

Paragraphs referring to Bishop Murray

(as indicated in the index of the Report)

Murray, Donal (auxiliary bishop 1985-1996), 1.22, 1.47, 1.53, 1.58, 1.65, 1.89, 3.22, 11.13, 21.6, 26.34 awareness of clerical child sex abuse, 1.22 handling of complaints, 1.53, 12.22-12.25, 12.49, 21.6, 21.23-21.24, 26.19, 29.4-29.12, 29.15, 29.53, 29.54, 29.56, 31.5, 31.12, 33.6-33.13, 33.18, 33.44, 34.16-18, 34.20, 34.33

[References in red above are omitted or incorrectly given in the Report]

1.22 Many of the auxiliary bishops also knew of the fact of abuse as did officials such as Monsignor Gerard Sheehy and Monsignor Alex Stenson who worked in the Chancery. Bishop James Kavanagh, Bishop Dermot O'Mahony, Bishop Laurence Forristal, Bishop Donal Murray and Bishop Brendan Comiskey were aware for many years of complaints and/or suspicions of clerical child sexual abuse in the Archdiocese. Religious orders were also aware. For example, the Columban order had clear knowledge of complaints against Fr Patrick Maguire in the early 1970s.

1.47 A number of auxiliary bishops were made aware of complaints of child sexual abuse by priests in their geographical areas. Others found out about such priests through the regular monthly meetings involving the Archbishop and the auxiliaries. One of the principal tasks of the auxiliary bishops was the assignment of priests to parishes, subject to final approval by the Archbishop. In the Dublin Archdiocese priests were reassigned approximately every five years. The evidence shows that these appointments were often made without any reference to child sexual abuse issues. The auxiliary bishops who dealt particularly badly with complaints were Bishops O'Mahony and Kavanagh. Bishop Murray also dealt badly with a number of complaints. (A full list of auxiliary bishops is given in Chapter 11.)

1.53 Bishop Murray was another long serving auxiliary bishop (from 1982 to 1996). He handled a number of complaints and suspicions badly. For example, he did not deal properly with the suspicions and concerns that were expressed to him in relation to Fr Naughton (see Chapter 29). When, a short time later, factual evidence of Fr Naughton's abusing emerged in another parish Bishop Murray's failure to reinvestigate the earlier suspicions was inexcusable. Bishop Murray did, however, accept in 2002 that he had not dealt well with the situation.

1.58 Each auxiliary bishop seems to have interpreted his role in his own way. He did not always report significant information to the Archbishop. When asked by the Commission, Bishop Murray agreed that the management of the diocese was not well organised. Most of the auxiliary bishops regarded the Archbishop as the only person who had knowledge of everything. Bishop Murray said: *"But I think we would have seen the Archbishop as a person who was the repository of the overall perspective//*. However, as some bishops did not report all complaints, or gave inaccurate accounts of complaints, it was the case that the Archbishop sometimes had the responsibility without the necessary information.

1.65 The extent of the lack of internal communication is clear from the fact that it was only when they were preparing to give evidence to the Commission that a number of bishops saw

documentation in relation to priests with whom they had dealt. For example, Bishop Murray saw medical reports about Fr Moore with whom he had extensive dealings for the first time when he gave evidence to the Commission. Bishop Field found out about various decisions in relation to Fr Benito* when he received the first draft of this report.

1.89 Since the implementation of the *Framework Document*, starting in 1996, complaints, suspicions and actions taken as a result of them are all comprehensively recorded. Prior to that, inevitably, there is some variation in the quality of documentation compiled by different individuals. Monsignor Stenson, who recorded and investigated many of the complaints/suspicions, consistently produced very high quality, comprehensive accounts. He seems to have made a detailed written record of virtually every discussion, whether held in person or on the telephone, which was related to the complaint or suspicion. Canon McMahon, who was involved in investigating a small number of the cases in the report, also produced comprehensive reports. Archbishop McQuaid made a comprehensive handwritten record of his dealings with Fr Edmondus* in 1960. Unfortunately, a number of other Archdiocesan personnel compiled virtually no contemporaneous written reports. For example, the Commission has seen only one contemporaneous written report by Bishop Kavanagh (in the Fr case) even though Bishop Kavanagh played a major role in the handling of several cases. It is clear that he was the recipient of subsequent complaints against Fr but there is no evidence that he made a written record. There are no notes of his dealings with Fr Carney even though he had a significant involvement in that case. Bishop Murray told the Commission that he did make contemporaneous written notes of the concerns expressed to him by Vallemount parishioners in respect of Fr Naughton. However, there is no contemporaneous record of these notes on the Archdiocesan files. There is no evidence that Monsignor Glennon compiled a written record of the complaint against Fr Ioannes* in 1973.

