

HIA REF:

NAME: Fr. William Fitzgerald

Date: 16 June 2015

THE INQUIRY INTO HISTORICAL INSTITUTIONAL ABUSE 1922 TO 1995

Witness Statement of Fr. William Fitzgerald, Prelate Administrator, Holy Trinity Abbey,
Kilnacrott, Co. Cavan

I, Fr. William Fitzgerald, Prelate Administrator of Holy Trinity Abbey, Kilnacrott, Ballyjamesduff, Co. Cavan, will say as follows:

Introduction

1. I am the Prelate Administrator of Holy Trinity Abbey, Kilnacrott, Ballyjamesduff, Co. Cavan (the "**Kilnacrott Canonry**"). As Prelate, I am vested of all necessary authority to govern the Kilnacrott Canonry in accordance with applicable norms and I make this statement on its behalf. I will begin this statement by setting out my own personal history and how I came to be appointed as Prelate of the Kilnacrott Canonry. This will be followed by a brief overview of the history of both the Norbertine Order itself and of the Kilnacrott Canonry. I will then set out my own personal knowledge of Brendan Smyth before moving on to answer, in as much detail as possible, the questions posed by the Inquiry in its letter to my solicitor of 20 March 2015.
2. Before I begin, for myself and on behalf of my confreres, I unreservedly apologise to each person who was sexually abused by B. Smyth and to your families and friends. I apologise for the criminal actions of B. Smyth and for the failures of the Kilnacrott Canonry of which I will speak further. I recognise that words of apology sound hollow when compared to the wreckage caused in the lives of so many. The grave and inexcusable actions of B. Smyth have caused incalculable damage. A most painful reality is the fact that while B. Smyth's proclivities and the crimes they led to were known over the years by his superiors, attempts to bring his behaviour to an end were totally inadequate.
3. I was born in Ryde, New South Wales, Australia on 9 June 1954. On 21 May 1972, I entered St. Norbert's Priory in Queens Park, Perth, Western Australia, which was, at the time, a fully dependant house of the Kilnacrott Canonry. I went on to complete my religious studies at the Melbourne College of Divinity and I was ordained a priest on 9 December 1979. The appointments I have held since my ordination are as follows:

1979-1985:	teacher of religion, music and English at St. Norbert's College, Perth;
1985-1987:	Parish Priest of York, Western Australia;
1987-1989:	transferred to Kilnacrott Canonry as Rector of Holy Trinity Abbey Church and Novice Master;
1989-1991:	studied for Licenciante of Theology at the Pontifical University of Saint Thomas Aquinas, Rome;
1991-1994:	Parish Priest of Santa Clara, Bentley, Western Australia;
1994-1997:	part-time teacher of liturgical theology and scripture at Vianney College, Wagga Wagga, New South Wales. Also, Parish Priest of St. Brendan's Parish in Diocese of Wagga Wagga;
1997-2013	various apostolates out of St. Michael's Abbey, Orange County, California; and
2013:	appointed Prelate Administrator of the Kilnacrott Canonry on 1 August, 2013, following the sudden and untimely death of Fr. Gerard Cusack the preceding March. I will hold the position until 2018.

The Order of Canons Regular of Prémontré (the "Norbertine Order") – An Overview

4. The Norbertine Order was founded by St. Norbert in France in the early 12th century.
5. In Norbertine terms, as with the Benedictines and Cistercians, "Order" is to be understood as a union of independent houses, for Norbertines, called canonries. A canonry is a voluntary association to which individuals bind themselves by the profession

of vows to live according to the Gospel and the Constitutions of the Order of Canons Regular of Prémontré (the "**Constitutions**").¹ Each abbey, or independent priory, is a self-standing unit; the term "Order" referring simply to the fraternal union of all of the independent houses of the Order.

6. A member wishing to become part of the Norbertine Order applies to an individual canonry and undergoes one or two years of formation in a novitiate. After this initial period, he may apply for profession of simple or temporary vows, the latter lasting for a minimum of three years. During that period, formation continues and the man begins formal studies for ordination to the priesthood, or in the case of those who prefer to live as brothers, they receive special training to enable them to work in and for the community. After four or five years, the individual asks to be received in solemn profession. The Abbot of the relevant canonry consults with his council in relation to the individual and, if accepted, the individual takes his vows before the local community.
7. The governance of an individual canonry rests with the Abbot or Prior de Regimine (i.e. Prior of an independent house) and his council, who is elected by all the solemnly professed members of a canonry gathered in Chapter (i.e. a meeting of the solemnly professed membership that occurs at least once a year). The Abbot himself also appoints certain members to council, though parity has to be maintained in the constitution of the council between the two methods of appointment.
8. On an even more local level, there is a 'house' or community chapter comprised of all members who actually live in a certain community (monastery, dependent house etc) or in some other group of confreres. The responsibilities of the house chapter include the duty to promote communion among the members, to examine the ways in which the life of prayer and the work of the apostolate are to be ordered and to establish local customs.
9. Globally, there is an Abbot General, elected for life at a General Chapter after the death or resignation of the former Abbot General. The Abbot General has a council (known as the "definitory") of four members available to him to assist in the ordinary and extraordinary administration of the Order.
10. The Abbot General presides by right in the General Chapter and to it alone is he subject in the Order. He governs the entire Order as the supreme moderator. He exercises his office and has that authority over the members and canonries of the Order which is compatible with the office of Abbot General of the Order, as specified by the Constitutions.
11. Between General Chapters, the Abbot General is the executive of the Chapter in his own person and with the definitory. He presides over the Order with his own proper authority, and he governs the Order according to the norms of law.
12. The Abbot General is the immediate superior of the governing prelates of the Order. As regards those members subject to their own prelates, he has the right of precept only in the case of visitation, recourse and appeals, or as often as the matter concerned comes under his competence.
13. The supreme authority in the Order is the General Chapter which meets every six years. The primary purpose of the General Chapter is fraternal and discussions at General Chapter cover topics such as visitation reports and papers concerning the life and spirituality of the Order. As a fraternal and canonical entity, the General Chapter has the

¹ A copy of the Constitutions is included at Appendix 5.

power to legislate for all houses and members of the Order and it does so according to the Constitutions, though it has no figure or recognition in civil law.

The Canonry – An Overview

14. The Norbertines first came to Ireland, in modern times, in 1924 at the invitation of Most Rev. Dr Patrick Finegan, then Bishop of the Diocese of Kilmore. The visiting Norbertines established a Priory at Kilnacrott and this existed for thirty years as a dependent house of the Canonry of Tongerlo, Belgium. It was not until 1954 that Holy Trinity Priory became an Abbey with full independence, when Abbot J. Boel of Tongerlo granted Holy Trinity Abbey autonomy.
15. The first Abbot of the Kilnacrott Canonry was Fr. Felim Colwell, who held that position from 1954 until his death in 1968. Fr. Colwell was succeeded by Fr. Kevin Smith in 1969 and he fulfilled this role until his resignation in 1994. Fr. Gerard Cusack was given the position of Prelate Administrator immediately thereafter and was subsequently elected Prior De Regimine. As stated earlier, Fr. Cusack died suddenly in March 2013 and I was appointed Prelate Administrator on 1 August 2013.
16. Each Abbot is assisted in his duties by a council. As far as I am aware, B. Smyth was never a member of council. Meetings of the council are supposed to take place at least bi-monthly. I am unsure of the extent to which this requirement was followed due to the absence of records, particularly in the early years of the Kilnacrott Canonry's existence. Any relevant information that I have been able to find in the minutes of the council's meetings is set out below and in the documentation provided to the Inquiry. The earliest date of council minutes that survive is 6 November, 1970.
17. In addition to council meetings, minutes of meetings of the house chapter are held. The earliest date of house chapter minutes that survive is 7 October, 1968.
18. The physical presence of the Canonry at Kilnacrott will soon cease to exist. Holy Trinity Abbey was sold in 2012 and the remaining members of the Kilnacrott Canonry who reside there will vacate the premises shortly and will then reside in a private house in County Cavan. The other six members of the Canonry will live in individual accommodations, 5 in Ireland and 1 in the United States. While the physical manifestation of the Canonry will no longer be present, the Kilnacrott Canonry itself will continue, although new vocations are not being accepted.

My personal knowledge of Smyth

19. B. Smyth entered Holy Trinity Abbey as a novice in 1945 and was ordained to the priesthood on 31 July, 1951.
20. My earliest recollection of personal awareness of the issues surrounding B. Smyth dates back to approximately 1973 when I was a postulant in St. Norbert's Priory in Queen's Park, Perth. At that time, the Norbertine school was searching for a new teacher and looking to the Kilnacrott Canonry for assistance was considered. It was suggested, at table, that Smyth might be an option. The Headmaster of the school immediately, and strongly, dismissed the suggestion, however, as an issue had already arisen in the school between a teacher and a student. A confrere later informed me, in private, that B. Smyth was known for interfering with children.

21. It was around that time, in 1973, that I was told by a confrere that a complaint had been made about B. Smyth when he was a student at the Curia Generalizia – Collegio² in Rome in the late 1940s. According to the confrere, B. Smyth had been accused of abusing a child in the vicinity of the College, and when the time came for B. Smyth to be ordained in the early 1950s, the Abbot General advised against it and suggested that B. Smyth's formation for religious life be terminated. The Abbot of Tongerlo, B. Smyth's direct superior, however, ignored this advice. It is said that he did not want the Abbot General interfering in the business of the independent canonry of which he was the Prelate. As a result, he proceeded to permit B. Smyth's ordination in 1951.
22. In or around 1982, I remember that I was with a group of confreres looking through the book published by the Kilnacrott Canonry to celebrate its Golden Jubilee. The book contained a picture of B. Smyth in the company of children. It struck my fellow confreres and me as remarkable that such an image would be included in the book, given the rumours we had heard about B. Smyth's behaviour.
23. I was appointed Rector of the Church at Holy Trinity Abbey in 1987, a position I held for approximately two years. During this time, I encountered B. Smyth regularly. As Rector, my duties included taking charge of the altar servers and the children's choir, two tasks previously undertaken by B. Smyth as he was Rector immediately before me.
24. I recall one particular incident when I asked a regular worshipper if her son would like to be an altar server. She told me that he would, but only if B. Smyth had nothing to do with it. Following this conversation, I told B. Smyth that he was to stay away from the Church when the altar servers were practising. He did not heed that advice and he showed up unexpectedly, and uninvited, one day. I took him aside and asked him to leave but he told me that it was a "free country". I explained to him that in light of the accusations I had heard about him, and which I believed to be true, he could not be around the children. B. Smyth became quite aggressive and threatened to "knock my head off". I told him to go right ahead, but that I would do the same to him. He seemed to back off after that. He did not further involve himself with the altar servers during my time as Rector, as far as I am aware.
25. I had a further run-in with B. Smyth in relation to the children's choir. It was my opinion that the children's choir was not very good and I wanted to have an adult-only choir instead. I told B. Smyth that I was shutting the children's choir down and I recall him telling me that I was making a big mistake. Being in charge of the choir had been B. Smyth's pretext for going around in his car to collect children to bring them to the church to sing.
26. My final distinct recollection of the issues surrounding B. Smyth, and the first official confirmation of the rumours I had heard, is something Abbot Kevin Smith said in 1989. It was Holy Saturday and I recall that the priests were gathered in the recreation room in the Abbey. Abbot Kevin spoke to us and warned us that if we were contacted by the media with questions about B. Smyth, we were not to answer. He told us that B. Smyth had been accused of sexual interference with children and that there may be weight to the accusations. He asked that we leave any commentary from the Kilnacrott Canonry to him.
27. I did not become aware of the identity of any person who had complained against B. Smyth and nor did I receive any complaint about him, or learn of the detail of any complaint, during these years.

² The Curia Generalizia is the international study house of the Norbertines. It is used for international meetings of the Order and is the place of residence of the Abbot General.

28. I will now turn to the specific questions posed by the Inquiry in its letter to my solicitor of 20 March 2015.

Question 1: When did the Norbertine Order first become aware of an allegation or allegations of sexual abuse of a child or children by Father Brendan Smyth?

Question 2: How did the Norbertine Order acquire this knowledge?

Question 3: What did it do with this knowledge once acquired, and why?

29. Questions 1-3 cannot be answered in isolation. As a result, my combined response to these questions is set out in the following paragraphs. The Inquiry must also know that the information below is not first-hand to me; the extent of my personal knowledge of B. Smyth's behaviour is set out above. The proceeding paragraphs have been prepared on the basis of the limited records of relevance that I could ascertain, on anecdotal evidence of my fellow confreres and on the knowledge accumulated by my legal team over the years. Until 1994, the Abbey did not maintain a personnel file, or any records whatsoever, regarding B. Smyth. I understand that at the time when he was due before the courts in Belfast in 1994 that an effort was made within the Kilnacrott Canonry to ascertain the history of B. Smyth's ministry, the complaints in his regard and the responses made. The only source of records available within the Abbey in early 1994 was the minutes of meetings of the Abbot's council and of the House and Canonry chapters, four letters regarding B. Smyth and documents relating to B. Smyth's admission, vows and ordination. I have arranged that all extracts from the foregoing minutes which are relevant to the work of this Inquiry be transcribed by our legal team and the relevant extracts are contained in Appendix 1, together with the other documents mentioned above. I have also identified a number of documents which came into our possession during 1994 and later; these are contained in Appendix 2. These documents include medical records relating to B. Smyth and correspondence with third parties. Recently, I became aware of documents held at Kilnacrott's Mother Abbey at Tongerlo in Belgium, and these documents are contained in Appendix 3. Three of these documents are in Flemish and translations have been arranged by our legal team to provide a general understanding of the content.

30. As already stated, to my knowledge, suspicions of child sexual abuse by B. Smyth first arose in the late 1940s when B. Smyth was a student in Rome. In addition to the rumour I heard, however, I am told that another confrere heard a different rumour about B. Smyth, which alleged that he was found to have photographs of Italian boys in his room in Rome. While I had believed such rumours to be true, I had never seen, or knew of, any record to support these suspicions. Documents recently received from the Canonry of Tongerlo, Belgium, however, while not specific, clearly illustrate that some form of difficulty had arisen in relation to B. Smyth prior to his ordination. These documents are referenced at paragraphs 31 to 35 inclusive.

31. In a letter dated 13 October, 1948, B. Smyth apologised to the recipient "for any unwitting trouble" that he may have caused him while he was staying in Tongerlo. The identity of the recipient, and the nature of the "trouble" caused by B. Smyth, is not clear from the letter. Subsequent correspondence indicates, however, that this may have been a reference to the difficulties that had arisen between B. Smyth and a Brother attached to the Canonry of Tongerlo by the name of Brother Valeer.

32. In a letter to B. Smyth dated 5 April, 1951, Fr. Hermans³ expressed his regret that he did not talk to B. Smyth about "the difficulties" while he was visiting Rome. The letter illustrates that B. Smyth was "not getting on well with Bro V.",⁴ and states that B. Smyth had not reacted "according to supernatural principles" in his handling of the matter. B. Smyth was told, in the letter, to "be intent on improving [his] submission to the house discipline" and to "serve God by doing much good around him, not in [his] own way but rather in the way of [his] Superiors". B. Smyth responded to Fr. Hermans by way of letter dated 9 April, 1951.⁵ In the letter, B. Smyth noted that his "clash" with Bro. Valeer had not arisen "as the result of a moment's loss of temper but [was] the fruit of two and a half years subtle persecution". According to B. Smyth, Brother Valeer had spied on him and was, for all intents and purposes, the Abbot General's pet. B. Smyth also noted that his issues with Brother Valeer arose "within the first fortnight of [his] arrival" in Rome and B. Smyth went on to describe Brother Valeer as "an exaggerated combination of Circator, Rector, Abbot General and pure and simple Dictatorial, interfering busybody". From B. Smyth's account of Brother Valeer, one could not be criticised for forming the view that Brother Valeer was an annoyance to the students in Rome. I am told, however, that this is not a fair reflection on Brother Valeer's personality. A fellow member of the Kilnacrott Canonry recalls Brother Valeer as "exacting, but a good character" and has stated that he never had any difficulties with him.
33. The next letter on record is one from Fr. Hermans to "Honourable Lord" on 27 April, 1951. I believe the recipient to be Abbot Emiel Stalmans of Tongerlo. In the letter, Fr. Hermans asked if B. Smyth could be ordained "in this state" and he wondered about how they were "going to deal with him" and what B. Smyth's reaction would be to "his return in Kilnacrott". According to the letter, Monsignor de Generaal (i.e. the Abbot General) was of the opinion that B. Smyth did not "fit" in the Norbertine Community. He acknowledged that Brother Valeer "did wrong" but only "because of his eagerness to do good" and, in the Abbot General's view, Brother Valeer had "a right view on Brendan, because of his two years' experience". As stated, B. Smyth was ordained to the priesthood on 31 July, 1951.
34. On 4 October, 1951, Abbot Stalmans wrote a letter to the Prior at Kilnacrott and instructed him that "if Brendan doesn't commit completely, he isn't allowed to return to Rome". The Prior at that time was a confrere by the name of Fr. Paul D'Hoine. The Abbot requested that Brendan send him a "written promise" in this regard. The Abbot's letter to B. Smyth of the same date was enclosed with this letter. The letter to B. Smyth was scathing and, in it, the Abbot told B. Smyth that it seemed to him that B. Smyth couldn't "promise ... that [he] [was] prepared to accept in Kilnacrott the life determined by the Superiors". The Abbot also told B. Smyth that he was "inclined to believe that the opinion of the Abbot General about [his] spirit [was] the truth" and he informed B. Smyth that it was "lost money and time to send [him] back to Rome". The Abbot warned B. Smyth that if he was "not prepared to obey complete insubordination", it was, in his view, best if B. Smyth was returned to the lay state. B. Smyth provided Abbot Stalmans with the requested written promise on 9 October, 1951. In it, he promised to "live peacefully in the Kilnacrott community, in complete submission to its present Superior and to his successors". He also promised "to keep all the Rules and Regulations proper to the Order and to the House as determined and explained by the Superior" and he concluded by promising "to accept whatever duties ... given to [him] to fulfil" and to carry those out "to the best of [his] abilities".

³ I am told that Fr. Hermans was Smyth's Novice Master at that time; he resided at the Priory in Kilnacrott.

⁴ As stated earlier, Brother Valeer was a lay Norbertine brother attached to the Canonry of Tongerlo. He was based in Rome during B. Smyth's time there as a student.

⁵ I have been provided with an extract only from this letter.

35. The letters of early October 1951 were written about the time that B. Smyth would have been due to return to Rome for his studies. A confrere of the Kilnacrott Canonry has stated that when he and B. Smyth were boarding the boat in Dun Laoghaire in order to commence their journey to Rome, Fr. D'Hoine showed up and told B. Smyth that he needed to speak with him. B. Smyth disembarked from the boat and did not return, leaving the other confrere to travel to Rome alone. B. Smyth subsequently turned up in Rome a few days later. He did not offer the confrere any explanation as to what had happened and the confrere did not ask.
36. These early reservations regarding B. Smyth's suitability for the priesthood are reflected in the minutes of an Abbot's Council meeting from 12 April, 1994, which contain a sentence that, as far as I can discern, reads "Abbot General ... had advised against ordination of Brendan Smyth". It is further noted in the same minute that "Father Cross, Manchester, had voiced his opinion that B.G.S. was unsuitable for priesthood". Fr. Anselm Cross was Parish Priest and House Superior at Corpus Christi Priory and Basilica, Milesplating, Manchester. This was another dependent house of Tongerlo.
37. When the priory at Kilnacrott became an independent canonry in 1954, Fr. Felim Colwell was appointed Abbot. There are no records of the council, house chapter, or canonry chapter meetings from that time. Anecdotal evidence suggests, however, that allegations of child sexual abuse by B. Smyth were known by Abbot Colwell when he appointed Smyth to a mission in Scotland in or around 1957. B. Smyth was recalled to Kilnacrott in 1958, apparently following a request from a Bishop in Scotland, and a suggestion of interference with children arose again. A confrere that worked in Scotland from 1969 to 1987 has previously recalled that he heard rumours of B. Smyth being deprived of his faculties when he was in Scotland.
38. B. Smyth was appointed to parish ministry in Flint, Wales in 1959. There is no record of a complaint being made to the Kilnacrott Canonry during B. Smyth's time in Flint, though a person abused by B. Smyth during his tenure there has come forward in more recent years. This victim was brought to the attention of the Kilnacrott Canonry through the Safeguarding Co-ordinator of the Diocese of Wrexham. The Gardaí and the HSE were notified. B. Smyth was recalled from his ministry in Flint sometime around 1963/1964.
39. B. Smyth was assigned to the Diocese of Providence, Rhode Island in 1965 under Bishop McVinney. He was sent back to Ireland in 1968 when issues arose in relation to him. According to a letter,⁶ dated 15 February 1968, from Bishop McVinney to Abbot Colwell explaining his decision to send him home, B. Smyth's "rapport with the adult parishoners" was not good and it is further noted that he "seemed dedicated to the young people, and in some cases too much". In the years since the extent of B. Smyth's offending has come to light, the Kilnacrott Canonry has been informed of five cases of child sexual abuse perpetrated by Smyth while he was in Providence.
40. When he returned to Ireland, B. Smyth was sent to the Purdysburn Hospital in Belfast for treatment. He was a patient at the Graham Clinic, a psychiatric unit attached to the Hospital, under the care of a clinical psychologist by the name of [REDACTED]. It has been stated that certain aversion techniques were used on B. Smyth during his time in Purdysburn e.g. electric shock behavioural correction therapy. There is no report from [REDACTED]

⁶ This letter was not originally contained in the records of Holy Trinity Abbey. A copy of the letter was sent to Fr. Gerard Cusack in 2002 following his request to the Diocese of Providence for any records it held pertaining to Smyth's time there.

