

# COIN

## COMMISSION OF INQUIRY NOW

Justice for victims of Catholic Clergy Sexual Assault in Victoria

The Hon Georgie Crozier MLC,  
Chairman, Family and Community Development  
Committee, Parliament of Victoria, Spring Street  
MELBOURNE VIC 3000

22 August 2012

Dear Ms Crozier,

**Inquiry into Handling of Child Abuse by Religious  
and other Organisations -  
COIN Submission No 7:**

**Inquiries into abuse of children in the Catholic Church in Ireland**

In this submission, COIN briefly outlines recent inquiries into sexual assault by personelle associated with the Catholic Church in Ireland, in the hope that the Committee might be both better informed of modern day responses to this world-wide phenomenon; and that the material below might indicate further research for the Committee to pursue.

**Independent Judicial Inquiry:** As previously stated, COIN considers that the Government's choice to refer the issue of the sexual assault of children by personnel associated with the Roman Catholic Church("RCC"), let alone by personnel from thousands of additional religious and other organisations, to a Parliamentary Committee for inquiry and report is inadequate and unworkable. COIN favors the commissioning of a properly empowered, independent, judicial inquiry into this problem. This issue will be addressed in a further submission.

Accordingly, COIN considers your Committee to be a "first step" towards the instigation of such a judicial inquiry. COIN thus recommends that the Committee, in its final Report, records and acknowledges its inadequacy; and recommends to government that such a further, independent judicial inquiry be forthwith commissioned.

**Focus on the RCC** COIN considers that the Committee's Term of Reference are unworkable if thorough examination of this significant problem, and well-founded recommendations to government, are to occur. The Terms of Reference embrace thousands of religious, and other, organisations and would require many years to pursue: yet the Committee is required to report by 30 April 2013. Second, COIN considers RCC clergy, and the Church's hierarchy, to be the main perpetrators of sexual assault upon children and

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vulnerable adults in Victoria. Thus, in this submission, COIN focuses solely on the RCC, and encourages the Committee to do likewise, both as a matter of practical reality and in an endeavour to conduct a thorough, focused inquiry as compared to a superficial treatment of many organisations.

**Irish Inquiries** Three inquiries, reports and follow-up are discussed briefly below:

1. The Ferns Report (2005)
2. The Murphy Report (2009)
3. Commission To Inquire into Child Abuse (Ryan Report)(1999-2009)

**(1) The Ferns Report (2005)** The Ferns Report was a report by a three-member panel appointed by the Irish government, inquiring into the Catholic Church's response to sexual abuse allegations in the Diocese of Ferns, Ireland. The Ferns report, taking almost three years to complete, was not concerned with the content of the allegations themselves, but rather focused on how the Church dealt with these allegations. Commissioned in March of 2003, the Inquiry was chaired by Dr. Francis Murphy, a former Supreme Court Justice. His Honour was joined by Dr Helen Buckley, Head of Social Sciences specialising in Child protection issues at Trinity College in Dublin, and Dr Lorraine Joyce, the Deputy Director of the Office for Health Management<sup>1</sup>. The Inquiry identified approximately 100 complaints against 21 different priests operating under the aegis of the Diocese of Ferns as far back as 1966<sup>2</sup>.

The findings of the Report, which was presented to the Irish government in 2005, were separated into three parts. The Report examined the responses of firstly, the Church Authorities; secondly, the South Eastern Health Board; and thirdly, the An Garda Síochána (the Irish police force).

One-fifth of the Report's 271 pages are taken up by testimony, often verbatim and frequently explicit, from the victims. This includes accounts of priests at a Catholic boarding school who measured boys' penises at night; of boys who were forced to perform oral sex on priests; and of girls who were molested during confession, one even on a church altar.

