

Introduction

- 28.1 William (Bill) Carney was born in 1950 and was ordained for the Archdiocese of Dublin in 1974. He served in the Archdiocese from ordination until 1989. He was suspended from or had restricted ministry during some of this time. He was dismissed from the clerical state in 1992.
- 28.2 Bill Carney is a serial sexual abuser of children, male and female. The Commission is aware of complaints or suspicions of child sexual abuse against him in respect of 32 named individuals. There is evidence that he abused many more children. He had access to numerous children in residential care; he took groups of children on holiday; he went swimming with groups of children. He pleaded guilty to two counts of indecent assault in 1983. The Archdiocese paid compensation to six of his victims. He was one of the most serious serial abusers investigated by the Commission. There is some evidence suggesting that, on separate occasions, he may have acted in concert with other convicted clerical child sexual abusers - Fr Francis McCarthy (see Chapter 41) and Fr Patrick Maguire (see Chapter 16).
- 28.3 A number of witnesses who gave evidence to the Commission, including priests of the diocese, described Bill Carney as crude and loutish. Virtually all referred to his crude language and unsavoury personal habits. One parent told the Commission that the family had complained to the parish priest about his behaviour but the parish priest said there was nothing he could do.
- 28.4 In 1974, the year Fr Carney was ordained, the President of Clonliffe College, when assessing him for teaching, reported to Archbishop Dermot Ryan that Fr Carney was "*very interested in child care*" and was "*best with the less intelligent*". His first appointment was as a teacher in Ballyfermot Vocational School while also being chaplain to a convent in Walkinstown. The following year, Fr Carney asked Archbishop Ryan to transfer him from Walkinstown (he was living in the convent) to Ballyfermot "*to be more available to the boys and their parents*" in Ballyfermot school.

Attempts to foster children

28.5 In 1977/78, Fr Carney made inquiries about fostering children. A social worker in the Eastern Health Board (EHB) told the Commission that she thought the inquiry was odd because “*generally priests don’t parent children*”. At the time, single men were not allowed to foster so the inquiry went no further at that stage. Fr Carney discussed the idea with Archbishop Ryan who does not seem to have encouraged him.

28.6 In 1980, Fr Carney again explored the possibility of fostering. He discussed the matter with Bishop James Kavanagh and, according to himself, was told by Bishop Kavanagh that the idea was basically “*good and sound*”. In a letter to Archbishop Ryan, Fr Carney told him he had had lunch with the Minister for Health, Dr. Michael Woods TD, who, he said, assured him that “*as far as he knew there would be no difficulty from the Eastern Health Board*”. Dr Woods told the Commission that he has no recollection of meeting Fr Carney but that, if he had been asked about fostering, he would have referred him to the Eastern Health Board. Fr Carney’s letter was sent to Bishop Dermot O’Mahony for comment and Bishop Kavanagh for handling but there is no record of their reactions. Around the same time, Fr Carney set out his proposal in writing to the minister following on previous discussions about the matter. He told the minister about his involvement in children’s homes (see below). He said he had a “*housemother*” available and that his parish priest was in “*full support*”. There is no evidence that the proposal progressed any further.

28.7 Fr Carney specifically inquired about fostering a particular boy from an institution when the Ten Plus⁹² programme got under way around 1982/3. This boy subsequently alleged that Fr Carney had abused him (see below).

Children in or from children’s homes

28.8 During his time in Clonliffe College (1968 – 1974), Bill Carney and a number of other students were regular visitors to a number of children’s homes. The children’s homes visited by Bill Carney were St Joseph’s, Tivoli Road; St Vincent’s, Drogheda; Lakelands, Sandymount and The Grange, Kill O The Grange. The Clonliffe students took children away for holidays during

⁹² This was a programme to encourage the fostering of children over the age of ten.

the summers. Bill Carney's involvement with St Joseph's and The Grange was more extensive than with the other institutions and continued after his ordination. The Commission is aware of complaints by three former residents of St Vincent's, one former resident of St Joseph's and one former resident of The Grange that Bill Carney sexually abused them. There is a strong suspicion that one other resident of St Joseph's was abused and there are suspicions that other residents of all the institutions he visited were also abused.

28.9 In the 1970s, care workers in some of the children's homes visited by Fr Carney clearly did not regard him as a good influence and there were also concerns among health board social workers. At least one care worker in The Grange seems to have had suspicions of inappropriate behaviour but the Commission was unable to contact this person to verify this. Health board social workers gave evidence to the Commission that they were concerned about Fr Carney's influence on some residents of the homes but they did not suspect sexual abuse. Their main concern was that he was creating unrealistic expectations among the children including expectations that he could provide them with a home.

St Vincent's, Drogheda

28.10 St Vincent's was an industrial school and, as such, was governed by the provisions of the Children Acts. Bill Carney and other deacons and/or priests took some of the residents away on holidays. Three boys complained they were abused by Bill Carney on these holidays. Another priest, who accompanied Bill Carney and some boys on holidays in 1973, gave evidence to the Gardaí that, while he never saw any sexual abuse on that holiday, Bill Carney did say to him that "*you have to sleep with them because they are insecure*".

St Joseph's, Tivoli Rd

28.11 This orphanage was run by the Daughters of the Heart of Mary. It was a private orphanage which received some state support (see Chapter 6) and so was not subject to any statutory rules. The health authorities – the Dublin Health Authority and subsequently the Eastern Health Board - did place some children in the home and these children were visited by social workers.

28.12 The religious order which ran the orphanage told the Commission that, up until the 1960s, children were not taken outside the home by outsiders. During the 1960s, it became the practice to allow children to be taken to selected family homes for the weekend or on holidays. It was considered that this would be a good experience for children raised in institutions. The order says that the families chosen for this purpose were well known to the order and vetted for suitability.

28.13 The student priests from Clonliffe - Bill Carney and Francis McCarthy - started to visit this home in 1973. They were deacons at this stage and they approached the home to ask if they could help the children by engaging in activities with them. Their offer was accepted as "*they came from Clonliffe College which was highly respected*". They were in the final stage of preparation for priesthood and had skills from which the children could benefit. The visits continued after they were ordained. They took the children on holidays. They were usually accompanied on holidays by members of the order and/or a childcare worker but on one occasion the children were accompanied only by the priests. They were "*fully trusted*" by the order to take responsibility for the care and safety of the children. Some of the boys were allowed visit one priest in his parish – Fr Francis McCarthy in Dunlavin (see Chapter 41).

Concerns about a girl in St Joseph's

28.14 There are serious suspicions that a girl in St Joseph's was abused by Fr Carney but no complaint has been made by her. In 1977, a senior social worker noted, following a discussion with a nun in charge, "*[name of girl] fantasy relationship with Fr Bill is still all consuming and I agreed ... unhealthy*". The note further states "*Her thoughts, conversations and her artistic attempts concern going to bed with Fr. Bill*". This girl was 14 years old at the time and had come to the orphanage with severe behavioural difficulties. She had been placed in the home by the health board and there was quite extensive social worker involvement with her. The order running the home found it very difficult to cope with her. It is clear that Fr Carney was regarded as a significant person in her life as he was invited to a case conference about her.

28.15 This girl's social worker gave evidence to the Commission that she had concerns about Fr Carney; she described how the girl was besotted with him. He was always in and out of St Joseph's and the social worker felt that his efforts to build up a special trusting relationship with her were inappropriate. She did not take the matter up with the authorities in the home. Her senior social worker did discuss it with the authorities in the home. She never suspected sexual abuse – it never occurred to her at the time (1977).

28.16 The nun in charge of this girl's group also had concerns about this girl's behaviour and reported these concerns to her superior. The girl was writing Fr Carney's name on walls and was behaving strangely. It was considered that she had a crush on him. The superior spoke to Fr Carney and discouraged him from having any dealings with the girl. The nuns did not suspect child abuse.

Boy in St Joseph's

28.17 A boy in St Joseph's complained that he was abused by Fr Carney while he was a resident in this home. The religious order has told the Commission that it had no knowledge of any allegation or suspicion of abuse in his case. Fr Carney was named as a significant contact in this boy's life in a social work report in 1983. In 1982, the nun in charge and a care worker were concerned about the frequency of Fr Carney's visits to him. A social worker did have concerns about Fr Carney befriending him and asked Fr Carney to stay away. The concerns did not extend to sexual abuse. Social workers visited this boy monthly. He went to stay with Fr Carney in Ayrfield (the parish to which Fr Carney was appointed in 1977) on a number of occasions and this is where the abuse occurred, according to the boy. A social worker told the Commission that she collected the boy from Fr Carney's house and was concerned about the behaviour of Fr Carney towards him – this boy was then 12 years old and Fr Carney seemed to be helping him to dress. She considered that Fr Carney was creating an expectation in the boy of being a parent to him but she did not suspect any sexual abuse. She reported her concerns to her senior social worker. In February 1983, this boy told a care worker that he had been left alone in Fr Carney's house until very late or until the morning. The care worker stopped the boy's visits at this stage. Fr Carney was very angry with her. Subsequently, she and a social worker met him and it was agreed that he

would reduce his contact and that there would be no overnight visits except on special occasions. The care worker felt the relationship was unhealthy but did not suspect abuse.