██████████ on file, however, and the duration of B. Smyth's stay in Purdysburn is not clear.⁷ Letters on file illustrate that B. Smyth attended ██████████ as an outpatient from approximately September 1968 to May 1969. It can also be seen from the letters that B. Smyth rearranged his appointments with ██████████ on a regular basis. On one particular occasion, B. Smyth requested an alternative appointment, informing ██████████ that he had to give a school retreat.

41. Following B. Smyth's return from Rhode Island and his subsequent treatment, he appears to have resided at Holy Trinity Abbey for a number of years. I am told that sometime around 1971/1972, a woman informed Abbot Kevin Smith that B. Smyth had sexually abused her son. It is stated that the Abbot put the allegation to B. Smyth who denied it. Abbot Kevin Smith suspended B. Smyth for two weeks as a punishment, which meant that he was not permitted to function publicly as a priest during that time.
42. The next recorded knowledge of concerns surrounding B. Smyth is set out in the minutes of an Abbot's council meeting from May 1973. According to the minute, Abbot Kevin Smith asked the council to "enter into consultation for the personal and private case of a particular confrere against whom a complaint had been received from outside the Abbey and for the remedies that could be taken". Although the confrere is not named, and no detail of the complaint is given, it is presumed that B. Smyth was the person the council was discussing. No record of the subsequent discussion, or any remedies to be imposed, is recorded.
43. It was around this time in 1973 that, I have been informed, B. Smyth was admitted to St. Patrick's Hospital in Dublin for a period of approximately 3 weeks. He was under the care of a ██████████ between May 1973 and June 1974, but no report from ██████████ is available. I am aware that Abbot Kevin Smith went to see ██████████ around the time of B. Smyth's treatment in order to determine how the treatment was progressing. ██████████ was not forthcoming with any information, however, on the basis of doctor/patient confidentiality and asked Abbot Kevin Smith to leave. Subsequent requests, by Fr. Gerard Cusack, to obtain records regarding B. Smyth's treatment at St. Patrick's Hospital, in the context of litigation, were refused by the hospital. A further request has been made to St. Patrick's Hospital in the context of this Inquiry.
44. In or around 1974, I am told that the Prior of the Kilnacrott Canonry received a complaint of sexual abuse by B. Smyth from a family in Belfast. He received this complaint in the absence of Abbot Smith, who was working overseas at the time and he travelled to meet with the family to discuss their concerns. I am told that the Prior confronted B. Smyth and he did not deny the allegation. The Prior also reported the incident to Abbot Smith upon his return to Holy Trinity Abbey.
45. In March/April 1975, Bishop Francis McKiernan, then Bishop of the Diocese of Kilmore, carried out a canonical inquiry into allegations of sexual abuse by B. Smyth against two children in his diocese. On 18 April, 1975, Bishop McKiernan wrote to Abbot Smith and informed him that he had withdrawn the faculties (i.e. the right to function publicly as a priest) of the diocese from B. Smyth for the reasons which, he states, he explained to the Abbot during their meeting on 12 April 1975. No record of this meeting between Abbot Smith and Bishop McKiernan can be located. According to the minutes of a council meeting from 5 May 1975, however, one of the items of discussion was the "provision for Fr. Brendan's future service in the Order" and the assistance of the Paraclete Fathers was suggested. The meeting was informed that B. Smyth had permission to offer Mass,

⁷ A letter from South & East Belfast Trust dated 27 January, 2003, confirms that "no summary reports or notes on the contents of appointments" between B. Smyth and ██████████ were contained in B. Smyth's file from his time at Purdysburn Hospital.

but was not allowed to dispense the Sacraments publicly, such work noted as requiring "reasonable safeguards". It is also clear from the minutes that the "value of transferring Fr Brendan from House to House" was considered, and it is recorded that "One Order has followed this practice".

46. In November 1975, B. Smyth was sent to Stroud in Gloucestershire for treatment at Our Lady of Victory, a centre run by the Servants of the Paraclete. No records from B. Smyth's stay in Stroud in 1975 are available.⁸ A subsequent report from Stroud in 1994, however, illustrates that when B. Smyth first presented in Stroud in 1975, he was informed that there was no treatment programme available for his problems. It appears that he stayed at Stroud, in any event, for approximately 4 weeks, treating his time there as a retreat.
47. I am told that, about the same time, further concerns regarding B. Smyth's behaviour around children were brought to the attention of a confrere at Kilnacrott by a priest. The exact nature of these concerns is not clear. Another allegation was also made around that time by another woman. B. Smyth was already in Stroud for treatment when these concerns were raised.
48. In May 1976, the "personal case of Brendan Smyth" was discussed at a council meeting. It was noted at that meeting that B. Smyth had a "personal problem that had consequences for the Community" and it was asked "if the Community should take a firmer stand" in relation to him. Abbot Smith informed those in attendance that he could not "recommend Father Brendan to a Bishop for ministry" at that time and it was agreed that the "Council could take up the matter at a further meeting".
49. There is a record of an extraordinary meeting of the council from May 1978 where the first item discussed was the "personal case of Fr. Brendan Smyth". The minutes noted that Smyth was to be "deprived", by way of penalty, "of active and passive vote for Community Offices and Services", and he was also "required to seek permission for the use of a car for journeys". The circumstances leading up to the imposition of these penalties is not clear. It can be presumed, however, that the council considered whatever he had done to be quite serious, as it was suggested that "he might consider laicisation".
50. The minutes of a council meeting held in November 1978 illustrate that Abbot Smith "reported the recommendations of Fr. Abbot General" regarding B. Smyth. According to the minutes, it was recommended that "after a trial period 12 months priestly work should be sought for Fr. Brendan".
51. In October 1979, Abbot Smith informed council that a ministry was available for B. Smyth in the Diocese of Fargo in North Dakota and he asked the council for its support for that pastoral mission to be entrusted to him. According to the minutes, it was asked whether the Kilnacrott Canonry was obliged to inform the Bishop of Fargo of B. Smyth's personal history. One confrere stated that "it was his recollection from a message received from the Abbot General that Kilnacrott was not so obligated". Abbot Smith told the meeting that he would like B. Smyth to go from Kilnacrott with "nothing against him from the past". B. Smyth was then officially assigned to the Diocese of Fargo and he remained there until approximately April 1983.

⁸ In a letter dated 17 July 2002, Stroud confirmed that B. Smyth was there for a period of 4 weeks from 13 November, 1975 until 11 December, 1975. According to the letter, the centre's policy at that time was to destroy records after five years. As a result, no correspondence or other documentation about B. Smyth's time at Stroud in 1975 was available.

52. Few records are available to me about B. Smyth's time in North Dakota. The minutes of council meetings from 1981 note that the Bishop of Fargo "had commended" B. Smyth's "labours in the diocese". A council meeting in April 1982 heard that Abbot Smith had received a letter which advised that the Langdon Parish School Committee in North Dakota "had a serious disagreement" with B. Smyth, who was referred to in the letter as their "parish priest". The nature of the disagreement is not obvious from the minutes of the meeting and I have not seen the letter itself, which, I believe, is no longer available. The only letter on record from 1982 is one from a group of parishioners to Bishop Driscoll, who held office at that time, asking that B. Smyth not be removed from the parish. In 1994, the Kilnacrott Canonry learned, from the Bishop of Fargo, that a person had come forward in recent times and had corresponded directly with B. Smyth and had received money from him. At that time, it was also stated that Bishop Driscoll, had received some allegations about B. Smyth and he was, thus, allowed to leave. It was not known to the Bishop of Fargo that B. Smyth had a history of child sexual abuse when he was permitted to serve there. Smyth returned to Kilnacrott in April 1983.
53. From 1983 onwards, I am told B. Smyth held no formal ministry or office, apart from the regular duty hearing confessions and offering Mass at the Abbey, parish supplies, hospital visits and mission appeals on three occasions in the USA. B. Smyth was permitted to carry out these limited ministries, having had his faculties restored by Bishop McKiernan in 1984.
54. On 14 March 1989, Abbot Kevin Smith informed a council meeting that B. Smyth had been involved in certain improper and wrong behaviour in regard to a boy in Northern Ireland. The Abbot told those in attendance that he had met with the family and they had outlined their concerns to him. According to Abbot Smith, the family had told him that they wanted B. Smyth to be sent for treatment. This treatment was arranged and B. Smyth was sent to a psychiatrist in Dublin by the name of [REDACTED] in April that year. I am told that B. Smyth attended [REDACTED] on a regular basis, initially weekly and then monthly. I am not certain of when he stopped attending [REDACTED], although in a report from [REDACTED] dated 9 February, 1994, it is stated that B. Smyth's therapy with [REDACTED] was "still on-going up to the recent past".
55. In March 1990, Abbot Smith reported to the council on a meeting he had had with Bishop Cathal Daly, then of the Diocese of Down and Connor, in relation to B. Smyth. According to the minutes of the council meeting, Bishop Daly had telephoned Kilnacrott to request the meeting, which had taken place on 12 March.
56. At the meeting on 12 March, Bishop Daly told Abbot Smith that "three of his priests had brought him word that Fr. Brendan Smyth had been involved in apparent unlawful behaviour with young persons". He also told the Abbot of the complaint that had been made by a young girl to the Catholic Family Welfare Society, which he understood had been communicated to the police in Northern Ireland.
57. It is stated in the minutes that Abbot Smith confronted B. Smyth with Bishop Daly's information, but he "was not prepared to accept the truth" of them. The minutes go on to state that B. Smyth told the Abbot that he did not envisage "any personal danger for himself in returning to Belfast" and that the Abbot did not pursue the matter further.
58. In a letter dated 11 February, 1991, Archbishop Cathal Daly, then Archbishop of Armagh, wrote to Abbot Smith and informed him that he had received further complaints about B. Smyth. According to the letter, B. Smyth was using his visits to Belfast for therapy to continue the practices which the Archbishop had informed Abbot Smith of in 1990. Abbot Smith responded on 21 February, 1991, and told the Archbishop that he had spoken to B. Smyth who had assured him that there had "been no incident of that nature for a

couple of years". According to the Abbot, B. Smyth only visited Belfast in order to see his doctor or his family. He further informed the Archbishop that B. Smyth was attending St. James' Hospital in Dublin twice weekly for therapy and that B. Smyth had assured him that the therapy was helping him. The Abbot concluded by stating that he had made B. Smyth aware of the Archbishop's letter and had "asked him to be prudent in the matter".

59. In April 1992, a council minute records a discussion about the possibility of B. Smyth undertaking a lengthier ministry in the United States. The possibility was not proceeded with.
60. A council meeting was held on 7 December, 1993, at which Abbot Smith reported on a meeting that he had attended with Bishop Patrick Walsh, then of the Diocese of Down and Connor, in relation to B. Smyth. It is apparent from the minutes of the council meeting that certain parties in Belfast were preparing to take criminal cases against B. Smyth. On 18 December, 1993, Bishop McKiernan wrote to Abbot Smith and withdrew faculties from B. Smyth permanently.
61. Around that same time, another confrere, contacted one of the complainant families in Belfast by telephone, with Abbot Smith's approval. Abbot Smith explained the purpose of this approach in a letter he wrote to journalist Chris Moore in September 1994, as being to arrange a meeting with the child's father to discuss the allegations and its possible consequences for the child and the community.
62. B. Smyth addressed the Abbot's council at Kilnacrott in January 1994. It can be seen from the minutes of this meeting that B. Smyth was suspended from public preaching and hearing confessions at that time, reflecting the fact that his faculties had been removed in December 1993. The Council proceeded to impose certain regulations on Smyth, which included that he was not to (a) attend choral office; (b) have parlour calls; or (c) to travel abroad. Arrangements were also put in place for Smyth to go to Stroud for treatment. Further details regarding this time in Stroud is set out in response to question 6 below.
63. In February 1994, a special meeting of the Abbot's council took place in order to discuss issues surrounding B. Smyth. Reports from Stroud were considered and further regulations to be imposed on B. Smyth were agreed. These included that he was (a) to dispose of his car (or give the keys to Father Prior); (b) not permitted to visit any home (even those in the neighbourhood); (c) to seek permission for going on walks; and (d) not to exercise pastoral ministry of any kind.
64. It can be seen from the minutes of council meetings held in the months coming up to B. Smyth's trial in late 1994 that the council attempted to prepare the Canonry for what lay ahead. Abbot Smith warned B. Smyth that if he was involved in any further incidents of child sexual abuse, the "Abbot's Council would enter upon proceedings" to have him dismissed from the Order. In addition, any time that B. Smyth was required to attend in Belfast, arrangements were put in place so that he would be accompanied at all times. It is also clear that B. Smyth's request to stay at Holy Trinity Abbey in the weeks leading up to his trial was refused; he was instead directed to remain at Stroud and other medical centres until just before his trial.

Question 4: What subsequent allegations of sexual abuse of children by Father Brendan Smyth were received by the Norbertine Order including:

(a) The names of the individuals?

(b) Where the abuse was said to have taken place?

(c) When the abuse was said to have taken place?

(d) When the Norbertine Order became aware of each allegation?

(e) What the Norbertine Order did in response to each allegation?

65. The Kilnacrott Canonry has received complaints from very many people who were sexually abused during childhood by B. Smyth and also from family members of people who were abused. Legal claims seeking damages were initiated by more than 60 victims. Settlements have been reached with 43 people. With due regard to the terms of reference of this Inquiry, the complaints which related to residential institutions in Northern Ireland are listed in Appendix 4. Complaints relating to such institutions were received from 6 people, each of whom instituted legal proceedings and received settlements.

Question 5: Once the Norbertine Order had become aware of an allegation or allegations of sexual abuse of children by Father Brendan Smyth what steps were taken by the Order to:

(a) Report that abuse to the civil authorities, and when was this done?

(b) Prevent Father Brendan Smyth abusing any further children?

66. Tragically, the only actions taken by the Kilnacrott Canonry to deal with Smyth's behaviour are those set out above, which, it is accepted, were wholly inadequate.

Question 6: When did the Norbertine Order obtain medical treatment for Father Brendan Smyth in relation to these matters and by whom was he treated (to include stays in medical institutions)?

67. B. Smyth was first sent for medical treatment upon his return to Kilnacrott from Providence in 1968. He was a patient at the Graham Clinic, a psychiatric unit attached to Purdysburn Hospital, Belfast, under the care of a clinical psychologist by the name of [REDACTED]. It is stated that certain aversion techniques were used on B. Smyth during his time in Purdysburn e.g. election shock behavioural correction therapy. There is no report from [REDACTED] on file and the duration of B. Smyth's stay in Purdysburn is not clear. What is clear, however, is that B. Smyth attended [REDACTED] as an outpatient from approximately September 1968 to May 1969 and that he was free to rearrange appointments regularly, as detailed above in response to questions 1-3.

68. B. Smyth subsequently received treatment at St. Patrick's Psychiatric Hospital in Dublin between May 1973 and June 1974, where he was under the care of a [REDACTED]. As stated earlier, whilst there are records relating to B. Smyth's treatment there, it has not been possible, to date, for us to obtain copies of these.

69. Treatment was next arranged for Smyth in 1975 when he was sent to Our Lady of Victory in Stroud, Gloucestershire. This was a centre run by the Servants of the Paraclete. No records from B. Smyth's stay in Stroud in 1975 are available. A subsequent report from Stroud in 1994, however, illustrates that when B. Smyth first presented in Stroud in 1975, he was informed that there was no treatment programme available for his problems. It appears that B. Smyth stayed at Stroud, in any event, for approximately 4 weeks, treating his time there as a retreat.

70. In 1989, B. Smyth was referred for further treatment to a consultant psychologist in Dublin, called [REDACTED]. A contemporaneous report from [REDACTED] is

not on file. There is a report from him, however, dated 9 February 1994 in which he recounts his interactions with B. Smyth in 1989.

71. Sometime prior to his trial in 1994, B. Smyth was once again sent to Stroud for treatment. An "In Depth Personal Assessment" of Smyth was carried out by Fr. David Fitzgerald at Stroud on 1 February 1994. During the interview, B. Smyth stated that he had been sent to Stroud approximately 20 years previously but there was no structured programme available for his problems. As a result, he was advised to stay 2/3 weeks for a retreat.
72. The 1994 assessment report is quite detailed and includes direct quotes from B. Smyth himself. Fr. Fitzgerald diagnosed B. Smyth as a fixated, ego syntonic paedophile and recommended that he be in a supportive therapeutic environment. B. Smyth was subsequently interviewed by Stroud's psychiatrist, [REDACTED], on 2 February, 1994.
73. B. Smyth was discharged from Stroud around May 1994 and it is apparent from council minutes that he was transferred to a medical centre in Ballinderry in May 1994. The Servants of the Paraclete had provided directives for his care while staying in Ballinderry; these included that he was to have a supervisor and that he was to attend weekly psychotherapy sessions. In addition, he was to have no access to a minor and was not to undertake any public ministry.

Question 7: What disciplinary action was taken by the Norbertine Order (or any other part of the Catholic Church) against Father Brendan Smyth and when was this action taken?

74. Any disciplinary action taken by the Kilnacrott Canonry against B. Smyth is set above.

Question 8: When did the Norbertine Order first report Father Brendan Smyth to the police in Northern Ireland or the Republic of Ireland? What was the report in relation to? If this was not done, why was it not done?

75. To my knowledge, the two Abbots of the Kilnacrott Canonry did not report complaints against B. Smyth to the police in Northern Ireland or to the Gardaí in the Republic of Ireland.
76. A complainant that has come forward, through his solicitors, in the last few years states that his father reported B. Smyth to the Gardaí in Kilnaleck, Co. Cavan in or around 1953. There is no record of this complaint being brought to the attention of Kilnacrott Canonry at that time.

Question 9: What, if any, systemic failures does the Norbertine Order acknowledge in relation to their dealings with Father Brendan Smyth and his ability to perpetrate sexual abuse of children in residential institutions in Northern Ireland?

77. I have reflected deeply upon the failings which enabled B. Smyth to use his priesthood over a 40-year period to perpetrate child sexual abuse. It is clear that warning signs had surfaced prior to his ordination. I am unable to say how clear those warning signs were but, in the light of what we now know, the pattern of behaviour by which B. Smyth maintained his freedom to do as he chose was already apparent whilst he was in formation. I must, therefore, begin by stating that he ought never to have been ordained to the priesthood. From my knowledge of B. Smyth, I can say he was a very intelligent man and in fact the first confrere who studied at the Gregorian University in Rome. On reflection, it is clear he used his intelligence and naked cunning, not only to engineer

circumstances where he could conduct abuse of children, but also to intimidate and effectively oppose the efforts of those who sought to confront him or restrict his activities, however inadequate these measures were. I am of the view that, whilst he never held any significant position within the Kilnacrott Canonry, and was never a member of council, he was in fact a significant presence and influence and was able to silence or ridicule those who would oppose him.

