

Introduction

16.1 Fr Patrick Maguire is a member of the Missionary Society of St Columban (generally known as the Columban Fathers). He was born in 1936 and ordained in 1960. He served in Japan for a number of years between 1961 and 1974. During this time he had lengthy holidays in Ireland. He then worked in the UK and in Ireland, including, for a brief period in 1983/4, as an assistant priest in a parish of the Archdiocese of Dublin.

16.2 Fr Maguire is a convicted serial child sexual abuser. He has been convicted of indecent assault in the UK and in Ireland and has served prison sentences in both countries. In 1997, he admitted to having abused about 70 young boys in a number of countries and he abused at least one young girl as well. When he was subsequently charged he told his Society that about 100 victims might emerge in Ireland when his name became known. His pattern of abuse is such that it is likely that he abused hundreds of children in all parts of Ireland as well as in the UK and Japan. There can be no doubt that he used his position as a priest to access children. He was associated with another serial abuser – Fr Bill Carney (see Chapter 28) – around the time he was working in the Archdiocese. The Society of St Columban has pointed out, and the Commission accepts, that it had no knowledge of Bill Carney or of his association with Patrick Maguire. Fr Maguire was suspended from the clerical state in 2000. He remains a member of the Society and lives within the Society under strict conditions.

16.3 Fr Maguire's way of operating was described by one of his therapists in the following words:

“PM typically employed an elaborate ‘planning’ and ‘grooming’ process, involving the children and adults around them, for example; ‘I thought of ways of meeting boys, engaging in conversation, ways of seeing them with their family and seeing how they related with their parents - I planned ways of seeing them with other boys, and eventually ways of being alone with them in places where they felt safe - I planned ways of getting them alone where no one else could observe and where undressing would not be thought out of place, like bathing together, changing at the pool, showering after a swim, and

eventually ways of getting them to spend the night, and sleep with me in bed.’ [...] He employed a well practised ‘formula’ to get his victim to comply with what he wanted to do to him, plus the fact that he held a position of authority, making the victim powerless in this situation. [...] PM has described abusing his victims, by being naked with them in bed and ‘touching’ and ‘caressing’ their bodies and genitals.”

History of abuse

16.4 Fr Maguire admitted to a therapist in 1997 that he had abused a child and groomed others before he became a priest. He also told this therapist that he wanted to escape from the sexual confusion he felt by becoming a Roman Catholic missionary priest. He told the Commission that he had reasoned that “*since priests don’t have sex, it wouldn’t matter whether he was attracted to boys or girls*”.

16.5 In 1997, he admitted to the following abuses:

- Before he became a priest: one boy; he also admitted to having sex with a boy of his own age while a teenager and to having groomed two other boys.
- 1963 – 1966: three boys in Japan; he also groomed others.
- 1967: six or seven boys while in Ireland.
- 1968 – 1972: two boys.
- 1973: ten boys in Ireland and ten in Japan.
- 1974/75: eight boys in Ireland.
- 1976 – 1979: eight boys and one girl; he also admitted that he set up a network of victims and families where he could abuse.
- 1984: three boys.
- 1984 – 1989: two boys; he also continued his relationship with other victims and families.
- 1992- 1994: a vulnerable adult (21 years old).
- 1996: grooming.

He told the Commission that this list is not complete.

16.6 In 1998, he described his activities up to 1985 as being “*hands-on*” with some children while encouraging others to bathe with him or be naked in his presence.

Japan, 1961 – 1974

- 16.7 Fr Maguire admits that he groomed and abused boys while in Japan in the period 1961 - 1974. He also admits that he abused boys while he was on holidays in Ireland from Japan. There is evidence that the Society had some concerns about him in 1968. The minutes of a meeting of the General Council of the Society record that “*The advisability of [...] Patrick Maguire returning to Japan was discussed as it was felt that this might prove a danger to them. No decision was made*”. The members of the council are all dead so it has not been possible to establish what exactly these concerns were.
- 16.8 He was sent back to Ireland from Japan in 1974 after a nun there complained to the bishop about his inappropriate conduct with young males. The letter from a member of the Society in Japan to the head of the Society⁶⁰ in Ireland shows how the issue was viewed at the time:

“I am writing to you about PM who is leaving Japan tomorrow evening for Ireland. Just about a week ago, one of the sisters in the parish where Pat works alerted me to a problem that Pat has. The problem involves young male children. The incidents she quoted weren’t that serious, but, I felt serious enough to warrant immediate attention. I went down to talk to Pat last week. I talked to Bishop Hirata first, because the sister had been to see him before she came to me. Bishop Hirata was most understanding but said that it would be best that Pat slip out of Japan quietly. There is always a danger that the weekly magazines would latch onto a thing like that and blow it up out of all proportions. The good name of the Church would suffer, not to mention Pat’s. The Bishop also said that there could be a danger of a law case, as the parents of the children involved know of the incidents. I think that there is hardly any likelihood, as the incidents referred to are three or four months old.