**Findings** The major findings may be summarized as follows:

- Before 1980, Bishop Donal Herlihy had evidence that four priests in his diocese had sexually abused children. These priests were removed from the Diocese of Ferns and placed in the Diocese of Westminster as 'penance' for two years, before being allowed to return to their positions in the Diocese of Ferns. This was done without supervision or monitoring of the offenders.
- The Inquiry also discovered that allegations were made against two seminarians in the Ferns Diocese but they were ordained as ministers despite these allegations. In 1980, Bishop Herlihy referred these two alleged offenders to Professor Feichin O'Doherty

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<sup>1</sup> Ireland, Archdiocese of Ferns, *The Ferns Report* (2005) 1

<sup>2</sup> *ibid* 22

for assessment but did not act on the reports subsequently made by Professor O'Doherty which recommended that these two priests not be given curacies<sup>3</sup>.

- In 1984, Bishop Brendan Comiskey became Bishop of Ferns. He requested that one particular priest undergo psychological evaluation. It was intended that this priest would be re-appointed to his position in the Diocese if and when a certificate was made by the psychologist deeming the priest fit for the position. When the results of the evaluation were handed to Bishop Comiskey, however, the Bishop refused to implement the recommendations<sup>4</sup>. The Inquiry also found that Bishop Comiskey failed to inform medical experts of the full history of the priests against whom allegations were made.
- The Inquiry found that Bishop Comiskey conducted his own investigations into matters, a task which he did not have the resources or skills to undertake.
- From December 1995 onwards, Bishop Comiskey adopted the policy laid down in an Irish Framework Document which stipulated that all allegations of sexual abuse in the Diocese must be reported to the police. However, Comiskey did not report any incidents that had already come to his attention prior to December 1995.
- The Inquiry states that whilst Bishop Comiskey was rightly concerned for the good name and reputation of his clergy, he failed to recognise the fundamental need to protect the children of his diocese.
- The appointment of Bishop Eamonn Walsh as Apostolic Administrator of Ferns in 2002 has seen much improvement. In the period between 2002 and the final drafting of the Ferns Report, Bishop Walsh asked eight priests to stand aside due to allegations of sexual abuse<sup>5</sup>.
- The Inquiry concluded that the inadequacy of the response by Bishop Herlihy was due to the Bishop's failure to appreciate the very serious effects that sexual abuse can have on child victims, particularly if this abuse is perpetrated by someone in a position of power or respect. Bishop Herlihy also failed to recognise the likelihood that accused priests would re-offend. The Inquiry found that Herlihy's focus was centred on the moral aspects of the allegations and not on the legal or psychological aspects.<sup>6</sup> In failing to follow advice of medical professionals resulting from psychological assessments, the Inquiry stated that both Bishop Herlihy and Bishop Comiskey placed the interests of their priests ahead of the community in which they served.
- The powers conferred on the South Eastern Health Board in Ireland are designed to protect children from an abusive family situation. If the abuse is carried out by a third party, it is the responsibility of the parents or guardians to refer the matter to the authorities. In the absence of an express statutory power to intervene, the South Eastern Health Board was seen to be acting ultra-virus in its reporting of clergy sex abuse. The only power of the Health Board to inform interested parties that

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<sup>3</sup> *ibid* 254

<sup>4</sup> *ibid*.

<sup>5</sup> *ibid* 248

<sup>6</sup> *ibid* 254

allegations of child sex abuse have been made against a particular person is one inferred from a wide-ranging objective of child protection imposed on Health Board by the Irish *Child Care Act 1991*. There is difficulty, however, in determining what does and does not fall under this power<sup>7</sup>.

- Before 1990, there was reluctance on the part of individual police officers to investigate some cases of child sex abuse due to fear of challenging the privileged position of the Roman Catholic Church. However, the institution of criminal proceedings against three priests from 1990 to the time of this report is confirmation of the evidence given by the Irish police force that they are no longer deterred or hampered in the performance of their duties by the status of the accused or the respect accorded to the Catholic Church in Ireland<sup>8</sup>.