78. On each occasion throughout his time in the Kilnacrott Canonry that B. Smyth became the subject of suspicion or complaint, a clear written record of the information coming to light should have been created and preserved. Insofar as the suspicions or complaints involved actual criminal activity, these should have been reported immediately to the competent police authorities of the relevant jurisdictions. Upon completion of any criminal investigations, there ought to have been full and careful investigations in accordance with the laws of the Catholic Church. It is probable that, had such investigations been conducted, the clear necessity for a penal process to impose the penalty of dismissal from the clerical state on B. Smyth would have become apparent. Had B. Smyth not died in September 1997, a penal process for his dismissal would have proceeded. This, however, would have been far too little too late.
79. B. Smyth should not have been permitted to exercise ministry after it had become known that he was perpetrating acts of child sexual abuse. Dioceses and other places at which B. Smyth was permitted to minister should have been alerted, in advance of his receiving any appointment, of his history. Even allowing for the increased awareness brought about through the exposure of child sexual abuse over the past 2 decades, it is most unlikely that B. Smyth would have been permitted to minister anywhere if those who entrusted him with ministry had been forewarned of his history.
80. This Inquiry has received complaints from adults who were sexually abused by B. Smyth while they were being cared for in residential institutions in Northern Ireland. It was B. Smyth's practice, whilst based at Kilnacrott, to travel North on his day off each week. It was understood that on these occasions he was visiting family and friends. The Abbey does not appear to have known where he actually went or what he did, or that he was visiting Children's Homes. It is clear that he visited Nazareth Lodge and Rubane House and that he abused children who were in residential care in these institutions. It is clear also from complaints that we have received that B. Smyth gained access to children in school settings and also in their family homes in Northern Ireland during those years. I accept that B. Smyth was not a fit person to have access to children at any time or under any circumstance.
81. Prior to 1994, the Kilnacrott Canonry does not appear to have had any appreciation of the harm which B. Smyth was causing. Upon complaints being received, efforts should have been made to ensure that victims received just acknowledgment of the wrong done and the therapeutic and spiritual supports they required. I am conscious that the needs of each person affected are different. We should have set out to identify and meet those needs. For many victims who came forward to the Kilnacrott Canonry, prior to 1994, the sole concern was to safeguard others. I am ashamed by our failure as a community to hear those warnings and to act accordingly.
82. I am aware that many of the systemic failings for which we are culpable were addressed in "Child Sexual Abuse: Framework for a Church Response", the guidelines adopted by the Catholic Church in Ireland in 1996. I am also aware that the Catholic Church in Ireland, and universally, has continued to develop and refine its safeguarding systems in the years since 1996. In Ireland today, there is a National Board for Safeguarding Children in the Catholic Church which is an independent body charged with responsibility for oversight and the provision of guidance to bishops and religious superiors. A

cornerstone of the Church's response is recognition of the primacy of state law in the investigation and prosecution of criminal offences and in the safeguarding of children.

83. During 1994 and 1995, and throughout the years since then, it has been the policy of the Kilnacrott Canonry to report all complaints to the Gardaí, the PSNI and the relevant statutory child protection agencies.
84. The life of the Kilnacrott Canonry changed forever in 1994 when we were confronted with the reality of our failings and their consequences. For each of my confreres the shame of our failings is immense. We have tried to atone for our failings. Fr. Gerard Cusack provided leadership to the canonry between 1994 and 2013. He endeavoured to demonstrate the deep remorse felt within our community in his efforts to respond to so many people who came forward with their accounts of the abuse they had suffered and to parents, family members and friends who felt so betrayed by B. Smyth and by us. Our canonry will continue to listen, and pray, and to acknowledge the crimes of B. Smyth and what he has done to the detriment of hundreds of people. Although our Abbey is now closed, we are thankful that the people for whom the Abbey had been their place of prayer and spiritual comfort over decades, found it in their hearts to be forgiving and to continue to support us in countless and unseen ways during the past 21 years.

Question 10: How many compensation claims have the Norbertine Order dealt with in respect of abuse by Father Brendan Smyth and how much compensation has been paid? How much of the compensation was contributed by the Norbertine Order? What other parties, if any, contributed to the compensation and to what extent?

85. The Kilnacrott Canonry has had limited resources at its disposal from which to respond to claims for compensation from many of B. Smyth's victims. We have endeavoured to compensate to the extent that our means have allowed and have settled 43 claims. It is hoped that a means may be found to provide some redress to these other victims.

Question 11: At what point in time does the Norbertine Order say that any of the dioceses of the Roman Catholic Church based in Northern Ireland first knew of allegations of abuse against Father Brendan Smyth, and why the Order so says?

86. As far as I am aware, Bishop Francis McKiernan, then of the Diocese of Kilmore, first became aware of allegations of child sexual abuse by B. Smyth in, or around, March 1975. This prompted Bishop McKiernan to carry out a canonical inquiry, the purpose of which, I am told, was to provide the Bishop with firm grounds for withdrawing faculties from B. Smyth.
87. I am advised that two complainants were interviewed during the inquiry, which took the form of a question and answer sequence under oath before a Notary.
88. As stated earlier, following the inquiry, Bishop McKiernan withdrew B. Smyth's faculties and on 12 April 1975, he is stated to have called to the Holy Trinity Abbey where he reported his findings to Abbot Kevin Smith. Although no record exists of this meeting, I am advised that Abbot Smith indicated knowledge of former issues with B. Smyth and he informed the Bishop of B. Smyth's previous psychiatric treatment under [REDACTED] of St. Patrick's Hospital.
89. I am told that B. Smyth wrote to Bishop McKiernan in August 1984 seeking a return of his diocesan faculties. Bishop McKiernan consulted with Abbot Smith and was satisfied that there did not appear to have been any further occurrences similar to those previously complained of and in the circumstances Bishop McKiernan returned faculties

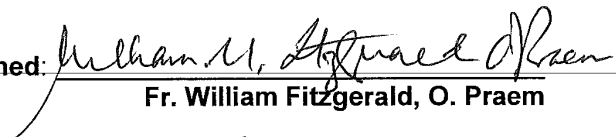
to B. Smyth, initially for a period of six months. I am advised that periodic renewal of faculties was granted until a final withdrawal was made on 18 December, 1993.

90. I am further told that Bishop Cathal Daly, then of the Diocese of Down and Connor, became aware of allegations of child sexual abuse by B. Smyth in February, 1990. As stated earlier, Bishop Cathal Daly met with Abbot Smith in March 1990 to inform him of the allegations.

91. As mentioned previously, Archbishop Cathal Daly, then of the Archdiocese of Armagh, wrote to Abbot Smith in February 1991 in relation to further complaints about B. Smyth.

Question 12: Any other relevant information that the Norbertine Order considers would assist the Inquiry.

92. I have endeavoured to provide to the Inquiry all the information that is known to me in relation to B. Smyth. I hope that in providing answers to the questions raised by the Inquiry that those who have suffered abuse will consider that their questions have also been answered. As a priest, I am profoundly distressed at the betrayal of religious vocation in seeking to live the same totally God centred life shown to us in the life of Jesus Christ. To profess this life and then turn around to commit child abuse is a shocking hypocrisy and I apologise once again to all of those who have been harmed and who continue to suffer.

Signed: 
Fr. William Fitzgerald, O. Praem

16. 06. 2015

THE INQUIRY INTO HISTORICAL INSTITUTIONAL ABUSE 1922 TO 1995

Witness Statement of Father Donal Kilduff

I Father Donal Kilduff will say as follows –

1. I am the Chancellor and Diocesan Secretary to the Diocese of Kilmore. I have been asked by Bishop Leo O'Reilly to prepare this statement to assist the Historical Institutional Abuse Inquiry in their work. Bishop O'Reilly has held his position since 16 October 1998. This statement will deal with the issues surrounding Brendan Smyth and his activities as far as I can assist. I have had full access to all of the records in the Diocese relating to the knowledge of the Diocese surrounding this man and I have also had the opportunity of speaking to others within the Diocese to assist me.
2. In order to assist the Inquiry with some background, I would like to give some details about the diocese. The Diocese of Kilmore is situated mainly in the County of Cavan but also includes the northern parts of Co Leitrim as well as portions of Counties Meath, Sligo and Fermanagh. The Diocese consists of 35 parishes, one of which, Derrylin, is situated fully in Northern Ireland and the other, Kinawley, partly so. The Diocese itself is predominantly in Southern Ireland and its headquarters are in the Republic of Ireland at Bishop's House, Cullies, Cavan
3. By way of background information also, the Norbertine Order, of whom Brendan Smyth was a member, have an Abbey based in Kilnacrott which is close to Ballyjamesduff, Co Cavan, and is within the boundaries of the Diocese of Kilmore. It is situated about 24 Km south of Cavan where the Cathedral of Kilmore diocese is located. The Order itself is significantly reduced and the Abbey has recently been sold. The remaining members are old and infirm and will be accommodated nursing homes and in a small house near Ballyjamesduff. I was informed that the Order ceased to exercise public ministry in the Abbey on Easter Sunday, 5 April 2015.
4. The Norbertine Order are what is known as 'an exempt religious order', which means that it is to a large extent autonomous of the diocese in its governance and its activities. The Norbertine monastery of Kilnacrott, near Ballyjamesduff in the diocese of Kilmore, was an

Abbey and was presided over by an Abbot up until the resignation of Abbot Kevin Smith in 1994 in the wake of the arrest and trial of Brendan Smyth. Since then it had been administered by a Prior until the sudden death of the Prior, Fr Gerard Cusack, on 17 March 2013. It is currently under the charge of a 'Prelate Administrator', Fr William Fitzgerald. In the past there were some tensions between the Order and the Diocese. The Order had been given permission by Bishop Finegan to establish a house in the diocese provided that it would be self-sufficient.

An Abbot in Church law is an 'ordinary', which means that he exercises authority in his own right within the Abbey over members of his congregation in the same capacity as a bishop does in his diocese over his priests. He is responsible for the members of the Order and their activities. The members of the Order are accountable to their Abbot, and the Abbot reports to the Abbot General in Rome. The Bishop of the diocese in which the Abbey is situated does not have jurisdiction in Canon Law over members of the Order, except in so far as they exercise ministry in the diocese at the invitation of the bishop. His role in their regard is to give them 'faculties' for ministry, which is similar to a licence to practice. They are usually issued for an indefinite period. If priests have faculties to minister in one diocese in Ireland this is normally accepted by the authorities in other dioceses in the country. If the Bishop withdraws faculties from a member, that member may still be permitted by the Abbot to celebrate Mass in the Abbey.

5. Before dealing with the specific areas which the Inquiry is looking at I would wish, on behalf of the Diocese, to express the deep sorrow felt by the Bishop of Kilmore, Bishop Leo O'Reilly, and the Diocese, that any child was abused by any member of the Clergy. We apologise unreservedly to any child abused by Brendan Smyth for that abuse and for the hurt and harm caused. The actions of Brendan Smyth must be condemned unreservedly. The abuse of his position of power is a cause of profound pain and suffering to all his victims and a source of shame and deep sorrow to all in the Church he purported to represent.
6. I can confirm that I have conducted a review of what is known in the Diocese about Father Brendan Smyth and what can be learned from the Diocesan records. I believe that the Inquiry has received a bundle of material about Brendan Smyth in response to a request from Mr Patrick Butler, solicitor to the Inquiry in August 2013.

7. On conducting a detailed review of the records I have found further material relating to three complaints made to the diocese directly (i.e. they did not come to us via a solicitor acting on behalf of a complainant).
- One of these, that of **FBS 43** made in February 2010, contained concerns and suspicions and was not an allegation of abuse as such. Later, on 19 March 2010, **FBS 43** made allegations of abuse in vague terms against Brendan Smyth in a meeting with Bishop O'Reilly. He indicated he thought these things happened 'in the late sixties or early seventies'. He was invited to make a full statement to the Designated Liaison Person of the diocese but did not do so. He was also encouraged to report the matter to the Garda Síochána.
 - The second was a report by a priest, **FBS 49**, who told me that he had received a complaint from a woman around 1973 that her 14 year old daughter had been abused by Brendan Smyth. **FBS 49** said he informed Bishop MacKiernan about the alleged abuse.
 - The third is an allegation by a man called **FBS 44** now in his seventies and living in **[REDACTED]** that he was abused by Brendan Smyth when he was an altar server in Kilnacrott around 1955. I understand this allegation may be the subject of legal proceedings against either the Norbertines or the diocese of Kilmore, or both. **FBS 44** indicated that he told his then teacher at that time Father Mackiernan (later the bishop), there are no documents to support this.

These records are submitted with this statement. With the addition of these documents, I hope that all the information in the possession of the diocese by way of documentary records (that is not the subject of legal proceedings or other constraints) has been provided. I understand that if any further material does come into my possession I should pass this to the Inquiry. I make the following statement based on these records and on what I have learned from my investigations..

8. In relation to the crimes of sexual abuse perpetrated by Brendan Smyth, the first record in the diocesan files of awareness of them by the bishop of the diocese is in regard to events during March-April 1975. A young boy in **[REDACTED]** (BB) made a complaint of abuse to a **[REDACTED]** priest, **FBS 48** who was associated with a local youth club. **FBS 48** seems to have intended first to contact the Abbot of Kilnacrott, Fr Kevin Smith, who was Brendan Smyth's superior, to report the matter to him. For some reason he contacted Bishop Francis

MacKiernan, the then bishop of Kilmore, instead. Bishop MacKiernan arranged to have the matter investigated.

9. There are no records in the diocesan files to show the actual steps taken to set up the investigation which followed. The investigation took place in the [REDACTED] Friary in [REDACTED] on 29 March 1975, the night before Easter Sunday. I understand it took place a matter of days after the complaint was received. [REDACTED] FBS 50 [REDACTED] a canon lawyer, who was a priest of the Archdiocese of Armagh, led the investigation, which is not surprising since [REDACTED] is in the Archdiocese of Armagh. However, there is no record of his appointment to the investigation or even how he came to be contacted. There is no record in the files either as to how Father John Brady became involved. Father Brady was a school teacher in St Patrick's College, Cavan but would also have assisted on an ad hoc basis as an informal secretary to Bishop McKiernan and would have assisted him as and when needed. He has confirmed that he was asked to be involved in the investigation and he attended at the meeting with BB.
10. BB came to the Priory with his father on the 29th March 1975, although his father was not present during the actual interview process. BB was accompanied during the interview by [REDACTED] FBS 48 [REDACTED] who attended as his support person during the interview. Questions were asked of him by [REDACTED] FBS 50 [REDACTED] and the questions and answers were recorded by Father John Brady.
11. The records of the investigation (which have been given by the diocese of Kilmore to the HIA) were compiled by Fr Brady and given to Bishop MacKiernan. The boy who made the complaint said in his evidence that he was aware that Brendan Smyth abused another boy [REDACTED] FBS 39 [REDACTED] This boy was from [REDACTED] in the diocese of Kilmore. Fr Brady met with this second boy, in the presence of the parish priest, on 4 April 1975. There are no records of who arranged this second meeting. Father Brady then presented a record of the evidence given by both boys to Bishop MacKiernan.
12. The Diocesan file shows that the evidence record of the two interviews were given by Father Brady to Bishop McKiernan. Father Brady has confirmed that when he returned the documents he advised the Bishop that he believed both of the boys. There is no note or record of any meeting between Fr Brady and Bishop McKiernan so we cannot accurately relate the content of any conversation and we rely on the memory of the then Fr Brady.

Father Brady does not recall [REDACTED] FBS 50 [REDACTED] having retained any of the documents and it is therefore likely that the full records are now with the Diocese of Kilmore and are in the possession of the Inquiry.

13. There are records which show that Bishop MacKiernan met Fr Kevin Smith, the Abbot of Kilnacrott, on 12 April 1975 around 2 weeks from the complaint being received to make him aware of the findings of the inquiries and to tell him that he was withdrawing Brendan Smyth's faculties. In his memo of this meeting dated 20 April, Bishop MacKiernan says: "I have withdrawn his faculties to hear Confessions". In a letter of 18 April 1975 to the Abbot, Bishop MacKiernan says: "I hereby withdraw the faculties of the diocese from Rev. B. G. Smith [sic]". He asked the Abbot to communicate this decision to Brendan Smyth. Bishop MacKiernan uses the phrases 'faculties to hear confessions' and 'faculties of the diocese' interchangeably. The faculties of the diocese would include permission to celebrate public Masses, preach and administer other sacraments, as well as the faculty to hear Confessions. However, 'faculties to hear Confessions' appears to have been understood in this wider sense generally, but, strictly speaking it would apply only to the Sacrament of Penance (Confessions).

In a memo of the meeting of 12 April, which is dated 20 April 1975, Bishop MacKiernan states that the Abbot indicated knowledge of previous 'lapses' and that Brendan Smyth had received psychiatric treatment under a [REDACTED] of St Patrick's Hospital. The Abbot said that [REDACTED] refused to discuss the case with him. Bishop MacKiernan recommended consulting the St John of God Brothers who in turn recommended he be sent to the Paraclete Fathers, in Gloucester under a [REDACTED]. The diocese cannot help further on what treatment or referrals did take place as they have no records of any of these. I understand that both these institutions specialised in the treatment of addictions generally as well as of other psychiatric disorders.

14. There is some evidence that Bishop MacKiernan may have been aware of Brendan Smyth's activities earlier than 1975, but there is no contemporaneous record of it in the archives of the diocese. A priest of the diocese [REDACTED] FBS 49 [REDACTED] (see 7 b above) says that he reported a complaint made to him by a woman (he cannot recall her name) in [REDACTED] area, that her daughter was abused by Brendan Smyth when she was about 14. [REDACTED] FBS 49 [REDACTED] said that the bishop reported it to the Abbot of Kilnacrott who had told the bishop that he would send him to a psychiatrist. According to [REDACTED] FBS 49 [REDACTED] Bishop

Mackiernan sent a letter to him, for the lady, telling her that the Abbot of Kilnacrott had told him that Fr Smyth had been treated by a psychiatrist and that she could be assured that this would not happen again. He said he passed the letter on to the lady. We can find no record of that letter in our records and the priest did not keep a copy. As he cannot recall this lady's name we cannot trace this matter any further at present.

15. Another complainant, **FBS 44** (cf 7 c above) who first made an allegation to the diocese on 25 May 2012, has stated that he was abused by Brendan Smyth when he was 11 or 12 around 1955. He says that when he was a student of [REDACTED] a couple of years later, he told a priest on the staff of the college, Fr Francis MacKiernan (who was later Bishop MacKiernan) about the abuse. That would have been 1957.
16. After the 1975 investigations of Brendan Smyth and the actions taken by Bishop MacKiernan there is no further record relating to Brendan Smyth in our archive until 1984. The Abbot had assured the Bishop that the appropriate steps were being taken. The lack of any further reports in the files of the diocese suggests that the diocese believed that the appropriate steps had been taken.
17. On 20 August 1984 Brendan Smyth wrote to Bishop MacKiernan asking that his faculties be restored and saying that his Superior (the Abbot) had proposed this. There is no record of communications between the Abbot and Bishop MacKiernan in the archives, but Bishop MacKiernan later confirmed that he had consulted with the Abbot and that he was satisfied that there did not appear to have been any further occurrences similar to those previously complained of and, in the circumstances, Bishop MacKiernan restored his faculties for a period of six months. In response to subsequent requests, faculties were extended for further six months periods and later for one year periods, until the final withdrawal of faculties was made on 18 December 1993. The limited nature of the return of faculties suggests that Bishop MacKiernan wanted to monitor Brendan Smyth to ensure he did not come up in any further complaints but that he believed that the treatment discussed had taken place and that it had worked.
18. When we consider the steps taken in 1975 against the knowledge that we have now, it is clear that the necessary and appropriate steps were not taken to stop Brendan Smyth from reoffending.

19. The Diocese would accept that the failure of Bishop MacKiernan to report the matter to the civil authorities or to ensure that the matter was reported by Abbot Smith to the civil authorities was a failing on his part. In the light of what is now known about Brendan Smyth and about the compulsive nature of paedophilia, it is clear that the diocese should also have informed the civil authorities in the jurisdictions where those children lived. These children were named in the reports as having also taken part in excursions with Brendan Smyth. There is nothing in the files which throws any further light on the question of why the names of the other children were included in the reports of the investigations.
20. The diocese of Kilmore now has a comprehensive safeguarding children policy and procedures in place. The diocese has signed a Memorandum of Understanding with the National Board for Safeguarding Children in the Catholic Church in Ireland, committing it to adopting and following the "Standards and Guidance" protocols of 2009 and updated regularly since then to take account of new legislation and new developments in safeguarding policy and practice. The diocese of Kilmore employs a full-time Co-ordinator of Safeguarding who reports to the Kilmore Diocesan Safeguarding Committee. She is assisted in her role of training and monitoring by a trained volunteer.

