

Introduction

“The Church failed us. They failed us as Catholics. They failed me as a human being. They took my soul.”

58.1 That was how one of the complainants who gave evidence to the Commission described his viewpoint some 32 years after the event about which he had complained took place. His sentiment was echoed and re-echoed by other complainants who came forward to the Commission. Many of those who came forward were people whose sexual abuse as children, by clerics of the Dublin Archdiocese, had been confirmed, either by admissions of the priest concerned or by his conviction for the offences in the criminal courts. These witnesses were anxious that the Commission should understand and appreciate the potentially devastating long term effects of child sexual abuse, not merely on the child, but also on the wider family. A number of issues were raised.

Difficulties in relationships

58.2 A number of the complainants found great difficulty in establishing and maintaining close trusting and intimate relationships. Most of the male complainants stated that they had extreme difficulty in becoming intimate or expressing vulnerability with their partners. Some of the women had later entered into abusive relationships. One complainant, having received counselling for the effects of the abuse, stated that the happiest day of his life was the day he turned around when going out to work and for the first time picked up his two-year-old daughter and hugged her. Prior to receiving counselling he had been afraid to do so. Almost all of the complainants paid great tribute to their spouses or partners for their fortitude in dealing with their behaviour and trauma.

Effect on religious belief

58.3 A substantial number of the complainants and their families had ceased to be practising Catholics. Many of these people had played prominent roles, such as ministers of the Eucharist and altar boys, in their parishes. A number of them spoke of being ostracised both by the clergy and their fellow parishioners to whom they had complained. A number of them

were visited by individual priests shortly after they had complained but they felt that this was done in an attempt to defuse the situation. Their perception was that as soon as the danger of publicity passed the visits ceased.

Transference of guilt

58.4 Some of the complainants were left with the feeling following the abuse that they were complicit in the abuse, such was their esteem for the priest. During much of the period under review, the status of priesthood seemed, in the minds of the complainants, to confer a special power. The use of this power to abuse children appears to be a classic illustration of the effect of the abuse of power on vulnerable people. Some complainants thought that since a priest would not voluntarily break his vows, the abuse must in some way have been their fault. For many of the complainants this belief persisted into adulthood and added to their mental trauma.

Stated effects of abuse

58.5 Many complainants recounted a feeling of worthlessness. They were told by their abusers that they were no good and they believed them. They spoke of ambitions being thwarted.

58.6 Some complainants told the Commission of friends who had been abused and who had subsequently committed suicide. It was their belief that the abuse was a major contributory factor. A number of the complainants themselves spoke of having suicidal tendencies. As described by the complainants, one of the most crippling aspects of the abuse was the development of a mentality in which the complainants saw themselves as powerless and helpless. These feelings arose even in people who had outwardly made a success of their lives.

58.7 Many of the complainants recounted a history of drug/and or alcohol abuse. Other problems identified by the complainants included difficulty managing anger, sexual compulsiveness, self destructive behaviour, depression, isolation and poor self esteem.

Fear of not being believed

58.8 A number of the complainants were concerned that they would not be believed if they reported the abuse. They thought themselves to be the only

complainant. In fact in the majority of cases known to the Commission in which a child complained of abuse to their parents, the parents did believe them. Many parents went to great lengths to try to have the priests removed or to remove the child from any possible contact with the priest which, in at least one case, involved moving house.

58.9 Many of the complainants had not disclosed their childhood abuse until they had reached maturity. In a number of cases it was when they became more mature and realised that their interpersonal relationships were not what they hoped that they revealed the abuse. Given that the number of complainants known to the Commission is considerably less than the number of people whose abuse has been admitted by the priests in the representative sample, it is essential that the support programmes currently in place for complainants continue into the foreseeable future to ensure a support system for those who may yet come forward.

The effect on the families

58.10 *“My parents are destroyed as parents. They live with the guilt of this every day.”* The abuse reported in the 1970s and 1980s was in the main reported by parents. From the evidence given to the Commission, there is no doubt that the abuse also had an effect on families. This was compounded by what they perceived to be the dismissive attitude of the Archdiocese.

58.11 A mother, two of whose children had been subjected to horrific sexual abuse by a priest, and who continue to experience the effects two decades later, told the Commission: *“He destroyed a family and destroyed the children that came after the children of the family, because everybody was and still is, so badly affected by it”.*

58.12 A mother who attended the Commission with her daughter who had been abused on a number of occasions during Confession stated: *“There isn’t a day goes by that I don’t think about it. I know people say it’s stupid, you should forget about. You should put it out of your mind. But you can’t. I can’t anyway. I think, you know it will live with me forever”.*

58.13 Some parents told the Commission that they still feel enormous, albeit entirely unwarranted, guilt that they had failed to notice the abuse and that

they had failed to note the warning signs from their sons or daughters when they asked not to go with a particular priest. Some parents became alienated from their children. A number of children became alienated from their parents. However most of the families who gave evidence before the Commission have been reconciled; others, unfortunately, remain alienated.