I talked with Pat on Wed. last. He freely admitted to the accusations of the sister, but they didn’t seem to be quite as serious as the sister painted them, and I believe Pat. However Pat also admitted that he

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The term ‘head of the Society’ is used to describe anyone in authority in the Society.

has had this problem or tendency for years, and off and on over the years he had gone to psychiatrists privately about it. Loneliness, he puts down as the root cause of his problem.

He had the tendency more or less under control, but is really scared of it himself. I think that it is Divine Providence that the problem came into the open at this stage. If Pat were to stay on until he was due for his next holiday in two years, he, more than likely, would go home a wreck [...]

Pat is going home, ostensibly, because his mother is sick. It may sound deceitful to you, but it is the only way that I can think of that would release Pat from the obligation of having going away parties and all the attendant publicity”.

16.9 It appears that the real reason for Fr Maguire's departure from Japan was known only to a few members of the Society in Ireland. The General Council “*Agreed that pro tem Patrick Maguire, Japan, be considered as on compassionate leave in Ireland*”. It is not clear that those who did know understood the nature and/or extent of the problem. It was never referred to as child sexual abuse. Nevertheless, they were aware that Fr Maguire's problem ought not be widely known or acknowledged.

16.10 On his return from Japan in 1974, Fr Maguire attended a priest for counselling and he also attended a psychiatrist. The Society did not brief the psychiatrist in writing. It is not clear exactly what problem the psychiatrist thought Fr Maguire had but it would appear that either he did not know what had happened or he had no knowledge of child sexual abuse. In his report, the psychiatrist stated that Fr Maguire was a shy man who found himself in a difficult cultural situation and gradually became isolated. The psychiatrist felt that the actual physical manifestation of his problem was related to his isolation and could, in a number of instances, be regarded as almost coincidental. It is clear from later statements to therapists that Fr Maguire considered there was little sexuality in his relationships with children – he liked “*physical intimacy*” with children. The psychiatrist reported to the Society that he did not think that Fr Maguire “*should cut himself off completely*

from young people...he will begin to relate better with his peers as he grows older”.

(After Fr Maguire’s conviction in the UK in 1998, the Society issued a statement in which it acknowledged that this advice proved incorrect.)

16.11 Fr Maguire worked in the UK for some months in 1974 and was then assigned to Ireland for a year. His superior wrote to him saying that the Society was very happy with the progress he had made – this was based on the psychiatrist’s reports. The letter went on to say: *“The difficulties that you have encountered in Japan are not that unusual. You have always been an excellent priest, a very capable one and a hard worker. I am confident that given time at home in a more relaxed situation where you can see the results of your priestly activity that you will be all the better for any difficulties that you may have incurred in Japan”.*

Diocese of Raphoe, 1974 - 1975

16.12 Fr Maguire was assigned to work in the diocese of Raphoe in September 1974. While there, he requested to say the early morning mass; he then had an excuse for getting the altar boys to stay overnight so they would be in time in the morning. He engaged in his usual practice of grooming children by inviting them to stay in his house and bringing them swimming. One victim said later that *“We all had an idea about what went on but none of us spoke”.* A priest who served with him stated in 1997 that he thought Fr Maguire had abused about eight or nine boys while there.

16.13 At this stage, Fr Maguire became astonishingly brazen. He reported to the parents of a boy who had stayed overnight in his house that the boy had a problem with his testicles. Not surprisingly, the parents wondered how he had discovered that. The parents of this boy and others complained to the Bishop of Raphoe, Bishop McFeely, who immediately asked the Society to remove Fr Maguire from his diocese. His letter of December 1975 to the Society well illustrates the episcopal thinking of the time:

“Earlier this year I had a well substantiated complaint from one set of parents about PM having homosexual relations with a son of theirs who was an altar server. We agreed not to take any action at that time but to keep a look out for any repetition. I regret to say that

another case has cropped up in the past few days. I am fairly certain that the two sets of parents involved are each unaware of the other complaint and I cannot doubt the truth of their report. I do not wish to go into details but briefly PM had these boys in his room all night and would seem to have interfered sexually with them. He informed the parents of one of the boys that the son had an abnormality of the testicles.

I intend to speak to PM tomorrow or Sunday and no matter what transpires in my interview with him, I will insist on him leaving here as quickly and as quietly as possible. ... If PM were to remain here even for a short time, there would be grave danger of the affair becoming public. One of the parents has consulted a doctor. If news of PM's departure were to leak out, there might well be a proposal to have some kind of send-off for him and that could lead to unforeseen dangers.

Of course, I will be as helpful as I can and be as sympathetic as I can. We can easily say that you found it necessary to recall him urgently for other duties and I should think there will be no untoward surprise”.