Each parish has at least one Safeguarding Representative, who oversees safeguarding policy and practice in the various parish activities. These representatives receive regular training and they in turn train the leaders of youth activities in the parishes. There are strict recruitment procedures in place for all those involved in any way with ministry to children. There is close liaison between the safeguarding representatives and the parish pastoral council. There is an annual audit of the implementation of policy and procedures in parishes.

In regard to responding to allegations of abuse, the Co-ordinator of Safeguarding in the diocese acts as the Designated Liaison person who receives reports and allegations of abuse and responds to them. She is assisted by a priest who is Assistant Designated Person. The diocese has for many years joined with the neighbouring dioceses of Ardagh and Clonmacnois and Clogher to establish a joint Advisory Panel. This Panel provides advice and guidance in relation to all complaints received and it is made up of people with expertise in childcare, civil and canon law, and other relevant disciplines.

The diocese also consults the National Office for Safeguarding Children for advice as the need arises. It subscribes to the services of the National Case Management Reference Group

(an agency of the National Board) and consults its expertise in particularly difficult cases. There are also periodic meetings between the diocesan safeguarding personnel and the statutory agencies to seek advice and exchange information. In regard to how any allegation is now handled the diocese seeks the advice of the civil authorities and is guided in any action they take by those authorities.

The diocese arranged for a voluntary audit of its files by an independent consultant in 2006 in order to see how it could improve its practice. Since then it has been audited in the first batch of reviews conducted by the National Board for Safeguarding Children in 2010 and was highly commended for its current practice.

21. Again, on behalf of the Diocese, Bishop O'Reilly would wish to repeat its unequivocal apology to any of those who suffered as a result of the abuse carried out by Brendan Smyth. This abuse of his position of trust has affected many, not just the children whom he abused but also their families and all those who placed their trust in him. The Diocese apologises to the children abused and to those who feel the pain of having been deceived by Brendan Smyth.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed 

Dated 9th June 2015

THE INQUIRY INTO HISTORICAL INSTITUTIONAL ABUSE 1922 TO 1995

Witness Statement from the Archdiocese of Armagh

1. The Archdiocese of Armagh comprises almost all Co Armagh; all Co Louth with the exception of small areas which are in the diocese of Clogher and Meath; a large part of Co Tyrone; a small part of Co Derry and a very small part of Co Meath.
2. The Archdiocese of Armagh is one of four Metropolitan Archdioceses in Ireland, the others being: Dublin, Tuam, Cashel & Emly. There are twenty two (22) other dioceses in Ireland.
3. The Archdiocese of Armagh has sixty one (61) parishes, thirty seven (37) in Northern Ireland and twenty four (24) in the Republic of Ireland. It is currently served by ninety nine (99) priests in active ministry and, in addition, there are nine (9) male Religious Congregations, comprising fifty two (52) priests and sixteen (16) others, while there are fifteen (15) female Religious Congregations, comprising two hundred and ninety seven (297) sisters in the Archdiocese.
4. The Archdiocese of Armagh is currently led by Archbishop Eamon Martin who was ordained coadjutor Archbishop of the Archdiocese of Armagh on the 21 April 2013 and who succeeded as Archbishop of Armagh and Primate of all Ireland on the retirement of Cardinal Seán Brady on the 8 September 2014. Archbishop Eamon Martin is assisted by two (2) Vicars General. An ecclesiastical province is presided over by a Metropolitan, who is archbishop in his own diocese (cf. canon 435). The Metropolitan Archbishop of Armagh is Archbishop Eamon Martin; the ecclesiastical province is comprised of the archdiocese of Armagh and eight (8) suffragan dioceses which are: Ardagh & Clonmacnoise, Clogher, Derry, Down & Connor, Dromore, Kilmore, Meath and Raphoe. Within the suffragan dioceses, the Metropolitan is competent:
 - 1° to see that faith and ecclesiastical discipline are carefully observed and to notify the Roman Pontiff if there be any abuses;

2° for a reason approved beforehand by the Apostolic See, to conduct a canonical visitation if the suffragan bishop has neglected it;

3° to appoint a diocesan Administrator in accordance with canons 421 §2 and 425 §3.

§2 Where circumstances require it, the Apostolic See can give the Metropolitan special functions and power, to be determined in particular law.

§3 The Metropolitan has no other power of governance over suffragan dioceses. He can, however, celebrate sacred functions in all Churches as if he were a bishop in his own diocese, provided, if it is the cathedral Church, the diocesan bishop has been previously notified (cf. 436).

5. The Archbishop of Armagh is also the Primate of all Ireland. The title of Primate, apart from conferring a prerogative of honour, does not in the Latin Church carry with it any power of governance, except in certain instances where an apostolic privilege or approved custom establishes otherwise (cf. canon 438). No such privilege or custom apply to the Primate of all Ireland
6. In response to the request of the HIAI to review any and all material in the possession of the Archdiocese of Armagh relating to Brendan Smyth, a search was undertaken of open and archived material in the Diocesan Office of the Archdiocese of Armagh.
7. In February 1991 Archbishop Cahal Daly was contacted by a family who had been in contact with him during his years as Bishop of the Down and Connor diocese. On the 11 February 1991 Archbishop Cahal Daly wrote to the family acknowledging previous complaints having been received about Brendan Smyth and apologising for the distress caused (cf. copy of letter, Appendix 1). On the same date, 11 February 1991, Archbishop Cahal Daly wrote to the Abbot of Kilnacrott Abbey to report the family's allegations and to suggest that "more drastic steps seem imperative if further harm is not to be done" (cf. copy of letter, Appendix 2).
8. A memo dated 18 October 1993 reveals that a telephone call was received from [REDACTED] [REDACTED] re a complaint they had about an unnamed priest, something which had previously been discussed with Cardinal Cahal Daly during his years as

Bishop of the Down and Connor diocese. Later legal correspondence, dated 2 March 1995, links [REDACTED] in legal proceedings with, among others, the Norbertine Order (cf. copies of memo and legal correspondence, Appendices 3 & 4).

9. In August 1994 Rev Bruno Mulvihill, O Praem, who had been a monk in Kilnacrott Abbey, wrote a letter to Cardinal Cahal Daly in which he detailed his concerns re Brendan Smyth during his years in Kilnacrott Abbey, concerns which, he says, dated from the early 1960s (cf. copy of letter, Appendix 5). On the 29 September 1994 Cardinal Cahal Daly replied to Rev Bruno Mulvihill's letter (cf. copy of letter, Appendix 6).
10. In December 2010 **FBS 45** then domiciled in England, wrote to Cardinal Seán Brady alleging she had been sexually abused by Brendan Smyth in December 1993 when she was eleven (11) years old (cf. copy of letter, Appendix 7). On the 24 December 2010 Cardinal Seán Brady replied to **FBS 45** (cf. copy of letter, Appendix 8). On the 4 February 2011 this allegation was reported to both the Garda Síochána and Fr Gerard Cusack, the then Abbot of Kilnacrott Abbey (cf. copy of correspondence, Appendices 9 and 10).
11. On the 14 May 2013 a priest of the Archdiocese of Armagh received an allegation from a lady during the annual diocesan pilgrimage to Lourdes that both she and her sister had been abused by Brendan Smyth at an undisclosed time and place (cf. copy of reporting memo, Appendix 11). This matter was reported by the Director of Safeguarding for the Archdiocese of Armagh to the Garda Síochána in June 2013 (cf. copy of letter dated 13 June 2013, Appendix 12).
12. It had become known in recent years that an inquiry was held in 1975 by the then Bishop of Kilmore relating to Brendan Smyth and that a priest of the Archdiocese of Armagh was involved in this inquiry. Nothing of a contemporary nature was found in the search of the archive material held in the Archdiocese of Armagh. A hand-written memo relating to an apparent search for materials and information was found twenty years later in 1995 (cf. copy of memo dated 4 January 1995, Appendix 13). In recent years the Archdiocese of Armagh, through disclosure in a civil claim for compensation, came into possession of a copy of materials relating to an investigation in 1975 by the then

Bishop of Kilmore into Brendan Smyth; this included evidence of the involvement of **FBS 50** a priest of the Archdiocese of Armagh, who was then a [REDACTED]. During the course of this investigation a boy from the [REDACTED] Brendan Boland, alleged on the 29 March 1975 that he had been sexually abused by Brendan Smyth.

13. In initiating this inquiry it appears that the then Bishop of the Diocese of Kilmore, Bishop Francis McKiernan, as the local ordinary where Brendan Smyth had residence, may have been guided by the provisions of *Crimen Sollicitationis* §§ 2 and 73, which gave the local ordinary the canonical authority to bring crimes involving a cleric and pre-adolescent children to trial in the canonical forum.
14. According to the hand-written memo written twenty (20) years later and dated 4-6 January 1995, **FBS 46** a priest of the Archdiocese of Armagh and himself a [REDACTED], appears to have been aware of the aforementioned interview (cf. Appendix 13). This hand-written memo is speculative and scarce on detail and bears out my observation above that there was nothing in the archive of the Archdiocese of Armagh relating to the interview or inquiry.
15. Information about the allegations made by Brendan Boland during interview on the 29 March 1975 was conveyed to Bishop Francis McKiernan, the then Bishop of Kilmore, by Fr John B Brady, a priest of the Diocese of Kilmore, who had acted as scribe/notary for the interview. This was because the inquiry was being carried out by the Diocese of Kilmore. No copies of the interview, the questions or other notes were in the archives in the Archdiocese of Armagh. During the interview with **FBS 50** and others on the 29 March 1975 Brendan Boland named a number of other children whom Brendan Smyth brought on holiday to Cork. Towards the end of his interview with Fr **FBS 50** and others on the 29 March 1975 Brendan Boland identifies a boy, **FBS 39**, and another boy, [REDACTED] who was a friend of **FBS 39**, but is unable to provide [REDACTED]'s surname.
16. It appears that **FBS 50** a priest of the Archdiocese of Armagh, played no further part in the Kilmore inquiry. It emerged in the notes disclosed to the Archdiocese that on the 4 April 1975 in Ballyjamesduff, Co Cavan, Fr John B Brady interviewed

FBS 39 in the presence of another priest of the Diocese of Kilmore; **FBS 39** was then sixteen (16) years of age and had been named by Brendan Boland. During this interview of the 4 April 1975 **FBS 39** describes being sexually abused by Brendan Smyth over the course of the previous year and also names a number of other individuals, not named by Brendan Boland in his interview of the 29 March 1975. **FBS 39** also relates that they spent the last day of their Cork holiday in Dublin. Given that **FBS 50** played no part in this interview with **FBS 39** and, given that the notes of this interview formed part of the Diocese of Kilmore investigation in to Brendan Smyth, the existence of these notes was not previously known to the Archdiocese of Armagh nor were they aware through any officer or priest of the Archdiocese of this later interview.

17. In summary, from the copy of the material available, it appears that although **FBS 50** a priest of the Archdiocese of Armagh, was involved in the interview with Brendan Boland in March 1975, no steps were taken by the Archdiocese of Armagh to report the abuse to the civil authorities. There is no knowledge or record of anyone in the Archdiocese of Armagh reporting Brendan Smyth to the police in Northern Ireland or in the Republic of Ireland. It appears that the abuse of Brendan Boland was reported to the civil authorities by Brendan Boland himself after Brendan Smyth had been prosecuted in Northern Ireland.
18. The greatest single failure in this appalling saga was not reporting these matters to the civil authorities in both Northern Ireland and the Republic of Ireland so that they could investigate the allegations and monitor the movements of Brendan Smyth in order to minimise risk to children. Clearly there was also a failure to exercise vigilance over Brendan Smyth and ensure that he was not free to continue his abusive behaviour inside or outside the confines of Kilnacrott Abbey. In the 1970s there was an absence of safeguarding and risk-management protocols, guidance and procedures at a systemic level across dioceses and religious congregations in the Catholic Church. With the development of guidelines in 1996 leading to Our Children Our Church and then leading to the establishment of the National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI) and the development of a "one-church" approach to safeguarding, a much more proactive approach would be taken today. The allegations

which had been first received by a [REDACTED] priest in [REDACTED] would be reported to the Designated Officer for the [REDACTED] who would:

- (i) report the allegations to the Garda Síochána and the HSE;
- (ii) advise the Designated Officer for the Diocese of Kilmore;
- (iii) advise the Designated Officer for Kilnacrott Abbey;
- (iv) advise the Designated officer for the Archdiocese of Armagh

The Church today can only look back on all this with shame and in disgrace.

19. The Archdiocese of Armagh today has a dedicated Safeguarding Office in place. The Archdiocese of Armagh secured the appointment in September 2011 via secondment for three years of a senior civil servant from the Department of Health and Social Services and Public Safety Northern Ireland (DHSSPSNI), Mr Pat McGlew, as its Director of Safeguarding. Mr McGlew remained in post until December 2014 when the Archdiocese of Armagh appointed as its new Director of Safeguarding Mr Aidan Gordon who has been seconded from his post as Assistant Director for Adult Safeguarding with the Western Health and Social Services Trust (WHSST). The Archdiocese has a system for provision of training to all those involved with children and vulnerable adults, clergy and lay helpers, and they co-operate fully with the civil authorities in all areas of child safeguarding..

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed (RA) Michael C. Jones

Dated 18 June 2015

THE INQUIRY INTO HISTORICAL INSTITUTIONAL ABUSE 1922 TO 1995

Witness Statement of Cardinal Sean Brady

I, Cardinal Sean Brady, will say as follows: -

1. I am Cardinal Sean Brady. I retired as the Archbishop of Armagh on 8th September 2014 and hold the title of Archbishop Emeritus of the Archdiocese of Armagh at this time.
2. I have been asked to provide a statement to the Historical Institutional Abuse Inquiry to deal with my knowledge of Brendan Smyth and what was known about him and when this information came to be known.
3. In that regard I will be giving my statement with my knowledge as a priest of the Diocese of Kilmore, where I served prior to being ordained Archbishop of Armagh. I am not speaking on behalf of the Archdiocese of Armagh, and I believe they will be providing their own statement of what the Archdiocese can say from the records.
4. After my ordination as a priest for the diocese of Kilmore, I became a fulltime language teacher at St. Patrick's College, Cavan from 1967 to 1980. During that time I provided very occasionally secretarial assistance to the then bishop of Kilmore, Francis McKiernan. My duties would have included circulating notifications of clerical changes within the diocese and minutes of meetings.
5. I did not have any administrative authority in the diocese nor was I ever involved in investigating clergy in any disciplinary matters

6. In March 1975 Bishop McKiernan summoned me to a meeting. He informed me that the Archdiocese of Armagh was going to investigate allegations about a priest abusing a boy. The priest in question was a member of Norbertine Order, based in Kilnacrott Abbey in County Cavan in the diocese of Kilmore, but who had faculties to allow him to carry out priestly duties in the diocese of Armagh. Bishop McKiernan asked me to attend the investigation, take detailed notes for him so that he could take appropriate action.
7. The investigation was carried by [REDACTED] FBS 50 [REDACTED] priest of the Archdiocese of Armagh. It was essentially an evidence gathering exercise loosely based on the procedures used in Marriage Tribunals since this particular investigation did not come under any Canon Law procedure.
8. [REDACTED] FBS 50 [REDACTED] asked questions and I wrote down the questions and recorded the answers accurately. In accordance with canonical procedure, and to protect the integrity of the evidence, an oath of confidentiality was administered to the witness, Brendan Boland, at the end of the hearing of evidence. This oath also protected the person giving the evidence as it allowed them to refuse to speak to the person they complained about and stop them from coming under pressure to change or withdraw their evidence.
9. It also gave solemnity to the proceedings and formalised the evidence. This was important to ensure the evidence was clear and strong.
10. I presented the written record of the meeting with Brendan Boland to Bishop McKiernan. I believed Brendan Boland from the start, and I advised Bishop McKiernan of that. He decided that we should add weight to the evidence and corroborate the evidence of Brendan Boland by interviewing the other boy who Brendan Boland said had been abused. This boy lived in [REDACTED]. With the help of the local curate a meeting was set up to talk to the boy. At the interview the local curate attended, to both give support to the boy, and also to give formality to the proceedings. I took a statement from the boy asking some of the questions used by [REDACTED] FBS 50 [REDACTED] in the first interview. I also administered a similar oath of confidentiality to him for the same reason. I

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returned with the second set of questions and answers and presented those to my Bishop, again confirming that I had accepted the evidence of both boys.

11. I had no further dealings or discussions with the Bishop or any other person regarding the matters which had arisen. I believed then that I had carried out the duties I had been asked to do properly and that I had accepted the truthfulness of the boys and that steps would be taken by those with the appropriate authority to protect them, and others, from further harm. I believe I acted promptly and I also believed I had acted appropriately in ensuring the evidence was taken accurately and that all the evidence was then typed up and given to my superior. I was confident that he would act appropriately to ensure proper steps were taken and believe the records, which state that he did contact the Abbot quickly and obtained assurances from him.

12. I left the Diocese of Kilmore and went to Rome in 1980 where I took up the position of Vice-Rector of the Irish College in Rome. I became Rector of the College in 1987. I did not return from Rome until 1993 and, at that point, I became Parish Priest of Castletara (near Cavan) in the diocese of Kilmore. I remained in that position until I was appointed Coadjutor Archbishop of Armagh on the 13 December 1994.

13. It was around the period when I returned, and then was appointed Coadjutor Archbishop and later Archbishop, that Brendan Smyth came to my attention again. He was in the news in regard to the extradition issues from the Republic of Ireland and his trial in the North, his conviction and subsequent imprisonment, and then his transfer to the Republic of Ireland where he was tried and imprisoned again, and shortly afterwards died in prison.

14. I have been asked: should I not have reported personally to the civil authorities? Unfortunately, and very regrettably, the matter was not reported at that stage to the civil authorities. I am very sorry that this did not happen. I believed then that I had acted appropriately and properly in the part I played in ensuring the evidence I took was robust and solemnly taken and passed to my superior. I was confident that Bishop McKiernan had taken the complaint,

received through **FBS 48** seriously and that he accepted the evidence and my belief in the veracity of both boys. I believed he would act and the records do show he went to see Abbot Smith and withdrew the faculties of the diocese shortly after he received the statements.

15. Today measures are in place across Ireland to deal with the handling of complaints of abuse and to manage the transfer of information to the proper civil authorities. Each Diocese, Congregation or Order will have a Designated Person, who will co-ordinate the reporting and will co-operate with the proper authority, in how the matter will be investigated, who can and should be spoken to and how support and counselling can be offered. In 1975 these structures and procedures did not exist.

16. I deeply regret that any child suffered harm as a result of the actions of Brendan Smyth. I deeply regret the abuse of his position as a Catholic priest in order to deceive his victims and their families and his criminal conduct in abusing these children. I, once again, offer an unreserved apology to all those who have suffered as a result of the activities of Brendan Smyth.

17. It is a matter of great personal regret and pain to know, that despite the statements taken by me, and the report made to my Bishop, and despite the assurances given by Abbott Kevin Smith, that Brendan Smyth's activities would be controlled, it would appear that no effective steps were taken to protect children from him.

18. It appears from the information that has since come to light, that children continued to be abused in the very same year (1975) in which this information had come to light and which should have protected children from the activities of Brendan Smyth.

19. There was an absence of any proper guidance or procedures or protocols in the 1970's for issues of safeguarding children or other vulnerable people in society. In the early 1990's the church was involved in developing whole Church guidance, in how to handle these matters. This led to what is known

as: The Green Book being produced around 1996 and to the ongoing development of our safeguarding procedures, leading to "Our Children our Church" There followed the safeguarding procedures we have today with the National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI), the strong links to the civil authorities and the ongoing development of procedures in the church.