The Grange, Kill O The Grange

28.18 The Grange was run by the Sisters of Our Lady of Charity. It was a private orphanage. The nun in charge of the institution from 1972 to 1980 said, in a statement to the Commission, that Fr Carney was a frequent visitor to the Grange. He took children out for drives and day trips and sometimes children would stay with him for the weekend. He sometimes stayed overnight in the home. She believed his involvement was in the interests of the children as it provided them with an extra means of recreation. There were discussions at the time about getting male staff and having the clerical students/priests was seen as a stepping stone to this. They were regarded as safe and trustworthy. She said that at no time did she have "*any cause to be suspicious*" of Fr Carney's conduct. A girl who subsequently alleged that she had been abused by Fr Carney was described by this nun as being "*crazy*" about him and he always gave her special attention. This nun said that the children were not regularly visited by social workers. A social worker who was involved with this girl told the Commission that she met or visited the girl several times a year and that there were review meetings involving social workers and the care staff about twice a year. Sometimes the management of the home was involved as well.

28.19 A staff member told Fr Carney in 1981 to stop seeing this girl. Contact between him and the girl was resumed in 1982 and this caused concern to the home and to the social worker.

28.20 The social worker spoke to Fr Carney in 1982 and told him she thought he should not have any further contact with the girl as she felt "*her expectations of their relationship were inappropriate*". Fr Carney had told this girl that he would look after her if she was pregnant. The social worker thought that this was completely inappropriate. Fr Carney asked if she was telling him not to see this girl and she said 'yes'. Fr Carney subsequently phoned the care worker to ask if he should send roses to this girl for her birthday. The care worker and social worker thought this was inappropriate

but did not put it any further than that. The social worker did not suspect sexual abuse.

28.21 It seems that around 1983, it was decided that the children could not go and stay with Fr Carney, as a care worker had some suspicions about the relationship between a boy and Fr Carney. A nun from The Grange told the canonical church penal process taken against Fr Carney in 1991/92 (see Chapter 4) that people did not specify what the problem was but she understood that he was showing an “*unhealthy interest*” in young boys.

28.22 The Grange closed in or around 1982/1983. The girl who later alleged she had been abused by Fr Carney moved to An Grianán (see below) in 1982.

28.23 In 1989, when she was an adult, this girl told the social worker who had been dealing with her while she was in The Grange that she had been sexually abused by Fr Carney while in The Grange and that the abuse included full intercourse.

28.24 A nun from The Grange told the church penal process that she was aware of concerns about Fr Carney in The Grange. She did not have direct contact with him there but she reported that former residents of the Grange stayed with him when he was in Clogher Road (the parish to which he was appointed in 1986). She took one of them away from there in 1987 because of the condition of the house – it was full of empty alcohol bottles and was not, in her view, fit to live in.

An Grianán

28.25 An Grianán was also run by the Sisters of Our Lady of Charity. It catered for girls aged 12 to 18. Both the girl from St Joseph’s and the girl from The Grange moved to An Grianán when they were aged about 16. The health board was no longer responsible for children in care once they reached 16 but the social worker told the Commission that she did visit the girl from The Grange while she was in An Grianán. The nun in charge said in 1999 that, to the best of her knowledge, Fr Carney did not visit the girl from The Grange in An Grianán. The girl says that he did and that he took her out for the day on a number of occasions. The nun accepted that Fr Carney did call

to visit another former resident of The Grange after this particular girl had left. The nun also stated that she heard rumours about Fr Carney in the mid 1980s “*that were not positive*”. A girl in An Grianán told her that she used to visit Fr Carney in Ayrfield while she was living in a children’s home and she never wanted to visit him again as he had tried to molest her. The nun does not appear to have done anything about this. It is not clear whether the girl was alleging that this happened when she was underage.

28.26 The social worker was told by An Grianán that the girl from The Grange was writing to Fr Carney while she was there. She also noted that he had called to see her in An Grianán and did see her there at Christmas 1982. This girl said that she was not abused in An Grianán. She thought the nun in charge suspected Fr Carney and did not like him. It is clear that the nun in charge did not like Fr Carney but it is not clear if she suspected him of abuse while this girl was in An Grianán.

First recorded complaints to the Archdiocese, 1983

28.27 Fr Carney was appointed a curate in Ayrfield parish in 1977. At that time he was a regular visitor to various homes and during his time in Ayrfield brought many children from those homes to stay with him. There is a suggestion that the Archdiocese may have had a complaint or suspicions about inappropriate behaviour by Fr Carney as early as 1978 but this cannot now be established.

28.28 The first documented complaint about Fr Carney was made to the Gardaí in July 1983 by altar boys; the altar boys did not complain to the Archdiocese at this time. Complaints by boys who he took swimming were made to the Archdiocese in September 1983; some of the swimming pool complainants also complained to the Gardaí.

The altar boy complaints

28.29 In July 1983, two brothers went with their father to a Garda station and complained that they had been abused by Fr Carney. Garda Finbar Garland was a young garda with just under a year’s experience when this complaint was made to him. He told the Commission that, while he had experience in taking statements, he had no training in taking statements from children. The garda had a clear recollection of the young boys and their father coming to

the Garda Station. He said he was shocked and disgusted by what he heard. He consulted his immediate superior, Sergeant Kiernan. Garda Garland went to the boys' home later that day to take statements. The boys told him that they were altar boys and had slept in Fr Carney's house on a number of occasions and had gone on holidays with him. While in his house, one boy would usually sleep in Fr Carney's bed and Fr Carney would fondle him. The boys told the Garda of other boys who had spent time in Fr Carney's house. He contacted the parents and took statements from three more boys the next day and from two more boys at a later stage. Some parents whom he contacted told him to go away and not say such things about Fr Carney. In all, he contacted the parents of about 16 boys. Sergeant Kiernan told the Commission that he was conscious of the need for a speedy investigation in case anyone would influence what the boys might say or not say.

28.30 The day after this complaint was made, Fr Carney and the parish priest of Ayrfield, Fr Ó Saorai, called to the Garda Station. Neither had been asked to do so. It seems they had heard about the garda activity. In spite of this, Fr Ó Saorai did not contact Archbishop's House. They were met by Inspector Murphy and Sergeant Kiernan. Garda Garland was in the station at the time but does not think he was at the meeting. Fr Carney was cautioned and the boys' statements were read to him. He denied the allegations.

28.31 Sergeant Kiernan told the Commission that Fr Carney was "*somewhat agitated and indignant*" and suggested that there were sinister or vindictive motives behind the complaints and there was no basis for them. When told by the Sergeant that there was more than one complaint, Fr Carney was taken aback. Inspector Murphy said he removed his collar but Sergeant Kiernan does not remember that. At this stage Fr Ó Saorai seemed to be under pressure – Sergeant Kiernan thinks Fr Ó Saorai was not fully aware of the nature of the complaints until he saw the statements made by the boys.

28.32 Garda Garland took statements from two other boys in August 1983. The criminal investigation into the altar boy complaints was completed on 30 August 1983 and the file was sent to the Director of Public Prosecutions (DPP).

The swimming pool complaints

28.33 In September 1983 two sets of parents wrote to the Archbishop to complain that their sons had been abused by Fr Carney in a swimming pool. They went initially to the parish priest, Fr Ó Saorai. Fr Ó Saorai was reluctant to go to the Archbishop even though the parents indicated they were going to the Gardaí and even though Fr Ó Saorai was well aware that there was an existing Garda investigation going on into the altar boy complaints. Fr Ó Saorai told the parents that there were other allegations. The parents were shocked and could not understand why the parish priest would not act. He said that if they went to the Archbishop he would vouch for their truthfulness.

28.34 One of these parents then contacted Bishop Kavanagh. She described her approach to the Bishop as a waste of time as he never had time and he always ended the conversation with “*pray for him*”. The parents wrote to the Archbishop asking him to remove Fr Carney from their parish “*but not into another parish where he can continue his actions*”. The Archbishop’s secretary acknowledged this letter as the Archbishop was away.

28.35 One set of parents of the swimming pool complainants made statements to the Gardaí at around this time. The other set of parents did not report to the Gardaí. The mother told the Commission that she was afraid to do so as she was ostracised by some of her neighbours for making a complaint to the Church. In November 1983 this same mother phoned Archbishop’s House to complain that Fr Carney was still around Ayrfield.

28.36 Shortly after this, Fr Ó Saorai contacted the Archdiocese when he discovered that money was missing and may have been taken by a boy who was staying with Fr Carney.

The Church investigation

28.37 On 12 November 1983, Archbishop Ryan asked Monsignor Alex Stenson and Canon Ardle McMahon to investigate the swimming pool complaints – this was two months after the complaints were received. Monsignor Stenson and Canon McMahon compiled a comprehensive report.

28.38 Fr John Wilson, the Archbishop’s secretary, told the Church investigators that he had been approached by a classmate of Fr Carney who

was concerned about Fr Carney's drinking and his non-attendance at retreats and class gatherings. Fr Ó Saorai had been in touch with Fr Wilson and had indicated that people had complained about Fr Carney. Fr Ó Saorai had interviewed two sets of parents who had complained to him and he was aware that there had been other allegations and that parents had already gone to the Gardaí.