16.14 Fr Maguire was removed from Raphoe immediately. He attended a psychologist in Dublin who according to Fr Maguire was “very aggressive” with him but who clearly recognised the problem. Fr Maguire was sent to Stroud in February 1976. The head of the Society in Ireland told Stroud that “*if people enquire about him I’m saying that he’s on a renewal course in England – somewhere in Gloucestershire as Stroud will have connotations for many!*”. Fr Maguire spent three months in Stroud. Again, it is not clear what Stroud was told but it is clear that his problem was diagnosed as “*paederasty coupled with an almost unbelievable imprudence and lack of understanding of the danger he can be to boys*”. Stroud considered that Fr Maguire was in certain respects immature. There was danger but “*this does not mean that he cannot practice in the long term as a valuable priest*”. It was recognised that he had become “*too intimate*” with boys but that “*can be made too much of as I cannot believe that he was in any way cruel or ruthless with the boys in question*”.

16.15 Fr Maguire said later (in 1992) that, other than seeing a psychiatrist on six occasions, he did not receive any specific treatment for his difficulties in Stroud. He said that everyone was treated as an alcoholic and the area of sexuality was denied. It is clearly not the case that the area of sexuality was denied. However, there seems to have been a diagnosis or assessment only and no treatment and there also seems to have been a very limited understanding of the nature and consequences of being “*too intimate*” with boys. Fr Maguire also said (in evidence to the Church penal process in 2000) that he did supply work locally while he was in Stroud.

16.16 The Society seems to have noted only the optimistic parts of the assessment from Stroud and admitted as much in 1998.

16.17 Fr Maguire started pastoral work in the UK later in 1976. During this time he committed the abuse for which he was subsequently convicted in the UK. This abuse was not reported to the Society at the time.

Mission promotion in Ireland 1976 - 1979

16.18 On the basis that the report from Stroud was “*encouraging*”, the Society decided that Fr Maguire should go on mission promotion work in Ireland as he would move from parish to parish and would not have enough time to “*establish relationships which might be dangerous*”. He did this from September 1976 to 1979. This involved preaching at all masses in a parish on a Sunday and spending the weekdays in the schools telling the children about the missions. He would look to the congregation for a place to stay; he seems to have been particularly adept at staying in houses where there were no adult males. At least four of the boys he abused during this period lived in the Archdiocese of Dublin. He also abused in other parts of the country. There seems to have been absolutely no supervision of him during this period. The Society has explained to the Commission that mission promotion work was organised in the following way:

“As a matter of practice each congregation was assigned a diocese. Each year the congregation would be aware of what work was being done by whom in what diocese in general terms but not of the details as to the schedules of any of the individuals carrying out that work. Generally the persons working the diocese would split it up amongst themselves as members of the promotional team. At the same time

there would have been direct liaison with individual Parish Priests, in relation to availability etc.

Patrick Maguire's schedule would have been derived through the process described above. The Society would know which diocese he was attached to but not the details of his schedule".

16.19 He spent some time doing supply work in the UK during this period. This was unknown to his superior in Ireland until Fr Maguire wrote a letter to him about an unrelated matter.

16.20 A further complaint was made to the Society and it was decided to give Fr Maguire an office job. In May 1979, he was appointed as secretary to the central administration of the Society – this included being the private secretary to the Superior General. He was based in Dublin. While doing this job, he also did what the Society describes as *"ad hoc supply as and when requested in different churches. This usually took the form of saying one or two masses usually on weekends when vacancies arose in the local area from time to time"*.

First complaint to Archdiocese, 1979

16.21 In 1979, a woman complained to a priest of the Archdiocese that she had found Fr Maguire in bed with her two sons. She had provided Fr Maguire with a bed for the night after he had preached in her local church. She noticed that he was not in the bed allocated and found him in her sons' bed. His excuse was that he was cold. She provided him with a hot water bottle and sent him back to his allocated bed. She subsequently found him back in her sons' bed. In a statement made in 1997, the priest to whom she reported this allegation at the time said that he had reported it to his parish priest. Unfortunately, the parish priest was dead by then and so could not be asked about it. It seems that nothing further happened.

16.22 There is no doubt that the complaint was made in 1979. The priest's description (in 1997) of the complaint he received (in 1979) totally corroborates the statements of the boys and their mother. Neither the Archdiocese nor the Society has a contemporaneous record of this complaint. The Archdiocese did investigate the complaint in 1997 after the boys in

question (who were then young adults) made complaints to the Gardaí – see below.

16.23 Fr Maguire went to a treatment centre in the UK for six months in 1982 at his own instigation. He told his therapist that he felt sad and lonely after his mother died and sought therapy. He returned to work as secretary to the Society in September 1982. In January 1983, he was complaining to his superior about lack of support. He saw his current job as “*a form of ‘house arrest’*”. In fact, it was not even remotely akin to house arrest because he continued to do supply work in local churches in Dublin, he was taking children swimming and he also managed to go to the UK and access children whom he had previously abused.

