

Introduction

- 41.1 In December 1993, Fr Francis McCarthy sent a Christmas card to a young man whom he had abused when that man was 11 years old and when Fr McCarthy was attached to Dunlavin parish. He asked the young man to contact him to talk about old times. This was followed up by a letter from Fr McCarthy, explaining that he hoped to begin a new life on the missions in South America. He also made a number of follow up calls.
- 41.2 Contact was made between Fr McCarthy and the young man and a meeting took place at the priest's home. The young man revealed that he was now on the dole, that he was separated from his wife and that he did not have any prospects of work. He did intend trying to start a business. The young man asked for a loan of £10,000 to help get him started in his new business. Fr McCarthy replied that he could only raise £5,000 and that he would give it to him as a gift.
- 41.3 Over the next few months, the young man received a total of £12,000 from Fr McCarthy and reached an agreement that Fr McCarthy would pay an annual sum towards the upkeep of his children.
- 41.4 In the meantime, the young man had told his wife about the fact that he had been sexually abused by Fr McCarthy. She was adamant that he should report the matter to the appropriate authorities as she was worried that the priest might pose a threat to children on the missions.
- 41.5 The young man was not anxious to report the matter. He felt he had taken money from the priest on the basis that the matter was at an end.
- 41.6 In October 1995, following a visit to the Rape Crisis Centre, he did report the matter to the Gardaí and also to the health board. He said he had been advised by the Rape Crisis Centre that he had suffered more damage than he had at first thought.
- 41.7 On 1 November 1995, the Gardaí interviewed Fr McCarthy at his home and during the course of that interview he admitted sexually abusing the complainant in the 1970s.

Fr McCarthy's background

41.8 Fr McCarthy was born in 1950. He was ordained in 1974. The assessment of him was that he would not be suitable for a teaching post. Following his ordination he was appointed a curate in Dunlavin parish. In 1979, he moved to Enniskerry parish as a curate, where he stayed until 1985. He was then transferred to London to serve as a chaplain to the Irish emigrant community in London. From 1986 to 1994, he was a curate in Ballyfermot parish and in 1994, he was appointed a curate in Howth.

Links with children's homes

41.9 One of Fr McCarthy's classmates during the course of his studies in Clonliffe was Fr Bill Carney (see Chapter 28). As students they visited a number of children's homes. The Commission has evidence that Fr McCarthy visited St Joseph's, Tivoli Road, Dun Laoghaire and St Vincent's, Drogheda, Co Louth.

41.10 According to a statement received from the current superior on behalf of the Daughters of the Heart of Mary who ran St Joseph's, their visits began in 1973 when they were deacons. She said they approached the home and asked if they could help the children by engaging in activities with them. She said their offer was accepted as they came from Clonliffe College which was highly respected. She said they were in the final stage of preparation for the priesthood and they had skills from which the children would benefit, for example, sport, art and drama. They also helped with homework.

41.11 By the time they were ordained there were strong bonds between the two priests and the groups of children they visited. The children were allowed to visit Fr McCarthy's home and to go on holiday with him, sometimes accompanied by a member of the religious orders who ran the homes, and sometimes not. The Commission is aware of complaints from a number of former residents in those homes who alleged sexual abuse by Fr Bill Carney and Fr McCarthy during the course of those visits. Fr McCarthy was later convicted of abusing a child in one of those homes (see below). The Commission believes that, from their student days, both Fr McCarthy and Fr Carney used their positions as seminarians to target these institutions which they knew housed vulnerable children.

The handling of the Dunlavin victim's complaint

41.12 It is doubtful if the abuse by Fr McCarthy would have become known prior to his getting a transfer to South America had he not made contact with one of those whom he had abused, which led to that person going to the Gardaí and to the health board as described above.

