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Irish report reveals abuse, bishop's mismanagement

Michael Kelly Catholic News Service | Jul. 13, 2011

Bishop John Magee of Cloyne, Ireland, is pictured in an undated photo. (CNS photo/The Irish Catholic)

DUBLIN -- A judicial report into the handling of allegations of child sexual abuse against clerics in the Diocese of Cloyne has concluded that the church's own guidelines were "not fully or consistently implemented" in the diocese as recently as 2008.

The report, released by Judge Yvonne Murphy, also said Cloyne Bishop John Magee admitted to what has been described as inappropriate behavior with a young man. It said the bishop embraced him, kissed him and told the young aspirant for the priesthood that he loved him.

The 400-page report also records for the first time stark disagreement among Irish bishops over whether Bishop Magee -- a former secretary to three popes -- should quit as bishop of Cloyne after December 2008, when the National Board for Safeguarding Children in the Catholic Church said he was using child safeguarding policies that were "inadequate and, in some respects, dangerous."

At an emergency meeting of the Irish bishops' conference in January 2009, just weeks after the report critical of Bishop Magee, "there were strong opinions on both sides" as to whether the bishop should quit.

"The strongest argument in favor of resignation was made by Archbishop (Diarmuid) Martin" of Dublin, the report said. At the time, Cardinal Sean Brady of Armagh, Northern Ireland, emphatically insisted that Bishop Magee should not go despite the latter having admitted to the inappropriate behavior with the young man in question.

The commission was charged with investigating the handling of allegations made against 19 priests from 1996 -- when the church in Ireland first implemented child protection procedures -- to 2009. The commission found that "the primary responsibility for the failure to implement the agreed procedures lies with Bishop Magee."

"It is a remarkable fact," the report notes, "that Bishop Magee took little or no active interest in the management of clerical child sexual abuse cases until 2008."

Between 1996 -- when the Irish bishops introduced guidelines for mandatory reporting -- and 2005, the diocese failed to report nine out of 15 complaints against priests, which "very clearly should have been reported," the report said.

"The most serious lapse was the failure to report two cases in which the alleged victims were minors at the time of the complaint," it said.

The report found that Bishop Magee falsely told the government that his diocese was reporting all allegations of clerical child sexual abuse to the civil authorities. It also found that the bishop deliberately misled another inquiry and his own advisers by creating two different accounts -- one for the Vatican and the other for diocesan files -- of a meeting with a priest-suspect.

The report accuses the Vatican of being "entirely unhelpful" to bishops who wanted to fully implement the agreed guidelines.

In particular, the report referred to a letter from the apostolic nuncio to Ireland a year after the 1996 guidelines were introduced in which he informed bishops that the Holy See was refusing to grant the document Vatican approval. The Congregation for Clergy, the letter noted, insisted the guidelines were not in conformity with canon law.

"There can be no doubt that this letter greatly strengthened the position of those in the church in Ireland who did not approve of the framework document as it effectively cautioned them against implementation.

"This effectively gave individual Irish bishops the freedom to ignore the procedures which they had agreed and gave comfort and support to those who ... dissented from the stated official Irish church position."

In a July 13 statement, Cardinal Brady welcomed the report and said it represented "another dark day in the history of the response of church leaders to the cry of children abused by church personnel." He said the report's findings "confirm that grave errors of judgment were made and serious failures of leadership occurred. This is deplorable and totally unacceptable."

He said the commission indicated that, in his dealings with Bishop Magee, "my overriding objective was to ensure that safeguarding practice in Cloyne be prioritized and implemented and that Bishop Magee should be available" to assist the commission.

"I ask that we remember, in our thoughts and prayers, all those who have suffered, and continue to suffer, as a result of abuse," he said.

Archbishop Dermot Clifford of Cashel and Emly, who was appointed administrator of the diocese in March

2009, said he accepted the commission's findings, and he reiterated all the safeguarding procedures -- including cooperation and information-sharing with police -- that have been put into place since he took over.

"I am appalled by the depth of damage and suffering caused by a minority of clergy in the diocese, as outlined in this report," he said. "Great pain was also caused to the families of those abused, whose strong relationship with the Catholic Church was, in a number of cases, damaged or destroyed."

Murphy's report is highly critical of the Cloyne vicar general, Msgr. Denis O'Callaghan, who, it notes, "did not approve of the requirement to report (allegations) to the civil authorities."

The commission notes that "one of the ironies of Msgr. O'Callaghan's position is that it was clear from his evidence that, in most cases, he believed the complaints, which make his failure to implement his own church's policy all the more surprising.

"He also displayed some inexplicable failures to recognize child sexual abuse," the report adds.

The report says allegations of abuse and concerns about inappropriate behavior were raised against nearly 8 percent of priests serving in the diocese. One priest of the diocese has been convicted while another was successful in having his trial halted because of his age. One chapter of the report is heavily redacted because the cleric involved is currently before the courts.

Regarding canon law, the commission found that there was a "haphazard and sometimes sloppy" approach to canonical investigations.

On a positive note, the commission concludes that "there was no case in which the Diocese of Cloyne moved priests against whom allegations had been made to another parish or out of the diocese altogether."

Cloyne was also criticized for its failure to properly record and maintain information about complaints of child sexual abuse until 2008.

The diocese drew attention in 2008 when social service authorities expressed concern to the National Board for Safeguarding Children in the Catholic Church that Bishop Magee was not following the church's own child safeguarding guidelines properly.

Initially, Bishop Magee resisted calls to resign and pledged to assist the investigation. However, in March 2009 the Vatican announced the appointment of an apostolic administrator -- at Bishop Magee's request -- and said Bishop Magee would no longer exercise power of governance but would retain the title of bishop of Cloyne. In March 2010, the Vatican announced that Pope Benedict XVI had accepted Bishop Magee's resignation.

Three of Ireland's 26 Catholic dioceses have now been subject to judicial inquiries that have severely criticized church leaders and found that the reputation of priests and the church and the avoidance of scandal were put ahead of the rights of children to be protected from abuse.

A high-profile team of senior prelates recently concluded the first phase of an apostolic visitation of the church in Ireland at the request of Pope Benedict. The pope announced the move in a March 2010 letter to the Catholics of Ireland in which he repeated his shame and sorrow at the abuse and the subsequent mishandling of cases and warned Irish bishops that their failures had "obscured the light of the Gospel to a degree that not even centuries of persecution succeeded in doing."

This past May, the head of the safeguarding children board, Ian Elliott, admitted that he had consider resigning over what he described as a lack of cooperation from senior church leaders in Ireland to his auditing of dioceses

handling of allegations. Bishops had withdrawn from the auditing process, citing data protection concerns. However, all dioceses are now cooperating according to the board, and the body expects to complete the audits in the coming year.

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