Working in the Archdiocese, 1983 - 1984

16.24 Fr Maguire was appointed to the Archdiocese of Dublin in October 1983. He was appointed to a parish for which the Society had a contract with the Archdiocese – Balcurris, Ballymun. The appointment was to be for two years. The superior of the Society in Ireland wrote a letter to Archbishop Ryan in which he “*highly*” recommended Fr Maguire. He told the Archbishop that Fr Maguire had served in Japan and more recently as secretary to the central administration. There was no mention of his service in Raphoe or of his missionary promotion work. There was no mention of any problems even though it is clear that the superior did know that there were problems. He may not have known the full extent of the problems but he ought to have mentioned those of which he did have knowledge. Fr Maguire also continued with his job as secretary until a new appointment was made.

16.25 In November 1983, the Archdiocese was investigating a complaint against Fr Bill Carney (see Chapter 28). During the church investigation of this complaint, Fr Carney told Monsignor Alex Stenson and Canon Ardle McMahon that he (Fr Carney) used to bring boys swimming and was accompanied by two adults, one of whom was “*a Fr Pat Maguire (a Columban)*”. Fr Carney said these adults were prepared to vouch for him if the matter went to court. Neither Monsignor Stenson nor Canon McMahon nor the people to whom they reported, Bishop Kavanagh and Archbishop Ryan, noted that Fr Maguire was, in fact, attached to the Archdiocese of Dublin at this stage. No effort was made to contact Fr Maguire in respect of

the Fr Carney complaint. However it must be said that, at this stage, the Archdiocese had no notice that Fr Maguire was a child abuser and there was no reason why Monsignor Stenson or Canon McMahon would have had any suspicions about him.

16.26 In 1984, Fr Maguire was still visiting former victims' families in the diocese of Raphoe and officiated at a wedding there. This was known to the Society but they did not do anything about it.

Second complaint to Archdiocese

16.27 In April 1984, Archbishop Ryan's secretary informed the head of the Society in Ireland of three complaints about Fr Maguire's behaviour with children. The first had been reported to the Archdiocese some time earlier by the parish priest of Ayrfield. He reported a complaint by parents that Fr Maguire was too intimate with their children at a swimming pool. Again, Fr Maguire had told parents that a child had problems with his testicles. It appears that the Archbishop's secretary told the Society that the Archbishop did not act on this information because of the "*delicate position*" of Fr Maguire as the Superior General's secretary. Then, an anonymous caller reported similar incidents but, because of the caller's wish to remain anonymous, the Archbishop did not pursue the case. The third complaint had been made the day before the secretary reported to the Society. Another parent had complained about Fr Maguire's involvement with children. The head of the Society said that there could be substance to these complaints. The Society then contacted the local curate (who was one of its members) and was told that he and the other priests were disturbed by so many youths calling to Fr Maguire's room. They had confronted Fr Maguire and advised him to be more prudent, but he defended his position and said he was "*showing loving care to those who have been deprived of it*".

16.28 Fr Maguire was withdrawn from the Archdiocese in May 1984. Archbishop Ryan sent him the standard letter of thanks for his service in the Archdiocese.

16.29 There is no record of this complaint in the files of the Archdiocese. When asked about it in 2000, the former secretary remembered that there had been a complaint and that Fr Maguire was removed but did not

remember the details. He told the Commission that he did not remember meeting the head of the Society but he accepted that the meeting had taken place. He had not discussed the complaint with Monsignor Alex Stenson who, had he been informed, might have linked it with the earlier Fr Carney complaint. Internal communication within the Archdiocese was clearly inadequate in this case.

UK, 1984 - 1992

16.30 Fr Maguire was sent to the UK for therapy. After some discussion of what form of therapy he would undergo, it was decided that he would have a job as bursar in one of the Society's houses in the UK and have therapy at the therapeutic centre which he had attended in 1982. The local head of the Society had reservations about the wisdom of assigning him to the UK. Fr Maguire had reservations about the type of therapy being proposed. The therapeutic facility had reservations about having Fr Maguire because he was likely to re-offend and "*the chances of smoothing over such cases in which a clergyman is involved would be much less here than in Ireland*". Fr Maguire then received daily intensive therapy for over two years. He was in touch with his superior in Ireland about his therapy and his progress generally. He was considering leaving the priesthood and marrying. One letter from the superior throws light on the Society's views of the role of priests:

"Without in any way impinging on your freedom, I offer the advice that you don't surrender that freedom of decision to any therapist. You are a priest and you should not allow any person other than yourself to conclude that you ought not remain in ministry, albeit a limited one. I am distrustful of the capacity of any layman or woman to know what it means to be a priest. A priest counsellor is in a better position to do so. Do you have a spiritual director as well as a therapist? I know that you are probably fed up to the back teeth with the therapy and I don't want in any way to throw doubt on what the therapist is finding, but he isn't God. Don't let him decide for you".

