

Introduction

30.1 Fr Cicero was born in 1939 and ordained in 1963 for the diocese of Ossory. He died in 2002. He was intellectually clever and was an expert in canon law. He was given many appointments in the Ossory diocese but none was successful as he was totally disorganised and chaotic in dealing with everyday matters. In the early 1970s he was appointed to the Dublin Regional Marriage Tribunal on a part time basis. This involved travelling to Dublin two days a week. He continued to work in Ossory on the other days.

30.2 In early summer 1981, two priests called to Fr Cicero's house to try and sort out what officials from the diocese of Ossory regarded as an administrative mess. As well as finding a very substantial amount of paperwork not dealt with, they discovered what Bishop Forristal, the bishop of Ossory, described in evidence to the Commission as "*lurid magazines*". In September 1981 Fr Cicero was called to a meeting with Bishop Forristal. Bishop Forristal has stated that he, the bishop, was not aware of the existence of lurid magazines at the time of this meeting. The meeting was concerned with an appointment in which Fr Cicero's lack of organisation would not be such a problem. His chaotic approach to practical matters eventually led to a conviction for having no tax and insurance on his car and he was banned from driving. In June 1985, following a request from the Moderator of the Regional Marriage Tribunal, it was decided that he would be transferred to Dublin to work in the tribunal. He remained incardinated in the diocese of Ossory.

Dublin appointment

30.3 As well as working in the tribunal, Fr Cicero was appointed as a chaplain in an inner city parish. It was here that the first allegations of child sexual abuse surfaced.

30.4 In late 1986, his parish priest was approached by the mother of a girl who had called to collect her daughter at Fr Cicero's house. Fr Cicero had taken to inviting young girls back to his house to play with or use his computer. He had a personal computer and was an expert programmer.

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This is a pseudonym.

(Personal computers were quite rare in the mid 1980s). When the mother called, the daughter was upstairs and the mother heard her say: “*will we come down as we are or will we put our clothes on?*”. The mother wrote a letter of complaint to the parish priest. The parish priest showed the letter to Fr Cicero. The parish priest’s recollection at a later date was that Fr Cicero went white when he read the letter. Fr Cicero put the letter in his pocket and the parish priest thought that was the end of the matter.

- 30.5 In March 1987, two women reported their concerns about Fr Cicero and his computer to the local curate. They explained that their two eight-year-old daughters had told them of playing games in his house. The games involved a computer program to command the removal of socks and tops, kissing each other and kissing the priest. It later transpired that a number of other young girls were involved as well. The matter was also reported by the parents to the parish priest. Both the parish priest and the curate reported the complaint to their local bishop, Bishop Williams, and the parish priest also reported the 1986 complaint. The curate wrote a detailed letter outlining the complaints. These incidents were not reported to the Gardaí or any other appropriate authorities.

Medical report

- 30.6 Bishop Williams referred Fr Cicero to a psychiatrist, Professor Noel Walsh, who saw him on two occasions. Professor Walsh stated that there was some “*substance to the complaints which were made against him*”. Professor Walsh appeared to be under the impression that all that had happened was engaging in undressing games in Fr Cicero’s presence. His report stated that there was no physical contact. He concluded that Fr Cicero was involved in “*a form of compulsive voyeurism which had emerged as a problem for him in recent years*”. Professor Walsh stated that Fr Cicero had no major psychiatric problem and that he was quite distressed by the problem he did have. Professor Walsh recommended that he return to work with the marriage tribunal and be relocated in part-time pastoral work. He also recommended that Fr Cicero return for some further sessions but he did not do so.

- 30.7 As with a number of other cases that were referred to Professor Walsh, the whole story does not appear to have been given to him. The local

curate who had received the complaints had written a letter to Bishop Williams outlining in detail what he had been told and this account was supported by the parish priest. This letter does not appear to have been given to Professor Walsh. It is highly unlikely that Professor Walsh would state in his report that there had been no physical contact if the allegation of kissing Fr Cicero, as had been reported in the letter, had been known to him.

30.8 Fr Cicero was removed from the parish. The parents did not pursue the matter.

Supervision

30.9 Monsignor Sheehy, who was the judicial vicar and Fr Cicero's superior in the marriage tribunal, stated that he was prepared to have the priest continue as a full-time member of the tribunal on the basis that:

- Fr Cicero knew that Monsignor Sheehy was aware of his difficulties;
- he would work solely in accordance with the policy and practice of the tribunal;
- any further aberration would inevitably mean his dismissal from the tribunal and accordingly his return to the diocese of Ossory;
- some appropriate accommodation together with some kind of convent chaplaincy be found for him which would be supervised.

It is interesting to note that there is no mention of any possible civil or criminal sanction being applied against Fr Cicero for any past or future breaches.