28.39 Bishop Kavanagh was informed of the difficulties and was in touch with Chief Superintendent Maurice O'Connor of Whitehall. Fr Wilson was aware that the accusations were at that stage in the DPP's office. Bishop Kavanagh had recommended that Fr Carney leave the parish for a month; it was also indicated that he should not go back to Ayrfield nor should he have children around the house. In fact, Fr Carney was still around the parish and was involved with young people. It seems that Fr Carney had moved to stay with Fr Francis McCarthy in Enniskerry but returned to Ayrfield frequently.

28.40 Bishop Kavanagh told the Church investigators that he had been alerted to problems in early September and had spoken to Fr Ó Saorai. The report does not say who first alerted him but the Commission thinks it likely that it was Chief Superintendent O'Connor. The chief superintendent told the Commission that he considered it his duty to inform Bishop Kavanagh. Fr Ó Saorai told Bishop Kavanagh that he had heard rumours earlier and had received an anonymous call in about 1981 alleging that Fr Carney had invited a young boy to sleep with him. At this stage Fr Carney had a 19-year-old former resident of an institution staying with him. Bishop Kavanagh said he had been in touch with Chief Superintendent O'Connor who was the senior garda officer in the area. The chief superintendent told him it was unlikely that charges would be brought.

28.41 Fr Ó Saorai confirmed what Bishop Kavanagh had told the Church investigators and reported on his and Fr Carney's visit to the garda station.

28.42 The parents were also interviewed by the Church investigators. They were angry at the delay in dealing with the matter; they believed the children's accounts; they also complained of other aspects of Fr Carney's behaviour including foul language, always playing golf, unkempt appearance and inappropriate jokes. One parent asked that Fr Carney not only be removed

from the parish but also that no other parish or children be put at risk by his reappointment elsewhere. The parent also asked to be informed of whatever decision was made about Fr Carney. The report remarks about the parents' statements: "*Allowing for a certain bias in their account in view of what these parents believe had happened to their children there was nevertheless an amount of information forthcoming which was disturbing*".

28.43 The Church investigators then put the swimming pool allegations to Fr Carney. He denied them. He agreed he got on well with children and did take the two boys (and others) swimming; he was usually accompanied by two adults (one of whom was Fr Patrick Maguire, a Columban priest who was actually serving in the Archdiocese of Dublin at the time but no one in Archbishop's House seems to have adverted to this. Fr Maguire is also a convicted serial child sexual abuser – see Chapter 16). In what the investigators described as a "*turning point*" in the interview, Fr Carney acknowledged "*horseplay*" in the swimming pool which the children could have misinterpreted. He thought that a recent allegation involving an actor from *Coronation Street*⁹³ had caused an over reaction among the parents and the children. Fr Carney also told them of a parish meeting held two years earlier where various "*wild allegations*" were made about him. These included getting the scoutmaster's 15-year-old daughter pregnant, assaulting a seven-year-old girl who was treated in intensive care, excessive drinking and always golfing. "*Some of these were obviously untrue and had been shown to be*", he claimed. To the surprise of the investigators, Fr Carney raised the question of whether or not he was entitled to the November mass offerings. The investigators said it was their understanding that he was still appointed as curate in Ayrfield and so was entitled to the offerings. They emphasised that his recent visit to the parish had not been welcomed and that he should stay away pending the findings of this inquiry (he had turned up at a school board meeting).

28.44 Following the formal interview, Fr Carney asked to see Monsignor Stenson. He told Monsignor Stenson that he believed Fr Ó Saorai was prejudiced against him; other people and priests would speak well of him – he cited the names of some who would; he had taken hundreds of children

⁹³ Apparently there were allegations about an actor in Coronation Street that he had abused young girls in a swimming pool.

swimming over the years and there were no allegations; the adults who were with him should be approached; he was “*slightly less absolute about his vow of obedience*” to the Archbishop as he must defend his own personal integrity and reputation.

28.45 The Church investigators carried out the investigations quickly and thoroughly. They did not interview the children but they were well represented by their parents. They issued their report on 24 November 1983. It concluded:

- “1. *We are satisfied that we got as close to the truth as we can. Fr C is sincere and believes what he tells but there seems to be a gap between what he perceives and what in fact the case may be.*
2. *He did acknowledge “horseplay” and agreed that physical contact occurred which was open to the suggestion of sexual molestation. However, he categorically denied any attempt to sexually interfere with children.*
3. *Fr C is in need of guidance, help and education in interpersonal relations. (Perhaps a stay in The Servants of the Paraclete, Stroud, for therapeutic and spiritual renewal might help). At present he is not suitable for Parish; nor should he be appointed to an Institution with children.*
4. *Fr Carney has indicated his readiness to obey the Archbishop’s directives in his regard.*

Recommendations:

1. *Fr Carney should be taken out of Parish ministry for some time until he has sorted out his capacity to relate with respect to others*
2. *Fr Carney should be given immediate legal advice. Should the DPP proceed might it be advisable to have Fr C out of the jurisdiction?⁹⁴ Fr C has many friends and the question of financing his legal expenses should be considered. It would be a pity if we were seen to be apparently “washing our hands” in this regard*
3. *Action should be taken immediately”.*

⁹⁴ Monsignor Stenson has asked the Commission to point out that the question of sending Fr Carney to Stroud was being considered and there were concerns about whether or not this would be appropriate as a DPP decision was pending.

28.46 This report was sent to Archbishop Ryan who asked a series of questions for clarification. The replies from Monsignor Stenson reiterated Fr Carney's denial of any wrongdoing and his denial that anything could have happened which he could not remember because he was drunk.

28.47 In December 1983, Monsignor Stenson wrote to the parents of the swimming pool complainants to convey the gratitude of Archbishop Ryan and to assure them "*he is taking every measure possible to ensure that there will be no recurrence of the problem*".

Interaction between Bishop Kavanagh and Chief Superintendent O'Connor

28.48 As already described, it is clear that Bishop Kavanagh and Chief Superintendent O'Connor were in touch with each other about the complaints against Fr Carney. The contemporaneous statement of Bishop Kavanagh states that the chief superintendent told him it was unlikely that charges would be brought against Fr Carney. Chief Superintendent O'Connor told the Commission that he did tell Bishop Kavanagh that the complaints were being investigated; he said that he himself did not read the file and he denied that he told the Bishop that prosecution was unlikely. The Commission finds the contents of the contemporaneous Church documents more persuasive than the evidence of Chief Superintendent O'Connor.

28.49 Chief Superintendent O'Connor told the Commission that Bishop Kavanagh lived up the road from where he had his office (in Whitehall Garda Station) and he (the bishop) used to call into the office "*for an ordinary conversation*" maybe once or twice a month. The chief superintendent did not find this unusual and did not ask the bishop why he was coming in: "*he came in as an ordinary visitor and he'd come in, walk into my office*". They were not personally friendly. There were no particular purposes for the visits. The Commission finds this strange. People, bishops included, do not normally just walk into garda stations and then into the office of a chief superintendent without some purpose.

Prosecution and court case

28.50 There might well have been no prosecution if the altar boy complainants had gone to the Archdiocese or, indeed, if Fr Ó Saorai had

reported the swimming pool complaints to the Archdiocese when he first knew of them. The file in the case of the altar boy complaints had already gone to the DPP (in August 1983) before the Archdiocese became aware (in September 1983) that there were complaints against Fr Carney.

28.51 Chief Superintendent O'Connor was told of the case by Superintendent Byrne. The file was sent to the DPP by Superintendent Byrne in the usual way. The Commission was told by the Gardaí that it would not be normal practice to submit it first to the chief superintendent.

28.52 The Archdiocese had in its possession a copy of the report prepared for the DPP by Sergeant Kiernan. Inspector Murphy was surprised when this was pointed out to him by the Commission. It is not clear how this was acquired by the Archdiocese. In the events that happened, and given Bishop Kavanagh's privileged access to the Gardaí, the Commission considers it reasonable to infer that the Archdiocese received this document from the Gardaí.

28.53 In November 1983, the DPP issued directions to prosecute in the District Court in respect of six boys. Garda Garland was in touch with the parents to keep them updated about developments. The court date was set for 9 December. The Gardaí did not expect the case to be dealt with on that day as they thought that Fr Carney was going to plead not guilty and the question of whether or not the District Court could deal with it would have been an issue.

28.54 Bishop Kavanagh continued to be in touch with Chief Superintendent O'Connor. The Chief Superintendent told him that "*as a result of meeting in Swords with Supt Byrne, case will be held on 9 Dec at 2.00 pm in camera*". Monsignor Stenson said in 1991 that "*to avoid publicity the Court case was moved from Howth to Sutton Golf Club*" and "*B Kavanagh did a lot to ensure the matter was kept low key and may have been instrumental in having the court case moved...*".