20. I can see that the failure to report these matters to the civil authorities in the Republic of Ireland and in Northern Ireland would be a systemic failing. I also accept that steps should have been taken to report back to Brendan Boland's family about what we had done and to confirm we had believed his evidence.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed Seán Brady

Dated 11 June 2015

THE INQUIRY INTO HISTORICAL INSTITUTIONAL ABUSE 1922 TO 1995

Witness Statement of Cardinal Sean Brady

I, Cardinal Sean Brady, will say as follows: -

1. This is my second statement to the Inquiry and is to address questions raised about my personal involvement with or knowledge of Brendan Smyth.
2. I confirm that I never met Brendan Smyth.
3. I have never had any direct contact with him.
4. I have been asked if I was ever aware of him being in or visiting St Patrick's. I can confirm that I was never aware of him being there during my time as a teacher in St Patrick's nor do I recall anyone talking about him having visited.
5. I cannot assist the Inquiry any further in that regard.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed Sean Brady

Dated 11 June 2015

THE INQUIRY INTO HISTORICAL INSTITUTIONAL ABUSE 1922 TO 1995

Witness Statement of Cardinal Sean Brady

I, Cardinal Sean Brady, will say as follows: -

1. This is my third statement to the Inquiry and is to address questions raised about the content of my first and main statement signed on the 11th June ("the 11th June Statement")
2. In making this statement I would like to say that the issues around Brendan Boland and his presenting evidence of his abuse has been a matter which I have considered over a number of years. It is an issue of great regret to me that more was not done at that time to protect children from someone who misused his position of trust and status to abuse children.
3. In an effort to try to assist this Inquiry I have spoken to many of those who have advised me over the years and I appear to have become more confused rather than clearer as a result. I apologise to the Inquiry for this confusion and will try and clarify matters in this statement.
4. I refer to paragraph 5 of the 11th June statement. I would confirm I had no involvement at that time in the discipline of clergy nor I was ever involved in any situation such as the investigation into allegations such as those presented by Brendan Boland. I had no previous experience of interviewing a child over matters of this nature. Although I had qualifications in canon law I was not acting as a canon lawyer in my role in the school. The nature of my work with Bishop McKiernan was administrative as set out in the examples given in paragraph 4 of the 11th June statement.

5. To be clear the investigation involving Brendan Boland was set up by Bishop McKiernan and was always his investigation. Brendan Smyth had faculties granted by the Diocese of Kilmore not the Archdiocese of Armagh. I had previously tried to write out how this all came about and I note that in those handwritten notes I say that I was the one who involved **FBS 50**. I think these notes were prepared by me but I cannot recall exactly when they were made. It was in the last 10 years. I really cannot recall exactly how Fr **FBS 50** came to be involved but I did have a role in assisting Bishop McKiernan in the process.
6. I was involved in the full investigation having initially taken the record of the first interview I then took a corroborative statement from another child (who himself alleged abuse) and reported back to Bishop McKiernan
7. **FBS 50** asked the questions in the interview with Brendan Boland. I remember that he had questions prepared but I really cannot assist on who it was spoke to him. I have no recollection of having any detail about the allegations before I attended at the interview.
8. I would like to expand on paragraph 7 of the 11th June statement also. The interview was conducted by **FBS 50**. He had prepared the questions and he asked them of Brendan Boland. I wrote down the questions and the answers. I may have asked for some questions or answers to be repeated to ensure I had correctly heard and transcribed the evidence but I did not pose any questions myself.
9. I was not aware of any similar process to this investigation which existed in Canon Law but the process loosely followed the procedure which would have been used at a Marriage Tribunal. In such a tribunal the witness would give their evidence but there would not be anyone else present other than Tribunal members. **FBS 48** in whom Brendan Boland had confided, was present in the room throughout as a support for Brendan Boland. In retrospect it would have been much more appropriate for his father to be present and not to be asked to remain outside. This would not happen today and I accept

that this was a failing in the investigation. A child should always be accompanied by a friend or parent. I was not aware of what Mr Boland senior knew of the matters we were investigating.

10. The oath administered to Brendan Boland is in the papers and was witnessed by me although I did not write it out.
11. When I interviewed [FBS 39] he was not accompanied by any parent. This was wrong. His family were not told of the alleged abuse. This was also wrong. This is not how matters would be handled today. I deeply regret that [FBS 39] was not accompanied by a family member or that his parents were not told. I also deeply regret that the parents of the other children of whom Brendan Boland spoke were not told of those concerns
12. I was of the view that the evidence of both boys was accurate and I now fully accept that either myself or someone from the Church should have gone back to both boys and their families to explain the process and reassure them. It was a failing that this did not occur.
13. I do not recall hearing anything else about Brendan Smyth during the time I remained in Cavan or during my time in Rome. It was not until I returned from Rome that Brendan Smyth was referred to on the news following his arrest that he came to my attention again.
14. I would like to say that I deeply regret and apologise for the fact that the information provided by Brendan Boland and [FBS 39] was not reported to the civil authorities both in Southern Ireland and Northern Ireland. While I believed at the time that I had done the right thing in reporting to my Bishop, as requested, I accept that these matters should have been reported and that the names of the other children identified were passed on to the proper authorities. For that failing and the fact that other children were abused as a result of these omissions I am truly sorry.

15. I again apologise for the confusion in my earlier statement and hope this assists the Inquiry.
16. I have made a number of statements on this matter over the last years in different contexts. On occasions the allegations made against me have referred to my role as Archbishop of Armagh and my response has been reflective of the fact that the role I played in 1975 as a priest of Kilmore and my later position as Archbishop of Armagh was different. This may lead to a perception that I was avoiding my responsibilities which was not my intention. I repeat now that I was asked by Bishop McKiernan to assist in a process to secure evidence against Brendan Smyth and that the procedure followed was, in hind sight, flawed and did not protect those we wanted to protect. Again I express my personal sorrow for that failing.
17. I have been asked to consider the way information of a safeguarding nature and concerns about priests or the removal of faculties is communicated between bishops or not communicated. Sadly, at that time there was a culture within the church of secrecy and silence and it was felt that these matters could be dealt with within the church structures themselves. Further, there was not a proper understanding of the devastating consequences of child abuse. Many bishops believed that psychiatric treatment of the individual perpetrator was an adequate response. The full horror and long lasting impact of such criminal behaviour has now been grasped. The church now obtains its guidance from the civil authorities and reports all incidents of child abuse immediately. All priests now carry a card called a celbret with them issued by their diocese which gives them faculties. This celbret can be requested by any priest before he would allow another priest to conduct any ministry. The bishop would require a priest from whom faculties had been removed to hand over his celbret which would mean he could not minister in another diocese. The celbret would also allow any priest or bishop to call the home diocese of a visiting priest to check his credentials.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed Sean Brady

Dated 19 June 2018

HIA REF:

Witness Name:

THE INQUIRY INTO HISTORICAL INSTITUTIONAL ABUSE 1922 – 1995

WITNESS STATEMENT OF FATHER TIMOTHY BARTLETT

I, FR TIMOTHY BARTLETT will say as follows -

1. I am authorised by the Diocese of Down and Connor to speak on its behalf concerning the issues before this Inquiry.
2. I have been asked by the Inquiry to provide a statement outlining the history of the Diocese's knowledge of allegations of sexual abuse perpetrated by the late Brendan Smyth and its response upon receiving such allegations. To answer this request as fully as possible the Diocese has undertaken a detailed search of all Diocesan archives, including those relating to Bishops of the Diocese for the period in question and other Diocesan personnel who may have known Brendan Smyth or of his activities in the Diocese. In the case of Bishop (later Cardinal) Cahal Daly, my statement is based only on documentation relating to his tenure as Bishop of the Diocese of Down and Connor which ended on 6th November 1990, with his appointment as Archbishop of Armagh. In addition I have spoken directly to any Down and Connor personnel who were involved in the receipt or handling of allegations against Brendan Smyth.
3. The process for searching archives has been conducted in accordance with the norms of Canons 482-491 of the 1983 Code of Canon Law. In practice this means that, while granted access to the general archives of the Diocese, I do not have direct or immediate access to Diocesan personnel files. I make requests for such files on a case by case basis through the Chancellor of the Diocese who then presents me with the individual files from the relevant archive, which I am then free to retain and examine as I see fit. A similar methodology applies to records that are held by the Down and Connor Safeguarding Office, whereby information requested is first gathered by the Safeguarding Office personnel and copies made for my use when requested. While I can only testify in this statement to the documents that have been presented to me through this methodology, I can confirm that every such request I have made has been granted and responded to with alacrity.

4. From the outset the Diocese acknowledges that Brendan Smyth perpetrated the most heinous and deplorable crimes against children on a prolific scale, including children who were in the care of the institutions that are the subject of this Inquiry. That Brendan Smyth actively sought out opportunities to abuse children already facing the challenges and trauma of institutional care makes his evil behaviour all the more shocking and unconscionable. These actions wrought untold damage in the lives of many children and their families and the Diocese takes this opportunity to express its profound regret that those with both the knowledge of Brendan Smyth's risk to children and the ecclesiastical authority to take action against him did not do so decisively and effectively from the outset. The consequences for the lives of many children has been, quite simply, catastrophic and the legacy of Brendan Smyth as a manipulative and prolific abuser of children now features among the most notorious and devastating in Irish history.
5. Born John Gerard Smyth in Belfast on 8th June 1927, and taking the name 'Brendan' upon entering the Norbertine religious order in 1945, Smyth, a native of St. Paul's Parish, Fall's Road, Belfast clearly had every reason to visit family and friends there throughout his life.
6. Notwithstanding this ongoing association with Belfast, an exhaustive search of all Diocesan records, in accordance with the methodology set out in paragraph 3 of this statement, would appear to confirm that no record exists of any allegation or suspicion about Brendan Smyth being a risk to children having been communicated to the Diocese before 23 February 1990. On this date a complaint of child sexual abuse against Brendan Smyth was received by the Catholic Family Welfare Society, a social services agency provided by the Diocese. The sequence of events surrounding the receipt of this allegation and the subsequent actions taken by the Diocese were the subject of an extensive public statement by the then Cardinal Cahal Daly issued on 5 December 1994, following the conviction of Smyth in June of that same year. A copy of this statement is appended. Cardinal Daly also summarises the events surrounding the receipt of this first allegation against Brendan Smyth known to the Diocese of Down and Connor in his autobiography *Steps on My Pilgrim Journey* (Veritas, Dublin 1998, pp. 276-278). To the best of my knowledge, the Diocese has no other written record or statement of these events beyond the published statements.
7. These two published statements setting out the first allegation of abuse against Brendan Smyth being made to the Diocese confirm that on receipt of the allegation the Social Worker from the Catholic Family Welfare Society dealing with the case sought the permission of the family to report the allegations to the Royal Ulster Constabulary. The statements indicate that the Social Worker subsequently reported the matter to the RUC and to the Health and Social Services authorities and also

encouraged the family to report the allegation directly to the RUC. The statement records that the Social Worker also reported the matter to Fr Joseph Glover, the then Director of the Catholic Family Welfare Society who in turn contacted the Bishop's Secretary, Fr Edward O'Donnell. I have spoken to both Fr Glover and Fr O'Donnell about these events and they have both confirmed that when Fr O'Donnell received the call from Fr Glover to inform the Bishop of the allegation, Fr O'Donnell immediately instructed Fr Glover that the matter be reported by the Social Worker to the RUC. Fr O'Donnell has also confirmed what is recorded in the published statements, that when he informed Bishop Daly of the allegations the Bishop immediately approved of the course of action whereby the Social Worker of the Diocesan Catholic Welfare Society had reported the matter to the RUC. It is also worthy of note that Fr O'Donnell, the then Diocesan Secretary, had been a former chaplain to Nazareth Lodge (from June 1976 to December 1977). Fr O'Donnell has informed me that on receiving the call from Fr Glover with the allegation of abuse against Brendan Smyth, in addition to informing the Bishop he phoned **SR 2** at Nazareth Lodge to instruct her that Brendan Smyth was not to be admitted to say Mass for the Sisters. He told me that he did this because he was aware as a former chaplain that Brendan Smyth occasionally said Mass for the Sisters in Nazareth Lodge and on one occasion concelebrated such a Mass with him. Fr O'Donnell is absolutely clear, however, that until receiving the allegation on 19th February 1990, he had not been aware of any allegations or suspicions of child abuse against Smyth.

8. The published statements indicate that, as advised by the Social Worker working for the Diocesan Family Welfare Society, the family who brought the allegations made a formal statement of complaint against Brendan Smyth to the RUC on 7th March 1990, less than two weeks after first bringing the allegations to the attention of the Diocesan Society.
9. In the statement published by the then Bishop Cahal Daly on 5 December 1994 he explains that as soon as he was informed of the complaints against Brendan Smyth, and aware that the RUC had already been made aware of the allegations, he telephoned Smyth's religious superior, Abbot Kevin Smith of Kilnacrott Abbey, arranging to meet the Abbot on 12th March 1990. He states that at this meeting: 'I informed the abbot about the complaints. I told him that a social worker had seen the client and that the allegations of abuse had been reported to the RUC. The abbot accepted full responsibility for Fr Smyth and undertook to take prompt and appropriate steps to deal with the matter.'

10. Bishop Daly then summarises the steps that had been taken by the Diocese and Diocesan agencies upon receipt of this first allegation of child abuse against Brendan Smyth made known to the Diocese on 19th February 1990:

- a. The RUC were informed and a police investigation initiated by early March 1990;
- b. The statutory Health and Social Services had been informed;
- c. Professional advice and help had been provided for the victim and the family;
- d. By mid-March 1990, Brendan Smyth's superior had been informed and had given a commitment to deal effectively with Smyth.

11. It is worthy of note that as part of a routine circular to clergy of the Diocese of Down and Connor in March of 1987, Bishop Daly had included a section which read as follows:

13/87 CHILD ABUSE:

The appalling crime of sexual abuse of children has increased alarmingly in recent times. It is a problem of which we have not had pastoral experience in the past and in dealing with which we need some professional help. I am hoping to assemble a working party of persons with professional skills in the relevant disciplines who could advise us on the kind of resources or services we may need in this area. Meanwhile, social workers and others advise that children who report incidents of this nature are to be presumed to be telling the truth and are to be treated very sympathetically.

Then, in May of that same year the routine circular to the Clergy of the Diocese contained the following insert:

53/87 CHILD ABUSE:

Father John O'Connor has arranged that his Catholic Family Welfare Society can be available for talks on the problem of child sexual abuse to teachers or to priests or interested groups. This problem is increasing alarmingly, and it is extremely difficult for priests to know how to handle this very delicate situation, fraught as it is with so many emotional traumas and legal complications. Father O'Connor's offer of help is greatly welcomed and should certainly be utilised.

12. Having checked every such routine circular to the clergy of the Diocese for the decades covering the years of the Historical Institutional Abuse Inquiry, I can confirm that these are the only overt references in such circulars before the allegation is made to the Diocese about Brendan Smyth on 19th February 1990. In his published statement of 5 December 1994, then Cardinal Daly explains why he issued his

notifications to the clergy of the Diocese of Down and Connor about the need for professional support in responding to allegations of child abuse in the following way:

'In May 1987 a statutory social worker had alerted me to the problem of child sex abuse, but not in the context of abuse by a priest or religious. I asked the Director of the Down and Connor Catholic Family Welfare Society (the agency set up by the Church in Down and Connor for family welfare and counselling) to ensure that the Society's social workers had the specialised knowledge and skills needed to handle cases of sex abuse. I instructed my priests, should such cases come to their attention, to avail of the services of such trained personnel. I also advised my priests that children who report incidents of this nature should be presumed to be telling the truth and should be treated very sympathetically.'

13. Bishop Daly also makes it clear in his published statement that, quoting him directly;

'I never had any knowledge of any ministerial placements of Father Smyth at any period in his ministry, neither was I instrumental in any such placement. Father Smyth was and remained at all times a member of the Norbertine Order. He never at any time had any assignment from me or any pastoral mandate which would have required him to be in Down and Connor diocese during my time as bishop there'.

14. On 6th November 1990, Bishop Daly became the Archbishop of Armagh. In his statement of 5 December 1994 he indicates that he was contacted by the same family again about Brendan Smyth on 1st February 1991. The Diocese of Down & Connor has no records relating to this contact or to Cardinal Daly's subsequent handling of the matter, other than what is contained in the published statement of 5 December 1994 and his autobiography. In his published statement he sets out a sequence of ongoing contact he had with the family who first made the allegations to the Diocese of Down and Connor and further engagement he had with Abbot Smith of Kilnacrott Abbey continuing to urge the abbot to 'take firm action to deal with Father Brendan Smyth'. The published statement also suggests that the family concerned made contact again in 1993 with the 'diocesan offices in Down and Connor'. While the Diocese has no record of these contacts being made, it notes that the police investigation was already underway at this time and that Brendan Smyth was subsequently convicted the following year, in 1994.

15. Following the first known report on 19th February 1990, and excluding cases that the Diocese became indirectly aware of through the statutory authorities arising from the arrest and criminal convictions of Fr Smyth in 1991 and 1994 respectively, the Diocese has no further record of receiving allegations of abuse against Fr Brendan Smyth until

2009, by which stage Fr Smyth was deceased. On 7 December 2009 an adult male contacted the Child Safeguarding Office of the Diocese to make an allegation that Fr Smyth abused him as a child in the toilets of Casement Park Football Grounds while he was attending a GAA match. The allegation was immediately referred to the statutory authorities and the man concerned was offered and accepted independent counselling funded by the Diocese.

16. The next allegation against Brendan Smyth reported to the Diocese was received on 29 March 2010 when the then Bishop of Down and Connor, Bishop Noel Treanor, received a letter from Bishop Leo O'Reilly, the Bishop of Kilmore. The letter explained that arising from the recent controversy over 'the two investigations conducted [in 1975] by Fr Seán Brady (as he then was) on behalf of my predecessor' in to allegations of abuse by Brendan Smyth, he was now forwarding the names and addresses of two children from Belfast who had been mentioned by one of the boys who had given a statement to the Diocese of Kilmore during the 1975 investigation. Bishop Treanor immediately passed the letter to the Child Safeguarding Office of the Diocese which in turn immediately reported the names of the two children from Belfast, now adults, to the statutory authorities. It became clear that the two children concerned were already known to the statutory authorities from the time of the conviction of Brendan Smyth in 1994.
17. The only other allegation of child abuse made to the Diocese about Brendan Smyth that I am aware of on our records was received on 5 June 2013. This allegation was made by a retired priest of the Diocese directly to the Diocesan Safeguarding Office. He reported that Fr Brendan Smyth had been a family friend and that Smyth had regularly abused him as a child 'over a lengthy period of time' during regular visits to his grandparents' house in West Belfast. Although Brendan Smyth was deceased at this stage, the Diocese reported the allegation to the statutory authorities and offered pastoral and counselling support services to the retired priest which he availed of.
18. While, to the best of my knowledge, the Diocese has no record of allegations against Brendan Smyth other than those already set out in this statement, I am aware that in his book *Betrayal of Trust: The Father Brendan Smyth Affair and the Catholic Church* (Marino Books, May 1995), the investigative journalist and author Chris Moore reports an incident involving Brendan Smyth that took place in [REDACTED] Belfast in 1971. Chris Moore reports that Smyth had sexually abused a 13 year old girl, to whom he gives the pseudonym 'Sarah', in a visiting room at the school. He goes on to record that 'Sarah' complained to two nuns, FBS 21 and FBS 20 the principal, who assured the parents of 'Sarah' that Smyth would not be allowed back in the school and that (in a paraphrase by Chris Moore) 'the incident would be referred to a higher Church authority' [REDACTED].

19. Given the possibility that any such report to 'a higher Church authority' might involve a report to someone in the Diocese, I contacted the [REDACTED] Sisters to clarify their understanding of this reported event. I have been advised and have independently confirmed that FBS 20 has suffered from severe dementia for some time and is in full-time care in a nursing home in Dublin. FBS 21 however, is still quite well and claims to recall this particular incident very clearly. In my conversation with her about the matter she confirmed that when Brendan Smyth arrived to the school that particular day and asked the school secretary to be allowed to see the girl called 'Sarah' because he was a friend of Sarah's father, it was FBS 21 who conveyed the request to the pupil referred to as 'Sarah' who was in class at the time. FBS 21 was adamant to me that 'Sarah' simply indicated that she did not like Fr Smyth and didn't wish to see him and that this was sufficient for FBS 21 to advise 'Sarah' to go back to class while the Secretary informed Fr Smyth that 'Sarah' was not available to meet him. FBS 21 went on to say to me that she did inform the principal, FBS 20 about the incident and that FBS 20 had indeed phoned Sarah's father that evening to express concern about a 'family friend' visiting during school hours. FBS 21 recollects that FBS 20 told her that Sarah's father had been quite angry that Fr Smyth had asked to see Sarah during school hours and both had agreed that Fr Smyth should not be allowed to visit Sarah in the school again. When I asked FBS 21 if FBS 20 had made any report of this incident to anyone in the Diocese, she was adamant that the matter had not gone any further since there was no question in either of their minds at that time of abuse having taken place or being suspected and the parents had agreed with the school that Brendan Smyth should not be allowed access to Sarah while she was in school. Using the methodology outlined in paragraph 3 of this statement, I have checked all records held by the Diocese relating to the local Parish of [REDACTED], as well as of the Parish Priest at that time, [REDACTED] and all other Diocesan records relating to that period of time and can confirm that, to the best of my knowledge, we have no record of any such report being made to any person representing the Diocese of Down and Connor.

