 note does not mention that the woman was in contact with him at that stage. His April 1995 note appears to deal only with reports from other people.

27.8 Bishop O’Mahony discussed the case with the Granada Institute and, on the basis of that discussion, a report was issued in May 1995. The Granada report expressed the view that the woman’s complaints on behalf of others related to inappropriate punishment rather than sexual gratification and that there were currently no grounds for believing that Fr Septimus was a danger to others. Interestingly, the Granada Institute, unlike Bishop O’Mahony, seemed to accept that there was a basis for the woman’s complaints. Granada recommended that the complainant not be contacted as she might not welcome such an approach and this would place extra stress on Fr Septimus.

Further complaints, 1995

27.9 In October 1995, a complaint was received by the Archdiocese from a named woman on behalf of an unnamed woman who alleged that her son had been a victim of buggery 21 years previously, in 1974. Archbishop Connell initiated a preliminary investigation under canon law and appointed Monsignor Alex Stenson as the delegate to investigate. Shortly after that, another complaint was received with an allegation of abuse 35 years previously – in 1960. Monsignor Stenson met this most recent complainant and told him that he might have to report the matter to the Gardaí. The complainant was accompanied by his sister who verified his account of what had happened. The nature of the abuse alleged was similar to that reported in the first complaints made in 1982, namely of being severely beaten while undressed. The severity of the beating was so bad that the child had to stay in bed for three weeks following the assault. He claimed that school mates

had suffered similar treatment. The abuse happened in the school, after school hours. Fr Septimus had a key to the school.

27.10 Monsignor Stenson met Fr Septimus in October 1995, as part of his preliminary investigation. Monsignor Stenson made a detailed note of their conversation and this was signed by the priest. Fr Septimus told Monsignor Stenson that the account of the most recent complainant was “*highly coloured but basically true*”. He said that “*I went into a coma for twelve days at the time of the Cuban war ... I thought the Atom Bomb had fallen*”. It is not clear if this refers to the Bay of Pigs invasion in 1961 or the Cuban missile crisis in 1962. He offered to pay for counselling “*within reason*”. He went on to say that he was “*rough with kids*” during that period of his life but that he was now “*great with kids*”. He went on to talk about the 1980s complaints and told Monsignor Stenson that he could speak to Bishop O’Mahony about that. Monsignor Stenson’s note further records Fr Septimus saying:

“On a few occasions there would have been similar outbursts in the other appointments - always with young boys - never girls. I did get them to take off some of their clothes and would hit them. I usually used my hand. I would place them across my knees and smack them on their naked behinds.

...

I did this as a form of punishment. It occasionally generated in me a sexual movement. But I never touched them in the private parts nor got them to touch me. Never - that’s sexual abuse. Sometimes it gave me sexual pleasure. This pattern would have continued elsewhere until I got treatment in St John of Gods. There might have been four boys in each place up to and including [the parish he was in when the 1980s complaints were made].

After my treatment it has never happened again. Some of those boys were altar boys. A lot would happen on Summer Camps - if boys went missing they got a warning and if it happened a second time they had a choice - no pocket money or a spanking and they chose the spanking... Bishop O’ Mahony knows all about that...

[Fr Septimus] apologises for what happened to [the latest complainant] and asked me to convey this...”

27.11 Later on, Fr Septimus denied that he had made any of the admissions contained in this statement and alleged that his signature had been forged. Later still, he said that he had signed a blank piece of paper and that the statement was not shown to him or read to him. If either of these allegations were true, one would have expected the priest to have taken vigorous action against the Church authorities either in canon or civil law to vindicate his good name and to ensure that the perpetrators of a most grievous wrong were appropriately punished. Despite some posturing, he did neither. The Commission has absolutely no doubt that the statement is accurate.

27.12 In November 1995, Monsignor Alex Stenson notified the Gardaí of the most recent complaint (the one relating to the 1960 incident). Fr Septimus was one of the priests named on the first list of priests given to the Gardaí in November 1995 (see Chapter 5). Monsignor Stenson noted “*The assault was seen in terms of spanking.*”

Medical opinion

27.13 Fr Septimus was referred to the psychiatrist who had treated him in the 1980s. The psychiatrist told Monsignor Stenson that the priest would appear to pose no risk as there had been no problems in the last 12 years. He should, however, “*maintain a low profile for the moment, not least for his own sake*”. The psychiatrist also referred him to the Granada Institute (Granada had reported to Bishop O’Mahony in May 1995 but had not seen Fr Septimus at that stage.) The psychiatrist issued a written report in November 1995 to the Archdiocese. This report included his own assessment and a summary of the Granada assessment provided by Dr Patrick Walsh. It stated:

“It should perhaps be stressed that at all times [Fr Septimus] has denied any frank sexual element in his activities and maintains that he was merely being a strict disciplinarian. He now recognises that his behaviour was unwise and open to other interpretations. He insists that he has not engaged in any such activities since 1983

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I would agree with Dr Walsh that the question of the advisability of allowing him to resume his parochial duties is one which must be made by the Diocesan authorities, taking all the circumstances into

account. From the strictly psychiatric viewpoint , and on the strict assumption that there has been no evidence of misconduct since at least 1983, it would be reasonable to allow him to resume his duties with the strict proviso that he does not have unsupervised contact with children or male youths.”