41.13

41.14 The young man who alleged he was abused by Fr McCarthy in Dunlavin told the Gardaí that, on the first occasion in 1974 that he could remember being abused, he was in the sitting room in Fr McCarthy's house. The priest asked him to sit on his knee; he was about ten years old at the time. He sat on his knee and he remembered the priest kissing him and putting his tongue into his mouth. He said he was brought up to his bedroom and he remembered the priest performing oral sex on him on this occasion. The sexual abuse lasted between ten and 20 minutes on each occasion and the incidents continued over the period 1974 to 1977 on Friday and Sunday evenings of each week. He told the Gardaí that Fr McCarthy had attempted to penetrate him anally but he did not ejaculate.

41.15 This complainant also alleged abuse by Fr Bill Carney. He said that Fr Carney used to visit Fr McCarthy in Dunlavin between 1974 and 1977 and that he and a friend from the area were invited to stay for a weekend at Fr Carney's house in Ballyfermot. Again the abuse took the form of an attempt by Fr Carney to penetrate him anally while he was sleeping in the bed with him.

41.16 He told Gardaí that Fr Carney and Fr McCarthy took a group of boys to Kerry for ten days and on one of those days Fr Carney fondled his penis with his hand but no other abuse took place. He said that no physical force was used by either priest on him to engage in these sexual acts.

41.17 He also recounted how he had obtained money from Fr McCarthy and how his wife wished him to report Fr McCarthy to “*head office*” but that he had told the priest that he would not do that. He gave the Gardaí a copy of two letters and a card that he had received from Fr McCarthy.

Garda interview with Fr McCarthy

41.18 In his interview with the Gardaí, Fr McCarthy admitted that he masturbated and kissed the complainant on a number of occasions. He denied any attempted buggery or oral sex and stated that it was his recollection that the incidents continued over a period of two years and not any longer. He said the abuse only occurred on Fridays.

41.19 He said that it was quite likely that he introduced the complainant to Fr Bill Carney. He accepted that he and Fr Carney took two groups of altar boys to Tralee for a week’s holiday, but he said he was unaware of anything happening to the boys during that period.

41.20 He acknowledged that he had given a cheque for £5,000 to the complainant. He said that initially it was to be a loan and then he told him he could keep it as a gift. He also admitted he had given further payments to him and said that he felt he was being blackmailed by him.

Interview with Monsignor Stenson

41.21 Within 24 hours of his interview with the Gardaí, Fr McCarthy contacted Monsignor Stenson. Monsignor Stenson saw him immediately, on 2 November 1995.

41.22 Fr McCarthy recounted his interview with the Gardaí in relation to the complainant and stated that what he had told the Gardaí was true. He said the abuse had occurred between 1975 and 1979.

41.23 He also told Monsignor Stenson that, in or around 1986, he had been involved with another boy who was aged 12 and that there was inappropriate

touching. He said that there was nudity involved but no buggery. He said that he had been involved in some horseplay with an 11-year-old boy in Ballyfermot in or around the same time. He also admitted touching an 11-year-old boy inappropriately in St Joseph's, Tivoli Road, around 1979/80.

41.24 He told Monsignor Stenson that in 1994 he had been visited by two children whose mother he had assisted because she was a single parent. He said that these two children were fearful of sleeping on their own and they joined him in his bed. He said he left to go to another room but they came to him again and he dozed off and when he woke up he found his hand between the legs of the young girl. She was aged 11 at the time.

Leave of absence

41.25 On the same day, 2 November 1995, Fr McCarthy applied to Archbishop Connell for a leave of absence, saying that Monsignor Stenson would explain why. On that day also, Archbishop Connell issued a decree initiating a preliminary investigation in respect of Fr McCarthy.

Further investigations

41.26 At this stage (early November 1995), the only complaint known to the Gardaí was that of the Dunlavin victim. Following the interview with Monsignor Stenson it was clear that Fr McCarthy had admitted to other sexual assaults. These were notified to the Gardaí by the Archdiocese and they were followed up by the Gardaí.