28.55 In fact, the case was held at the then regular venue but it is not clear if it was dealt with in a regular manner.

- 28.56 Monsignor Stenson was under the impression that the court venue was moved from Howth to Sutton Golf Club to avoid publicity and that Bishop Kavanagh may have been instrumental in having it moved. In fact, the normal venue at the time for Howth District Court was Suttonians Rugby Club and this is where the case was held.
- 28.57 Garda Garland, Sergeant Kiernan and Inspector Murphy attended the court. One of the mothers was present. There were no other witnesses. Fr Carney was accompanied by a priest friend and a lawyer.
- 28.58 The case was held *in camera* – this was not unusual because it involved a minor. Fr Carney’s priest friend, who accompanied him to the court, told the Commission that Fr Carney’s case was set to be heard last thing in the afternoon. He was waiting for it to be held when the judge indicated that he “*was finished with all cases for the day. The court was cleared*”. This priest was about to leave when a Garda indicated that he should stay. The judge then returned and the case proceeded. It is normal practice in criminal *in camera* cases to clear the court but the press are allowed to stay. It is not known if any members of the press were present at this case.
- 28.59 Fr Carney pleaded guilty to two counts of indecent assault against the altar boy complainants and the other four charges were withdrawn. The judge granted the Probation Act, having heard evidence that Fr Carney was receiving psychiatric treatment. Sergeant Kiernan told the Commission that the court was given a report outlining the treatment which Fr Carney had begun and it was submitted on his behalf that he would not be involved in future ministry with children. The statement from his solicitor that he was receiving medical care seems to have been a major factor in the judge’s decision. In fact, he had not yet started medical treatment. Garda Garland recalled that the mother who was present was very upset by the leniency of the sentence. The garda was also disappointed.
- 28.60 Fr Carney’s priest friend who was in court said that what saved Fr Carney was a letter from Dr John Cooney of St Patrick’s Hospital. Afterwards, Fr Carney wanted a celebration with “*the lads*”. His priest friend

stopped this. He told Fr Wilson that Fr Carney should go to St Patrick's immediately; Fr Wilson agreed.

After the court case

28.61 Bishop Kavanagh wanted to have Fr Carney admitted to St Patrick's Hospital immediately but Fr Carney wanted to wait until after Christmas. Bishop Kavanagh told Fr Carney to stay away from the northside.

28.62 Fr Carney's priest friend reported to Fr Wilson that Fr Carney was drinking a lot, was in debt and his car was not taxed. He thought Fr Carney should really be reduced to the lay state because of his behaviour: "*Fr C does not seem to realise the seriousness of the situation. He considers himself innocent of the charges*". He said that Fr Carney had to be restrained from visiting a complainant's home the night before the court case; he invited people from Ayrfield to the friend's house the night before; this priest said he would exercise as much control as he could but could not promise much success.

28.63 It seems that everyone dealing with Fr Carney at this stage, including Archbishop Ryan, thought he should be in hospital but Bishop Kavanagh seems to have been reluctant to insist and he decided not to take further action until after Christmas.

28.64 Archbishop Ryan wrote to Fr Carney, ending his appointment at Ayrfield. The letter said "*I must ask you to sever all links with the Parish of Ayrfield and avoid those places and persons which have been the occasion of your difficulties*". It also referred to Fr Carney being in Dr Cooney's care for treatment (which he was not at that stage). Fr Carney had gone to stay with another priest in spite of the fact that Bishop Kavanagh had specifically forbidden him to stay there.

28.65 Later in December 1983, Fr Carney wrote to Archbishop Ryan telling him that he had arranged with Dr Cooney to go to St Patrick's Hospital on 6 January 1984. He was going away with a friend for a few days before that. He said he had been "*dry*" for two weeks and he apologised for the upset he may have caused the Archbishop.

28.66 Inspector Murphy told the Commission that there were no discussions with other authorities about the danger posed by Fr Carney to children. “*I suppose looking at it we depended on the Church authority to deal with that aspect of it*”. Sergeant Kiernan told the Commission that he now thinks he should have contacted Archbishop’s House after the court case to try to ensure that Fr Carney was not ministering to children and that he should have contacted the health board.

1984

28.67 Fr Carney was treated in St Patrick’s Hospital from January 1984 until March 1984. He was then given a temporary assignment in Clonskeagh parish under the direction of Monsignor Michael Browne PP. While in Clonskeagh, Fr Carney was to live with the Marist Fathers in Milltown and from April to July 1984, he was to attend a residential retreat for priests. The Marist Fathers have told the Commission that, even though they asked, they were not made aware of the reason for Fr Carney’s stay with them.

28.68 Monsignor Browne was told by Monsignor Jerome Curtin “*in outline only*” some features of Fr Carney’s time in Ayrfield; he was given further information by two other priests, one of whom was Fr Francis McCarthy. Monsignor Stenson told the Commission that he was under the impression Monsignor Browne had been briefed. Monsignor Browne told the Church penal process in 1990 that he was told that Fr Carney had an alcohol problem. He had heard some rumours about complaints in his previous parish. It is clear that Monsignor Browne was not fully informed as he did not make any effort to keep Fr Carney away from children. In April, Monsignor Browne reported to the Archbishop that Fr Carney was “*reliable, punctual, always available for more work than he had been assigned*”. His celebration of mass was commended; he celebrated class masses in local schools and the teachers felt this was a priest who could “*really communicate with the children*”. He maintained contact with St Patrick’s Hospital and with Alcoholics Anonymous (AA). Nothing was done as a result of this report, even though it contained a clear account of Fr Carney’s continuing involvement with children. In fact, it would appear that it was regarded as a good report.

28.69 At some stage, the head of the Marist house told Monsignor Browne that Fr Carney was not staying there all the time and that he had had to reprimand him for his coarse language.

28.70 It is not clear if Fr Carney ever attended the residential retreat. He certainly did not stay very long, if he attended at all. He told Archbishop Ryan in July that he had told Bishop Kavanagh in advance that he would not be attending – this cannot be established. His non-attendance or partial attendance seems to have come to the attention of the Archbishop only when the retreat was over – in effect, no one was monitoring him for that three month period.

28.71 In July 1984, Archbishop Ryan met Fr Carney who said he had adhered to his doctor's instructions and had not consumed alcohol since December 1983.

28.72 There is no written report from Dr Cooney at this stage but he did tell the Archbishop's secretary in July that Fr Carney should be given a diocesan appointment but that he would need to be supervised by the parish priest. Dr Cooney requested Fr Carney to report to him on a weekly basis for six to nine months and said that this should be a condition on which Fr Carney was to be offered a pastoral position. While Stroud was a possibility, Dr Cooney felt that, because of the immaturity and vulnerability of Fr Carney, he would be better to remain in his own environment in the conditions outlined. A place which had been booked for Fr Carney in Stroud was cancelled.

28.73 Monsignor Browne was asked to take Fr Carney on the same conditions as before – that is, he had to live in the Marist house and be under supervision. Monsignor Browne expressed every willingness to co-operate but did say he was gravely disappointed with Fr Carney's behaviour as he had heard some reports which were not good; these were not specified. Fr Carney was sent to Clonskeagh on the same conditions as before. Bishop Carroll met Fr Carney who was unhappy that he did not get a permanent appointment. Bishop Carroll walked Fr Carney to his car and reported that there was a young boy (he used the Latin word "*puer*") in the car.

28.74 A parent of one of the victims wrote to Monsignor Stenson pointing out that it was nine months since their meeting. He had asked then to be kept informed of “*ensuing events*”, and he had heard nothing. He had had to move his family from Ayrfield out of duty to his children, to get away from Fr Carney who he described as being “*free and unbridled*” and was seen swimming in Portmarnock Community Centre with children. Monsignor Stenson sent a holding letter to him and then wrote to Archbishop Ryan for advice on how to deal with the letter from the parent. Monsignor Stenson pointed out to Archbishop Ryan that he was “*not au fait*” with Fr Carney’s progress or treatment. He was not happy that the parent was setting himself up as “*a moral watchdog on this priest’s future activities and appointments*” and did not think he had a right to be kept informed of “*ensuing events*”. This neatly encapsulates the Church’s attitude to lay members during this period. In evidence to the Commission, Monsignor Stenson said he regretted the tone of this letter but he thought that the initial complaint had been reasonably well handled and he had written to this parent in December 1983. Monsignor Stenson also asked the Archbishop what person was monitoring Fr Carney’s present involvement with youth and whether Fr Carney was still swimming with children.

28.75 In August, the Archbishop’s secretary asked Monsignor Stenson to see Fr Carney and discuss the allegations made in the letter from the parent. Monsignor Stenson did so immediately and reported as follows:

“I contacted Fr. Carney at the Marists and asked if he would come and see me. He could not come at 2.30 as he had to see Dr. Cooney. I suggested 3.45 and it was agreed. Within a short time he was back on the ‘phone indicating that he had cancelled Dr. Cooney and would come to see me immediately. I impressed on him the importance of seeing Dr. Cooney and that our meeting would follow on that.”