Granada’s report to which the psychiatrist refers was also sent to the Archdiocese.

27.14 In February 1996, Fr Septimus denied that he had made admissions to Monsignor Stenson as described above. In March 1996, he was instructed by Bishop Ó Ceallaigh not to have any contact with children or young people. The bishop met the senior curate in the parish and arranged a reallocation of responsibilities in order to ensure this. Monsignor Stenson arranged therapy for the complainant.

27.15 Meanwhile, the Gardaí were investigating the October 1995 complaint (the complaint relating to the 1960 incident). They told the Archdiocese in March 1996, as recorded by Monsignor Stenson that: “...*the issue seemed to be more corporal punishment and physical assault. Nevertheless, they intend to speak with [Fr Septimus] in the near future. They believe the case will go to the D.P.P. but it is highly unlikely that it will be seen as anything other than physical assault”.*

27.16 The file was sent to the Director of Public Prosecutions (DPP) in June 1996 and he directed that there should be no prosecution.

Referral to advisory panel

27.17 Fr Septimus’s case was referred to the advisory panel in April 1996. At the request of the panel, Monsignor Stenson sought clarification as to the meaning of “*unsupervised contact*”, as such a prohibition does not sit easily with the responsibilities of a parish priest. The psychiatrist and Dr Walsh of Granada each provided some clarification – it meant not being alone with children and restricting the priest’s ministry to children in “*substantial*” ways to avoid suspicion and this included informal contact such as scouts, home visits and playgrounds.

27.18 The panel made a recommendation in June 1996. Having considered “one specific allegation of extreme physical abuse on a young boy carried out in the early 1960s and two separate accusations of somewhat uncertain reliability”, it considered that Fr Septimus was in the category of people about whom there were insufficient grounds “in justice” to remove from ministry.

“The Panel has concluded that in justice there is not a case for removing [Fr Septimus] from his present ministry. It does however believe that the restrictions outlined above by Dr Walsh should be enforced and carefully monitored. In addition it is the view of the Panel supported by [an expert] that in the interests of prudence a formal assessment could be conducted to rule out any risk that [Fr Septimus] may be a latent paedophile...”

27.19 The panel's recommendations were accepted. Archbishop Connell met Fr Septimus and outlined the restrictions that were to be observed in relation to children. He also told Fr Septimus that arrangements would be made for a formal assessment.

27.20 Meanwhile, the Gardaí reported in May 1996 in respect of the complaint made in October 1995 of a severe beating in 1960: *“the assaults alleged by [the complainant] do not in my opinion amount to a sexual assault. They amount perhaps if proven to common assault maybe bordering on actual bodily harm. However, they are totally uncorroborated and there is only [the complainant's] word that they occurred. [Fr Septimus] did not totally deny that they happened”*. The Gardaí recommended that, owing to the time delay in reporting the matter and the differences between the versions of events of the complainant and the school principal, no further action be taken on the file.

27.21 In January 1997, the curate in Fr Septimus's parish who now had responsibility for dealing with any matters involving children, including altar boys, arrived at the church to find Fr Septimus training a number of altar boys. The curate challenged him and he replied that the allegations had come to nothing and that the Archbishop had brought him in more or less to apologise to him. This was not true – the Archbishop brought him in to outline the restrictions. The curate reported the matter to Monsignor Stenson who immediately reported the matter to Bishop Ó Ceallaigh.

27.22 On a date unknown in 1997, Archbishop Connell imposed a canonical precept on Fr Septimus with the following conditions:

- that he reside in the presbytery;
- that he was forbidden to be alone with children or assume responsibility for assignments that have primary responsibility for them;
- that he continue to see his therapist;
- that he attend weekly group therapy;
- that he maintain regular contact with his spiritual director;
- that he be supervised/ monitored.

Another complaint, 1997

27.23 Another complainant came forward in August 1997. The type of abuse alleged was of corporal punishment on his bare buttocks. It was decided in the Archdiocese that the nature of the complaint did not involve sexual abuse; consequently it concluded that there was no obligation under Church policy at the time to refer the matter to the Gardaí. The complainant was advised of this view and it was suggested that he might wish to complain directly to the Gardaí. It was however decided to refer the matter to the advisory panel again. Fr Septimus denied this complainant's allegations and was reluctant to undergo a formal assessment as requested by the Archdiocese.