3.23¹ Bishop Murray, who served under Archbishops McNamara and Connell, stated:
“I mean, I think the one thing that was clear was that the Archbishop was in charge. Canon law says that auxiliary bishops work according to the mind of the Archbishop. I think the division into territorial areas was a strange thing in some ways, because you were the person that went and did the confirmations and dealt with the priests and so on, but you weren’t the person in charge.”

3.24 His view was that the auxiliary bishops were “*informed rather than consulted*” on the issue of child sexual abuse.

11.13 The following were the main people in the Dublin Archdiocese who dealt with complaints of child sexual abuse over the period covered by the Commission:

Archbishops Period in Office Archbishop John Charles McQuaid 1940 – 1972 (deceased) Archbishop Dermot Ryan 1972 – 1984 (deceased) Archbishop Kevin McNamara 1985 – 1987 (deceased) Archbishop Desmond Connell 1988 – 2004 (retired) (Archbishop Connell became a Cardinal in 2001.) Archbishop Diarmuid Martin 2004 – present **Auxiliary bishops Period in Office** Bishop Joseph Carroll 1968 – 1989 (deceased) (Bishop Carroll was Administrator of the Archdiocese from September 1984 when Archbishop Ryan departed for Rome to January 1985 when Archbishop McNamara was appointed and again from the death of Archbishop McNamara in April 1987 to the appointment of Archbishop Connell in March 1988.) Bishop Brendan Comiskey 1980 – 1984 (Bishop Comiskey was appointed bishop of Ferns in April 1984 and resigned from that position in April 2002.) Bishop Martin

¹ Number given incorrectly in the Index

Drennan 1997 – 2005 (Bishop Drennan is currently bishop of Galway.) Bishop Patrick Dunne 1946 – 1984 (deceased) Bishop Raymond Field 1997 - present Bishop Laurence Forristal 1980 – 1981 (Bishop Forristal was appointed bishop of Ossory in 1981 and retired in 2007.) Bishop James Kavanagh 1972 - 1998 (deceased) Bishop James Moriarty 1991 - 2002 (Bishop Moriarty is currently bishop of Kildare & Leighlin.) Bishop Donal Murray 1982 - 1996 (Bishop Murray is currently bishop of Limerick.) Bishop Dermot O'Mahony 1975 – 1996 (retired) (Bishop O'Mahony also served as chancellor from 1975 to 1981) Bishop Fiachra Ó Ceallaigh 1994 – present Bishop Eamonn Walsh 1990 – present (Bishop Walsh was dean of Clonliffe College from 1977 to 1985 and also served as priest secretary to the Archbishop from 1985 to 1990; he was Apostolic Administrator of the Ferns diocese from 2002 to 2006.) Bishop Desmond Williams 1984 – 1993 (deceased) **Chancellors Period in office** Monsignor Gerard Sheehy 1965 –1975 (deceased) Bishop Dermot O'Mahony 1975 – 1981 (retired) Monsignor Alex Stenson 1981 – 1997 (Monsignor Stenson is now a parish priest in the Archdiocese.) Monsignor John Dolan 1997 - present **Director of the Child Protection Service** Mr Philip Garland 2003 – present **Others** A number of senior priests who did not have an official role in the area but who were clearly held in high regard by the Archbishop of the time were asked to help investigate individual complaints of child sexual abuse. They included:

Monsignor Richard Glennon who had been chancellor from 1945 to 1955 and was subsequently a vicar general (deceased);

Monsignor James Ardlie MacMahon, who was Archbishop McQuaid's secretary from 1954 until 1972 and subsequently an episcopal vicar for religious and a parish priest (retired);

Monsignor Jerome Curtin, who had been an assistant chancellor, a vicar general, the episcopal vicar for religious and a parish priest (retired);

Monsignor John O'Regan who had been chancellor from 1955 to 1965 and subsequently a vicar general and a parish priest (deceased).

