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Irish church 'begged' Vatican to dismiss abusive priest

Michael Kelly Catholic News Service | Dec. 17, 2010

DUBLIN -- A newly released chapter of the Murphy Report into the handling of clergy sex abuse allegations in the Archdiocese of Dublin between 1975 and 2004 shows Cardinal Desmond Connell "begged" Pope John Paul II to dismiss an abusive priest from the priesthood.

Chapter 19 was withheld when the report of Judge Yvonne Murphy's commission was published in November 2009 because the abuser involved -- former priest Tony Walsh -- was awaiting trial. Walsh was sentenced to 16 years in prison for abuse in early December, clearing the way for publication.

Referring to Walsh, the inquiry noted, "his pattern of behavior is such that it is likely that he has abused hundreds of children." The newly published chapter reveals that allegations of abuse made just days after Walsh's ordination in 1978 were largely ignored by church authorities and he went on to abuse freely for almost a decade, being moved from parish to parish when fresh allegations emerged.

Connell had been criticized extensively in other parts of the report for not alerting civil authorities to abusive priests. However, Chapter 19 reported that within months of taking over in Dublin, then-Archbishop Connell used canon law to act immediately against Walsh even though he failed to notify civil authorities.

In the chapter, the commission praised Connell for his use of canon law. The chapter also detailed the prelate's disappointment after Rome initially rejected his bid to dismiss Walsh from the priesthood. After a direct appeal to Pope John Paul II, the Vatican eventually backed Connell's view.

Walsh was identified as "Father Jovito" in the report, while his case continued in the courts so as not to prejudice the proceedings.

"Only two canonical trials took place over the 30-year period," the chapter reported. "Both were at the instigation of Archbishop Connell, and the commission gives him credit for initiating the two penal processes which led to the dismissal of Father Bill Carney in 1990 and Father Jovito in 1996. The commission recognizes that he did this in the face of strong opposition from one of the most powerful canonists in the archdiocese, Msgr. (Gerard) Sheehy."

Sheehy, now deceased, was the retired chancellor of the Dublin Archdiocese at the time and frequently advocated on behalf of priests who were accused of abuse to ensure that what he considered proper canon law procedures were followed. Many clerics in the archdiocese, however, felt he too strongly supported priests at the expense of the rights of abuse victims.

Quoting evidence from one of the then-auxiliary bishops, the commission noted: "Bishop (Dermot) O'Mahony told the commission that, of the three archbishops he served as an auxiliary bishop, it seemed to him that Archbishop Connell was 'the most deeply affected by the harm of clerical sex abuse. He was also the most proactive in seeking improvement in the church management of the issue.'"

A canonical trial in Dublin ruled in August 1993 that Walsh should be dismissed from the priesthood. However, Walsh appealed to Rome and in June 1994 the Roman Rota, the church's central appeals court, commuted the penalty to 10 years living in a monastery. Then-Archbishop Connell then wrote to Pope John Paul II saying "the archbishop humbly begs the Holy Father graciously to grant him this favor in the interests of the well-being of the church." The pope immediately granted the dismissal.

Judge Murphy wrote: "The handling of that appeal in Rome was unsatisfactory. The fact that the original decision of dismissal was replaced with a sentence that would have confined Father Jovito to a monastery for 10 years, suggests that after the 10-year period, Father Jovito might have been entitled to resume his clerical ministry.

"The whole process was unduly cumbersome and at one stage it was suggested to the archbishop that he should start all over again and initiate a new canonical process," Judge Murphy said.

The report also is highly critical of the "hands-off" approach of the police in dealing with numerous allegations against Walsh, describing it as "unacceptable."

Responding to the latest release from the commission, current Dublin Archbishop Diarmuid Martin reiterated his apology to clergy sex abuse victims.

"(The chapter) reports the tragic and shocking story of how a devious, predatory pedophile used the priesthood to gain access to young children and abuse them and how no one stopped him for years," the archbishop said in a statement.

"The first lesson to be learned from this is that in the cases of serial compulsive pedophiles only decisive action is capable of stopping them. Cardinal Desmond Connell, to his credit, was among the first to recognize this," he said.

"The first step on the road to renewal is for our church to recognize what went wrong to honestly acknowledge with no 'buts' and no conditionality the gravity and the extent of what happened," Archbishop Martin added.

When the redacted report was published in November 2009, it sent shockwaves across the country and within the church in Ireland. Two bishops named in the report resigned within days of its release. Two other bishops, also named but not criticized, offered their resignations, but Pope Benedict XVI declined to accept them.

Murphy found in her investigation that some church leaders frequently neglected to report known abusers to the civil authorities and had consistently put the reputation of the church and the avoidance of scandal ahead of the needs of victims.

Another chapter in the report, Chapter 20, remains heavily redacted and refers to one individual and his brother. Judge Paul Gilligan said this redaction should remain in place until at least July 5, 2011 indicating that criminal proceedings may be pending.

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