30.10 A good deal of manoeuvring took place with the knowledge of Bishop Forristal, Bishop Williams and Monsignor Sheehy as the following communication, in May 1987, from Bishop Williams to Monsignor Sheehy illustrates:

"Bishop Carroll would be very grateful if you would quietly arrange for [Fr Cicero] to resume his duties in the Tribunal and to take up residence in [a convent] until the end of June. I would suggest that this could be arranged quietly through Bishop Forristal and that no formal appointment, or reappointment, to either Tribunal or chaplaincy, is necessary".

30.11 In July 1987, Fr Cicero was appointed chaplain to a convent. It is surprising that, although the convent is a self-contained unit, no one appears to have considered its suitability in light of its proximity to a girls' school. The superior of the convent was made aware of his activities by Monsignor Sheehy and was instructed to maintain a watchful eye on him.

30.12 He remained in the convent until 1991 when the mother superior's term of office came to an end. He was then appointed as a parish chaplain with a self-contained residence. Monsignor Sheehy outlined the supervisory regime in a letter to Bishop Forristal. This involved a housekeeper attending Fr Cicero's apartment two days a week and regular visits by Monsignor Sheehy's secretary. There is a further letter early in 1992 indicating the regime was being maintained.

1995

30.13 The Dublin Archdiocese reviewed Fr Cicero's file in 1995 as part of its review of all cases involving child sexual abuse. Monsignor Stenson commented:

"by Framework standards it would appear that child-care issues would have arisen in respect of the children in [the parish] and this was never addressed at the time. It is clear that there was no question of the matter being reported to the Gardaí even though it would probably fall under the definition of child sexual abuse in the Framework document".

Some correspondence ensued between Monsignor Stenson and Bishop Forristal. In 1997, a number of options were given to Bishop Forristal. Bishop Forristal had asked his own delegate (in the diocese of Ossory) whether the matter should be referred to the Gardaí; whether an investigation should be conducted internally; and whether the matter would be referred to the advisory panel. However, it seems that Bishop Forristal and Monsignor Sheehy agreed to let matters continue as they were, on the basis that there had been no incidents for many years, but that Fr Cicero should be referred for assessment.

1997-1999

30.14 Between 1997 and 1999 there was a series of letters from the Archdiocese to Bishop Forristal demanding that Fr Cicero be sent for assessment. Nothing was done until November 1999. Bishop Forristal told the Commission that he was “*very slow in progressing the various steps which ought to have been taken*”. While he did not regard it as an excuse, he told the Commission that both he and Fr Cicero had extremely serious health problems around this time. The Commission is satisfied that these health problems may have contributed to the delay and that there was no active conspiracy to prevent Fr Cicero having the assessment and treatment, but it still regards the delay as unacceptable.

30.15 Finally, after what could be described as a stern letter from Archbishop Connell to Bishop Forristal in November 1999, Fr Cicero was assessed at the Granada Institute.

30.16 Granada had knowledge of all the complaints. It also had Professor Walsh’s report of 1987. Fr Cicero told Granada that he had been involved in sexually touching young girls when he was a teenager and had been interested sexually in young girls ever since. He said that the incidents reported in 1987 were the only other times he had acted on these impulses. He admitted that he played the games described by the girls but he denied touching any of the victims. He described his activities as largely voyeuristic. He estimated that there were approximately 12 victims dating from his 40s. He believed that what he was doing did not harm the girls.

30.17 Granada concluded that:

- Fr Cicero urgently required a specialised therapy programme.
- He could continue his work in the marriage tribunal while engaging in therapy.
- He would likely require a life long programme of after care and support.

2000 - 2002

30.18 In June 2000 one of his victims attempted to make contact with Fr Cicero. She did not attend the arranged appointment. Fr Cicero told the Archdiocese about this. Discussions took place between the Archdiocese

and the diocese of Ossory. During this time Fr Cicero was attending counselling sessions in Granada which he stated were beneficial. There was a review meeting at Granada involving Bishop Forristal, Fr Cicero and Granada staff. Granada now advised that Fr Cicero should cease ministry in the marriage tribunal and in his chaplaincy. It would appear that there was confusion in the Archdiocese because Archbishop Connell had been told that Granada was recommending that he could remain in the tribunal (which it did in November 1999) and Monsignor Dolan was aware that Granada was recommending that he be removed from the tribunal (which it did in August 2000). There was also some doubt about who was entitled to remove him from the marriage tribunal. The Dublin Regional Marriage Tribunal deals with a number of dioceses including Ossory. Bishop Forristal had nominated Fr Cicero to the tribunal but, theoretically at least, he was appointed by all the relevant bishops. The issue then arose as to whether the other bishops needed to be told of the circumstances.