Once their investigations were complete these men did not generally have any further role in dealing with either the priest or the complainants. The various secretaries to the archbishops, while they had no official direct role in dealing with child sexual abuse cases, were frequently the conduit for complaints, for receiving professional reports and for communicating with bishops and priests.

Fr McNamee

12.22 In 1994, a report was received from a young man that he had been abused by Fr McNamee while in Crumlin parish. This young man did not name Fr McNamee but Monsignor Stenson immediately deduced that it was likely to be Fr McNamee. Archbishop Connell instituted a preliminary investigation in November 1994. In the same year, Monsignor Stenson received reports that Fr McNamee was driving around with young children in his car in the Wicklow area, a fact that was independently confirmed by the mother of an altar boy. Having consulted with Dr Patrick Walsh of the Granada Institute, who had seen the files on Fr McNamee, it was decided that Bishop Donal Murray would speak to Fr McNamee about his behavioural difficulties relating to children in order to assess how he had been dealing with these problems. Bishop Murray's purpose would be to inform Fr McNamee that the Archdiocese wished to ensure that there was no "*unfinished business*", particularly at this time. (The Fr Brendan Smyth controversy was raging at the time – see Chapter 7). Bishop Murray told the Commission that he was unaware of the 1994 complaint to Monsignor Stenson.

12.23 At this stage Fr McNamee was 77 years of age. Bishop Murray called to see him shortly before Christmas 1994. He inquired with the superior as to Fr McNamee's health and general well-being. He failed to mention to the superior the real purpose of his visit and the concerns which the Archdiocese had in regard to Fr McNamee and his behaviour with young people.

12.24 Bishop Murray then saw Fr McNamee and, in the course of a general conversation, asked whether he had any concerns about the recent scandals relating to child sexual abuse. Fr McNamee claimed that he was not personally affected. The bishop said that there had been some things suggested about him in this area in the past but Fr McNamee replied that this was: *"just talk, talk, talk. There is a kind of conspiracy going on: people seeing evil where there is none. A lot of what is been [sic] said is evil and mischievous. The people who make false allegations are themselves evil"*.

12.25 Bishop Murray accepted Fr McNamee's denials that he had young people in the car. This was the extent of his inquiries. The bishop did think that there was some unresolved anger and some denial about the earlier situation, of which Bishop Murray said he had no detailed knowledge. According to Bishop Murray, Archbishop Connell also visited Fr McNamee in December 1994. Archbishop Connell did not inform the nuns about the child sexual abuse concerns even though he had initiated a preliminary investigation into a recent complaint.

12.49 Bishop Murray and Archbishop Connell must accept responsibility for not communicating fully with the nuns in Co Wicklow. When complaints surfaced in the 1990s about Fr McNamee, Bishop Murray visited the convent but did not explain fully the circumstances surrounding Fr McNamee's placement there. He claims he was not fully informed about the details. However it was clear from his memo of the meeting that he was aware that there was an allegation of child sexual abuse made against Fr McNamee in the late 1970s. It seems incredible to the Commission that, when he was asked in December 1994 to talk to Fr McNamee about behavioural difficulties with children, he was not informed that Archbishop Connell had issued a decree initiating a preliminary investigation into the 1994 allegation on 28 November. Once again this highlights the very poor communication that existed within the Archdiocese. Bishop Murray has pointed out to the Commission that Archbishop Connell visited Delgany on 11 December and did not inform the nuns about Fr McNamee's background. This was despite the fact that he had launched a preliminary investigation into a complaint of child sexual abuse against him less than two weeks previously. In the Commission's view neither the bishop nor the Archbishop seemed to have given any consideration to the risk Fr McNamee might have posed to the altar boys attending the convent. Both were aware of his abusive past and that no monitoring system had been put in place in relation to him.

Fr Horatio

21.6 In 1989, Fr Horatio approached Bishop Murray and told him that he was attracted to a young girl in a family to which he was close. He said there was no physical relationship but he had emotional difficulties. It was decided to move him to another parish. It subsequently became apparent that there was more to this attachment than had been told to Bishop Murray.