Betrayal

58.14 One unifying strand in all of the complainants' evidence heard by the Commission was the sense of dismay and anger felt by them that their Church, in which they had placed the utmost faith and trust, had in their view, duped and manipulated them over the years and that it had done so in order to preserve its reputation and its assets. Unlike Church authorities, complainants did not perceive any distinction between their local church and the universal church. They were shocked by the growing realisation that their Church founded on a gospel of love, truth and justice could treat its own members, many of them defenceless children, so shabbily.

58.15 A common refrain amongst the complainants was that the nature of the apologies issued by the Archdiocese was general rather than specific. They stated that this type of apology was not sufficient to ease their personal pain. They felt that if they could meet someone in authority who would personally apologise to them for the hurt and trauma they had suffered this would greatly help them. Some acknowledged the fact that Archbishop Martin had met them personally and apologised to them.

58.16 Asked what he wished for from the investigation, Andrew Madden (see Chapter 24) stated that he wanted a full exposition of how the Dublin Archdiocese handled cases. He said: *"I think it's important to expose the spinning and the mistruths that have been there."* Another complainant responded when asked the same question: *"I'd like them to take responsibility for things they did. I want them to realise that these abuses, people carry them through their whole life and even their own families can be victims afterwards. It's a cycle that has to be broken and these people have to realise the damage they're causing".*

58.17 A young man who claimed that he had been abused by Fr Tom Naughton (see Chapter 29) in Vallemount told the Commission:

"I want people to know that Tom Naughton abused people in Valkeymount because I think it might help some people ... because I think a lot of men now are probably thinking what I was thinking ten years ago, which is that it was my fault, I did something wrong ..."

58.18 He was angry that even now, in his view, the Archdiocese was not making any real attempt to reach out to all those who had been abused. He said of the Archdiocesan officials: *"you deal with me when I'm a threat to you legally but when I'm not a threat to you, you ignore me"*. He wants them to set up a helpline independent of Church control that those complaining of abuse could contact because as he said: *"it's the silent ones, the quiet ones who can't bring themselves to admit to either their families or their wives or their children, what's happened to them. They're living this horrible, horrible life. It's full of lies. It's full of deceit and they're really struggling with it"*.

58.19 Marie Collins was particularly angered by the use by Church authorities of 'mental reservation' in dealing with complaints. Mental reservation is a concept developed and much discussed over the centuries, which permits a churchman knowingly to convey a misleading impression to another person without being guilty of lying. For example, John calls to the parish priest to make a complaint about the behaviour of one of his curates. The parish priest sees him coming but does not want to see him because he considers John to be a troublemaker. He sends another of his curates to answer the door. John asks the curate if the parish priest is in. The curate replies that he is not. This is clearly untrue but in the Church's view it is not a lie because, when the curate told John that the parish priest was not in, he mentally reserved to himself the words 'to you'.

58.20 Cardinal Connell explained the concept of mental reservation to the Commission in the following way:

"Well, the general teaching about mental reservation is that you are not permitted to tell a lie. On the other hand, you may be put in a position where you have to answer, and there may be circumstances in which you can use an ambiguous expression realising that the person who you are talking to will accept an untrue version of whatever it may be - permitting that to happen, not willing that it happened, that would be lying. It really is a matter of trying to deal

with extraordinarily difficult matters that may arise in social relations where people may ask questions that you simply cannot answer. Everybody knows that this kind of thing is liable to happen. So, mental reservation is, in a sense, a way of answering without lying.”

58.21 Both Marie Collins and Andrew Madden independently furnished the Commission with examples of how this concept was deployed by the Archdiocese in dealing with their complaints. In 2003, Mr Madden was invited to meet Cardinal Connell. In the course of an informal chat Cardinal Connell did apologise for the whole handling of the Fr Ivan Payne case. He was however at pains to point out to Mr Madden that he did not lie about the use of diocesan funds in meeting Fr Payne’s settlement with Mr Madden. He explained that when he was asked by journalists about the use of diocesan funds for the compensation of complainants of child sexual abuse, he had responded that diocesan funds **are** not used for such a purpose; that he had not said that diocesan funds **were** not used for such a purpose. By using the present tense, he had not excluded the possibility that diocesan funds had been used for such purpose in the past. According to Mr Madden, Cardinal Connell considered that there was an enormous difference between the two.