When he arrived at 3.45 he indicated that he had been to Dr. Cooney and was seeing him twice weekly? I explained that a letter had been received and read it for him but did not reveal where [the parent who had complained] was now living. Fr. Carney admitted that he had been swimming in Portmarnock with a man and his two children - one of whom is Fr. Carney’s godchild. This is a different godchild to the one involved in the earlier allegations. He also admitted that he had visited one or two

places in Ayrfield. He indicated that he was involved in the Summer Project in Clonskeagh and went swimming with children from there. He was categorical in stating that no untoward incidents had occurred and that he had been "on the dry" since 11th December (with the exception of Christmas Day - 2 drinks), and now saw things far more clearly. With regard to the original allegations in Ayrfield he conceded that "one" incident" may have occurred in the past but if it did he was drunk and could not remember it. He only pleaded 'guilty' in the Court case on legal advice and to avoid embarrassment for the Diocese.

I made it clear that my sole purpose in having a word with him was to offer advice - to be prudent in his pastoral and recreational activity. Given the fact that [the parent who was complaining] could or would hear of Fr. Carney's continued involvement with young boys, he could make life very difficult for him if he went public and even if the charges were without foundation. I suggested that for everyone's sake - not least his own - it would be wise for Fr. Carney to steer clear of this type of activity and preclude this possibility. He didn't quite see the point I was making and countered it by saying "nothing had happened". When I tried to repeat the point he concluded that he would not be allowed have involvement with the Primary School in Clonskeagh nor have Altar Boys for his Mass etc.

I pointed out that he owed it to himself not to allow even the suspicion of allegations be made in his regard, and that there was ample scope for his Priestly Ministry even if he avoided specific concentration on young children. He believes that he has a 'gift' - a way with them.

He is not pleased that he is living in the Marist house and would prefer his own flat etc. Again I suggested that that decision may have been with a view to helping him - by eliminating the possibility of allegations in his regard. The fact that he has not a permanent appointment also rankles with him.

All in all I think the meeting was helpful and reasonably satisfactory. Bill doesn't see the problem as others see it. He has his own perception and little or no grasp of how others might see his situation. While not drinking, it would seem he still goes in with the lads and they, not he, have a 'few

jars'. "Imprudence" would best sum up the picture. He attributes all his earlier failings among which he listed, dipping into Church funds etc. as due to his drinking problem. Now that this has been identified, and he is being treated for it, he believes all the other problem areas have been eliminated.

Whether he will curtail his activity as a result of our meeting I do not know. He is clear that I was only offering advice which, given his circumstances and the recent letter, might be useful for him".

28.76 In September 1984, Fr Carney said he had been asked to help at a children's holiday home. Monsignor Browne told him to check with the Archbishop. Bishop Joseph Carroll (who was in charge of the diocese as Archbishop Ryan had resigned on 1 September 1984) told him to cancel any arrangements with the holiday home and to keep to the terms of his appointment in Clonskeagh. Fr Carney's situation was discussed by the auxiliary bishops and it was decided that he should remain in his temporary appointment in Clonskeagh.

28.77 In October, the Archdiocese was informed that Fr Carney rarely stayed at the Marist house. Monsignor Browne wanted a review of his case. He reported that Fr Carney was saying mass in Malahide; Fr Carney told him that he was attending AA regularly and was secretary to the AA group in the Raheny/Baldoyle area. In November, Bishop Kavanagh met Fr Carney and told him that his behaviour was unsatisfactory; his present appointment was to continue for three months' probation and he was to report regularly to his medical adviser.

1985

28.78 In January 1985, Fr Carney was interviewed by Monsignor Stenson and Bishops Carroll and Kavanagh. They were appointed by Archbishop Kevin McNamara to look into the various new allegations against Fr Carney. (Archbishop McNamara had become Archbishop on 20 January 1985.) Among other things, there were suggestions that he was frequently in the company of an 18 year old late at night and there was a mention of "*possible charges as a result of information made available to the Rape Crisis Centre. The precise details and the source of this information were not clear*". Fr

Carney refused to go to Stroud and mentioned the possibility of going to Australia or challenging the allegations made concerning him. He was given 24 hours to consider the Stroud proposal.

28.79 Soon after this, Archbishop McNamara asked Monsignor Stenson to investigate the possibility of withdrawing Fr Carney's faculties in order to put pressure on him to reconsider his position and to accept the offer of help in Stroud or elsewhere.

28.80 About two weeks later (not within the 24 hours specified), Fr Carney wrote to Bishop Carroll saying that all his problems were due to alcohol and that he needed a new diocesan appointment. This is one of many long self-serving letters full of religious sentiment which Fr Carney wrote. It shows that he was then living in Baldoyle, even though his orders were to stay with the Marists and away from the northside.

28.81 The bishops and Monsignor Stenson decided to get a full report from Dr Cooney. It seems that this report was provided orally to one of the bishops (probably Bishop Kavanagh) so its contents are not known but it would appear that residential treatment was recommended. There was further communication between Fr Carney and Monsignor Stenson in which it became obvious that Fr Carney was not recognising his problem and was prevaricating. Among other things, Fr Carney said that he was attending a counsellor and that the counsellor thought his problems were due to alcohol: "*she did not believe, no more than I do, that I have any problem in this sexual area*". Monsignor Stenson saw Fr Carney in Clonliffe College. He was accompanied by a youth. Eventually, in late March, Fr Carney informed the diocese that he would not go to Stroud – nearly three months after he had been given 24 hours to make a decision. Two weeks later, Bishops Carroll and Kavanagh met Fr Carney and made it clear to him that there was no place for him in the diocese but it was still possible for him to go to Stroud. He refused to go to Stroud saying: "*I do not believe it is what God wants me to do*" and "*I would be afraid of drinking again. I know A.A. will improve me*". Subsequently, he also refused to go to another therapeutic facility in the UK.

28.82 On 19 April 1985, Archbishop McNamara wrote to Fr Carney informing him that he was withdrawing his diocesan faculties. Fr Carney was now

effectively suspended but there did not seem to be anyone checking on what he was doing or where he was living. There is no evidence that other priests were informed of his changed status.

28.83 In July 1985, the parent who had earlier complained of not being informed of developments wrote to point out that he had suffered financial loss because he had had to move house. This letter was acknowledged but no further action was taken.

28.84 Fr Carney and his solicitor continued to write to the Archbishop looking for his re-instatement. In September, Archbishop McNamara offered Fr Carney the option of going to Belmont Park Hospital, Waterford under the care of Dr Lane O’Kelly. This was a psychiatric hospital which provided treatment for alcohol problems. (It closed in 1992). There is no evidence that it had any expertise in child sexual abuse. Fr Carney accepted this offer. Dr Lane O’Kelly was told (in September) that he should contact Dr Cooney to get the background but it is not clear that Dr Cooney knew the full background. There is no evidence that the people who did know the full background actually briefed Dr Lane O’Kelly at this stage. There is a record from the files in Archbishop’s House that he was briefed when he visited there in late November. Monsignor Stenson told the Commission that he provided full information about Fr Carney’s background to Dr Lane O’Kelly in November 1985. It is clear that the programme Dr Lane O’Kelly was implementing was for alcoholism even though Fr Carney himself claimed, and others seemed to believe, that he had not been drinking for two years. Monsignor Stenson accepts that alcoholism “*was the focus and, with hindsight, I would say that was a mistake*”.

28.85 Fr Carney was in the hospital for a very short time when he started scheming to be allowed out at weekends. It is clear that he was a less than enthusiastic participant in his treatment. In November, he discharged himself from the hospital and wrote a long letter to the Archbishop seeking clarification about his continuance in hospital and his prospects of operating as a priest again. The Archbishop made it clear that he was to return to the hospital and follow the doctor’s orders. Dr Lane O’Kelly came to Archbishop’s House to meet the Archbishop and Monsignor Stenson and to report on Fr Carney’s progress. He wanted Fr Carney to spend more time in hospital, with

the possibility of a return to ministry in the new year. This would be “*in a controlled situation*” and subject to “*careful monitoring*”.

28.86 In December Fr Carney was allowed to say mass but did not yet have all his faculties restored.

1986

28.87 In January 1986, Fr Carney was released from hospital on a trial basis. Dr Lane O’Kelly suggested an appointment south of the Liffey in order to facilitate his visits to the Waterford hospital. His faculties were restored on condition that he continue to attend Dr Lane O’Kelly at monthly intervals and that he avoid those areas particularly on the north side of the city, for example, Ayrfield and Donoghmede parishes and Portmarnock Leisure Centre, where his presence “*might give rise to unfavourable comment on the Church*”. Fr Carney was appointed to the parish of Clogher Road. The parish priest, Fr James Kelly, issued a strong letter of protest. The letter refers to earlier experiences in this and a neighbouring parish and argues that he should have been consulted. It seems that Fr Kelly was aware of the nature of the problem but this is not explicit. Monsignor Stenson told the Commission that he discovered at a later stage that Fr Kelly had not been as well briefed as he (Monsignor Stenson) had thought at the time. Monsignor Stenson also told the Commission that he was “*horrified*” when he heard of the appointment; he himself had no involvement in appointments. This parish had already had a number of problem priests –

and there was another priest who had a different problem - and Fr Carney would be living alone.