30.19 One thing is clear however - the Archdiocese wanted to sever Fr Cicero's connection with Dublin. In November 2000, it was decided that he would withdraw from the marriage tribunal and return to Ossory. He was removed from his parish chaplaincy position but he did not return to Ossory.

30.20 In December 2000, Monsignor Sheehy described Fr Cicero's departure as "*a shattering blow*" to the marriage tribunal. He also had "*a distinct anxiety as to the canonical validity of the procedure*" but saw no point in pursuing that. In January 2001, Bishop Forristal met Fr Cicero and it appears that they and Monsignor Sheehy reached agreement that Fr Cicero would be allowed to remain in Dublin doing unofficial work for the marriage tribunal. Bishop Forristal told the Commission that this was a compromise which allowed Fr Cicero to carry out largely academic work which had no ministry with children. It appears that Monsignor Dolan was not aware of this agreement until about a year later.

30.21 The Commission considers that Monsignor Sheehy manipulated the situation in order to keep Fr Cicero as part of his team. As in other cases in which he had a less than helpful or constructive involvement, Monsignor Sheehy did not seem ever to consider the question of the protection of children. Bishop Forristal clearly felt that Monsignor Sheehy was always in

the background when he was talking to Fr Cicero: he said he always “*felt that when I was talking to him, whether it was in person or on the phone, that everything we discussed was discussed elsewhere and he was getting further advice*”. The Commission is in no doubt that both Monsignor Sheehy and Fr Cicero used their extensive knowledge of the canon law as a means of avoiding a forced return to Ossory.

30.22 A series of correspondence then ensued between the Archdiocese, its legal advisers and Ossory in order to ascertain Fr Cicero’s exact status. In the course of this correspondence, Fr Cicero, who had been suffering from ill health, died suddenly in August 2002. The first statement to the Gardaí by one of his victims was made in September 2002. The Archdiocese has made a civil settlement with one complainant.

30.23 In a statement to the Commission, Bishop Forristal very fairly accepted responsibility for the delays in dealing with Fr Cicero in the late 1990s. He said that, on reviewing the history of his dealings with Fr Cicero: “*I have been deeply disturbed by my own delays and failures in applying the principles of our Church Guidelines, particularly that of the paramountcy of the safety of children*”. He went on to say that Archbishop Connell and his chancellors were continually urging him to take action. “*Any delay was my doing and was in no way due to the Archbishop of Dublin or his staff.*”

The Commission’s assessment

30.24 The parish priest who did not immediately report the 1986 complaint is the same priest who discovered a person whom he described as a woman in her thirties in Fr Noel Reynolds’s bed– see Chapter 35. As is pointed out in that chapter, “*the woman*” was more than likely to have been a young teenager. He also failed to report that discovery to archdiocesan officials. The Commission considers that the young curate acted responsibly by writing an account of complaints to his bishop.

30.25 The Archdiocese acted correctly in removing Fr Cicero from the parish. However, notwithstanding that the mother superior in the convent was aware of his history, there were undoubtedly dangers attached to giving him an appointment to a convent which bordered a girls’ school.

30.26 It appears that, to a certain extent, everybody, including bishops, felt in awe of Fr Cicero's intellect. Most of the people with whom he dealt regarded him as intellectually superior to them and it appears that he concurred fully with this assessment. He undoubtedly had a powerful ally in Monsignor Sheehy. Monsignor Sheehy used the confusion which seemed to exist between the Archdiocese of Dublin and the diocese of Ossory to get the outcome he wanted. However, the Commission does recognise that Monsignor Sheehy put a monitoring system in place.

30.27 When the Dublin Archdiocese decided to review matters in 1995 and took the decision to return Fr Cicero to Ossory, they found themselves stymied. Bishop Forristal, as he himself admits, was mainly responsible for the delays in having the priest assessed. The bishop told the Commission that his exercise of responsibility over Fr Cicero was "*severely hampered by the vigour with which Monsignor Sheehy acted to preserve [Fr Cicero's] unofficial working function at the Tribunal and to defend his position generally*". The bishop said that, ultimately, he was persuaded by Monsignor Sheehy's view that Fr Cicero's "*mental and physical wellbeing were being assured through his continuance in that role*". The Commission finds it extraordinary that Bishop Forristal and the Archdiocese allowed Monsignor Sheehy to have such influence as they had the power to have their wishes in respect of Fr Cicero implemented.

30.28 The matter was not reported to the Gardaí until April 2002 and was never reported to the health board. This was in breach of the Church's own guidelines.

30.29 The files do not contain any account of how the Church dealt with the parents of the children who were abused. Bishop Forristal requested the Commission to note that, as bishop of Ossory, he was not in a position to respond directly to the parents who had not approached him. He did meet pastorally with one of the victims. The fact that Fr Cicero was moved from the parish appears to have satisfied the parents.