58.22 After the conviction of Fr Edmondus* for the child sexual abuse of Mrs Collins and others in the criminal courts, in 1997, the Dublin Archdiocese issued a press statement claiming that they had co-operated with the Gardaí in relation to Mrs Collins’s complaint. Mrs Collins was upset by that statement as she had good reason to believe that the Archdiocese’s level of co-operation was, to say the least, questionable. Her support priest, Fr James Norman, subsequently told the Gardaí that he asked the Archdiocese about that statement and that the explanation he received was that “*we never said we cooperated ‘fully’*”, placing emphasis on the word ‘fully’.

Reporting to the Gardaí

58.23 Initially many complainants and their families were reluctant to report clerical child sexual abuse to the Gardaí. This was mainly because they did not wish to cause scandal to the Church. It is notable that by the time they gave evidence to the Commission, most of the complainants were of the view that the Gardaí were the appropriate people to whom to report. Many considered that there should be an obligation on the authorities, including the

Church, to report all allegations and suspicions of child sexual abuse. In other words, they now support mandatory reporting.

Post 1995

58.24 While outwardly the Dublin Archdiocese may have appeared to have been striving to come to terms with its responsibilities in relation to child sexual abuse by clerics, and to 'repair the scandal caused', by issuing apologies and by formulating guidelines for the future handling by the Church of complaints of child sexual abuse, the experience of individual complainants does not always bear this out according to their testimony. Complainants who came forward after 1995 were treated in much the same way as complainants had earlier been treated. Their complaints were received without comment. Until the latter end of the period under review they were generally told nothing of what the Archdiocese knew about the priest concerned.

58.25 Under the *Framework Document* (see Chapter 7), there were three important positions to be filled by the Archdiocese. First, there was to be an appropriately trained delegate who was to ensure the implementation of the protocol to be followed where a complaint of clerical child sexual abuse was received. Secondly, there was to be a support person who was to be available to the complainants and their families. Their role was to assist complainants and to facilitate them in gaining access to information and help, and to represent their concerns on an ongoing basis. Specifically, the support person was to:

- consider any wishes of the complainant in regard to a pastoral response by the Church to his or her family;
- be available to the complainant throughout any investigation which might ensue and thereafter as required;
- ensure that the complainant was kept informed of developments in regard to the complaint;
- represent the wishes and any therapeutic needs of the complainant to the delegate as required;
- arrange, if considered helpful, a meeting between the complainant and the bishop.

58.26 Thirdly, the diocese was to appoint an adviser who was to be appropriately trained and who was take care of all the pastoral, legal and therapeutic issues arising for the accused priest. In essence, the adviser was to have the same duties towards the priest complained of as the support person had for the complainant.

58.27 If followed, the guidelines might have provided an 'equality of arms' in relation to the Archdiocese's handling of complaints. It might have achieved a restoration of justice as required by Canon 1341. However the Archdiocese did not establish any proper support service for complainants until 2003 and then only after agitation from people like Mrs Collins.

58.28 A woman described to the Commission her experience of going to Archbishop's house alone to make a complaint in October 1998, two and a half years after the publication of the *Framework Document*. *"I didn't go in the front gate on Drumcondra Road. I went in a very, very dark gate and up a flight of stone steps into a very dark room and that's where he spoke to me. He listened to what I had to say. That's all. He just listened. He was passive"*.

58.29 After 1995 people began to issue civil proceedings for damages against the Archdiocese in increasing numbers. Seventy seven civil claims for damages have been made against the Dublin Archdiocese in respect of the priests in the representative sample. It is worth noting that the Archdiocese for many years relied fully, as of course it is entitled to do, on its legal rights in defending such claims during the period under review. The principle of 'restorative justice' which the Archdiocese purports to espouse, was not applied to any claim seen by the Commission during the period of its remit. The Commission has learned that many cases are now mediated and complainants have found this process less intimidating.

58.30 Some complainants explained to the Commission that they brought civil proceedings out of frustration with the way in which they were being dealt with and on the advice of professionals. In the words of the woman whose two children were brutally abused:

“When people say were they compensated and was it adequate, we were just ordinary people. We weren’t money orientated... It was through professional people who advised them, friends who advised them to go the way of compensation, but all they really wanted was to see justice done and to see him in court. They never got that day you know. So they live with that”.

58.31 Mrs Collins told the Commission that she no longer trusts her Church. After years spent trying to get her Church to deal openly and truthfully with the challenge posed to it by the scandal of child sexual abuse she has concluded that within the institutional Church there has been no change of heart, only a change of strategy. Is she right? Time will tell.