27.24 In December 1997, the Gardaí recommended in relation to the August 1997 complaint:

"... the Accused's conduct in this case was vile, despicable and probably sadistic.

It comprised all but the worst elements of a bad assault in that it was brutal and had sado-sexual connotations.

By stripping or partially disrobing these children they were made feel dirty, vulnerable and above all extremely ashamed.

I also hold the view that the act of disrobing (and thereby indecently exposing) anyone –child or adult- amounts to an indecent assault.

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In those circumstances I would recommend a charge (or charges) of indecent assault”.

27.25 Despite this recommendation, the Commission has not found a record of this file being sent to the DPP.

Fr Septimus and Monsignor Stenson

27.26 Fr Septimus expressed his dissatisfaction with how Monsignor Stenson was handling his case. He continued to deny having made the statement in relation to the 1995 complaint. He demanded an apology from Monsignor Stenson which *“acknowledges fully and explicitly the injustice he did to me”*. Fr Septimus’s solicitor was in contact with the Archdiocese looking for copies of statements. The priest saw himself as being a *“priest-victim”*. Eventually, after much discussion, Fr Septimus agreed to go for formal assessment in November 1997.

27.27 Granada reported in May 1998 that Fr Septimus was so focused on the way he was treated by Monsignor Stenson that it had been unable to carry out the proposed assessment. In September 1998, Granada reported:

“Difficulties remain in relation to the complaints made against [Fr Septimus], in that, they have been either made anonymously or the people making them have refused to formalise them⁸⁹. As a result it has not been possible to act on the complaints. Furthermore, [Fr Septimus’s] own position is that while he acknowledges physical complaints, he has denied sexual abuse. Given this set of circumstances it is concluded that unless the diocese can verify and substantiate the complaints, [Fr Septimus] should remain in ministry. Continuing in ministry, however, should be with the explicit proviso that he has no formal contact with children or young people and that he agrees to avoid informal contact with them also.”

27.28 A further canonical precept was issued by Archbishop Connell in October 1998 which decreed that:

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It is not clear to the Commission that the relevant people were ever contacted.

- Fr Septimus was to have neither unsupervised involvement with minors nor any direct ministry to minors except in the public celebration of mass.
- He was to continue to consult with the Granada Institute (or similar institute) on an ongoing basis.
- The curate would have direct responsibility for altar servers in the parish.

27.29 Fr Septimus wrote to the Archbishop claiming that Monsignor Stenson had defamed him and that under canon law he was entitled to challenge assertions made by him. He rejected any suggestion that he might have been involved in child sexual abuse or that he had “*beaten up*” anyone, though he found his attendance at the Granada Institute helpful “*in assisting me over the traumas imposed on me by Monsignor Stenson...which were inflicted in your name*”.⁹⁰ He took offence at the canonical decree and sought to have it set aside. He continued with this campaign through his solicitors, seeking the destruction of the statement attributed to him which he had said was falsified.

27.30 Following a meeting in March 1999, Fr Septimus finally agreed to withdraw from ministry involving children by discontinuing his connection with the local national school and agreed that the curate and a lay person would have responsibility for altar servers.

27.31 There was some monitoring of compliance with the conditions. Monsignor John Dolan met Fr Septimus in October 2001. Monsignor Dolan advised him of the mandatory direction for his continued attendance at Granada with which he had not been complying. By December 2001, he was attending Granada again. The precept was extended for a further period of two years.

Further complaints, 2002

27.32 Another complainant emerged in July 2002. This man made his complaint to a priest of the Archdiocese, who brought it to the attention of the archdiocesan authorities. The priest was asked to encourage the man

⁹⁰ The Granada Institute has pointed out to the Commission that it never assumed that Fr Septimus’s accusations against Monsignor Stenson were valid.

concerned to make a formal complaint about the matter so that the Archdiocese could pursue it and report it to the Gardaí. The complaint was of sexual abuse in the 1970s. The nature of the abuse alleged was similar to that alleged in the other complaints but this time, there was little room for doubt that the acts were carried out for sexual gratification. The complainant said he saw Fr Septimus masturbating immediately after he was beaten.

27.33 This complainant also informed the Archdiocese about his knowledge of abuse of three other boys. One of these had already complained to the Archdiocese. This complainant said one of the others had since committed suicide. Monsignor Dolan asked this complainant to encourage the third person to contact the Archdiocese. This man did so in August 2002. His complaint was similar to the others in many respects.

27.34 Fr Septimus denied the allegations made by these two complainants. The Archdiocese informed the Gardaí.

27.35 Fr Septimus initially declined to resign as parish priest. Subsequently, following a telephone conversation with Archbishop Connell in August 2002, he agreed to retire on the grounds of ill health. The Archdiocese insisted that he move away from the parish and he was not permitted to carry out any public ministry. He was informed that, although he could resign on the grounds of ill health, the Archdiocese would not mislead as to the real reason behind the resignation if it was asked for an explanation.