**Recommendations** The recommendations of the Inquiry were to remedy damaging factors considered to be inherent in the Catholic Church of Ireland. These factors were:

- The failure to monitor and assess men during seminary admission and training as to their suitability for priesthood;
- The failure of the system of management in the Diocese of Ferns once these priests were ordained. Bishops failed to deal decisively with allegations made by victims;
- The failure of subsequent Bishops to properly record allegations of child sex abuse within the Diocese;
- The failure to establish a transparent complaints procedure;
- The failure of Church Authorities in Rome to educate bishops and priests about the growing awareness of child sexual abuse within the Roman Catholic priesthood;
- The failure of church authorities to listen sensitively and sympathetically to allegations made against their colleagues;
- The culture of secrecy inherent in the Catholic Church in Ireland and their fear of creating a scandal.<sup>9</sup>

The inquiry also made the following recommendations:

- That the Department of Health and Children run regular campaigns in relation to child sexual abuse. These campaigns should focus on informing parents and children that children must not regard themselves as responsible for abuse perpetrated against them, that people from all walks of life can be child sex offenders, that child sexual abuse can result in serious psychological damage, and that incidents of child sexual abuse should always be reported to the police;
- That every effort should be made through legislation and the media to establish a more open environment of reporting within the Diocese of Ferns;
- The Diocese of Ferns should regularly publish Codes of Conduct which deal with how priests should interact with young people;

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<sup>7</sup> Ibid 252

<sup>8</sup> Ibid 253. One might add: "accorded in previous times".

<sup>9</sup> Ibid 255-256

- Every person to whom an allegation of child sexual abuse is made, should immediately document that allegation in writing;
- The Bishop of the Diocese must play a key role as leader of the priests in his own Diocese. Thus, Bishops should receive management training to fulfil this role;l
- The Irish police force must be trained more extensively on how to interview children, creating a safe and secure place for children to tell their story;
- The Inquiry recognises the importance of a priest's reputation and priests' desire to maintain that reputation in the community. It is in the public interest, however, for allegations to be dealt with and innocence to be proven or disproven by a Court of Law.<sup>10</sup>

**(2) The Murphy Report (2009)** The Murphy Report is the shorthand name for the investigative inquiry conducted by the Irish government into the way in which the Catholic Church deals with allegations of sexual abuse of children by clergy in the Catholic Archdiocese of Dublin.

The Commission of Inquiry, established pursuant to the Irish *Commissions of Investigation Act 2004*, was announced by the former Justice Minister and Minister for Children of Ireland in November 2005. Its Report was presented to the parliament 4 years later, in 2009.

The Commission was chaired by former judge, Yvonne Murphy who was assisted by barrister Ita Mangan and solicitor Hugh O'Neill. The Commission also appointed a full time solicitor, a Senior Counsel, a Junior Counsel and three full-time research assistants to aid in the Inquiry<sup>11</sup>. The Commission examined complaints from 320 victims against 46 different priests<sup>12</sup>. Each of the 46 priests examined by the Commission is given their own chapter in the report, each outlining the details of the allegations of sexual abuse, the various responses by the Church to the allegations and the Commission's assessment of those responses.

In addition to victim statements, The Commission issued formal Orders of Discovery against the Dublin Archdiocese, the Health Service Executive (HSE), the Garda Síochána (the Irish Police Force), the Director of Public Prosecutions (DPP), a number of religious orders whose priests worked under the aegis of the Catholic Archdiocese of Dublin and a number of other organisations. Over 100,000 documents were subsequently received by the Commission. Requests for documents made by the Commission to the Congregation for the Doctrine of Faith in Rome were denied.

The total cost of the Commission's work to 30 April 2009 was €3.6 million<sup>13</sup>. The Dublin Commission has no specific remit to make recommendations but the Commission has given its views on a range of matters which it considers significant at various stages in the report.

The enquiries Terms of Reference were as follows:

- To select a representative sample of complaints or allegations of child sexual abuse made to the Archdiocesan and other Catholic Church authorities and public and State

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<sup>10</sup> *ibid* 265

<sup>11</sup> Archdiocese of Dublin, Commission of Investigation, *The Murphy Report (2009)* 2.5-2.6

<sup>12</sup> *ibid* 1.10

<sup>13</sup> *ibid* 2.42

authorities in the period 1 January 1975 to 1 May 2004 against Catholic clergy operating under the aegis of the Catholic archdiocese of Dublin;