21.23 This woman said that Fr Horatio began to talk of marriage in 1989. Fr Horatio told the Archdiocese that he went to see Bishop Donal Murray in 1989, told him the “*whole story*” and asked to be released from the priesthood and laicised. He said that Bishop Murray responded that he should take some time to consider it and that he would be moved to another parish. Fr Horatio began to make provision for earning a living. He moved parishes as already described. The relationship continued for some months. He said that the woman ended the relationship in 1990.

21.24 Bishop Murray’s evidence to the Commission is that he was not told the whole story (in 1989) about Fr Horatio’s relationship with the woman. The bishop was not aware that there was a sexual relationship nor was he aware of her age when the relationship began.

Fr Moore

26.19 In January 1995 Fr Moore’s situation was discussed by Bishop Murray and the Archbishop. Bishop Murray noted that Fr Moore was looking for a parish and that “*we need to give thought to his future*”. In March 1995, Dr Patrick Walsh was approached for a further assessment of Fr Moore, after he had been reported to have made inappropriate remarks to parents at a school function. (Cf, also 1.65)

Fr Naughton

29.4 In 1983, two parishioners from Vallemount expressed concerns to Bishop Donal Murray about Fr Naughton’s behaviour. They claimed he was “*too close to the altar boys*”. Bishop Murray told the Commission that the two men wanted Fr Naughton removed from the parish. He said that the men refused to be specific with him and that they were not suggesting that there was anything wrong going on. The bishop told the Commission that he was uneasy and was afraid that it could involve inappropriate or even abusive activity with children. The parish priest at the time investigated the complaints and concluded that they were unfounded.

29.5 The type of investigation carried out is not chronicled in the files and would appear to have been totally inadequate even by the standards of the time. It can be compared unfavourably with the excellent investigations carried out in 1977 by Canon Ardlie McMahon into complaints and in 1983 by Canon McMahon and Monsignor Stenson in the Fr Bill Carney case (see Chapter 28). Bishop Murray considers that this comparison is unfair as there was no specific complaint of child sexual abuse in Vallemount.

29.6 Bishop Murray did interview Fr Naughton about the behaviour but he denied any wrongdoing. Bishop Murray said he told Archbishop Ryan of the allegations. The Commission accepts that he did tell Archbishop Ryan even though there is no contemporaneous record of this on the files. Monsignor Stenson was under the impression that Archbishop Ryan had been informed.

29.7 In a statement to Gardai in 2003 another parishioner stated that she had been informed in 1983 by two children that they had been abused by Fr Naughton. She said she had told the parish priest of the abuse on two separate occasions and in response he had told her “*to*

pray for the victims". She stated that she and her husband approached another priest who took their complaints seriously. That priest's recollection was that he reported the matter to an auxiliary bishop. He thought it was Bishop Murray but Bishop Murray denies that it was he. The parishioner stated that she also tried to talk to Bishop Murray when she was attending a confirmation service in 1984 but that "*he dismissed me and pretended he didn't hear me, and walked away*". There was no record of these complaints on the files of the Archdiocese until the mid 1990s. Bishop Murray told the Commission that he does recall a woman speaking to him after confirmation but said it was about Fr Naughton's difficult attitude and that sexual assault was not mentioned. The Commission considers that Bishop Murray should have pursued the matter with the woman since he was already aware that there were some problems with Fr Naughton.

29.8 In April 1984, Bishop Murray also received a letter from another parishioner proposing an investigation into "*a less than satisfactory situation*" in the parish. Bishop Murray told the Commission that this letter referred to financial matters.

29.9 Within six weeks Fr Naughton was transferred to Donnycarney parish.

29.10 At least four complainants have come forward from Valleymount but it is suspected that many more children were abused. As recently as February 2006, the local parish priest, a different person to the parish priest who was there in 1983, sought information on counselling services for those who had been affected by Fr Naughton's behaviour. He expressed the opinion that there might be a lot more people in the parish who may have been abused but who had not come forward. He put the number at between ten and twelve. He was encouraged by the Archdiocese's Child Protection Service to try and persuade anyone who might have been affected to come forward.