The Society told the Commission that this letter should not be taken as a general comment on the Society's views of the role of priests or the nature of a vocation but rather as a specific response to a letter written by Fr Maguire in which he communicated some serious personal problems.

16.31 Fr Maguire left this therapy arrangement in anger as he felt it was not helping him. He was in the USA for six months in 1988/89 pursuing a clinical pastoral education course. The Society considered his situation in 1989 and concluded that they “*must be cautious in his appointment but also we have to ‘take a risk’ with him at some stage*”. He was given a parish and hospital appointment in London. This also involved being a school chaplain. He was involved in a school trip where he supervised boys washing and getting ready for bed. It is not clear what, if anything, members of his Society with whom he was living knew of his background.

16.32 He was asked to leave his parish appointment in May 1992 when the parents of a 21-year-old man complained that Fr Maguire was in an abusive sexual relationship with their son who suffered from a mental illness. A head teacher had already asked that Fr Maguire stay away from the school. He was sent back to the therapeutic facility. The Society had finally reached the conclusion that he could not have public ministry for the foreseeable future. The therapeutic facility was very clear that Fr Maguire posed a danger to any child with whom he came in contact.

16.33 A manager of a pharmacy reported that Fr Maguire had left in photographs to be developed which were a cause of concern as they involved nudity. In the light of all the issues which had arisen, the Society decided to get him out of the UK before he was arrested. He was immediately sent to Ireland.

Ireland, 1992 - 1996

16.34 The superior of the Society in the UK wrote to the Society in Ireland saying that Fr Maguire should be formally suspended in order to remove “*the priestly safety net*”, that his counsellor described him as a “*walking time bomb*” and that the Columbans should have a written policy on child sexual abusers. He also said that the family of the children involved in the photographs (who were in Ireland) should be informed. This is the first time in the lengthy dealings with Fr Maguire that some concern is expressed for the safety of children.

16.35 The reports from the therapeutic facility at this stage were very clear that Fr Maguire was a risk to children and should not be allowed any pastoral

ministry. It was very clear that he used his pastoral role to gain access to victims and to groom families of potential victims. The therapeutic facility recommended that he be placed in a residential treatment programme.

16.36 The council of the Society in the UK formally recommended to its Irish equivalent that Fr Maguire have residential treatment for his paedophilia and be compulsorily suspended from the priesthood until further notice. The UK Society head noted that:

“As far as I can work out, on three occasions the Society has recommended PM for pastoral work when as a Society we have collectively had sufficient knowledge to have known better and not to have appointed him to a parish or hospital. Maybe for lack of knowledge of all the facts from Japan, Ireland and England, PM was allowed back into ministry, with I am sad to say disastrous consequences, damaging people and leaving us in a delicate situation with both the Archdioceses of Westminster and Birmingham”.

16.37 It is not clear if he was aware that they were also *“in a delicate situation”* with a number of dioceses in Ireland.

16.38 In December 1992, Fr Maguire was living in one of the Society's houses in Ireland and his liturgical and pastoral activity was restricted to there. He could stay a night away from there very occasionally but only with specific permission. He could be away during the day but was required to inform the local superior and to be back by midnight. He could ask for permission to say mass for his family or officiate at funerals or weddings. He was allowed go to his family home for an occasional overnight stay during which his brother was to accept responsibility for him. The local parish priest in his home area was informed and told that Fr Maguire was forbidden to say mass, even in an emergency. Fr Maguire started individual and group therapy in Dublin. The Society in the UK was concerned that he had not been suspended. In general, the head of the Society in the UK seemed to be more conscious of the risk Fr Maguire presented than was his Irish counterpart.

16.39 The local bishop was not told in writing of Fr Maguire's problems or of his presence in his diocese but the Society told the Commission that he may have been told informally as he was a regular visitor to this house at the time.

In fact, the local bishop has told the Commission that he was briefed on a number of occasions on developments in the case and on the ongoing arrangements for supervision and monitoring. He said (in 2009) that he was and continues to be satisfied with the arrangements. Neither the Archbishop of Dublin nor the Bishop of Raphoe was informed of the complaints or of Fr Maguire's whereabouts.

16.40 The Society developed a *Policy on Sexual Abuse of Minors* – it got final approval in September 1994. This included provision for on-going education for members on the nature of sexual abuse and its effects on minors and also included a provision that candidates for membership would undergo psychological testing. This would seek to identify tendencies to paedophilia and ephebophilia⁶¹.

16.41 In 1994, complaints were made to the Society about abuse which had occurred in Ireland in 1977. The complainants were told that Fr Maguire was no longer in ministry and did not have access to children. They were also encouraged by the Society to lodge a complaint with the Gardaí.