- To examine and report on the nature of the response to those sample complaints or allegations on the part of the authorities to which those sample complaints or allegations were reported;
- To establish the levels of communication that prevailed between the Archdiocesan and other Catholic Church authorities and public and State authorities with regard to those sample complaints, allegations, knowledge, reasonable concern or strong and clear suspicion;
- To examine, following a notification from the Minister for Health and Children, that a Catholic diocese in the State may not be implementing satisfactorily the recommendations of the Ferns Report delivered to the Minister for Health and Children on 25 October, 2005; the position in that diocese; and make a report on these matters considered by the Government to be of significant public concern.<sup>14</sup>

**Findings:** The Murphy Reports findings may be summarised as follows:

- The Dublin Archdiocese's main concerns when dealing with allegations of child sexual abuse, at least until the mid-1990s, were the maintenance of secrecy, the avoidance of scandal, the protection of the reputation of the Church, and the preservation of its assets. The welfare of children and justice for victims were subordinate to these concerns;
- The Archdiocese did not implement its own canon law rules and did its best to avoid any application of the law of the State<sup>15</sup>. The claim of ignorance in such instances was difficult for the Commission to accept, as most of the authorities in the Archdiocese of Dublin dealing with the complaints were well educated in both canon and civil law<sup>16</sup>. In the period covered by the Commission, all the Archbishops of Dublin were aware of some complaints. In 1987, the Archdiocese of Dublin took out insurance, an act that the Commission viewed as proving knowledge of child sexual abuse as a potential major cost to the Archdiocese and inconsistent with the claim that Archdiocese officials were still on 'a learning curve' or lacking in appreciation of the prevalence of clerical sexual abuse at the time<sup>17</sup>.
- Primacy was given to the Catholic Church's own laws in dealing with allegations. Thus, only a canon law process could affect a clerical abuser's status within the Church, no matter what penalties may be imposed by the State<sup>18</sup>;
- A repercussion of this focus on secrecy in the Archdiocese was a failure by Archbishops and Bishops to report any complaints to the Gardai (Irish police force) prior to 1996. The Commission expressed their desire for the Archbishops and Bishops of Ireland to behave as citizens of the State, recognising their obligations to uphold the law and report crime, just as is expected of the rest of the community<sup>19</sup>. During the period under review by the

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<sup>14</sup> Ibid 2.2

<sup>15</sup> Ibid 1.15

<sup>16</sup> Ibid 1.17

<sup>17</sup> Ibid 1.21

<sup>18</sup> Ibid 4.1

<sup>19</sup> Ibid 1.32

Commission, there were four Archbishops: McQuaid, Ryan, McNamara and Connell. Not one of these Archbishops reported any knowledge of child sex abuse to the police during the 1960s, 1970s or 1980s. In 1995, Archbishop Connell allowed the names of 17 priests whom the Archdiocese had received complaints against to be reported to the police. At this time, however, the Archdiocese actually had knowledge of 28 priests against whom there had been complaints<sup>20</sup>.

- The Archdiocese of Dublin refused to acknowledge allegations of child sexual abuse unless the allegation was made in strong and explicit terms. One mother who contacted the Archdiocese to report the abuse of her daughter was informed that her daughter would have to be the one to make the complaint directly. When the mother responded that her young daughter was unwilling and unable to speak directly to the Archdiocese, she was not asked any further questions - not even the name of the offending priest;<sup>21</sup>
- One of the most shocking discoveries the Inquiry made was of the reluctance of the Irish police to deal with allegations against members of the clergy. In 1960, a security officer at a photographic film company referred a colour film that Fr Edmonus (of the Archdiocese of Dublin) had sent for developing, to Scotland Yard. Twenty-six of the films were of the private parts of two small girls, aged 10 and 11. Scotland Yard referred the matter to the Irish police force but there is no evidence that the investigation went any further than that. The Irish Police Commissioner met with Archbishop McQuaid and informed him of the incident and handed investigative powers over to the Archdiocese, assuring the Archbishop that the Irish police force would take no further steps in investigating the matter<sup>22</sup>.
- The organisational structure of the Church played a significant role in the inadequacy of the Church's response to allegations of child sexual abuse. The cases examined by the Commission are filled with examples of poor or non-existent communications between members of the Archdiocese and between it and other church authorities<sup>23</sup>. The lack of communication became clear when Bishops came to give evidence to the Commission and were shown documents that they had never seen before, relating to priests with whom they had dealt.<sup>24</sup> The communication breakdown between church authorities was also notably absent when accused priests were transferred to other diocese with no documentation or reasoning, and thus permitted to work with children in their new ministry. The Commission also discovered that for most of the Archdiocese's history there was nothing even resembling a management structure.<sup>25</sup>
- The Archdiocese of Dublin has never become an incorporated entity under the applicable *Companies Act* and does not have to comply with regulations or norms enforced and overseen by the Office of the Director of Corporate Enforcement<sup>26</sup>. The Archdiocese assets are managed through a variety of trusts. One of these trusts which is a holding