29.11 In June 2009, just as this report was being finalised, Fr Naughton pleaded guilty to charges of sexual assault in relation to a complainant from Valleymount.

29.12 In a statement regarding the Valleymount situation, issued in 2002, Bishop Murray stated that he was very aware that if he had derived "*more information from the various interviews I conducted, it might have been possible to prevent some of the dreadful suffering of child abuse. I very much wish that I had been able to do so. It is a matter of the greatest regret to me that I did not manage at that time to get to the root of the problem*". No attempt was made by Bishop Murray to revisit these concerns even after he became aware of Fr Naughton's abusive behaviour in Donnycarney and Ringsend (see below). Bishop Murray told the Commission that, when the Donnycarney complaint was raised at an Auxiliary Bishops' meeting with Archbishop McNamara in November 1985, he mentioned the concerns of the two men who had approached him in Valleymount. At this stage the concerns about Valleymount were known to two Archbishops and several auxiliary bishops and none of these men thought of revisiting the issue.

29.15 The very next day, Monsignor Stenson met Fr Naughton who categorically denied all the allegations against him. He stated that there may have been an incident of horseplay which may have been misinterpreted and that he had since apologised to the family for any misunderstanding. He did, however, tell Monsignor Stenson about the fact that he had been confronted by Bishop Murray in relation to an allegation. He said that the bishop had told him that it was nothing to worry about and that "*cranks often make allegations*".** He agreed with Monsignor Stenson to seek a transfer and gave an undertaking that he would withdraw from his responsibilities for the altar boys.

[** In a footnote the commission notes "Fr Naughton's words"]

29.53 In the Commission's view, Bishop Murray must take some responsibility for the very poor handling of complaints against this priest. The Commission believes it is to his credit that he recognised this when he issued his statement admitting his failure to follow up properly the complaints he had received from Valleymount.

29.54 It is unacceptable that, when the Donnycarney complaints were being discussed by the bishops, he, they and Archbishop McNamara did not return to the Co Wicklow parish and carry out further investigations. This was despite the fact that Bishop Murray told the Commission that he informed the meeting about the two men's complaints about Fr Naughton. [cf 1.53]

29.56 Overall, in their handling of the complaints against Fr Naughton, archdiocesan authorities, particularly Bishop Murray, the Valleymount parish priest and Archbishops Ryan and McNamara let down those families who, because they were good Catholics, trusted the Church to do something about this man. Archbishop McNamara was slow to respond to the complaint from the Rundles despite the priest admitting sexual abuse. As a result, Fr Naughton was allowed to continue his abusive behaviour for several years thereby severely damaging more victims. It was only when they went to the Gardaí that they finally received satisfaction.

Fr Clemens

31.5 Bishop Murray was immediately informed and in turn contacted Archbishop's House in December 1988. The allegations were discussed at a meeting of the auxiliary bishops where it was decided that Fr Clemens would be given alternative accommodation in a non-parochial setting. He was removed from the parish and went to live with another priest. It would appear that a considerable number of parishioners were aware of the incidents and the parents of the boys involved were adamant that Fr Clemens should have no post in the parish.

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

Fr Quinton

33.5 In 1991, a young man with an intellectual disability who was working in a sheltered workshop run by the St John of God Hospitaller Services told the workshop manager that he had been sexually abused by a priest while he was staying in a hostel for young people. Fr Quinton used to visit the hostel but was not formally appointed to it. The workshop manager told the manager of the hostel and she also reported to Dr Patrick Walsh who was the director of psychological services in the St John of God order and had responsibility for ensuring that child protection policies within the order were carried out. The young man, who was aged 20 at this time, told Dr Walsh that the abuse had started when he was about 15 or 16. He alleged that the abuse had started with seductive behaviour towards him in the

hostel. This was followed by oral sex in the priest's home. He also alleged that Fr Quinton had given him money from time to time. The young man told a similar story to the manager of the hostel.

33.6 The hostel manager informed the parish priest of the allegation and the parish priest told Bishop Murray, who was the area bishop. He told Bishop Murray that a psychologist thought there was "*something in it*". Bishop Murray informed Monsignor Stenson. Bishop Murray spoke to Fr Quinton who denied the allegations. Fr Quinton said that the young man used to visit him in his house, they listened to music and watched videos and he did give him a "*few quid*" on occasions. The young man's brother had come to his house on a number of occasions and made allegations against him.