41.27 The mother of the boy and girl who had stayed over with Fr McCarthy the previous year was interviewed and she was of the view that nothing untoward had happened and that her daughter remembered nothing. Gardaí arranged for the two children to be interviewed and both said that they had not been sexually assaulted by Fr McCarthy.

41.28 Contact was made with another young man, in the USA, and he too said that he had no complaint against Fr McCarthy and that he had not been assaulted when he was 11 years old.

41.29 Contact was made with the former resident of St Joseph's and he did say that he had been assaulted by Fr McCarthy. He gave a detailed

statement to Gardaí. He told Gardaí that there were three priests who used to visit St. Joseph's and they seemed to know each other, but the one that was there the most was "Fr Francis". He told the Gardaí that Fr McCarthy used to come in and tell them stories at night but he often told the stories from beside his bed. While telling the story out loud he would feel the boy's penis and his testicles.

41.30 He said that he was brought away on weekends with a number of other boys. During some of those visits he slept with Fr McCarthy and they French-kissed.

41.31 He said he also had been brought to Kerry but he had resisted any attempt by the priest to sleep with him or to interfere with him.

41.32 He said that he had spoken to the person in charge at the home and told her about the assaults but not in detail. He said that after that Fr McCarthy was gone and they never saw him or were taken out by him again.

Statement from St Joseph's

41.33 The nun who was in charge of the group of children that included the complainant from St Joseph's was interviewed by the Gardaí but she asked to reserve her position. She then gave a prepared statement in which she denied that the complainant had reported any alleged abuse to her. In a statement to the Commission, the current superior of the congregation said that :

"At some stage between 1975 and 1979 after a weekend visit to Fr. McCarthy's house a boy resident came back in a distressed state. The Sister in charge of this boy's group noticed this and spoke to the boy in question. He told her that while he was in bed he had been touched on the penis by Fr. Frank McCarthy and that he did not like it, hence the reason for his distress. The Sister discussed what had happened with the boy and ascertained that the boy had ended up sharing a bed with Fr. McCarthy. The Sister understood that the incident had occurred inadvertently during the night. She considered the matter to have arisen as a result of inadequate accommodation in Fr. McCarthy's house. However, she was concerned for the boy and spoke to Fr. McCarthy. She related the boy's distress to him. She

suggested that the boys would not go out for weekend visits thereafter but that Fr. McCarthy could visit them in the home in Tivoli Road.

At that stage, child abuse was not something within the awareness of the Sister in question and she did not appreciate the potential significance of what had been disclosed to her”.

The nun said that she told no one at the time.

Meeting at Eastern Health Board offices

41.34 In addition to notifying the Gardaí, the Archdiocese also notified the Eastern Health Board. A meeting was convened for 6 November 1995 under the auspices of the Eastern Health Board. Those present included health board officials from the different areas where Fr McCarthy had served, the parish priests from those areas, the Gardaí, Monsignor Stenson, his assistant chancellor, Fr Dolan, and the archdiocesan solicitor. Information in regard to suspected victims was shared at the meeting and telephone numbers exchanged. A plan was drawn up to support any suspected victims and arrangements were made to offer counselling if it was required. The parish priests attending indicated that they would be making a statement to parishioners the following day. The text of one of those statements is as follows:

“Parish of St. Nicholas of Myra, Dunlavin

Statement – November 7th 1995

I am sorry to have to tell you today that a complaint alleging child sexual abuse has been made to the Garda Siochana by a person who is now an adult against Fr Frank McCarthy who worked in this parish from 1974 to 1979. The Gardaí are investigating this complaint. Fr McCarthy has sought leave of absence from the parish of Howth where he has been stationed for just over a year and the Archbishop granted this with immediate effect.

I am sure this is as much of a shock to you as it is to me. I knew absolutely nothing about it until yesterday and the Archbishop heard of it on Thursday last. He has asked me to tell you of his personal

concern and to assure you of his support. Along with Bishop Eamonn Walsh, the area Bishop, he will be keeping in close touch with us here. I will be available, and will try to respond to your concerns and questions.

