

Introduction

31.1 Fr Clemens was born in the 1960s and ordained in the 1980s. He has served in a number of parishes in the Dublin Archdiocese but is currently voluntarily standing aside from ministry. He has had two allegations of inappropriate behaviour and sexual abuse made against him, the first arising within months of his ordination. The investigation into the second allegation is ongoing.

First allegations

31.2 In early December 1988, five sets of parents complained to the parish priest of the parish where Fr Clemens was serving. He had taken charge of the altar boys on his arrival in the parish a short time earlier. On one occasion during altar boy practice, some of the boys had been misbehaving and Fr Clemens allegedly made them lower their trousers as a form of punishment. There was no touching involved.

31.3 One of the altar boys immediately told his parents of the incident. He claimed that he had been kept in the vestry for approximately 40 minutes but had refused to remove his trousers. Fr Clemens allegedly released him only when he showed him the top of his underwear. This boy's parents immediately reported this to the parish priest who told them that there must be some mistake and made an appointment for them to return that evening. In the interim, these parents called to the parents of the other altar boys involved in the incident. One altar boy denied it had happened to him and it was not until a Garda investigation began in 2002 that he admitted he had been subjected to this treatment. In 2002, he alleged that this treatment had occurred at least 20 times over a two-year period; this, however, is unlikely to be accurate as the priest was in the parish for only a few months. This same former altar boy also alleged in 2002 that on one occasion he was asked by Fr Clemens to remove his underwear but he had refused. A third altar boy said at the time (December 1988) that he had been asked to remove his trousers. The parents of these three altar boys, and the parents of two others, went back to see the parish priest later that evening as arranged.

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This is a pseudonym.

- 31.4 In the interim, it appears that Fr Clemens had met his parish priest and denied the allegations. However, when the allegations were put to him again in the presence of one of the families, he admitted to asking their son to remove his trousers, saying it was punishment for misbehaviour. The boy's father threatened to go to the media and the Gardaí but was dissuaded by the parish priest who promised to deal with the issue and to inform the Archbishop.
- 31.5 Bishop Murray was immediately informed and in turn contacted Archbishop's House in December 1988. The allegations were discussed at a meeting of the auxiliary bishops where it was decided that Fr Clemens would be given alternative accommodation in a non-parochial setting. He was removed from the parish and went to live with another priest. It would appear that a considerable number of parishioners were aware of the incidents and the parents of the boys involved were adamant that Fr Clemens should have no post in the parish.
- 31.6 Fr Clemens attended a psychiatrist and admitted that the punishment was of an impulsive nature and possibly related to voyeuristic impulses. The psychiatrist concluded that the incident could best be regarded as "*an impulsive indiscretion which did not involve any harm to the boys in question and probably reflects a certain vulnerability in [Fr Clemens's] personality*". The doctor did not regard the incident as a serious problem and concluded it was very unlikely to recur. Continued outpatient care was arranged until September 1989. In December 1989 the psychiatrist recommended an appointment in a parochial setting as soon as possible.
- 31.7 Approximately one week after the first reported incident, the parish priest met some of the parents to update them on developments and offer their son some counselling but this was refused.
- 31.8 Fr Clemens was appointed curate in a parish at the other end of the diocese in January 1989. The parish priest of this parish was informed about the allegations but it was decided not to inform the other priests. Concerns were later raised in the new parish by teachers at the local primary school because they had heard rumours about the incident in the previous parish.

Bishop O'Mahony met the teachers. He told the Commission that he had informed the teachers of the results of the psychiatric assessment and that Fr Clemens was being monitored. He told them that "*within the limits of fallibility and having taken expert opinion there was no one at risk*".

31.9 When the Archdiocese began to report cases to the Gardaí in 1996, Fr Clemens was referred to the Granada Institute for a second review. (He was not named in the first list given to the Gardaí in November 1995 – see Chapter 5.) He had two meetings with a psychologist who issued a favourable final review in February 1998. This stated that Fr Clemens showed no evidence of maladjustment and presented as emotionally stable with a sexual orientation to adult women. There was no indication of an erotic interest towards children and no evidence of posing any risk to children.

31.10 In 2001, Fr Clemens was appointed to another parish as part of the normal process of appointments.

31.11 In May 2002, the parish priest in his first parish received a solicitor's letter on behalf of the altar boy who had claimed he was kept in the vestry for 40 minutes. The former altar boy was now an adult and he threatened civil proceedings for false imprisonment. He also said he intended to contact the Gardaí.

31.12 This young man's parents made a formal complaint to Gardaí in May 2002. The Gardaí carried out a thorough investigation. They took statements from the altar boys involved in the complaint, their parents and others who had served as altar boys in 1988. They also took statements from Fr Clemens, the parish priest and Bishop Murray. There were some conflicting statements given, some saying there was also smacking involved, others saying they had heard rumours but had never witnessed anything. Fr Clemens told Gardaí that, at the time of the incident, one boy had his underwear showing and he told him to tuck his shirt in; he did ask to see another boy's underwear. He denied all other aspects of the allegation.

31.13 The Gardaí contacted the chancellor, Monsignor Dolan in August 2002 and told him that there were four allegations against this priest. They wanted a statement from Archbishop Connell as to why this priest was

transferred in 1988 and information on what treatment he had received. The Gardaí said they did not think there was much in the allegation but wanted further information before sending the file to the DPP. Monsignor Dolan provided them with a statement documenting events surrounding the allegations.

31.14 In November 2002, Monsignor Dolan contacted Granada seeking clarification as to whether Fr Clemens's behaviour could come under the definition of child sexual abuse as outlined in the *Framework Document*. Granada said it would not. An advisory panel meeting in October 2003 noted this firm view and agreed with Granada. The panel recommended that no action be taken until the Garda investigation had been concluded. The DPP decided not to prosecute.

Second allegation

31.15 A new allegation was made in April 2005. It related to an incident which had allegedly occurred in 1988/89 when the complainant was about five years old and Fr Clemens was in the parish where the first complaints were made. The complainant alleged that this priest had fondled him. The Archdiocese followed the *Framework Document* procedures. The complainant was offered counselling. Fr Clemens has stepped aside from ministry and denies the allegation. The matter had not been resolved by early 2007.

The Commission's assessment

31.16 The Archdiocese dealt quite well with the allegations relating to the altar boys. There is no doubt that Fr Clemens's behaviour was inappropriate but it was not clear that it involved child sexual abuse. The second allegation does involve child sexual abuse and it is being dealt with in accordance with the agreed procedures.