16.42 In 1995, it was clear that Fr Maguire was not abiding by the restrictions imposed. A local priest reported to the Society that he was concerned that Fr Maguire was staying in his own accommodation at his brother's place and that he might have a relationship with a 15-year-old boy. The Society forbade Fr Maguire to stay overnight away from the Society house. The Society in the UK expressed concern at the fact that Fr Maguire was celebrating private masses in his home parish and had organised a holiday for a family from the UK including children under 16. The Society in the UK wrote:

“My motives for writing come only from a genuine concern for possible victims as well as for the good name of our Society. If anything serious became public and the Society was found in any way negligent, and in my judgment we have been on various occasions down through the years, then the result, with regard to the financial support given to the Columbans by our benefactors, both in Ireland and Britain, would in my opinion be catastrophic [...]”.

⁶¹ Sexual attraction to adolescents.

16.43 The UK regional director clearly had a good understanding of Fr Maguire's methods. Fr Maguire was quite annoyed at what he saw as the unjust assumption that he was abusing the boy. The Society visited the family of the boy who had stayed with Fr Maguire and the family had no complaints. The local health board was informed of the situation by the Society. In September 1995, the restrictions were more stringently imposed.

16.44 In 1996, complaints of abuse from the Raphoe diocese were made to Monsignor Stenson, chancellor of the Archdiocese of Dublin and to the Society. Monsignor Stenson reported the complaints to the Society. Monsignor Stenson told the Commission that Fr Maguire's name had not registered in his memory and he had made no connection between this complaint and the 1983 Fr Carney complaint. The Society informed the Gardaí and the local bishop.

Further treatment, admissions and arrest, 1997

16.45 The Society started a canon law investigation of the Raphoe complaints. Fr Maguire was placed under further restrictions including being forbidden to drive, to stay away from the Society house or to holiday abroad. He was sent to another therapeutic facility in the UK for assessment and treatment; this went on for over a year and was quite expensive. It was during this treatment that he admitted to the range of child sexual abuse offences which are listed above.

16.46 The Society started to build up a full profile of Fr Maguire. It was recognised that, because he had moved between provinces, no one in the Society seemed to know the full story. In fact, the Society told the Commission that the first time all the documentation which it has in relation to Fr Maguire was brought together in one location was in preparation for the work of this Commission.

16.47 As information was gathered from the various superiors who had dealt with Fr Maguire, it did become clear that none of them had full knowledge of all the complaints and suspicions which had been reported; each had a certain amount of knowledge. A number of members of the Society who were, nominally at least, Fr Maguire's superiors, said in 1997 that they were

not aware of the problem for which Fr Maguire was being sent for treatment. The general view of the people who did know about some of the complaints was that his behaviour was *“imprudent”*. The superior who had recommended Fr Maguire to the Archdiocese of Dublin, wrote: *“Even in the 1970s it was regarded as contrary to the rule of charity to put in writing details of a member’s sexual misbehaviour. When there were such incidents they were shared by word-of-mouth between as few as possible in authority”*. He said he should not have highly recommended Fr Maguire to the Archbishop of Dublin because he found him difficult and contrary but that he did so because of positive medical reports and not knowing why he had been removed from the diocese of Raphoe. He also said that he did not know about the incidents in Japan, Raphoe, the UK and Dublin until 1995. He also did not know why Fr Maguire had been sent to Stroud, although he was his local superior and visited him there: *“since no information was proffered to me, I respected the confidentiality of the case”*. Others referred to similar considerations of confidentiality. The Society’s structure also meant that information was kept in different locations, for example, the central headquarters in Ireland is separate from the Irish regional headquarters and separate files were kept in each place.

16.48 Fr Maguire was arrested while at the therapeutic facility in July 1997 and charged with indecent assault in relation to incidents in 1976 and 1977 in the UK. He remained in the facility while awaiting trial. Meanwhile, a garda investigation had been proceeding in Ireland. Fr Maguire told his superior while he was awaiting trial in the UK in 1997 that 100 cases could be expected if his name became public in Ireland.

16.49 When he was arrested in the UK, the Society informed the dioceses in Ireland in which he had served, including the Archdiocese of Dublin. The Society told the Archdiocese that there had been a complaint in respect of Fr Maguire’s time in the Archdiocese and that it had documentation about the 1984 meeting.

16.50 The young men, who, as boys, had been involved in the first complaint to the Archdiocese (in 1979) made a complaint to the Gardaí and wrote to the Archdiocese to find out why their mother’s complaint in 1979 had not been investigated and why no action had been taken in respect of Fr Maguire.