28.88 During the year, Dr Lane O’Kelly reported to the Archdiocese that he was satisfied with Fr Carney’s progress and attendance at the hospital. The Archbishop continued to remind Fr Carney that the appointment was temporary and was conditional on good reports.

1987

28.89 In February 1987, the parent who had reported financial problems wrote with information about proceedings for the recovery of possession of his house because he was in default with his payments. He was clearly very angry with the Church. His letter was acknowledged but nothing further was

done. Monsignor Stenson told the Commission that his reply was “*curt*” and he did not think much of it as a priest but he was concerned about the possible liability of the Church.

28.90 In November 1987, Monsignor Stenson noted in a memorandum that Bishop Desmond Williams told him that he (Bishop Williams) had been contacted by someone from the health board who was aware of Fr Carney’s record in relation to children and who was concerned that he was back in ministry. Monsignor Stenson said that Bishop Williams did not tell him who this person was. A number of social workers who were working for the health board at the time told the Commission that they were not aware that Fr Carney had pleaded guilty to indecent assault and, in fact, did not become so aware until this Commission was established and they were preparing to give evidence. The Commission accepts that the social workers were not aware of the guilty plea but it has no reason to doubt that Bishop Williams was contacted by someone in the health board. Clearly, someone in the health board who was in a position to approach Bishop Williams was aware and did not inform his/her colleagues. Monsignor Stenson met Fr Carney and advised him that, given his past record, it was vital that he should not leave himself open to accusations of any kind, least of all from people who might be hostile to him. Fr Carney accepted this reluctantly. At this meeting, Fr Carney admitted that he had not attended the hospital for about a year. Monsignor Stenson said: “*We thought that he had been attending Belmont Park on a regular basis but, in fact, he had not*”. There was no one specifically mandated to check on this.

28.91 In December 1987, a boy who had been in care in St Joseph’s told his foster parents that he had been abused by Fr Carney. The parents reported this to their local priest who reported to the Archdiocese and to a social worker. The social worker heard from a nun in the home that there were concerns about former residents who were staying with Fr Carney in Clogher Road. The boy was now aged 16 and he was adamant he did not want to report to the Gardaí.

1988

28.92 The priest to whom the allegation by the former resident of St Joseph’s was reported and Monsignor Stenson established the following:

- Fr Carney lived on his own in Clogher Road.
- Children frequented the house and some children had stayed overnight; a former resident of a care home was currently living there and another former resident used to live there.
- Fr Carney took local children swimming and organised regular outings for children; he was working with the boy scouts.
- He had developed very familiar relationships with a small number of families that had problems and had no father figure, and had holidayed with these families.
- There was “*an awareness locally*” of his history.

28.93 The priest to whom the allegation was made expressed concerns that the local priests in Clogher Road had not been consulted when Fr Carney was sent there and that there was no support from the diocese for local priests. He pointed out that “*there seems to be nobody responsible*” and that the parish priest was under pressure.

28.94 Monsignor Stenson concluded:

“With hindsight it would appear that:

- i) *the appointment to Clogher Road was a mistake - there was a previous history of this problem there;*
- ii) *residential accommodation on his own is not in Bill's best interest;*
- iii) *the 'monitoring' has not been as tight as it might have been. Fr. Kelly was hearing nothing from Archbishop's House and we were hearing nothing from him. The other priests in the Parish were aware of some problem but they never discussed it together;*
- iv) *There was no 'ongoing' monitoring of medical reports - Bill in fact stopped seeing Dr. Lane when he considered he was no longer in need of him. We were unaware of this;*
- v) *In the light of the above it would be helpful if all Departments co-ordinated information in respect of such cases. This happened with the _____ file. But I gather from [the priest to whom the complaint of the boy from St Joseph's was reported] that Father Kelly had written of his concerns to Archbishop's House at some stage. Is this true? I have no record of it”.*

- 28.95 It seems that nobody had told Fr Carney to stay away from children.
- 28.96 The health board offered counselling to the complainant from St Joseph's. There is no evidence that it followed up on any children who were in care at the time this abuse occurred or that it checked its own records to see if further information was available on other children. If it had, what were perceived at the time as concerns about crushes and inappropriate expectations would have been seen in a more sinister light. St Joseph's was closed at this stage.
- 28.97 The bishops decided to remove Fr Carney and provide residential care. Bishop Williams felt that Fr Carney's behaviour was inappropriate but did not yet merit a penalty, for example, suspension. They also decided that the priest to whom the allegations were made should be told that something was being done about his representations. Nobody reported back to the foster parents.
- 28.98 It is not clear that the allegation of sexual abuse of the boy from St Joseph's was ever put to Fr Carney. The other allegations about his activities in Clogher Road were put to him and he accepted that they were true but he was annoyed that what would be acceptable for other priests should be unacceptable from him. He "*reacted badly*" when told he was being removed. Subsequently his solicitor contacted Bishop Kavanagh requesting details of the complaints which had been made and asking for a meeting. Monsignor Stenson met the solicitor who told him that Fr Carney found the proposal to leave Clogher Road and obtain psychological assessment unacceptable.
- 28.99 In April 1988, about a month after he was consecrated as Archbishop of Dublin, Archbishop Desmond Connell met Fr Carney. The Archbishop told Fr Carney that he would be allowed to continue in Clogher Road, on a temporary basis, under certain conditions. These included seeing a Dublin based psychologist, being discreet in his behaviour and not having young people stay overnight. Monsignor Stenson raised the matters of monitoring and having some priest live with Fr Carney but these do not seem to have been addressed.

28.100 One of the parents from Ayrfield approached Fr Carney. He was very upset about the damage done to his son and spoke in terms of seeking compensation or writing to the papers. Fr Carney told Monsignor Stenson and his solicitor about this. Fr Carney was negotiating about his future directly with the bishops and indirectly through his solicitor. He wrote long pleading letters to the Archbishop.

28.101 In October 1988, Archbishop Connell met Fr Carney again. Fr Carney told the Archbishop that incidents were occurring in Clogher Road which were drawing attention to him and he wanted to discuss them. He said he took separated wives to Kerry. He felt that he could help some who had alcoholic problems. One of these women had children. Her husband had learned of Fr Carney's background and was anxious about the possible implications for the children. Fr Carney, on hearing of this, spoke to the woman in question and told her that he would not be able to continue the counselling arrangement that had existed between them. He also spoke of an incident that had occurred in the yard of the girls' school. The caretaker had said that he had observed an incident taking place between Fr Carney and a group of girls and had spoken to some people of this. Fr Carney said that a teacher in the school was also observing and would back him (Fr Carney) by saying that there was nothing wrong in what happened and the caretaker was wrong in his claims. Fr Carney took a group of the girls bowling on occasion. The Archbishop advised him against this in the future and Fr Carney agreed.

1989

28.102 In February 1989, Fr Carney called to see the Archbishop and informed him that the father of one of the girls in a group with which he was involved told him that he did not want Fr Carney near his daughters. Fr Carney assured the Archbishop that he had "*done nothing*" to this man's daughter. The Archbishop recommended that he tell the parish priest about this and that he continue working with the group for the rest of the year but remove himself from it after that.

28.103 In August, the parish priest reported that Fr Carney had been taking boys swimming but not alone. The parish priest thought a change for Fr Carney would be a good idea.

28.104 In August, parents from Ayrfield contacted Bishop O'Mahony. They were concerned about their sons and about Fr Carney's access to children. The mother was looking for pastoral and spiritual help as her husband and sons had stopped practicing their religion. Bishop O'Mahony reported this to Archbishop Connell. Bishop O'Mahony told the Commission that Archbishop Connell was "*shocked and upset*". Bishop O'Mahony believes that this was the first time that Archbishop Connell "*became fully aware of the serious spiritual harm inflicted on children and young people through clerical sex abuse*". This, according to Bishop O'Mahony, prompted Archbishop Connell to review Fr Carney's position and impose more restrictive conditions on any future appointments. Bishop O'Mahony told the Commission that he rang the mother a few times after this. He did not meet the boys as they did not want to meet him.

28.105 Monsignor Stenson told the Church penal process that it was well known in Ayrfield parish that Fr Carney had problems and there were rumours about his behaviour. He had been seen in the local golf club and he had a young boy caddying for him. This was corroborated by two priests who said it was a constant feature of Fr Carney's pattern of behaviour at the golf club.

28.106 Archbishop Connell decided that Fr Carney should be moved and have more stringent conditions attached to his appointment. Monsignor Stenson and Bishop Kavanagh met Fr Carney and told him he was to be removed from Clogher Road, be moved to a shared ministry and was to continue to see the psychologist. Fr Carney regarded this as another proposal. He told them he was going on holidays with women and children.

28.107 The psychologist was asked for a report. He reported that he had seen Fr Carney on four occasions in the period March – May 1988. He said that Fr Carney showed no evidence of psychopathology. Again, it is not clear what the psychologist knew about Fr Carney because the report does not once mention child sexual abuse. It outlines various good and bad aspects of Fr Carney's personality and points out that he would deviate considerably from the Church's teaching on moral issues. He is "*still seeing a married woman and a single girl*". The report states that he did not engage in sexual intercourse with them but did feel free to indulge in a "*kiss and a cuddle*". It should be noted that Fr Carney had not actually attended this

psychologist since May 1988 and seems to have been assessed but not treated by him. It is clear that nobody in authority in the Archdiocese knew what Fr Carney's interaction with the psychologist was for almost a year and a half after he was referred.