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<sup>20</sup> *Ibid* 1.36

<sup>21</sup> *Ibid* 1.29

<sup>22</sup> *Ibid* 13.5

<sup>23</sup> *Ibid* 1.63

<sup>24</sup> *Ibid*, 1.65

<sup>25</sup> *Ibid* 1.56

<sup>26</sup> *Ibid* 3.6

entity for many of the Church's properties, the St Laurence O'Toole Trust, is incorporated as a limited company and therefore is subject to normal company law requirements<sup>27</sup>. The first incidence of the Archdiocese of Dublin paying compensation to a victim of child sexual abuse by a member of the clergy occurred in 1998. Prior to this, some payments had been made by individual priests from their own individual accounts directly to victims. In 2008, the total amount of compensation paid to victims by the Archdiocese stood at €7 million<sup>28</sup>.

- In 1922 and 1962, the Roman Catholic Church issued instructions to Archdiocese into how to conduct the investigations into allegations of child sexual abuse. The entire process emphasised the requirement of secrecy. For example, the victim was required to take an oath of secrecy, the breach of which was punishable by excommunication from the Church<sup>29</sup>.
- In May 2001, the Vatican released new instructions to Archdiocese entitled *Sacramentorum Sanctitatis Tutela*. This document was made widely available to the public and represented a major shift in official policy. The instructions dictated that if allegations were found to have a 'semblance of truth', they should be referred to the Congregation for the Doctrine of the Faith (CDF) in Rome. The CDF would then elect to deal with the allegations directly or advise the relevant Bishop on the appropriate action to be taken under canon law<sup>30</sup>.
- The Commission concluded that outwardly, the Archdiocese of Dublin appears to be striving to come to terms with its responsibilities in relation to child sexual abuse by clerics and to repair the damage that has been caused, issuing apologies and formulating new guidelines in how to handle allegations. However, victims that have come forward within the last decade have not received markedly improved treatments of handling of their complaints. The secrecy of the Church remains the pervasive culture and the protection of offenders is still of greater concern to Church authorities<sup>31</sup>.

## Response

- In response to the publication of the Murphy Report, Cardinal Connell issued a public apology to victims and expressed deep regret for the part he played in covering up allegations of child sexual abuse during his time as Archbishop of Dublin. An apology was also issued by the Chief Commissioner of the Irish police force for the inadequacy of their investigations into many allegations.
- The Irish government also pledged to make amends and continue to pursue justice for victims.

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<sup>27</sup> *ibid* 3.7

<sup>28</sup> *ibid* 8.3

<sup>29</sup> *ibid* 4.25

<sup>30</sup> *ibid* 4.29. It is noted that the current Pope was, until elevated, the Prefect, or Chairman, of this powerful Curia Committee. Until approx 1905, it was called "The Office of Inquisition" (authors).

<sup>31</sup> *ibid* 58.24



- In response to the Murphy Report, four leading Irish Bishops whom the Report found had mishandled allegations within their parishes or diocese tendered their resignations from all pastoral duties within the Church.

### **(3) The Commission to Inquire into Child Abuse (The Ryan Report) (1999-2009)**

The Commission to Inquire into Child Abuse (or the Ryan Report, as it is colloquially known) was a ten year inquiry into the abuse of children in Irish institutions from 1940 to the year 2000.

The report defined 'institutions' as 'a school, an industrial school, a reformatory school, an orphanage, a hospital, a children's home and any other place where children are cared for other than as members of their families'<sup>32</sup>.