- 16.51 The Society withdrew Fr Maguire's faculties to hear confession, offer a public mass and preach. It contacted all the relevant health boards in Ireland and had meetings with the director of community care and senior social workers in the health board area where he had been recently living.
- 16.52 The Archdiocese of Dublin tried to establish what had happened in relation to the 1979 and 1984 complaints to them. The chancellor, Monsignor John Dolan, spoke to the priest to whom the 1979 complaint was made and he outlined what he had been told and what he had done. The Columbans told Monsignor Dolan that they had no record of the 1979 complaint. Monsignor Dolan then told the young men involved that there was no record of the complaint. Fr Maguire admitted to abusing the boys involved in the 1979 complaint.
- 16.53 The Society raised the question of voluntary laicisation with Fr Maguire while he was awaiting his trial in the UK. The Society encouraged him to plead guilty. He was told that the Society had empathy for him but it was being open with the civil authorities and that *"there was and will not be any cover-up"*. The Society did co-operate with both the UK police and the Gardaí.
- 16.54 In October 1997, the Society told Fr Dolan that the relevant superior now wished to apologise to Archbishop Connell for highly recommending Fr Maguire to the Archdiocese. Fr Dolan, who knew very little about Fr Maguire's activities, assured the Society that there was no need as he considered that the superior had made the original recommendation in good faith. There was extensive communication between the solicitors for the Archdiocese and the solicitors for the Society at this time.
- 16.55 The Society continued to examine the question of laicisation. They were advised by a canon lawyer that *"Compulsory Laicisation is a difficult path to take and Rome are reluctant to go along with it"*.

UK conviction 1998

- 16.56 In June 1998, Fr Maguire pleaded guilty in the UK courts to four counts of indecent assault in 1976 and 1977 on two boys. He was sentenced

to 18 months imprisonment – nine months to be served and nine months on licence.

16.57 When he was convicted, the Society in the UK issued a statement in which it expressed its regret. The statement included the following points:

“(2) In 1974, because of doubts that had arisen about PM, medical assessment and recommendations were sought in Ireland. The advice received was that he seemed to be improving and coming to terms with problems. In the report, future involvement with young people was not seen as a source of concern. With hindsight, this advice proved incorrect and, tragically, the significance of a more pessimistic medical opinion in 1976 was not always appreciated or sufficiently taken into account in the years following.

(3) For the greater part of the time since then, PM has been assigned to internal posts which did not involve contact with young people. Because of the confidentiality observed in the handling of personal records, succeeding superiors were not always aware of the medical reports referred to above. As a result, PM was on occasions authorised to engage in pastoral work. In retrospect, the Society should have been more vigilant and we regret those failures in communication. We apologise unreservedly for the mistakes we have made”.

16.58 The Society in Ireland also issued a statement, in which it expressed its regret, reiterated the apology offered by the Society in the UK and gave a helpline number. It stated *“For the past six years Patrick Maguire has been suspended from pastoral duties and may not now minister as a priest”.*

16.59 In June 1998, Fr Maguire was assessed by the therapeutic facility as being at significant risk of re-offending.

Ireland: conviction and laicisation 1999 - 2008

16.60 Fr Maguire was released from prison in the UK in March 1999. He was immediately arrested and extradited to Ireland on ten charges of indecent assault and two charges of buggery. Two of the indecent assault charges

related to the boys whose mother had complained in 1979. The Society provided the surety for bail. One of the conditions of the bail was that Fr Maguire live in a specified Society house. The Society laid down strict conditions which meant that he was not allowed to leave the grounds without being accompanied by another Society member and then only for specific purposes; he could not speak to anyone under the age of 20 and could not celebrate mass either publicly or privately.

16.61 In July 1999, the Society started the formal process of compulsory laicisation. The Society made it clear that it did not want to dismiss Fr Maguire from membership of the Society. It recognised that: “*As the priesthood provides the principal access to children we have been advised that his laicisation would not only safeguard possible future victims but may also mean that if PM is found guilty of offences in Ireland he may receive a lighter sentence*”. Archbishop Connell was informed and the process was handled by the Dublin Metropolitan Tribunal (see Chapter 4).

16.62 In January 2000, Fr Maguire pleaded guilty to ten charges of indecent assault – assaulting five boys in Sligo, Dublin and Louth from January 1972 to June 1980. The complainant who alleged buggery decided not to give evidence, so those charges were withdrawn. He was convicted in March 2000 and sentenced to six years imprisonment on each charge, to run concurrently, with a review after three years with the possibility of release provided there were suitable therapeutic facilities available to receive him.

16.63 Another complaint emerged from Dublin in August 2000. A parent complained to the Gardaí but the young man did not follow up with a statement because he did not believe he could follow through with a prosecution and give evidence in court. The parent contacted the Society and reported that Fr Maguire had become very friendly with the family and particularly the son. The parent said that “*comments were made by neighbours to the effect that the relationship was strange and had sexual overtones*” but the parent “*totally disbelieved this at the time*”.