20. The Diocese has also been made aware that in a police statement made by [REDACTED] FBS 35 (dated 26 October 1995) received in evidence by the Historical Institutional Abuse Inquiry, it is recorded that as a child, in the presence of her mother and other witnesses, FBS 35 reported to the local curate FBS 51 the horrendous sexual abuse being carried out on her by Brendan Smyth during his visits to the Parish of [REDACTED] and the associated [REDACTED] in the mid 1970's. I can confirm that FBS 51 was a curate in the Parish of [REDACTED] during that period. FBS 51 is now 83 years of age and a retired priest living in the Diocese. I have spoken to FBS 51 and he has confirmed the events described by FBS 35 in her police statement and that she told him, in the company of her mother and others, that she was being abused by Brendan Smyth (whom he explained visited [REDACTED] from time to time because [REDACTED])

[REDACTED]). When I asked him what he did in response to the allegations he had received he explained that at the time he had no experience of dealing with such matters and had simply kept the concerns to himself for many years. He then explained that, some years later, he is not exactly certain when, he heard that Brendan Smyth was seeking a position in the Diocese. On hearing this he claims that he wrote to the Bishop of the time (to the best of his recollection, Bishop William Philbin, Bishop of the Diocese from 5 June 1962 to 22 August 1982) telling him about the allegations that had been made by **FBS 35** against Brendan Smyth and appealing to him not to give Brendan Smyth any position in the Diocese. **FBS 51** was unable to recollect, even approximately, the date on which he had written the letter to the Bishop. When I explained that the Diocese has checked the archives of every Bishop of the Diocese during Brendan Smyth's tenure as a priest and that no record of such a letter had been found, he remained quite adamant that he had written such a letter to one of the Bishops. He then informed me that in the early 90's (he was unable to be more specific about the date), two RUC officers had come to the door of his Parochial House in [REDACTED] and had asked him about the allegations he had received about Brendan Smyth when he was a priest in [REDACTED] in the 1970's. **FBS 51** told me that he confirmed to the RUC officers that he had indeed been told of the abuse by one of the children but it had not occurred to him at the time that he should have reported it to the police. I have advised **FBS 51** that this is new information to me and to the present administration of the Diocese and that he may be asked to provide a formal statement of evidence to the Inquiry about these matters. He indicated his willingness to do so but stressed that his recollection about dates, notably in respect of the letter he wrote to a Bishop of the Diocese at some point in time, is very unclear. I have also spoken directly to the retired Bishop of the Diocese, Bishop Patrick Walsh and to the current Auxiliary Bishop of the Diocese, Bishop Anthony Farquhar and both have separately confirmed that they have no knowledge of the letter sent to a former Bishop of the Diocese by **FBS 51** or of his having reported any allegations against Brendan Smyth to the Diocese.

21. The Diocese is also aware of a police statement made by **FBS 37** (dated 12 December 1995) received in evidence by the Historical Institutional Abuse Inquiry, relating to sexual abuse she endured from Brendan Smyth while she was a child at [REDACTED] and [REDACTED]. The Diocese notes that in her statement **FBS 37** records that, after her family had moved to [REDACTED] her brother **FBS 40** went back to Ireland to make a complaint to the Hierarchy of the Catholic Church and as a result of what took place there, my mother told me that I would never come into contact with Father Smyth again as he had been moved somewhere else'. The Diocese fully accepts the veracity of the statement made by this witness and deeply regrets the appalling abuse she suffered as a child through the criminal actions of Brendan Smyth. Having searched all Diocesan records that could possibly relate to these events, however, and in accordance with the methodology outlined with

paragraph 3 of this statement, I can confirm that I am not aware of a record of any such report being received by the Diocese. It is also difficult to know what precisely what the phrase 'hierarchy of the Catholic Church' was intended to refer to in this case.

22. In conclusion, I wish to confirm again on behalf of the Diocese that, with the exception of the allegations now known to have been made to **FBS 51** in the mid-1970's and which he confirms he kept to himself at the time, the Diocese has no record of any allegation or suspicion of child abuse in respect of Brendan Smyth before that which was received on 19th February 1990 through the Down and Connor Catholic Family Welfare Society. When this allegation was received the Diocese acted appropriately and in the best interests of safeguarding children by ensuring that the allegation was reported with alacrity to both the RUC and the relevant health and social services authority. Indeed, this report and the courage of the individual and her family who made it, was instrumental in bringing about the eventual arrest and conviction of Brendan Smyth and the disclosure of the terrifying scale of his horrific abuse of children over many decades and across so many parts of Ireland and other parts of the world.

23. Notwithstanding the alacrity with which those involved on behalf of the Diocese responded to the allegation received in 1990, the Diocese acknowledges that key principles, practices and procedures that are now known to represent best practice in child safeguarding and that are currently operative, and regularly professionally reviewed and updated in the Diocese, were generally not in place before that time. Key elements of this best practice that were notably absent in relation to the Brendan Smyth case include:

- a. Reporting to the Police and statutory authorities. The critical importance of prompt and effective reporting of allegations, concerns and suspicions of sexual abuse to the civil authorities is highlighted by the profound inadequacy of the response made by various Church personnel, most notably the Abbot of Kilnacrott who had primary responsibility for preventing Brendan Smyth from having access to children as a known abuser, and others who were aware of concerns about Brendan Smyth's risk to children in the decades before his eventual arrest and conviction in the 1990's. Current safeguarding procedures in the Diocese of Down and Connor, and across the Catholic Church in Ireland now have, as a fundamental commitment, the prompt reporting of allegations, suspicions and concerns to the relevant statutory authorities. This, the Diocese accepts, is the most effective safeguard in reducing to the absolute minimum any repetition of the travesty of abuse by a Catholic priest or religious on this island and the mishandling of such situations by those holding positions of responsibility in the Catholic Church.

- b. Appropriate communication and sharing of information. Once promptly reported to the civil authorities as a first principle of safeguarding, the question of communicating to others that a person is a potential risk to children is a vital consideration. It is clear that the failure of those with relevant information to do so was fundamental in allowing Brendan Smyth to continue to abuse children on an international scale for as long as he did. The Diocese of Down and Connor operates a policy of complete cooperation with the relevant statutory safeguarding bodies in regard to the sharing of information about potential risk to children and how it should be managed once an allegation is received. The Diocese accepts that once the statutory authorities have been informed of an allegation they have the responsibility for making decisions in this area and that it is for the legislature on both parts of the island to ensure that all policies and law about the appropriately sharing of information about risk are kept under review to ensure that the safety and best interests of children are always the paramount concern.
- c. Effective training of clergy and church personnel. That some clergy in the Church who received allegations against Brendan Smyth claim they did not know how to respond to such information in terms of basic principles of reporting and safeguarding, highlights the critical need for effective and ongoing training of clergy and other church personnel in this area. The Down and Connor Safeguarding Office, staffed by fully trained professionals who work closely with the statutory safeguarding agencies, provide mandatory training for all priests and other key personnel in the Diocese on best practice in safeguarding children. This includes regular training for lay Parish safeguarding personnel who play a key role in developing a culture of safeguarding at Diocesan and Parish level, in which the safeguarding and welfare of every child is the paramount concern. The culture and ethos of safeguarding in place in the Diocese of Down and Connor today seeks to reinforce not only a moral sense of shared responsibility to recognise and respond promptly to allegations, suspicions and concerns brought to an individual's attention but also a greater awareness of the legal requirement to take prompt action.

24. The Diocese of Down and Connor fully accepts that the fact comprehensive safeguarding policies and procedures are now in place, and that both the societal and ecclesial understanding of the critical importance of such procedures has only developed over more recent times, this is of no comfort to those who suffered sexual abuse by Brendan Smyth and others who held positions of trust and responsibility within the Catholic Church. No apology can ever make up for the appalling abuse that the victims of Brendan Smyth, and their families, have endured through the repeated failure to deal effectively with his criminal behavior over a long period of time. On behalf of the Diocese, therefore, I conclude by expressing deep sorrow and the most profound regret that so many people, many of them in positions of trust and responsibility in the Church, failed so many times to respond to the cries of the "little one's", those whom our fundamental human and Christian instincts alone should have compelled us to protect and reach out to as a first priority. The Diocese remains committed to offering whatever pastoral support it can to those who were so grievously and repeatedly hurt by the actions of Brendan Smyth and to ensuring that the safety and welfare of children continues to be the paramount concern in all aspects of Diocesan life and ministry.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed:



Dated:

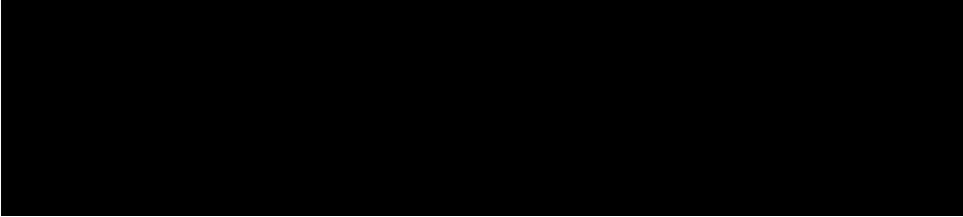
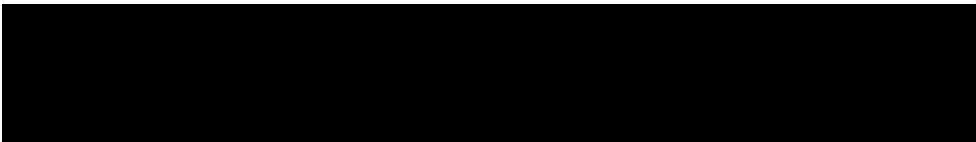
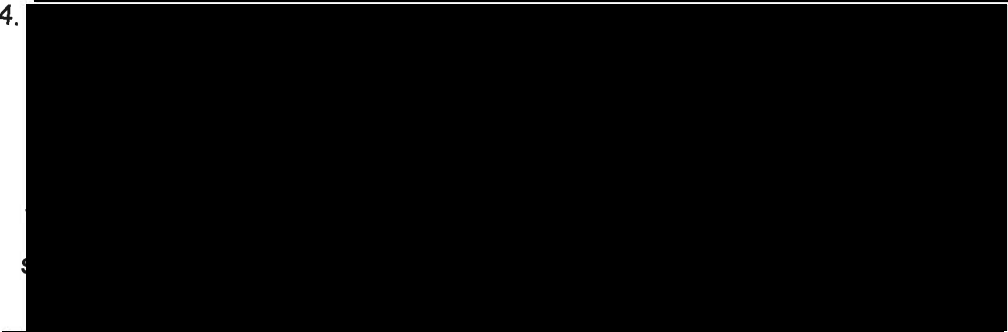
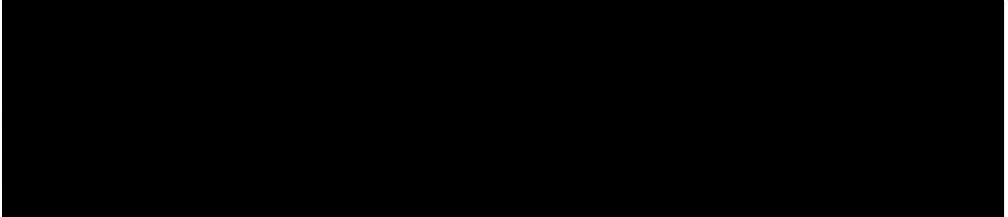
5 June 2015

Name: Sister Brenda McCall
Date: 23 January 2015

THE INQUIRY INTO HISTORICAL INSTITUTIONAL ABUSE 1922 TO 1995

Witness Statement of Sister Brenda McCall

I, Sister Brenda McCall, will say as follows: -

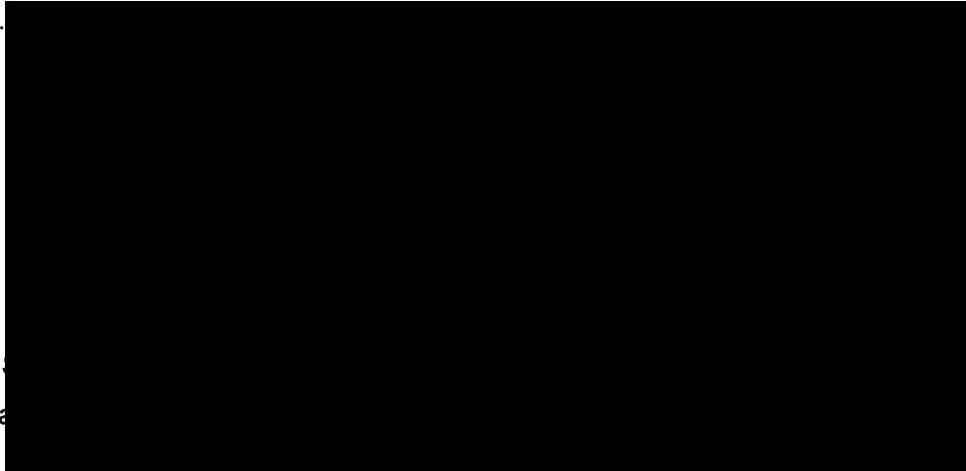
1. I have been asked to comment on the statement of **HIA 41**. I confirm that he was a resident in Nazareth Lodge.
2. 
3. 
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5. 

6.

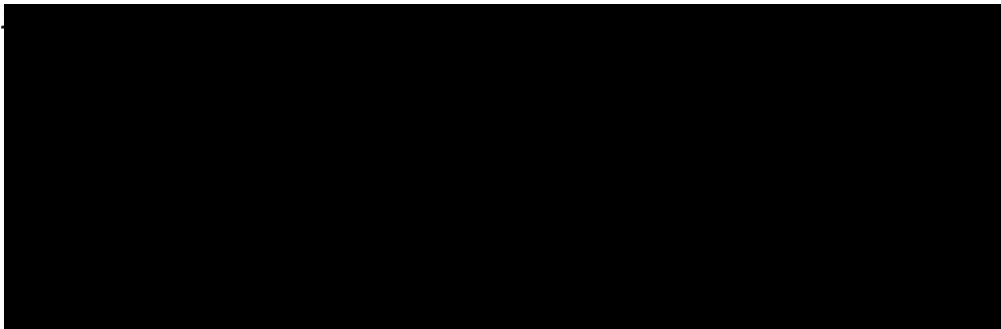


7. The Sisters are now aware of the activities of Bendan Smyth and are appalled to learn about these in later years when this became public knowledge. The Sisters openly apologise to any child who suffered sexual abuse at the hands of Brendan Smyth or any other abuser. They were not aware of his activities at the time when he was a visitor to Nazareth House or Nazareth Lodge.

8.



9.



10.

[REDACTED]

11.

[REDACTED]

12.

[REDACTED]

13.

[REDACTED]

14.

[REDACTED]

15.

[REDACTED]

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed St Brinde 4^e ball

Dated 23 January 2015.

Statement to the HIA Inquiry on behalf of the De La Salle Order.**Witness Name: Br Francis Manning****Date: 5th June 2015****Module 6: Fr Brendan Smyth**

Br Francis Manning will say:

1. HIA 58 alleges that he believes Fr Brendan Smyth visited St Patrick's Training School to celebrate Mass. HIA 58 is the only applicant to the Inquiry who has sought to associate Fr Smyth with St Patrick's Training School. [REDACTED] BR 26 and [REDACTED] who worked in St Patrick's Training School from 1957 and 1961 respectively until 1996 categorically deny that Fr Smyth ever celebrated Mass in St Patrick's Training School. Neither Brother has any recollection of Fr Smyth attending at the School. As far as I am aware there is no evidence to suggest that Fr Smyth ever attended the School. There was a large RUC investigation into St Patrick's School in the early 1990s which coincided with the RUC's investigation into Fr Smyth and I do not believe the RUC 'connected' Fr Smyth to St Patrick's. I don't believe that any of the crimes that Fr Smyth was convicted of relate to events at St Patrick's. The Order is confident that Fr Smyth never attended at St Patrick's Training School. If additional police material becomes available I may be able to make further comment.
2. As the Inquiry is aware the Order accepted during the course of Module 3 that Fr Smyth did visit Rubane Boys Home.
3. The Order is unable to establish with precision every date when Fr Smyth visited Rubane but it has been able to ascertain details of a number of interactions with Fr Smyth.
4. [REDACTED] BR 2 recalls that in the early part of 1976 he received a call from a Fr Smyth about the admission of a boy, [REDACTED] DL 191, from [REDACTED] in the Republic of Ireland. [REDACTED] BR 2 recalls discussing the request for admission with [REDACTED] BR 6 and specifically recalls [REDACTED] BR 6 warning him to be cautious because if the admission comes in via a Priest 'we will never get paid'. The Inquiry will recall that some years earlier the Home had, for financial reasons, tried to ensure that all admissions came in through 'welfare' and thereby receiving entitlement to a maintenance charge. [REDACTED] BR 2 recalls advising Fr Smyth that it was not possible to admit the child unless Social Services were involved.
5. The following can be ascertained from the 1976 desk diary;

- (i) Inside cover: Boys described as being on a waiting list; No 14. [DL 191] (13-14) – Fr Smyth – B'Jamesduff – fostering broke down. [FBS 3] added in red – after initial record]
- (ii) 15th January 1976 – On what appears to be a 'to do list' 'Fr Brendan Smyth – B'Duff 16'
- (iii) 15th January 1976 – '6.30 [FBS 2] – boys admission approved in principle. Will be in contact next week.' [this is believed to be about [DL 191]]
- (iv) 23rd January 1976 [DL 191] admitted. [FBS 3]

6. [BR 2]'s Diary records at RUB 7041 and RUB 7044 the following;

- (i) 15th January 1976 – Phone from [FBS 2] B J'Duff – re boy from the South.
- (ii) 23rd January 1976 – New Boy [DL 191] arrives. Fr Smith and [FBS 3] accompany him – stayed until 3pm.

[FBS 3] is believed to have been a Social Worker from Sligo. [BR 2] recalls that Sligo Social Services initially agreed to provide maintenance but that later Sligo Social Services came to an agreement with Fermanagh Social Services about funding [DL 191]

The [FBS 2] identified in paras 5 & 6 is believed to have been a Priest in the Parish of Ballyjamesduff.

[BR 2] recalls meeting Fr Smyth and [FBS 3] in the parlour of the house before bringing them over to [DL 89]'s Chalet where [DL 191] was placed.

7. The Desk Diary for 1976 continues;

- (i) 6th February 1976 [DL 191] – speech?
- (ii) 17th February 1976 [DL 191] – speech.
- (iii) 20th February 1976 (11.00) [FBS 3] Re [DL 191] To phone Fr Smith Re weekend in Kilnacrot and to let us know.
- (iv) 26th February 1976 Fr Smith to call for [DL 191]
- (v) 1st March 1976 (5.00) [DL 191] Returns
- (vi) 3rd March 1976 10.10 [FBS 4] – Re [DL 191] – request to supervise him from [FBS 3] – Sligo.

[DL 191] had a speech defect and attended a speech clinic in Newtownards/Dundonald.

[BR 2] recalls the discussion with [FBS 3] on the 20th February 1976. It was Mr [FBS 3] who made the arrangements for [DL 191] to be collected by Fr Smyth. [BR 2] has no recollection of meeting Fr Smyth on the 26th February 1976. He does recall 'departure' days as being busy and social workers calling at all hours of the day to collect boys (not brought by bus to Belfast).

8. There is no other entry in either the desk diaries or [BR 2]'s dairy which refers to Fr Smyth or [DL 191] in the context of Fr Smyth. Unfortunately, the visitor's book

which recorded the arrival of visitors does not appear to have survived the closure of Rubane and the Order has been unable to locate it. [REDACTED] BR 2 is confident that, apart from the two visits detailed above, Fr Smyth never visited Rubane during [REDACTED] BR 2's term as Officer in Charge which ended on the 31st August 1977.

