

**Introduction**

52.1 The case of Fr Rufus is illustrative of the difficulties that can arise when a complaint is received after the alleged abuser has died.

52.2 It is also illustrative of the fact that a victim or victims can suppress abuse for many many years and of how an event, in this case the public announcement by a complainant that he had settled his case against Fr Naughton (see Chapter 29), can reactivate past memories.

52.3 Fr Rufus was born in 1898 and died in 1974. The complaints against him refer to a period in the 1950s when he was a curate in Harold's Cross and also to a period when he was parish priest in High Street and Arran Quay in Dublin city centre. There are three complaints against him; all three complainants alleged that other people were also abused.

**First complaint, 2002**

52.4 The first complaint about Fr Rufus came from a woman who was born in 1944. She informed Gardaí in 2002 that she and her four sisters had been sexually abused by the priest in the 1950s. Her abuse consisted of digital penetration. It continued for three years from age six to nine years. It occurred while he was based in Harold's Cross and took place in her own home.

52.5 The complainant asked the Gardaí to check whether or not Fr Rufus was still alive. On being assured that he had died in 1974, she declined to give a statement to the Gardaí. She said that her only motivation in reporting was to ensure that he could not abuse other children.

52.6 This complainant did not contact the Archdiocese at this stage.

**Second complaint, 2003**

52.7 The next complaint came in February 2003, again from a woman who was born in 1944. It also related to Fr Rufus's time in Harold's Cross. She

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This is a pseudonym.

contacted the Archdiocese and a full statement was taken from her by the delegate, Fr Cyril Mangan. This complainant stated that Fr Rufus was a family friend and a frequent visitor to her family home. The abuse began when she was seven years old and continued until she was 12 years old. On her first visit to his house she was accompanied by a group of girls. One of the girls said that they all had to huddle together at the door when they were leaving the house. In her statement to the Gardaí she explained that this was because the priest would always molest the last one out.

52.8 The complainant alleged that, in addition to putting his hand up her dress and down her pants, Fr Rufus had also anally raped her in the hallway of his house. She alleged that this happened on a number of occasions. She alleged that Fr Rufus would tell her that she was a special girl and that this was their secret. He warned her that her father would be in trouble if she told anybody. She tried to tell a priest in confession about it, but he refused to give her absolution. This priest was also dead at this stage. The abuse stopped when she went to secondary school.

52.9 She did at a later date attempt to confront Fr Rufus when he moved to the High Street parish but she was unable to do so. He was in High Street from 1961 to 1967.

52.10 Fr Mangan followed up the complaint and told the complainant that, in accordance with Church policies on child sexual abuse, he would inform the Gardaí. He did this and he provided the complainant with information on counselling. The complainant also made a statement to the Gardaí.

### **Third complaint, 2003**

52.11 In February 2003, the Garda National Bureau of Criminal Investigation received a telephone call on their hotline from a male alleging that he had been abused by Fr Rufus in the years 1963 - 1966 when the priest was attached to High Street parish. The complainant said he was aged between seven and ten at the time and indicated that he wished to make a formal statement.

52.12 Even though there was no prospect of a prosecution, the complainant was interviewed two weeks later by the Gardaí at his home. He informed the

Gardaí that he became an altar boy when he was about seven years old and that Fr Rufus was the parish priest of High Street at the time. He ceased to be an altar boy when he began secondary school.

52.13 He claimed he was frequently abused by Fr Rufus during his time as an altar boy and that the incidents of abuse occurred in a little room for the altar boys in the sacristy. He claimed the abuse consisted of touching his penis and fondling him. He did not wish to go into more detail, but he explained that the media hype around clerical sexual abuse was having an effect on him. He also claimed that not alone was he abused, but that three of his brothers were also abused. Neither this complainant nor his brothers reported the abuse at the time. He said he had contacted the health board about six months previously and was receiving counselling under its auspices.

52.14 In September 2003, this complainant made a formal complaint to the Archdiocese. His complaint was dealt with by Fr Aquinas Duffy. The complainant inquired whether or not priests who had suspicions in the 1960s would have reported them to the authorities. Fr Duffy explained to him that it would have been highly unlikely at that time that priests would have had any suspicions and it would have been rare for them to bring any suspicions that they might have had to the attention of the authorities. He explained to the complainant that the protection of children was of paramount importance in the procedures that were being followed in 2003.

52.15 Fr Duffy followed up the meeting with the complainant with an offer of help from the Faoiseamh helpline for him and any of his brothers who might require it. Fr Duffy also informed Fr Mangan about this complaint. This was the second formal complaint about Fr Rufus which had been received by the Archdiocese. Frs Duffy and Mangan decided that the complainant from Harold's Cross should be informed of the fact that there was a second complaint and this was done (it should be noted that the first complainant from Harold's Cross was not known to the Archdiocese at this stage).

#### **The garda response**

52.16 As Fr Rufus was dead there was no question of a prosecution. The Gardaí sought the permission of the first complainant who had alleged abuse

in Harold's Cross, but did not want to pursue the matter, to allow them to inform the Archdiocese about her complaint and this they did.

### **The archdiocesan response**

52.17 The Archdiocese was faced with a real dilemma in this case. On the one hand, it had received two allegations which were credible. On the other hand, the alleged perpetrator was dead for almost 30 years and could not be confronted with the allegations. The secret archives were searched and nothing was found. A comprehensive investigation was carried out among priests who had known Fr Rufus. Inquiries from those who knew Fr Rufus confirmed that he was the priest in Harold's Cross at the time of the allegations and also that he was the parish priest in High Street at the time of the young man's allegations. It was also confirmed by those who knew Fr Rufus that he had "*a great relationship*" with children and that, while he was in Harold's Cross, children were in and out of his house all the time.

52.18 He was regarded as a kind priest by those who knew him and, on being elevated to parish priest, was very caring of his curates. One priest did confirm that the priest who had heard the complaint about Fr Rufus in the confessional was quite likely to behave in the manner described.

52.19 There were a number of meetings between the second complainant and the Child Protection Service of the Archdiocese (CPS). In 2004, she alleged that a Garda had told her that there were other complainants. The Director of the CPS wrote to the Gardaí inquiring about this. The Gardaí, having established that the complainants had no objection to their names being given to the Archdiocese, told the CPS that there were two other complainants – the first Harold's Cross complainant and the High Street complainant. Until this the Archdiocese had not been aware of the first Harold's Cross complaint.

52.20 The Archdiocese made contact with the first complainant from Harold's Cross and encouraged her and her sisters to seek counselling if they so required.

52.21 The second Harold's Cross complainant and the High Street complainant issued civil proceedings against the Archdiocese. The

Archdiocese was puzzled as to how it could be civilly liable in relation to complaints that were surfacing many years after the death of the alleged perpetrator and where it had no notice of any suspicions about the priest in question during his life.

52.22 In the end, it was agreed that the claims would go to mediation. They were settled in 2005/2006 by the Archdiocese without any admission of liability.

#### **The Commission's assessment**

52.23 The Archdiocese dealt with these complaints properly. The procedures were all followed and there was good communication within the Archdiocese and between the Archdiocese and the Gardaí. These complaints were made around the time that the Child Protection Service was being set up. The follow-up with the complainants was good.

52.24 As the priest was dead, there was nothing further the Archdiocese or the Gardaí could do.