27.36 In November 2002, Archbishop Connell revoked the faculties of the Archdiocese from Fr Septimus although he was permitted to continue to say mass privately. The other conditions regarding continued attendance at Granada and a ban on unsupervised contact with children continued to apply. Fr Septimus appealed against the precept to the Congregation for the Doctrine of the Faith in Rome. The Congregation confirmed the Archbishop's decree. It was pointed out by the Prefect of the Congregation, Cardinal Joseph Ratzinger (now Pope Benedict XVI), that the imposition of a precept in canon law was only valid in the short term pending the formal outcome of a canonical process. The type of process envisaged is either a penal process, the outcome of which may lead to laicisation or simply a process seeking to impede the priest from ministry.

Bishop O'Mahony and the 1980s complaints

27.37 In March 2003, Bishop O'Mahony prepared a statement referring to his investigation of this matter in the early 1980s. He stated:

"To the best of my recollection [Fr Septimus] resumed his ministry at [the parish] following the discharge from hospital. I judged the situation as one in which the information relayed by [the complainant] was not reliable. I believe that I emphasised to [Fr Septimus] the importance of following the advice of [the psychiatrist]."

I did not inform Archbishop Dermot Ryan of the complaint. Sensitivity towards [Fr Septimus's] mental state, particularly as he recovered from his nervous breakdown caused me to treat the matter as confidential".

27.38 In this statement, Bishop O'Mahony also said that the complainant had returned to him in 2002 and told him that she had since discovered the allegation that she had made was untrue. He did not mention anything about her saying this to him in 1995. He reported that she stated: *"She had been ostracised by the community when it became known that she had reported the priest to the Bishop with a false allegation"* and he further stated that she had told an investigating Garda of this fact. This 2003 statement does not address the fact that the treating psychiatrist clearly believed that there were sustainable allegations about Fr Septimus in the early 1980s. Bishop O'Mahony also clearly believed at the time that there were sustainable allegations about beatings on holiday camps. His emphasis, in 2003, on the veracity of this particular complainant neatly allows him to avoid addressing the fact that there were sustainable complaints similar in nature to those reported by this complainant and that child protection measures were not put in place.

27.39 In August 2003, Cardinal Connell initiated the canonical process to impede Fr Septimus's ministry under Canon 1044.⁹¹ In October 2004, Archbishop Martin wrote to Fr Septimus telling him that he had witnessed him

⁹¹ This canon refers to a priest being impeded by reason of insanity or some other psychological infirmity.

wearing clerical garb in violation of the precept and warning him to abide by the terms of the precept until the determination of the administrative process.

27.40 The canonical process was still continuing in 2007.

27.41 Between 2003 and 2005, five further complaints were made to the Gardaí against Fr Septimus.

The garda investigations

27.42 The DPP decided not to prosecute in the case of the 1995 complaint – the complaint that related to the 1960 incident. A file does not appear to have been sent to the DPP in relation to the 1997 complaint.

27.43 The fact that the files were reviewed in January 2002 suggests that the files were not submitted at the conclusion of the investigations in the late 1990s in relation to the 1997 complaint. The detective inspector who reviewed the files stated: *“As I would not deem the assaults as sexual assaults but common assault, I respectfully suggest that no further action be taken in the case”*.

27.44 The files were finally submitted to the DPP’s office in 2005. The DPP directed no prosecution in relation to these complaints or in relation to the two complaints which were made in 2002 or in relation to the five further complaints which emerged between 2003 and 2005. All cases were stated to be compromised because of the lapse of time since the offences allegedly took place (most of the complaints dated back as far as the 1960s), some inconsistencies in relation to statements taken, lack of corroboration, and difficulties which were anticipated because individual complainants had consulted each other prior to making formal complaints to the Gardaí.

27.45 Two different explanations were offered by Gardaí in 2006 as to why the file in the 1997 complaint was not sent to the DPP much earlier. One explanation was that the decision was deferred pending the outcome of investigations into other complaints. Another explanation was that Fr Septimus had never been interviewed about the complaint.

The Commission's assessment

27.46 The Commission is of the view that, had a thorough investigation of the allegations been undertaken at the time of the first complaints in 1982 and 1983, at the very least by approaching the parents of the children concerned, the truth of the matter could easily have been ascertained. The Commission considers that the purported investigation of these events at the time was inadequate and could never have got to the truth of the matter.

27.47 It is quite astonishing that Bishop O'Mahony did not report the complaints to Archbishop Ryan.

27.48 The Commission is concerned that nobody in the Archdiocese, other than Bishop O'Mahony, contacted the woman who made the 1982 complaints and nobody at all contacted the people whom she alleged were abused.