28.108 In late August 1989, a young woman who had been a resident in The Grange complained to Monsignor Stenson that she had been abused by Fr Carney while in the care home and subsequently. She alleged that he was the father of her recently born child. She was aware that Fr Carney now had a young boy staying with him and she was concerned about his welfare. Monsignor Stenson told the Commission that this was the first time he had met an alleged victim of Fr Carney. He believed what she was telling him and he was horrified by what Fr Carney had done. Monsignor Stenson told the Commission that he virtually always believed the complainants even though he did not regard it as appropriate to his role to make them aware of that. His task was to record their stories. When confronted by Monsignor Stenson, Fr Carney accepted that he could be the father of the child. Fr Carney wrote to the Archbishop to apologise but said he had since made his peace with God.

28.109 Archbishop Connell told Fr Carney to leave Clogher Road by 30 September and go to live in a diocesan house in Cappaghmore (Clondalkin). Fr Carney, as usual, regarded this as negotiable. He looked for, and got, more time so that he could say goodbye to his old and ill parishioners on the First Friday. This extension was granted, with certain conditions. On 5 October, the Archbishop wrote to Fr Carney and told him to go to Cappaghmore. Although he was asked not to do so, Fr Carney made this public during a mass in Clogher Road shortly before he left, indicating that he was giving his blessing for the last time. This led to a number of letters from parishioners saying that it was most unfair that he should be going as he was a wonderful priest.

28.110 Fr Carney told the Archdiocese that the young woman had made a statement saying that matters had been resolved between herself and Fr Carney (this was clearly not so as subsequent events showed). Fr Carney then wrote to the Archbishop saying that the "*agreement is done*", there is no possibility of scandal so his position should be reconsidered.

28.111 The young woman told the social worker with whom she had been dealing while she was in the institutions that she had been abused as a child by Fr Carney. The social worker told the Commission that, while she had not suspected sexual abuse at the time, the revelation did not surprise her. The social worker accompanied the young woman to the Garda station to make a complaint. The social worker notified her superiors in accordance with the normal reporting mechanisms. She offered counselling and gave ongoing support to the young woman. The Grange had been closed at this stage.

28.112 In October 1989, Monsignor Stenson wrote to Fr Carney stating that, given his stated preference to stay in the priesthood, the Archbishop and Auxiliary Bishops were asking him to consider living out his priestly life in a monastic setting or, if this were not acceptable and given the impossibility of appointing him to pastoral ministry in the Archdiocese, to consider retraining for the lay state. While his faculties were not formally removed, Fr Carney had no diocesan appointment. He was getting a monthly allowance of £500. He engaged in lengthy exchanges with Monsignor Stenson about the support he would get if laicised, the availability of a canon lawyer and the fact that he prayed for Monsignor Stenson.

28.113 Meanwhile, the young woman was pursuing her claim for maintenance of the child and the case went to court. Fr Carney wanted the Archdiocese to pay for the blood test to establish if he was the father. The blood tests established that he was not, in fact, the father. The Gardaí sent their file to the DPP but did not recommend prosecution.

1990

28.114 In February 1990, the Archbishop and Monsignor Stenson met Fr Carney and the Archbishop told him that he was not prepared to give him a diocesan appointment at that time or in the future. He asked him to consider applying for laicisation and asked for a response by 1 March; the only alternative open to him was for the Church to institute a penal process to dismiss him from the clerical state. Fr Carney looked for an extension and got one until Easter. There were numerous pleading letters but he was told that the process would start in May 1990.

28.115 Meanwhile, it was discovered that Fr Carney was still going to Clogher Road and he was instructed to cease this. The Archdiocese wanted him to move out of Cappaghmore; he was offered money to pay for alternative accommodation. He was very reluctant to move out. There was further correspondence between Fr Carney and Monsignor Stenson. Fr Carney started work as a taxi driver and was looking for money to buy a taxi plate. The Gardaí were investigating the allegations made by the young woman and Monsignor Stenson provided the Gardaí with an address for Fr Carney.

28.116 The tribunal to hear the penal process was set up in December 1990. Penal proceedings are described in Chapter 4.

1991

28.117 Fr Carney continued to write long self-serving letters looking to be restored to ministry. He was still living in Cappaghmore. He eventually said he would voluntarily seek laicisation. The Archdiocese decided not to bargain and to await the outcome of the penal process.

28.118 The penal process continued during 1991. A number of complainants and parents of complainants gave evidence. One complainant mentioned, in the course of his evidence, that he was in a holiday caravan with Fr Carney and there was another priest there with a boy. (In later civil proceedings, he named this priest as Fr Francis McCarthy). He also mentioned other teenage boys who were in Fr Carney's house in Ayrfield. Evidence was also given by a nun from one of the institutions and by a social worker.

28.119 During the church penal process, the Director of Psychological Services for the Hospitaller Order of St John of God was asked to study the file of evidence that was being presented to the Church court. He did not see Fr Carney nor did he see the previous psychological and psychiatric reports. He stated that once a pattern of paedophile activity was established it did not depend on alcohol for its expression. He identified Fr Carney as having a serious personality disorder the features of which are frequently associated with paedophilia. He noted that he had consistently denied the extent of his problems and the seriousness of his actions. Given the above characteristics, he believed that Fr Carney must be diagnosed as having a psychopathic personality disorder and was homosexually paedophile. As

such, the prognosis for Fr Carney was very poor and it was the psychologist's view that he should not be given any status as a representative of the Church. He noted the arguments advanced in some quarters that paedophilia was a psychiatric disorder and included compulsive behaviour over which the sufferer had no control and could therefore plead insanity or diminished responsibility. His own view was that if society took such behaviour as Fr Carney's as meriting a judgment of insanity or diminished responsibility in circumstances where the perpetrator showed foresight and knowledge there would be no basis for moral or legal behaviour in society.

1992

28.120 Fr Carney himself did not participate in the church penal process but was represented by a canon lawyer. The penal process was completed and, on 9 March 1992, Fr Carney was dismissed from the clerical state. The judgment of the tribunal was unequivocal. Fr Carney was guilty of child sexual abuse and there was no basis for mitigating the penalty. The members of the tribunal were very clear about the damage caused by Fr Carney to the victims, his denial of wrongdoing, his total absence of remorse, the enduring and habitual nature of his offences and his failure to abide by the instructions of his superiors.

28.121 The judgment did not refer at all to the evidence given by one complainant about the presence of another priest in a caravan where this complainant was abused. This matter was not followed up by anyone in authority (see Chapter 41).

28.122 In June 1992, the judges of the tribunal wrote to Archbishop Connell with comments about the handling of the case. Their letter shows that they had a good understanding of the issues involved but they did not mention the risk posed by the other priest. They pointed out that "*Paedophilia is a very special kind of deviancy and requires special vigilance*". They then went on to make the following points:

"In the Carney case we feel that a penal process should have been initiated earlier than was done in this case. The accused in that case accepted treatment for his alcoholism but refused to go to Stroud to get treatment specific to his complaint. Like Alcoholism there is no hope of cure for the paedophile unless he comes to terms with his

complaint. To this day the accused has refused (despite a civil court case and much other evidence) to admit that he suffers from this paraphilia. Treatment for concomitant alcoholism is not a substitute for a recognition of and specific treatment for paedophilia. Even with special treatment the prognosis for the paedophile is generally rather bleak. A refusal to undergo such special treatment should be taken as proof of contumacy.

When a priest like the accused is committed to a prudent parish priest for a period of trial it is important that the parish priest be made aware of the reason why the accused is committed to his care. This is more important in cases of paedophilia than, perhaps, any other. It seems that the parish priests to whom the accused was committed had no inkling of the precise reason as to why he was there. Paedophilia can wear a deceptive mask. Parishioners are easily fooled by the interest a priest shows in their children. Children are unable to tell their parents. There is abundant evidence of this in the present case. A Parish priest may easily suspect drink, or a liaison with a woman when a fellow priest is committed to his corrective care. He is less likely to suspect paedophilia. Again, it disguises itself as an interest in the altar boys or the youth of the parish. It is only when irreparable damage has been done that the parish priest realizes.

*In the recent case it seems that monitoring of the accused was not helped by the fact that he had a house all to himself in Clogher Road, and again in Clondalkin. The evidence shows that he used these houses as he had used the house in Ayrfield. It is true that this was *praeter intentionem*⁹⁵.*

28.123 Mr Carney's monthly allowance was stopped in April 1992. The Archdiocese was still trying to get him to leave the house in Cappaghmore. There were discussions between Mr Carney and Monsignor Stenson and then between Mr Carney and Monsignor Wilson about financial matters. It seemed as if a settlement was reached in November 1992.

⁹⁵ *Praeter intentionem* literally means beyond the intention; it is a philosophical term used to distinguish between an intended consequence and an unintended consequence.