33.7 Bishop Murray then spoke to the hostel manager. The hostel manager told Bishop Murray that he was convinced that it was the young man's own story and he was not being put up to it by his brother. The hostel manager had "*grilled*" the young man twice and his story was consistent with what he had told Dr Walsh. The manager had also spoken to Fr Quinton, who had denied the allegation and said that no such accusation had ever been made to him (even though he told Bishop Murray that the brother had made such an allegation).

33.8 Bishop Murray spoke to Dr Walsh, who advised that, even though the complainant was an adult, the health board should be informed because he had an intellectual disability. They agreed that Dr Walsh would meet Fr Quinton.

33.9 Bishop Murray met the head of the order. The head told him that Fr Quinton had a poor relationship with him and with the authorities of the order but that there had been no sex abuse issues. Bishop Murray told Fr Quinton to see Dr Walsh and he agreed. Bishop Murray also told him to stay out of the parish for a period. Dr Walsh met Fr Quinton. Dr Walsh did not consider he was meeting him in order to carry out an assessment but Bishop Murray seems to have considered that was the case. Dr Walsh saw his role as dealing with a child protection concern within the St John of God services. He told the Commission that Fr Quinton understood his role. The Archdiocese usually referred priests against whom child sexual abuse allegations had been made to Dr Walsh for assessment. The Commission accepts that Dr Walsh saw his role as dealing with a child protection concern within his employment but considers that he should have explained this clearly to Bishop Murray and should have not become involved in reporting to Bishop Murray or anyone else in the Archdiocese or the order about the alleged abuser. His subsequent reports and advice to Bishop Murray, while they may not constitute a formal psychological assessment, do include assessments of Fr Quinton.

33.10 Dr Walsh reported to Bishop Murray that he was quite certain that Fr Quinton was not a paedophile but that he had blurred the boundaries of appropriate behaviour.

33.11 In a report compiled in January 1992, Dr Walsh concluded that there was a ring of truth to the allegation. He said that Fr Quinton staunchly denied the allegation. He described the priest as a "*pugnacious*" person who had a history of being in dispute with his superiors in the order but "*inquiries there indicate that they never had any suspicions of homosexuality or sexual deviations*".

33.12 In March 1992, having been notified of the matter by Dr Walsh, the director of community care in the health board convened a case conference. This was attended by Dr Walsh and a number of social workers. The case conference concluded that it was impossible to “*confirm or refute the allegations*”. The health board considered that the hostel manager had acted responsibly and there was no contact between current residents of the hostel and Fr Quinton.

33.13 Dr Walsh reported to Bishop Murray about the case conference and his own dealings with Fr Quinton. He reported that Fr Quinton had denied the allegations. Dr Walsh understood from Fr Quinton that these were the first allegations of their kind against him and, as they were unsubstantiated, he could not ask him to receive treatment. He did not believe Fr Quinton was a risk but he should be warned that his relationship with the complainant was inappropriate. He also recommended that Fr Quinton have a change of duties. If he was to be allocated parish work, the parish priest should be made aware of the allegations and that he should be careful about any involvement with residential homes for children or young people.

33.18 In 1995, at the request of the order, Dr Walsh saw Fr Quinton and issued a report on the complaint made by the young man. He had offered the young man and his brother a number of appointments in order to establish what exactly was being alleged and they had not pursued the matter. He concluded that the matter should be brought to a close as the case had been effectively dropped because it was never substantiated and should consequently not have any bearing on Fr Quinton’s future life or work. Bishops Murray and Walsh were informed of the report. Bishop Murray told the Commission that he had no further dealings with the case as he was appointed Bishop of Limerick in March 1996. The St John of God order continued to support the young man in its sheltered workshop until his death in 2007.

33.44 The Commission is concerned about the role of Dr Walsh in this case. The Commission recognises that Dr Walsh dealt appropriately with the complaint in his role within the St John of God order. However, he should have made it clear to Bishop Murray and to the order that this was how he saw his role. The Commission considers that he should have taken no further part in assessing Fr Quinton because of the potential conflict of interest between the interests of the young man and the interests of the alleged abuser. Dr Walsh does not accept that there was any conflict of interest.