This is a difficult time for our parish and we need one another's support. Let us pray for each other. Let us also pray for the person who made the complaint and for Fr McCarthy both of whom must be under great stress at this time.

I am leaving copies of this statement in the church and we are anxious that all parishioners be informed."

41.35 These statements were widely covered in the media. The publication of this statement by the four parish priests provoked outrage from the former chancellor and then judicial vicar, Monsignor Gerard Sheehy, who expressed his feelings in a comprehensive letter to Archbishop Connell:

"As a starting-point, I refer to the recent public naming of Father Frank McCarthy of Howth. I have never met this priest, and I know nothing whatever about him or any of his activities.

My very serious concern is this. He has now, at the Church's instigation, been named in the public media as a priest against whom an allegation of paedophile activity (a number of years back, it would appear) has been made. I can find no evidence of any formal charge having been laid against him, either in the ecclesiastical or in the civil forum. I have been told that this matter was first raised by the Gardaí; I do not know how far their investigations have gone. But I can find no evidence of any serious enquiry being made in the ecclesiastical forum – save only an obviously-leaked remark in the newspapers about some fairly-recent meeting at Archbishop's House involving the parish priests of those parishes in which he served before coming to Howth- itself, if it happened, an invasion of his good name as a priest, to the total disregard of the relevant canons of the Code. Yet, precisely and solely in the light of these facts, he has been publicly removed from ministering in the parish of Howth.

The inevitable result, particularly in the current climate, is that his good name as a priest has been invaded and seriously damaged, probably irreparably”.

41.36 As in the Ivan Payne case (See Chapter 24) Monsignor Sheehy displayed little or no empathy or concern for the victims even where there was an admission by the priest that he had abused a number of children.

41.37 As Fr McCarthy had been a chaplain to a school at the time of the revelations, the Department of Education sought information from the Archdiocese about any other school appointments. These were investigated and no complaints emerged.

Conviction, 1997

41.38 In March 1997, Fr McCarthy pleaded guilty to sexually assaulting the young boy from the orphanage and the young victim from Dunlavin. That victim asked that he not be sent to jail. He received a suspended sentence in July 1997.

Attendance at Granada Institute

41.39 Fr McCarthy was referred to the Granada Institute in November 1995. He received over 100 hours of therapy. In a 1999 report, Granada expressed the view that he posed little risk of abusing children. While acknowledging that he was at a low risk of re-offending, Granada nevertheless recommended that he should not work with children or be appointed to positions which would bring him into contact with children. It was also pointed out by Granada to Monsignor Dolan that it *“is the practice that while men are in Core Treatment, they do not engage in ministry”*.

Post 1995

41.40 Initially, Fr McCarthy indicated that he would apply for laicisation but, as time progressed and particularly when the court case concluded and resulted in a suspended rather than a custodial sentence, he sought permission to resume saying mass. He was allowed say it in a convent in Dublin.

41.41 Fr McCarthy featured on the Prime Time programme *Cardinal Secrets*. This led to some annoyance among the nuns in the convent where he had been given the facility to say mass. Many of them had no knowledge of his past and wanted him removed because their convent was associated with two schools. The Archdiocese had in fact informed the convent superior and had understood that his presence there was by agreement.

41.42 The Archdiocese did try to accommodate him with various administrative jobs but none proved very successful from an Archdiocesan point of view. In November 2004 Fr McCarthy petitioned the Pope to allow him to be laicised and this was granted in November 2005. Up until his laicisation he was supported from the Clerical Fund Society.

The Commission's assessment

41.43 This case provides a good example of a case which the Archdiocese, the health board, the Granada Institute, the Gardaí and the Department of Education handled the various complaints well. It must be acknowledged that the Dunlavin complainant went to the Gardaí rather than to the Church authorities in the first instance. The first complaint was made towards the end of 1995. This was the time when the Archdiocese had decided to refer all allegations to the Gardaí and the health board and the *Framework Document* procedures were being introduced.