The Commission was announced by the Irish Prime Minister in 1999 and established in 2000 pursuant to the *Commission to Inquire into Child Abuse Act (2000)*, thus making the Commission an independent statutory body<sup>33</sup>. The Commission was made up of two separate Committees: the Confidential Committee and the Investigation Committee. The Confidential Committee was responsible for hearing the evidence of survivors of childhood institutional abuse who wished to share their experiences in a confidential setting. This Committee heard from 1,090 witnesses<sup>34</sup>.

The powers of the Investigation Committee included directing the attendance of witnesses and the production of documents. This committee also had the power to require the discovery of documents, too furnish interrogatories which must be replied to and to require parties to admit facts, statements or documents to the Commission<sup>35</sup>.

Six Commissioners served on these Committees at different times during the decade of Inquiry, with at least two Commissioners conducting hearings at any one time. The Commission also employed Witness Support Officers to assist in the hearings<sup>36</sup>. In the decade that the Inquiry was carried out, over one million documents were submitted to the Commission<sup>37</sup> and over 2000 hours of oral testimony was given by witnesses<sup>38</sup>.

The terms of reference of the Commission were as follows:

- to provide, for persons who have suffered abuse in childhood in institutions during the relevant period, an opportunity to recount the abuse, and make submissions, to a Committee,
- through a Committee:
  - to inquire into the abuse of children in institutions during the relevant period,
  - to inquire into the manner in which children were placed in, and the circumstances in which they continued to be resident in, institutions during the relevant period,
  - to determine the causes, nature, circumstances and extent of such abuse, and

<sup>32</sup> Ireland, Commission to Inquire into Child Abuse, *The Ryan Report* (2009) vol 1, 1.18

<sup>33</sup> *Ibid* vol 1, 1.04

<sup>34</sup> *Ibid* vol 1, 1.07

<sup>35</sup> *Ibid* vol 1, 1.12

<sup>36</sup> *Ibid* vol 3, 2.02

<sup>37</sup> *Ibid* Vol 1, 5.03

<sup>38</sup> *Ibid* vol 3, 2.21

- without prejudice to the generality of any of the foregoing, to determine the extent to which—
  - the institutions themselves in which such abuse occurred,
  - the systems of management, administration, operation, supervision, inspection and regulation of such institutions, and
  - the manner in which those functions were performed by the persons or bodies in whom they were vested, contributed to the occurrence or incidence of such abuse, and

\* to prepare and publish reports pursuant to section 5.<sup>39</sup>

**Findings:** Whilst the forms of abuse examined by the Commission were Physical Abuse, Sexual Abuse, Emotional Abuse and Neglect, this summation will specifically focus on the findings of the Commission relating to sexual abuse in the institutions run by the Catholic Church.

- Sexual abuse was endemic in boys' institutions run by the Catholic Church. The situation in girls' institutions was different. Although girls were subjected to predatory sexual abuse by male employees or visitors or in outside placements, sexual abuse was not systemic in girls' schools<sup>40</sup>.
- 242 male witnesses came forward over the course of the Inquiry to make reports of sexual abuse in relation to 20 different Catholic schools in Ireland. These witnesses made allegation against 246 different lay and religious staff<sup>41</sup>. The most frequent incidence of sexual abuse by these male witnesses was inappropriate fondling by both priests and nuns. Forced masturbation of the abuser by the witness was also frequently reported. 68 of the male witnesses reported being anally raped by whilst attending a Catholic school<sup>42</sup>.
- Of the 127 female witnesses that came forward over the course of the Inquiry, none reported sexual abuse in isolation. All female witnesses reported sexual abuse along with physical abuse, emotional abuse or neglect<sup>43</sup>. The female witnesses assisting in the Inquiry made allegations against 188 different religious staff at 35 different Catholic schools<sup>44</sup>. Vaginal and anal rape, forced masturbation and various forms of vaginal penetration were common among the statements of female victims<sup>45</sup>. 102 other female witnesses recounted being made to stand in line without clothes waiting for baths while being watched by school staff as sexually abusive conduct. Among the 27 female witnesses who reported being raped, four reported pregnancies whilst still in the care of their Catholic school<sup>46</sup>.