Fr. Marius

34.14 Fr Marius accepted the proposal regarding his resignation. There were restrictions put in place on his activities. In March 1993, a house which he was to share with his brother was bought for him. Bishop Murray, who was the area bishop, told the Commission that he was aware of the background when Fr Marius moved into his area. Fr Marius was allowed to say mass once a week, to help with Sunday mass and hospital mass but he was not allowed any involvement in any sermons or activities where young people were concerned. These restrictions were to be put in the form of a behavioural contract.

34.15 By May 1993, the behavioural contract had not been put in place and Monsignor Stenson noted that he was not being properly monitored at this time. Eventually, towards the end of June 1993, a behavioural contract was drawn up and signed. Under the contract:

He was to be in regular contact with a clinical expert, an unnamed church representative and the local parish priest in connection with his personal situation and pastoral involvement with the nursing home in the area.

He was to keep in regular contact with his spiritual director.

He was to be willing to attend any qualified counsellor on the understanding that the information would not be shared with a third party

He was restricted from taking part in any apostolate involving children.

He was restricted from taking part in any pastoral work other than in the nursing home.

He was restricted from physical contact with children beyond a handshake.

Under no circumstances was he to allow himself to be alone with a child whether inside or outside his place of residence.

He was not allowed to become familiar with the families and children of the residents he came into contact with through his work in the nursing home.

The parish priest of the parish where he lived was to be made aware of the situation and he was to be allowed to discuss with him any areas of concern about the manner in which he conducted his relationships with children.

Failure to comply with any of the conditions could result in termination of his employment as well as having to share accommodation with another priest.

34.16 Despite the fact that this contract was signed in June 1993, it was late 1994 before the parish priest in the area where Fr Marius lived was told of his situation by Bishop Murray. Bishop Murray told the Commission that the parish priest in the area where Fr Marius did some ministry in nursing homes had reservations about his ministering in those homes. These reservations were based on his manner which was "*hard to take*". Bishop Murray said that he met Fr Marius on several occasions between 1993 and 1995 to "*ask him whether he was abiding by his contract, that he was having no contact with children in the locality and to enquire about his general wellbeing*". Bishop Murray told the Commission that he was not responsible for the monitoring of Fr Marius.

34.17 In March 1995, concerns were expressed about the monitoring system as Fr Marius had not returned to the Granada Institute where he was receiving treatment. In November 1995, he was told by Bishop Murray to cease all work in the diocese.

34.18 Bishop Murray had received reports from the nursing home where he was ministering stating that he was unsatisfactory to work with as he would invite young nurses back to his home and attempt to kiss them.

34.20 In December 1997 Monsignor Stenson spoke to a local priest about the monitoring system that was supposed to be in place. The priest recalled a vague conversation with Bishop Murray but said that nothing was mentioned about a monitoring system. It would

appear that the only system that was in place at that stage was one where Bishop Murray inquired from Fr Marius if he was behaving himself.

34.33 There was a major problem about the monitoring of this priest. Despite the fact that he was the area bishop and was in touch with the priest on a regular basis between March 1993 and the time of his appointment as bishop of Limerick in February 1996, Bishop Murray failed to put a proper system in place. Bishop Murray has said that it was not his responsibility to put a monitoring system in place. He told the Commission that his involvement was “*solely at the request and direction of Archbishop Connell.*” Bishop Murray also said that there was “*no developed thinking*” within the Archdiocese at this time regarding how a known or suspected offender should be supervised. Once again, this case illustrates the weaknesses in the management of the Archdiocese, the lack of communication between the authorities in the Archdiocese and the failure to properly address the whole question of monitoring. In the Commission’s view, there was nobody responsible for monitoring.

There was another case in which Bishop Murray was involved, but mentioning his involvement would risk revealing the true identity of the priest. In that case, the Report expresses satisfaction at how it was handled.

There was another case in which Bishop Murray was notified that he was involved and was told that he might be approached by the Commission. That did not happen and he cannot identify the case in the Report. He believes that it did not involve a minor.