16.64 In September 2000, the Dublin Metropolitan Tribunal decided that Fr Maguire should be dismissed from the clerical state. He appealed to Rome on the grounds that he had not been fully informed of the specific charges

against him or given adequate time or opportunity to defend himself. In June 2002, the Roman Rota tribunal decided that, rather than be dismissed from the clerical state, Fr Maguire should be suspended from the priesthood for nine years. The precise meaning of this decision was not totally clear to the Society or, indeed, to canon lawyers. It was not clear, for example, whether he would be allowed say mass privately. One canon lawyer took the view that the Society could still make its own decision about his fitness to exercise ministry. The Society has taken the view that the suspension precludes him from saying private masses. Fr Maguire considers that he is entitled to do so.

16.65 Fr Maguire was released from prison in March 2003 having served half of his sentence. The judge directed that he live in secure accommodation in the Society's house. There was some discussion about the conditions imposed by the judge and the conditions that the Society felt it could enforce. There are Church guidelines for religious groups who are accepting convicted sex offenders back into their communities.

16.66 In its report to the court dealing with post release supervision, the Probation and Welfare Service (PWS) reported that, among other things, they had met the superiors of the Society in the house where Fr Maguire was to live. The PWS recommended various supervision conditions including that Fr Maguire live under the care of the Society and that he comply with the directions of the Society.

16.67 The Society set up a circle of support and accountability. The PWS was involved in monitoring him. It was agreed in 2004 that he could work alone anywhere in the grounds and that he could visit Dublin twice a month, having given notice to his superiors. He was allowed to buy a car in February 2005.

16.68 In 2004, two boys from Dublin complained to the Gardaí that they had been abused by Fr Maguire in the late 1970s. Fr Maguire admitted that he had abused them. He was charged with indecent assault and convicted in February 2007. He received a three year sentence which was suspended for six years (until 2013) on condition that he remain under the supervision of the Probation and Welfare Service.

16.69 The Society of St Columban made civil settlements with a number of complainants in Ireland and the UK. None of these was from the Archdiocese of Dublin.

The Commission's assessment

Church authorities

16.70 Complaints about Fr Maguire were handled very badly by his Society over a period of about 20 years. Specific complaints to the bishop of Raphoe in 1975, to a priest in the Archdiocese of Dublin in 1979 and to the Archbishop of Dublin in 1984 were also very badly handled. A number of complaints seem to have been largely ignored or avoided; in other cases, the response was to move him somewhere else. The Society knew at a relatively early stage - at least in 1974 - that there was a problem. The Society paid for extensive and expensive assessment and treatment for Fr Maguire between 1974 and 1996. However, for about 20 years, it did absolutely nothing to prevent his access to children. In a particularly disastrous move by the Society, he was assigned to go around Ireland promoting the Columbans. He did this by visiting schools and preaching at masses. This gave him access to every Catholic Church congregation and to every Catholic school in the country, in effect, to virtually every child in the country. He duly took advantage of that access. Several Church authorities in Ireland and the UK including the superiors of the Columbans and a number of bishops knew that he was an abuser but it was more than 20 years after the first complaint that appropriate action was taken to prevent his access to children. In recent years the Society has taken steps to ensure that he does not have access to children and is to be commended for supervising him and not expelling him from the Society.

16.71 The Society told the Commission that it *“fully accepts that very serious mistakes were made”* in its dealings with Fr Maguire. The Commission accepts that the structure of the Society militated against or, at least, did not facilitate co-ordinated handling of the problem. However, it appears that the culture of confidentiality, the over-arching concern for the welfare of the priest and the avoidance of scandal were the major contributory factors to the quite disastrous way in which this case was handled.

16.72 Archbishop Ryan was negligent in his dealings with Fr Maguire. It is not clear who precisely was at fault for the failure to deal with the first complaint to the Archdiocese in 1979 but it was someone from the Archdiocese. Archbishop Ryan's stated reason, as contemporaneously reported to the Society by his secretary, for not following up complaints received in 1984, that is, Fr Maguire's delicate position as secretary to the Superior-General, is quite shocking. It appears that Archbishop Ryan got different people within his administration to deal with child sexual abuse complaints as they arose and, as a result, no one person knew the extent of the problem. Bishop McFeely of Raphoe did report the problem accurately but dealt with it by having Fr Maguire removed as quickly as possible.

16.73 It is the Commission's view that the Society acted properly in seeking to laicise Fr Maguire while, at the same time, making it very clear that it intended to retain, maintain and supervise him as a member of the Society. The decision of the Roman Rota tribunal to change the decision of the Dublin Metropolitan Tribunal from dismissal from the clerical state to nine years suspension was, to put it at its mildest, unhelpful. It left the Society in a position where his precise status was unclear.

Communication between Church authorities

16.74 Prior to 1997, there was inadequate communication between the different parts of the Society. There was inadequate communication between the Society and the Archdiocese. The bishop of Raphoe, while he immediately removed the problem from his diocese, did clearly and unambiguously tell the Society what the problem was. However, through no fault of his, his letter was not made available to the relevant people in the Society who were supposed to be Fr Maguire's superiors.

State authorities

16.75 The Gardaí and the health boards acted appropriately in this case.