9. The Order accepts that Fr Smyth did visit Rubane again after September 1977. No surviving Brothers have any recollection of these visits but former residents recount that Smyth did visit and indeed Smyth himself admitted that he did. The Order believes that these visits occurred during [REDACTED] BR 1's time in charge, namely, between September 1977 and February 1980. DL 40's evidence suggests that Smyth stopped visiting him in 1978. The Order believes that Smyth moved to the USA at some point in 1979.
10. The Order acknowledges that Smyth himself during an interview with the RUC on the 24th February 1995 admitted visiting Rubane House. Smyth confirmed to the Police that he had no official reason to visit Rubane but that he simply called to see children that he knew. The Order is aware that Smyth visited children in Nazareth Lodge and it appears that after those children moved from Nazareth Lodge to Rubane he continued to visit them. The impression one gains is that Smyth turned up at Rubane unannounced. It is accepted that Brothers and staff are likely to have facilitated visits by a visiting Priest if that Priest called and asked to speak to a boy by name.
11. During the course of the 24th February 1995 interview and in the context of Rubane Smyth admitted abusing [REDACTED] DL 41 and the brother of the 'Nazareth girl' that 'he had been convicted of'. It is believed that this is a reference to [REDACTED] DL 59 [REDACTED] DL 41 [REDACTED] was resident in Rubane between 28th May 1976 and 2nd July 1981. [REDACTED] DL 59 was resident between 28th August 1974 and 22nd June 1979. Smyth subsequently admitted during interview of 11th August 1995 to abusing [REDACTED] DL 40 resident from 19th September 1977 to 26th May 1981 in Rubane. [REDACTED] DL 59 was the only one of these boys resident in February 1976 when Smyth first visited the Home.
12. The Order is conscious that DL 40, both in 1995, and during the course of Module 3 [FBS 093-094 & 60010 – 60031] reports that he 'reported' Smyth to [REDACTED] BR 1. DL 40 recounted that he believed the abuse stopped after this 'report' and about a ¼ of the way into his residency. DL 40 was in the Home from September 1977 until May 1981 and if his recollection is accurate DL 40's account suggests that Smyth stopped visiting him in or about the end of 1978. The Order has not been able to locate any record of DL 40's 'report'. I have previously accepted in my statement of the 5th December 2014 that [REDACTED] BR 1 did not act appropriately in respect of this complaint. DL 40 associates [REDACTED] BR 1's response to his complaint with both the cessation of Fr Smyth's visits to see him and the cessation of the correspondence between Smyth and DL 40. However, the Order cannot locate any records to suggest that the complaint was reported to anyone else, to include DL 40's Social Worker, the Police, higher authority within the Order or anyone within the Diocese of Down and Connor. There are some confounding aspects of this issue which make interpretation of the known facts difficult. It is understood the Smyth left Ireland in or about 1979 and went to the USA. This could account for

the cessation of his visits to Rubane and the end of correspondence with residents there. It is impossible for the Order to know whether [BR 1] ever confronted Smyth with DL 40's complaint although it is accepted that Smyth denied during police interview that he was so confronted by anyone at Rubane. It is impossible for the Order to know whether Smyth ever returned to Rubane to visit children, other than DL 40, after DL 40's complaint. DL 40 in his statement at FBS - 093 confirms that he witnessed Smyth visiting [DL 41] and [DL 59] at Rubane. This could only have been after September 1977.

13. The Order is aware that [BR 1] denied during police interview in August 1995 knowing Smyth or receiving any complaint from DL 40. It is difficult to reconcile this denial with the account of DL 40. One would expect that if complaints about Smyth had been made, it is likely that [BR 1] would have a recollection. Accordingly, it is difficult to accept [BR 1]'s responses during the course of that interview as an accurate account of his dealings with Smyth and DL 40. I do consider it fair to point out however that the interview was some 15 years after the event and after [BR 1] had undergone treatment for cancer. I also note that the interviewing officer put to [BR 1] that he may be afraid of admitting to some tentative link between Fr Smyth and himself due to the publicity surrounding Smyth [who had by this time been convicted of abusing children]. While [BR 1] denied he was wary of admitting any association with Smyth, it is accurate to recall that the media at that time had run a number of stories associating Smyth with [BR 1], one of which went as far as to report that 'Fr Smyth was ...a 'close friend' of [BR 1] and that the 'two men had met regularly at the Co Down child care facility'. [BR 1] may well have been conscious of how his interaction with Smyth would have been perceived and hence the denial. The Order can offer no other explanation at this point. However, [BR 1] always maintained in private conversations with surviving Brothers that he did not know Fr Smyth.
14. Fr Smyth denied knowing [BR 1]. During his interview of 24th February 1995, he was questioned about his visits to Rubane and about who was in charge at the Home. The investigating officers had to put the name [BR 1] to Smyth and Smyth's response that '*he didn't even know who the boss man would be when I called there*' suggests that there was no knowledge of one another prior to Smyth beginning his visits after September 1977.
15. No surviving Brothers from this era recall Smyth undertaking religious services and his visits appear to have been confined to private meetings with boys whom he previously knew from his visits to Nazareth Lodge. [BR 6], [BR 3] and [BR 10] always maintained that they had never seen Fr Smyth in Rubane.
16. The Order has outlined its position on [BR 1] in a statement of 5th December 2014. The Order has made certain concessions in respect of [BR 1] including his failure to deal appropriately with DL 40's complaint. However, the Order does not believe that [BR 1] and Fr Smyth knew each other prior to [BR 1]'s appointment to Rubane or that there was any collusion between the two of them in respect of Smyth's offending. It is the Order's view that Smyth's attendance at Rubane from late 1977 onwards arose as a result of the children he knew in Nazareth Lodge moving to that facility. There is no evidence to suggest that Smyth's

offending at Rubane continued after DL 40's complaint although whether this was due to Smyth's departure to the USA or some positive interaction (which seems unlikely given the mutual denials) by [BR 1] is impossible to say. I again acknowledge that [BR 1] denied DL 40's complaint and any intervention.

17. The Order was not aware at any stage, whether in 1976 or later, that Fr Smyth posed a threat to young children or that any restriction had been placed on his Ministry.
18. The Order is aware that in addition to [DL 59], [DL 41] and [DL 40] that one applicant to this Inquiry, [HIA 41], alleges that he were abused by Smyth in Nazareth Lodge and then in Rubane House. It is noted that on the 16th January 1995 [RUB 60483] that HIA 41 told the RUC that [BR 1] reported to HIA 41 that he had a 'visitor' and was brought to the Parlour to see Fr Smyth. HIA 41 told the police in 1995 that he only met Smyth at Rubane on a 'few occasions'. At page 21 of his statement to this Inquiry HIA 41 dated the commencement of the 'visits' as occurring about 2 years before HIA 41 left Rubane. HIA 41 was resident from 6th May 1977 until the 23rd May 1980. This would 'date' the visit to early/mid 1978. In contrast to his 1995 statement HIA 41 recounted in his Inquiry statement that there may have been '10' visits by Smyth. The nature and the extent of the alleged abuse varies significantly between the 1995 and Inquiry statements as well. The Order has no reason to doubt that Smyth did visit HIA 41 in Rubane. The Order acknowledges that Smyth himself admitted meeting boys in the Parlour and, it appears, in their Chalets. While Smyth's interview responses are difficult to follow one does not gain the impression that Smyth accepted visiting Rubane on a regular or frequent basis. The irregularity of his visits may account for Brothers failing to recall him or his visits.
19. It is noted that [HIA 149], a brother of [DL 41] and an applicant to this Inquiry, alleges that he was abused by Smyth in Nazareth Lodge but does not repeat the allegation in respect of Rubane.
20. It is a matter of deep regret and sorrow that some boys resident in Rubane were abused there by Fr Smyth.
21. It is not known whether [DL 191] ever made any complaint. He has not complained or reported any matter to the Order. It is not known whether [DL 191] is still alive.
22. [FBS 3] the Social Worker from Sligo may still be alive

Signed: *Fr. Francis Manning*
Date: *5 June 2015*

- 3 -

REV BRENDAN (JOHN GERARD) SMYTH

Brendan then explained that this incident took place before the allegations regarding FBS 16 surfaced. Referring to the allegations, Brendan stated "the thing broke through FBS 16 when he was about to be confirmed. In 1989 when FBS 16 was 11, I visited his house and FBS 16 hid behind the door. Later he explained to family members that Fr Brendan was 'a dirty old man' and that he was afraid of me".

Brendan explained further that when FBS 14 was celebrating her fourteenth birthday, which occurred on a Saturday or a Sunday night, he was asked to say Mass for her and her friends so they wouldn't have to go to church later. Brendan stated that when he visited the house he had no Mass kit with him and that when he left FBS 14 threw her arms around his neck. Brendan stated that he then "put my hand down her pyjamas and touched her butt. She didn't laugh or anything".

Brendan was charged on January 21st, 1994 with nine counts of sexual assault against children. He stated that since then three additional charges from three other girls have also been lodged, but he has not been told who these girls are.

He then stated that in the '70's he used to take groups of three to four boys and girls on four - five day holidays in Southern Ireland. He stated that he is only guessing, but he thinks that the girls who made the complaints may have been from then.

Brendan then explained "I am not coming here to try to get off, I want to try and serve my complete prison sentence, so there is no further claim on me". Then I'll go to any therapy that my Superior's suggest. This sentence could be for ten/twelve years, I could have said no to coming here. The Superiors are doing this to show that they are doing something".

"I first began molesting children shortly after my ordination in the mid-50's. In the beginning it was casual and external, then it developed. The most it developed to was them masturbating me to orgasm. They were too young for orgasm I think, except for two incidents, neither of them the FBS 9 boys. I'm not very knowledgeable about this. I really wanted them to masturbate me; to pay them back I wanted to give them sexual pleasure. I've told you all about the nature of the sexual activity; what I've told you about the number of people and incidents of sex is about 20% - 25% of my entire history. This has gone on a long time".

"I actually couldn't have intercourse because I can't have a full erection. I can get excited but I have premature ejaculation and then I don't have the power to penetrate. This has always been the case".

Brendan then commented on the case concerning FBS 16 in 1989. He stated "I wanted to go to the Confirmation so FBS 13 wouldn't be disappointed. When I called the house that morning I was confronted by FBS 9, the cousin of FBS 16, about my past with him.

cont..4..

STATEMENT CONTINUATION PAGE

STATEMENT OF: REGINALD MARKS CONTINUATION PAGE NO: 9

Q. We are asking these questions to establish a cause for all that has occurred.

A. I know, I never had any inclination before being a Priest.

██████ asked me when he confronted me if I had been sexually abused. I wasn't.

Q. Why did you pick on children?

A. Because I liked them, was able to work with them and really because they were there.

Q. How is your counselling going? Do you have the same urges?

A. Occasionally, but nothing has happened since these incidents.

Q. Have you had any relations with a woman?

A. Yes but just in touching them I've never tried to have intercourse I realised that because the children were young I got involved. It didn't matter if they were boy or girl. That's what it seemed to me.

Q. You said it came to a end about 2-3 years ago.

A. Well the allegation was made then. These have made me take the continued therapy.

Q. Where do work now?

A. I work north and south. I have an address in Norbertines, Kilnacrott Abbey, Ballyjamesduff, Co Cavan.

Q. Where are you working, have you a dias?

A. No. I belong to a religious order working all over. At the moment I'm doing stand in Army Chaplain in ██████ and ██████.

Following this Smyth was asked if he wished to make a statement after caution by myself about what he had said. Smyth asked for the notes to be read first. This was done by D/Sergeant Armstrong. Smyth added a few corrections and on termination of them being read stated that he would like to say that he had discovered over the time of these incidents, the last 20 years, that he could never have a full erection. He continued saying that often he would have premature

SUMMARY OF TAPE RECORDED INTERVIEW

PERSON INTERVIEWED John Gerard Smyth
 DOB 8.6.27 ADDRESS Kilnacrott Abbey, Ballyjamesduff
Co Cavan
 PLACE OF INTERVIEW Grosvenor Road RUC Station
 DATE OF INTERVIEW 11.3.94 TIME COMMENCED 11.06am TIME TERMINATED 11.49am
Resumed 11.51am terminated 12.31pm
 INTERVIEWING OFFICER(S) D/C Marks OTHER Mr Maloney
Sgt McAuley PERSON(S) Solicitor
PRESENT
 MADE BY D/C R Marks

TAPE REFERENCE NO

RM1 & RM2

Master Tape Se

Number(s)

T63384A &

T632132A

tape no & tape ti

Introduction of D/C Marks and Sgt McAuley to Smyth.

Smyth cautioned as per Art 3 Criminal Evidence Order.

Sgt McAuley asked Smyth before continuing does he, Smyth, know what the word paedophile means. He replies, "That's someone who is attracted towards children and would interfere with them sexually.

Q Would you class yourself as peodofile?

A To a certain extent yes.

Q Could you explain what you mean by that?

A Well I'm attracted to fondle young people, young people, not very small children. I'm talking about from I suppose about nine or ten.

Q So you have a sexual attraction to pre-pubertal children?

A Well nine, ten to fourteen.

Q When you say you have a sexual attraction does that mean you have a sexual arousal to children like, that on children, there are a number of allegations.

D/C Marks informs Smyth that the first allegation comes from a woman, **HIA 195**

[REDACTED], now aged 32 years.

Q Do you recall that name from some twenty years ago?

A Honestly at this time off hand I don't recall that name.

Smyth was informed that she alleges a catalogue of sexual abuse carried out by him at Nazareth House, Ormeau Road, Belfast.

Q Did you ever visit Nazareth House.

A I did visit Nazareth House.

SUMMARY OF TAPE RECORDED INTERVIEW OF John Gerard Smyth Continuation Page 38TAPE NO &
TAPE TIME

persons to me at the moment but I know that what I did was wrong I know that in some cases it will have, because I have to take that from the medical men or the professional men and you men in your profession that it will have hurt or damaged them somewhat psychologically. I know that in order cases I'm convinced in other cases it hasn't done them any harm but I know I did wrong, certainly did wrong legally and therefore I was to I'm quite prepared to pay for having done wrong.

It was then explained to Mr Smyth what would happen with the tapes and a notice regarding this was served on him.

Mr Maloney then requested that he receive a copy of the transcript of the tape as soon as possible and that the matter be dealt with as soon as possible.

Page 3

STATEMENT CONTINUATION PAGE

STATEMENT OF: KEVIN SHEEHY

A I might have now that you mention it.

A Anything sexual.

A I bathed him. I might have touched him but I didn't masturbate him.

Q Is there anyone you did touch or anyone who touched you.

A The [REDACTED] who I was dealt for and [REDACTED], what I said to you.

Q What happened in the 1980s.

A I came to Belfast to shop. I would have called at [REDACTED] FBS 12 [REDACTED] stayed at [REDACTED]. I was in Belfast a number of times and I would have went to both houses - [REDACTED] and [REDACTED]

Q Did the [REDACTED] introduce you to anyone.

A [REDACTED] [REDACTED]

Q Tell us about her.

A I would have fondled her outside her clothes, that's all. There was a younger daughter in the house. I can't remember her name. She might have been called [REDACTED] I used to take the girls to Holywood and Bangor.

Q Did you fondle them when you were out.

A Not really. I would fondle them in the house. I suppose it was sexual abuse, it was always low down.

Q Did [REDACTED] introduce you to any friends.

A No, I don't think so.

Q Can you tell us where you worked in Northern Ireland.

- A
- 1) Nazareth House
 - 2) Nazareth Lodge
 - 3) De La Salle, Kircubbin
 - 4) Middletown Convent

41

11. [Signature]
255

MASTER TAPE T127536A

SMYTH

[REDACTED]
I remember that there was a name [REDACTED] but I wouldn't remember, I wasn't into any (inaudible).

Right, so she left and [REDACTED] SR 46 took over.

SMYTH

Now I remember that name too but that's all.

Right, "During my time in the home I was taken to the parlour on the ground floor but I can't remember which Nun took me there. When I went in Father Brendan Smyth was already there, sitting on a chair along the wall. The Nun introduced me to him and there was also another girl in the room sitting on a chair, I don't know who she was. Father Smyth told her to move on up two chairs, he sat me on his knee and talked about school and the Nuns. At first I thought he was very nice then he started to hug me and press me in against himself. I didn't like it but I couldn't get away from him, I remember him kissing me but I don't know whether it was on the cheek or on the lips, I remember him pushing me down into him, I don't know which time this was or whether it happened more than once and I have blocked this out of my mind." That's really all she can recollect. against yourself.

SMYTH

Well listen, it it would never have happened that one of the Nuns there would've brought a girl down, whom I didn't know, now she claims that eh eh you know she never met me before that day in the room.

Yeah.

SMYTH

So I would've known of her existence even and that that she brought her down to me and introduced her to me. That never happened, now anytime I say anybody I asked to see to them.

'Cos you knew them before hand.

SMYTH

'Cos I, well like I knew them from there maybe beforehand you know.

But you see, excuse me Brendan.

SMYTH

Yeah.

You see with a lot of the children this this young girl was obviously orphaned from a very young age.

~~OFFICIAL-SENSITIVE-PERSONAL~~

CRCT-3-247-245-Fr Brendan Smyth Belfast Crown Court File (206) - PRONI - 13-01-15 OPT

NOTE: The information contained
in this letter is strictly private and
confidential to the person to whom
it is addressed, and must not be
divulged without the consent of the
writer.



Tipperary Health & Social Services Trust

14 June 1994

Donnelly & Wall
Solicitors
Pearl Assurance House
2 Donegall Square East
BELFAST BT1 5HB

Dear Sirs

RE FATHER BRENDAN SMYTH

I interviewed the above-named on the 13 6 1994 at St John of God Hospital. He gave the following history.

His date of birth is the 8 6 1927. His mother died around 1958, his father in the mid 1970s. He recalls his parents' marriage as being a happy one. He has one brother, [REDACTED]. He would have regular contact with him.

After leaving school at 18 years old, he joined the Norbertine Order. He has been based in Co Cavan since then, although he has spent various spells abroad, in addition to working in various places in Ireland.

PAST MEDICAL HISTORY

He has suffered from asthma since he was 12 years old. He began to suffer from angina 5 or 6 years ago, and he had a coronary on the 17 4 1994. Since then, he has been on various medications, which he can't precisely recall. He has reasonable exercise tolerance on the flat, and can manage stairs.

PAST PSYCHIATRIC HISTORY

This has been extensive. He attended Purdysburn Hospital in 1968, St Patrick's Hospital, Dublin, in the early 1970s and has been attending psychiatrists also in Dublin since around 1990. These have all been for the same reason, namely his paedophilia. There is no indication available to me that this man has had any treatment in the past for any other psychiatric condition.

PREVIOUS PERSONALITY

With the exception of his deviant behaviour, there is no evidence of any abnormality of personality in the past.

PSYCHIATRIC SYMPTOMS

In the course of the legal proceedings he has not given in to emotional break down. Before his Court appearance in January 1994, he thought of suicide, and at times has thought of throwing himself into the sea or, more probably, driving himself into a

DOWN LISPURN HEALTH AND SOCIAL SERVICES TRUST

DOWN LISPURN HEALTH AND SOCIAL SERVICES TRUST, 100, ST PATRICK'S ROAD, DUBLIN 4, IRELAND. TEL: 01-4094141 FAX: 01-4094144

HEALTHYVILL 1 TEL: 0396612444

OFFICIAL-SENSITIVE-PERSONAL

CRCT-3-2-17-245 Fr Brendan Smyth Belfast Crown Court File (206) - PRONI - 13-01-15 OPT

DR G LOUGHREY, M.B., M.R.C.Psych.
CONSULTANT PSYCHIATRIST

Tel [REDACTED]

Messrs Donnelly & Wall
Solicitors
Pearl Assurance House
2 Donegall Square East
Belfast BT1 5HB

Dear Sirs

Re: FATHER BRENDAN SMYTH

I have been informed by Mr Moloney of the office that Father Smyth is shortly to appear before the Courts on further charges. Since Father Smyth is now in custody in Magilligan prison, it would not be possible for me to re-interview him following my original interview of June 1994. Nevertheless, one year has elapsed since then, and Mr Moloney has asked for my further comments.

It was a matter of no great surprise that further charges have been levelled against Father Smyth, in that he has been engaging in paedophile behaviour for much of his adult life, and this has afforded him the opportunity for carrying out a large number of offences. Since it was clear from the original evaluation that his paedophile behaviour was compulsive and repeated, rather than an isolated incident, then the disclosure of further cases does not add significantly to the clinical picture. The main priority remains ensuring the safety of children in the future, once Father Smyth should be released from custody, since I am to all intents and purposes certain that Father Smyth will not have changed his pattern of thinking over the last year. He still retains the potential for re-engaging in this type of behaviour, and this must be looked on as, effectively, a lifelong risk.

The priorities remain custody and security rather than treatment efforts such as psychotherapy or medication, and I would respectfully suggest to the court that this is borne in mind when considering disposal in this case. If there has been, or will be, any move by the Norbertine Order to sever their links with Father Smyth, then attention must be given to the matter of where he would reside, and under what conditions, once he leaves custody, if that is the outcome.