1993 to date

28.124 There were further financial negotiations between the Archdiocese and Mr Carney. Mr Carney was, as described by Monsignor Wilson, constantly changing the goalposts. He eventually left the house in January 1994 – about four years after he was first asked to leave. He received a lump sum of £30,000 from the Archdiocese.

28.125 In July 1994, the two complainants in respect of whom Fr Carney had pleaded guilty sued the Archdiocese. The young woman also started proceedings. Her story began to appear in the newspapers and coverage continued throughout 1995.

28.126 Another complainant came forward in December 1994. Archbishop Connell and Monsignor Stenson met him in February 1995 and apologised to him. He was offered counselling. A number of other people made complaints in 1995. One complainant alleged that he was abused by both Fr Carney and Fr Francis McCarthy – see Chapter 41. He also complained to the Gardaí. The young man who had been in St Josephs’s complained to the Gardaí and started civil proceedings. Monsignor Stenson made a statement to the Gardaí about his involvement with this case. Other complainants came forward in subsequent years. They were met by the chancellor and/or by the delegates. The procedures set out in the *Framework Document* were being followed.

28.127 In 1998, steps were taken to contact affected families in Ayrfield. The Archdiocesan records suggest that the parish priest visited one family and got a “*cold reception*”. This family told the Commission that they were not visited at that time. Archbishop Connell was particularly anxious to contact the family who had had to leave Ayrfield and had suffered financially as a result. Contact was eventually made after a series of errors about addresses. The delegate tried to keep in contact with a number of the complainants. Further complainants continued to come forward. It is likely that some made complaints to the Residential Institutions Redress Board.⁹⁶ There was no further prosecution mainly because the DPP took the view that the delay in

⁹⁶ The Residential Institutions Redress Board was established under the *Residential Institutions Redress Act 2002* to award redress to people who had been abused in children’s homes. The proceedings of the board are entirely confidential.

making the complaints was too great. A family told the Commission that one complainant had committed suicide.

28.128 Archbishop Martin met a number of the complainants after he was appointed as Archbishop and they generally found him sympathetic. The Child Protection Service continues to be in contact with those who want that contact.

28.129 Mr Carney had been a taxi driver for a time after his laicisation. By a remarkable coincidence, one of the complainants actually got into his taxi inadvertently. Mr Carney seems to have left Ireland sometime in the mid 1990s. He was known to be living in Scotland but his current whereabouts are not known.

The Commission's assessment

Archdiocese

28.130 The handling by the Archdiocese of the large number of allegations and suspicions in relation to Fr Carney is nothing short of catastrophic. The Archdiocese, in its handling of the case, was inept, self-serving and, for the best part of ten years, displayed no obvious concern for the welfare of children. This had appalling consequences for all the complainants and their families, not least for those people who were abused after the Church had knowledge of Fr Carney's extensive history of abuse as, with appropriate handling, their abuse could possibly have been prevented.

28.131 In evidence to the Commission, a number of senior churchmen acknowledged that this case was very badly handled. Monsignor Stenson said that Fr Carney should not have been ordained. He went on to say that when problems arose "*the nettle should have been grabbed much quicker and, if he didn't resign from the priesthood, he should have been thrown out much sooner*". He said the case was handled very poorly and with a lack of decisiveness. The Commission agrees.

28.132 There is a consistent pattern of failure by the Church authorities to address the problem of Fr Carney. Several people who knew Fr Carney testified that he was crude, loutish and constantly used foul language. This,

of course, is not a crime but it is surprising that the issue was not addressed by his superiors while he was in the seminary or subsequently.

28.133 It is astonishing that Fr Carney's suggestion that he foster children was even considered in view of the Church's stated position in respect of priests having any family responsibilities, yet it seems he may have been encouraged by Bishop Kavanagh.

28.134 Fr Carney's ease of access to, and his degree of involvement with children in care was extraordinary. He was able to take children to his home for weekends whenever he wanted and this was encouraged by the authorities. While it may be understandable that the authorities in the homes did not even contemplate the possibility of sexual abuse, there is no evidence that anyone in authority asked basic questions relating to the care and safety of children such as who was going to look after the children while he was saying Sunday mass or if he had to leave the house at night to administer the last rites. There is evidence that children were left alone at night.

28.135 There is no evidence of any attempt at serious management of Fr Carney as the problems unfolded. There was no one in the Archdiocese who was in charge of monitoring him. No one person had full knowledge of the extent of the problem. It is clear that Monsignor Stenson was conscious of this lack of management but he did not have the power to do anything about it. He told the Commission that different files were kept in the different departments – a personnel file, a chancery file, a financial file - and the full picture was not available to anyone dealing with it. This was done in the interests of confidentiality. It became clear to him that *“somebody had to manage the case and have all the information, otherwise disastrous decisions were going to happen and have happened”*.

28.136 Even if the Church's main intention was to avoid scandal, the complete lack of competence in handling Fr Carney is remarkable. There is no doubt that Fr Carney was manipulative, not just in his abuse of children but also in his dealings with his superiors. His clear unambiguous refusal to follow orders does not seem to have been addressed by the archdiocesan authorities. He treated orders from his superiors as proposals for discussion rather than as orders and he was allowed to get away with this.

28.137 The archdiocesan authorities either did not understand the threat posed by Fr Carney to children generally or understood it but did not regard it as a significant consideration.

28.138 The Commission considers that the Church authorities did not exercise sufficient authority over Fr Carney. It accepts that the Church cannot restrict a priest's liberty in general but it can restrict his liberty to exercise ministry. No attempt seems to have been made to deal with other, less serious but unacceptable, aspects of Fr Carney's behaviour such as his foul language, loutish behaviour and too frequent appearances on the golf course.

28.139 It seems that the treatment for Fr Carney was focused largely on his alcohol problem. In fact, he was sent to an alcohol treatment facility in Ireland at a time when he said, and people seemed to believe, that he had not been drinking for a year.

28.140 The refusal of Fr Ó Saorai to report the parents' complaints to Archbishop's House is inexcusable. He knew of actual complaints of child sexual abuse from parents, he believed the parents, he had heard other rumours, he had received complaints of loutish behaviour by Fr Carney, yet he reported to Archbishop's House only because money went missing. However, it must be said that if he had reported when he should have, it is unlikely that there would have been a criminal prosecution of Fr Carney.

28.141 It was suggested to the Commission that Bishop Kavanagh had a "*soft spot*" for Fr Carney. He clearly did but the Commission does not think that this in any way excuses the lengths to which he went to protect him. It appears to the Commission that Bishop Kavanagh tried to prevent the prosecution of Fr Carney and, when the prosecution went ahead, tried to ensure that it was kept as quiet as possible. The Commission takes the view that there is evidence that Bishop Kavanagh, in the words of its terms of reference, did attempt to obstruct or interfere with the proper investigation of the complaints.

28.142 No attempt was made by the Archdiocese to provide help or counselling to the victims who were known and no attempt was made to establish if there were any other victims. (The Archdiocese must have known that there were likely to be other victims).

Health authorities

28.143 The question of how institutions cared for the children in their care has been examined in depth by the Commission to Inquire into Child Abuse (Ryan Commission). This Commission accepts that, in general, the authorities in the children's homes did not suspect that Fr Carney was abusing the children who were befriended by him. However, it is a matter of serious concern that they allowed children stay with him without ensuring that there were appropriate arrangements for their supervision.

28.144 The Commission also accepts that the health board social workers who dealt with the children in the institutions did not suspect sexual abuse. However, it is surprising that, in one case at least, a 14 year old girl's obsession with him was not viewed in a more sinister light than merely a crush or a fantasy.

28.145 There does not seem to have been any shared knowledge in the health board about perpetrators. For example, when the case of the young woman from the children's home was being dealt with in 1989, one section of the health board did not know that Fr Carney was known to another section as an abuser of the young man from another children's home, so no pattern of abuse in the institutions was recognised.

28.146 It is acknowledged that there was no statutory duty on health boards to promote the welfare of all children at that stage (see Chapter 6) but, nevertheless it is surprising to the Commission that no attempts were made to contact other residents in the children's homes in which these two complainants had lived.

The Gardaí

28.147 The Commission was impressed by the efficiency and speed with which Garda Finbarr Garland investigated the complaints from the young boys in Ayrfield in 1983 and the manner in which he and his immediate

superior officers pursued the prosecution of Fr Carney. However, the Commission considers that Chief Superintendent O'Connor had inappropriate dealings with Bishop Kavanagh.

28.148 It appears that Bishop Kavanagh tried to influence the conduct of the investigation and clearly did his best to ensure that there would be no publicity. His attempts to influence the process were unsuccessful because the lower ranking Gardaí had done their job properly. However, Chief Superintendent O'Connor cannot take any credit for this. Chief Superintendent O'Connor's description of how Bishop Kavanagh dropped into his office regularly for a chat does not seem plausible.

Communication between authorities

28.149 Neither the Church nor the Garda authorities made any effort to ensure that relevant people were made aware of the danger which Fr Carney posed to children. The health board social workers in the area where the offences occurred or in the areas to which Fr Carney was subsequently sent were not told.