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<sup>39</sup> *ibid* vol 1, 1.05

<sup>40</sup> *ibid* vol 4, 6.18

<sup>41</sup> *ibid* vol 3, 7.110

<sup>42</sup> *ibid* vol 3, 7.118

<sup>43</sup> *ibid* vol 3, 9.73

<sup>44</sup> *ibid* vol 3, 9.93

<sup>45</sup> *ibid* vol 3, 9.78

<sup>46</sup> *ibid* vol 3, 9.119

- When lay staff members of the schools were discovered to have sexually abused students, they were generally reported to the police, yet when a clergy member was found to be the abuser, the matter was dealt with internally and not reported to the police<sup>47</sup>.
- The recidivist nature of sexual abuse was known to religious authorities, however there was no attempt made by the Church to address the underlying systemic nature of the problem. No guidelines or protocols were set in place to protect children and, more often than not, children were not listened to or believed when they reported incidences of sexual abuse. At best, abusers were moved to a different school but nothing was done about the harm they had done<sup>48</sup>. The culture of silence meant that the Department of Education was seldom informed of such incidences of sexual abuse<sup>49</sup>.
- All witnesses that reported sexual abuse whilst attending Catholic school had experienced one or more significant problems with mental health, unemployment or substance abuse most commonly. More than four-fifths had an insecure adult attachment, indicative of having difficulty making and maintaining satisfying intimate relationships<sup>50</sup>. Of the victims that came forward to the Commission, less than half had continued with their education<sup>51</sup>.

### Recommendations

- Lessons of the past must be learned. The Congregations (particularly the Catholic Church) need to examine how their ideals became corrupted by systemic abuse. They must ask themselves how they came to tolerate breaches of their own rules and, when sexual and physical abuse was discovered, how they responded to it, and to those who perpetrated it. They must examine their attitude to neglect and emotional abuse and, more generally, how the interests of the institutions and the Congregations came to be placed ahead those of the children who were in their care<sup>52</sup>.
- Counselling and educational services must become available to victims and their families to alleviate the ongoing psychological effects of sexual abuse. Victims must also be given the opportunity to access personal documents pertaining to their experience whilst attending these schools.<sup>53</sup>
- National child care policies must be clearly articulated and reviewed on a regular basis. These child care policies must be child-centred, with the needs of the child paramount to the policy.<sup>54</sup>
- The Department of Health and Children should regularly review the provision of childcare services, maintaining a central database containing information relevant to childcare in the State while protecting anonymity. Included in such a database should

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<sup>47</sup> Ibid vol 4, 6.20

<sup>48</sup> Ibid vol 4, 6.23

<sup>49</sup> Ibid vol 4, 6.29

<sup>50</sup> Ibid vol 5, 3.04

<sup>51</sup> Ibid vol 5, 3.121

<sup>52</sup> Ibid vol 4, 7.03

<sup>53</sup> Ibid vol 4, 7.04

<sup>54</sup> Ibid vol 4, 7.06

be the social and demographic profile of each child in care, along with their health and educational needs<sup>55</sup>.

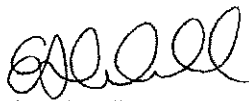
- A culture of respecting and implementing rules and regulations and of observing codes of conduct should be developed within Ireland.<sup>56</sup>
- All services for children should be subject to regular and independent inspection. All aspects of the child's care must be inspected.<sup>57</sup>
- Children in care should be able to communicate their concerns in a safe and comfortable environment, free from fear.<sup>58</sup>
- 'Children First: The National Guidelines for the Protection and Welfare of Children' must be uniformly and consistently implemented when dealing with allegations of abuse.<sup>59</sup>

COIN requests that this submission be placed on the public register to be freely accessed by the community.

Yours faithfully,



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President, COIN



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<sup>55</sup> *ibid* vol 4, 7.09

<sup>56</sup> *ibid* vol 4, 7.11

<sup>57</sup> *ibid* vol 4, 7.12

<sup>58</sup> *ibid* vol 4, 7.14

<sup>59</sup> *ibid* vol 4, 7.21