I have not had the opportunity to re-examine this man from the point of view of determining his fitness to plead to these new charges. However, I

OFFICIAL-SENSITIVE-PERSONAL

OFFICIAL-SENSITIVE-PERSONAL

2

Indicative translation by staff member of Mason Hayes & Curran

Confidential

Kilnacrott Priory
Mountnugent-Cocavan

27 April 1951

Honourable Lord,

It is my duty to provide you with further details in respect of the physical condition of Brother Brendan. I am doing this at the request of Mr. D'Hoine too.

Please find attached a photo copy of the letter which I sent to Brendan after I returned home and a photo copy of the letter with Brendan's response. The core problem for Brendan is the fact that Brother V. usurps all authority and (according to Brendan) the fact he constantly spied on Brendan during his stay in Rome. Brother Brendan has difficulties with dealing with these circumstances, he fights against it and thinks that in his case he is not being bound by the elementary principles of brotherly love. Now we are faced with the serious question: can he be ordained in this state? You already know that he received the sub diaconate (October Averbode). How are we going to deal with him? What will be his reaction at his return in Kilnacrott and above all: what will be his reaction later when he will be a professor?

Mgr. De Generaal sticks with his standpoint. He made that very clear again earlier this week. This is what Mgr. wrote: "You need to live here in order to be able to understand the circumstances. Certainly, Brother Valeer did wrong – because of his eagerness to do good – and I told him that. He has a right view on Brendan, because of his two years' experience... Brendan is very independent and goes his own roads, which is also the case when he goes out. He and Marcel are the two elements who don't fit in the Communiuteit"...

It might be useful to know that in his last letter to the Junibres, Brendan was quite banal. It was around that time that he wrote Mgr. A novice showed me that letter, commenting that this was not in order.

It would be a shame to see our first student failing in Rome.

Can I ask for your opinion?

Respectfully yours,

B. Hermans

4.

¹
 Mr. Long. 4-10-51

Dear Mr. Brade.

Mr. Brade wrote me a letter about the difficulties he had with you.

It seems you cannot promise him that you are prepared to accept in Kib. the help determined by the Superior and the circumstances.

It seems also that you will take more freedom in relations with the people.

The time is too short to inquire about your spirit. But I am inclined to believe that the opinion of the Abbot Gen. about your spirit is the truth.

Maybe I think it is not money and time to send you back to home. There is no question of it that you will go your own way afterwards. If you are not prepared to obey completely unconditionally I think the best for you should be to ask an "Indultum Calculum" (Indult).

But I warn you, you will not remain in Kib. and not go to England you will

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come here to the Abbey.

My letter is hard. I hope my fear is exaggerated. But any case, you will send me through the hands of the Prior a subscribed promise that you are prepared to obey completely to every superior in the future.

In the meanwhile I pray for you.

Dear Fr Brendan, how is it possible that so soon after your ordination to the Priesthood I have to send you such a letter. I hope you will see "Vincit Libertas". Don't search the cause of the trouble in the Prior. It is in yourself my dear Capuchin. As long as you don't see it, there is no hope for improving. Go to the Rt. Reverend and ask him what he thinks about the matter. I hope you will see then. Accept with my blessing my kindest but worrying greetings S. St.

1.

A.M.
+

I hereby promise for the present & for the future to live peacefully in the Kichacott community, in complete submission to its present Superior and to his successors; I also promise to keep all the Rules and Regulations proper to the Order & to the House as determined and explained by the Superior; finally I promise to accept whatever duties will be given to me to fulfill and I pledge myself to carry them out to the best of my abilities.

Benjamin G. Smyth, J. Praem
9th October '51.

08/05/2002 14:30

4012784548

BISHOP OF PROVIDENCE

PAGE 02

February 15, 1968

Rt. Rev. Abbot Felim C. Colwell, C.R.P.
Holy Trinity Abbey
Kilincroft, Ballyjamesduff
County Cavan, Ireland

Dear Abbot Colwell:

I regret to have to inform you that I have sent Father Brendan Smyth home. I was under the impression that he was doing very well in the parish to which he was assigned. To my amazement it is now reported to me that he doesn't measure up on several counts. His rapport with the adult parishioners has not been happy. He seemed dedicated enough to the young people, and in some cases too much. So, we feel that for the good of the parish and the souls and for his own sake he should return to his Monastery.

He had already planned to go back to Ireland within a couple of weeks. I told him to remain at his post until he had made definite arrangements to depart and once in Ireland not to plan to return.

I am sorry to have to share this disappointment with you, but I hope that you are getting on well.

With assurance of my continuing esteem, I am

Sincerely yours in Christ,

Bishop of Providence

-2-

Patrick's psychiatric Hospital in Dublin. In 1974 Fr. Smyth was institutionalised for a time at Stroud in Gloucestershire. In 1989 he was referred by the community for further treatment by a Consultant Psychologist in Dublin. Fr. Smyth attended him on a regular basis until late last year. From his history you see that we sought expert intervention and treatment for Fr. Smyth.

Fr. Smyth's behaviour has perplexed and troubled our community over many years. We always hoped that a combination of treatment, Fr. Smyth's intelligence and the grace of God would enable Fr. Smyth to overcome his disorder. We did not adequately understand the compulsive nature of his disorder or the serious and enduring damage which his behaviour could cause.

Fr. Brendan Smyth was born and reared in West Belfast and had many friends there. We are aware of one occasion only on which he was there in a pastoral capacity. To the best of our knowledge, he was not on any pastoral ministry or on business connected with the community on any occasion when wrongdoing occurred.

On two occasions Fr. Smyth was sent on temporary assignment to do parish work in America. On neither occasion was the Bishop of the Diocese to which he was sent notified of his propensity to molest children. On both occasions Fr. Smyth offended against young parishioners. I acknowledge that I, as his religious superior, committed a grave error in sending Fr. Smyth abroad without warning the Bishop to whom I sent him.

I have recently learned that between 1992 and 1993 Fr. Smyth paid substantial sums of money in response to a complaint made directly to him by the family of a young person in America. The community had no knowledge of this complaint until recently and did not make or authorise the payments or know anything about them.

The community has paid no money to any person arising out of Fr. Smyth's offending.

In 1989 I received complaints from a family about Fr. Smyth's conduct with their children. Twice thereafter, Cardinal Daly, then Bishop of Down and Connor, communicated with me and requested that I, as Fr. Smyth's religious superior, take appropriate steps to deal with Fr. Smyth's misconduct. Dr. Patrick Walsh, the present Bishop of Down and Connor, also contacted me regarding the same issue. After the 1989 complaint I had arranged for Fr. Smyth to attend a Clinical Psychologist in Dublin regularly and so



CONGREGATIO
PRO INSTITUTIS VITAE CONSECRATAE
ET SOCIETATIBUS VITAE APOSTOLICAE

Rome, 23 March 1995

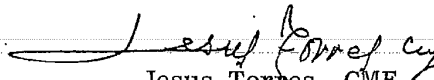
Prot. n. 23399/94

Dear Reverend Father,

This Congregation has received your letter of 27 February 1995, in which you ask if it is true that a decree was issued by this Congregation in the late 1960's concerning Father Brendan Smyth, O.Praem.

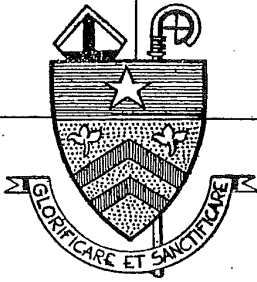
A thorough search has been made in the archives of this Congregation, and we have to inform you that we can find no record of any such document.

Yours sincerely in Christ,


Jesus Torres, CMF
Subsecretary

Reverend Father Gerard P. Cusack, O.Praem.
Holy Trinity Abbey
Kilnacrott, Ballyjamesduff
Co. Cavan

IRELAND



HOLY TRINITY ABBEY

Kilnacrott, Ballyjamesduff, Co. Cavan.

12th June 2007.

Tel: (049) 8544416
Fax: (049) 8544909

URGENT

**Att: Sr. Enrica, Congregation for the Institutes of Consecrated Life and
For Societies of Apostolic Life.**

Dear Sr. Enrica, Shalom & Good Health,

I am the elected Prior de Regimine of the Norbertine Order in Ireland. Fr. Brendan Smyth, O.Praem, a deceased confrere, was convicted of child abuse crimes in the Irish Republic jurisdiction. Currently we are dealing with an alleged victim of child abuse in the High Court, Dublin, Ireland. I have been requested by our legal representatives in Ireland to write to you again about an allegation that a Decree was issued from your Congregation regarding the late Fr. Brendan Smyth, O.Praem. I enclose a copy of a reply from your office responding to an enquiry, your document Prof. n. 23399/94.

The Judge dealing with this case in the High Court, Dublin has directed that I write to your office again enquiring as to whether such a Decree was in fact entered and seeking any documentation surrounding or relating to such a Decree.

The allegation that a Decree issued was made by the late Fr. Bruno Mulvihill, O.Praem in a television programme and also in a book published about the abuses of Fr. Brendan Smyth. He alleged that a Rescript was issued in 1967 from your Congregation by which Fr. Brendan Smyth was forbidden to leave the grounds of Kilnacrott Abbey except in the company of another priest and which forbade him to hear confessions for life.

I hope this letter is helpful to you. This case will be dealt with again in the High Court, Dublin on 16 July 2007. It is important that I have a reply as soon as possible. Our legal team has to prepare an appropriate Affidavit in advance of 16 July.

Respectfully yours in Christ,

Rt. Rev. Gerard P. Cusack

Rt. Rev. Gerard P. Cusack O.Praem,
PRIOR

NB. Fr. Gerard Cusack will contact by phone re: this urgent request.

*This letter + reply +
orig. request +
Fr. Geo.*

*Seal/posted
on 14/06/07*

e.mail: kilnacrottabbeytrust@tinet.ie

St. Norbert of Xanten, 1080 - 1134



CONGREGAZIONE
PER GLI ISTITUTI DI VITA CONSACRATA
E LE SOCIETÀ DI VITA APOSTOLICA

Vatican, 2 July 2007

Prot. N. 23399/94

Very Reverend Father Prior,

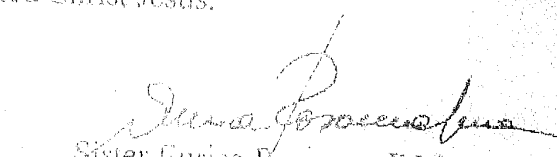
With your letter of 12 June 2007 you asked for information about the Decree with which the Holy See during the 1960s would have taken measures pertaining to the Reverend Father Brendan Smyth, O. Praem.

Given the importance of such a document for the forthcoming judicial proceedings, this Dicastery carefully searched our Archives, especially for the period of 1967 in which this Rescript would have been issued.

In our Archives there is no mention or trace, direct or indirect, concerning the Smyth case before 1994 when this Dicastery was first asked for a copy of the Decree in question.

This reply is a bit delayed owing to the time spent searching the Archives.

I greet you in Our Blessed Lord Christ Jesus.


Sister Enrica Rosauna, F.M.A.
Undersecretary

Right Reverend Father
Gerard P. Cusack, O. Praem.
Prior de Regimine
Holy Trinity Abbey
Kilnacrott, Ballyjamesduff
County Cavan
IRELAND

**APPENDIX 1: EXTRACTS FROM MINUTES OF MEETINGS OF THE ABBOT'S
COUNCIL/HOUSE CHAPTER/CANONRY CHAPTER**

Legally privileged information has been redacted.

MINUTES OF HOUSE CHAPTER**3 OCTOBER 1970**

Present: Father Abbot, Father Prior, Sub Prior, [REDACTED]
[REDACTED] Father Brendan.

On matters of any other business, Fr Brendan raised the matter of keys for the front door being provided for confreres. Fr Brendan said that each confrere should have a front door key, just as he should have a key for his room. [REDACTED] agreed with Fr. Brendan's suggestion.

MINUTES OF PREVIOUS ABBOT'S COUNCIL MEETING**MAY 1973**

Present: Fathers Abbot, Prior, [REDACTED]

Item 3 - The Council was now asked by Abbot to enter into consultation for the personal and private case of a particular Confrere against whom a complaint had been received from outside the Abbey and for the remedies that could be taken.

MINUTES OF PREVIOUS ABBOT'S COUNCIL MEETING**5 MAY 1975**

Present: Fr. Prior, [REDACTED]
[REDACTED]

Private item - provision for Fr. Brendan's future service in the Order. Suggested doctors in Stillorgan - seek assistance from Paraclete Fathers.

Works undertaken by Fr. Brendan in the past:

- ACA Secretary
- Retreats to nuns
- Teaching Theology
- Parish work in Scotland, Wales, US

It is submitted presently Fr. Brendan has permission to offer Mass, but not to dispense the Sacraments publicly, this work to be of service, this work to have reasonable safeguards.

Value of transferring Fr Brendan from House to House – One Order has followed this practice.

MINUTES OF PREVIOUS ABBOT'S COUNCIL MEETING**MAY 1976
SIGNED 10 MAY 1976**

Present: Fathers Abbot, Prior, [REDACTED]

4

He thinks he was in St Patrick's Hospital in the early seventies under [REDACTED] the well-known physician superintendent, though he is unsure of the name. Again, he was given drugs to knock him out and kept in bed for several days but why, I am unsure. He said [REDACTED] recommended him a change of job, by which I think is meant laicisation, though he is unsure.

Father Brendan said that for a long time he believed himself to be homosexual but is now sure that this was facultative. He had earlier felt that he had to avoid girls because of danger of sexuality towards them but somehow also felt it was all right towards boys because nothing serious happened if they were touched up. This shows the extent of his sexual naivety in a setting of general high intelligence and sensibility which Father Brendan evinces.

The girl whom he fondled after it had all come to light through the two families I have mentioned, the first complaining to his Abbot and then, for some reason, to the police, is another of his personal Belfast acquaintances. Father Brendan told me he first knew her maternal grandmother when the family were [REDACTED]. The grandmother acted as a [REDACTED] when he was hospital chaplain, I gather. The girl's own parents he helped at one time financially with gifts that he received for their purpose, as I gather he has done a fair amount of charitable work on his own account. The young girl, who was the third generation that he knew, was 14½ at the time. He visited the family and had a message to do in the village and the girl wanted to accompany him in the car. He had, I gather, tickled her up her skirt in the past over the last year but on this occasion, because she had well-formed breasts and I gather was already known by him to be rather lax, sexually, he got her to take her top clothes off, not her knickers, and simply stared at her well-developed breasts. He said he did not touch her on this occasion at all. He also told me he just was not thinking much about the charges of the time.

120

'Phone (049) 31496



Schedule
No. 3

Bishop's House,
Cullies,
Cavan.

Rt Rev. K.A. Smith, O.Praem.,
Holy Trinity Abbey,
Kilnacrott,
Co. Cavan

18 April 1975

My Dear Lord Abbot,

I heroby withdraw the faculties of the diocese from Rev. B.G. Smith, a priest in your community, for the reasons which I explained to you in course of my visit on Saturday, 12 April 1975. He is therefore no longer approved to hear confessions. I ask you formally to communicate my decision to him.

With best wishes,

Yours sincerely,

+Francis McKiernan
Bishop of Kilmore

'Phone (049) 31496



Bishop's House,
Cullies,
Cavan.

On 12 April 1975 I reptrted the findings on Rev. B.G. Smith, O.Praem to Rt Rev. K.A. Smith, O.Praem. Abbot of Kilnacrott. He indicated knowledge of former lapses and psychiatric treatment under [REDACTED] of St Patrick's Hospital. [REDACTED] refused to discuss the case with the abbot.

I suggested consulting the St John Of God Brothers. The abbot did this and they suggested a rest period with the Paraclete Fathers in Glouster under a [REDACTED]. Father Smith has agreed to go there.

I have withdrawn his faculties to hear confessions.

20 April 1975

+Francis McKiernan
Bishop of Kilmore

- 5 -

REV BRENDAN (JOHN GERARD) SMYTH

Brendan stated that there was one additional hospitalisation at St Patrick's hospital in Dublin. He said he couldn't remember his Doctor's name but that he was there three to four weeks.

He stated that he asked to go because a complaint had been made to him about his touching two or three boys. He said that by that time he knew that this was habitual. At the Graham Clinic Brendan had electric shock therapy, and in St Patrick's Hospital received a heavy dosage of drugs and sedatives. He said he doesn't remember much after that. Brendan then indicated that he was in OLV about 20 years ago by mistake. He said that when he arrived the priest in charge here told him that there was no programme here for people with his type of problem. He said he remembers being here about two/three weeks and that he was told to make it a retreat.

5. FAMILY HISTORY:

Brendan stated that in growing up there were two boys in his family and no girls. He said his family were poor but that they were secretive about their poverty. His father worked as an auctioneer for a firm selling different things. Brendan then stated that at the age of 9 he had pneumonia and because of the asthma which developed afterwards, he was not athletic as his brother was.

Brendan stated that his father and mother squabbled from time to time but that neither of them used alcohol. He said occasionally when his mother was ill, she would have a drink. His father's family was not close to the family, except occasionally there would be a visit from Aunt [REDACTED]. Brendan reported no other significant family history.

6. DEVELOPMENTAL HISTORY:

Brendan stated that, as a child, he was "happy enough". He said he would have liked to have had a bit more money in his family when growing up and a bit more athletic ability. He stated that he was good in school and that he got a scholarship to secondary school with the Christian Brothers. He said he received no sex instruction from his parents and that he learned about sex from gossip in school. Brendan also stated that [REDACTED] implied that his acting out was simply a matter of sexual curiosity and pleasure seeking. He said that he always avoided sex with girls because he was told by his mother that it could be serious. Also he stated that as a young priest he was good at working with kids and training and teaching them.

7. SEXUAL HISTORY:

Brendan explained that he became aware of the difference between the sexes at aged 7.

cont..6..

Item 5. Personal Care of Father Brendan Smyth

██████████ submitted to the meeting that Father Brendan had a personal problem that had consequences for the Community.

██████████ asked if the Community should take a firmer stand in regard to Father Brendan.

Father Abbot said that Father Brendan had told him he suffered from depression at the times bronchial trouble came on him.

██████████ suggested that a man should be able to find some degree of contentment in his work.

Fr. Abbot said that Fr. Brendan's case was different, and had been going on over a number of years.

Fr. Abbot said he could not presently recommend Father Brendan to a Bishop for ministry. Fr. Abbot said that the Council could take up the matter at a further meeting.

MINUTES OF ABBOT'S COUNCIL MEETING

22 MAY 1978

Present: Fathers Abbot, ██████████

1. Fr. Brendan ... illness suspected

MINUTES OF EXTRAORDINARY MEETING OF ABBOT'S COUNCIL

29 MAY 1978

Present: Full quorum, names not listed.

Item I. Personal case of Fr. Brendan Smyth:

By way of penalty Fr. Brendan Smyth be deprived of active and passive vote for Community Offices and Services.

Further, Fr. Brendan should be required to seek permission for the use of a car for journeys.

The Meeting pursued discussion at length on ways in which Fr. Brendan Smyth could be assisted. It was suggested he might undertake a Retreat of some duration for personal assessment and benefit.

It was suggested he might consider laicisation. In this event, the Council agreed that it would assist Fr. Brendan to smooth his path into a life in the world.

MINUTES OF EXTRA ORDINARY MEETING OF ABBOT'S COUNCIL

12 JUNE 1978

Present: Full quorum, names not listed.

First Item of Business. Personal case of Father Brendan Smyth.

Fr. Abbot reported on the way the case of Fr. Brendan Smyth was proceeding. It was agreed that the policy accepted at a previous meeting be pursued; in particular, the provision that a personal availing of a car be denied Fr. Brendan.

It was suggested that the right approach was to undertake the important steps of penalising, but to take these in an even, not an abrupt way. It was agreed that the Abbot General and the Prosecutor General be informed of this case at Kilnacrott.

MINUTES OF ABBOT'S COUNCIL MEETING

13 NOVEMBER 1978

Present: Fathers Abbot, [REDACTED]

Item 1. of Business. Personal Case of Fr. Brendan Smyth:

Fr. Abbot reported the recommendations of Fr. Abbot General. Fr. Brendan Smyth should be provided work of some kind. After a trial period of 12 months priestly work should be sought for Fr. Brendan.

MINUTES OF ABBOT'S COUNCIL MEETING

2 APRIL 1979

Present: Fathers Abbot, [REDACTED]

Item 4. Personal Case of Fr. Brendan Smyth

Father Prior reported that he had occasion to make representation to Father Brendan Smyth on two matters that affected the public forum. After this representation Father Brendan made request to discuss matters with Father Prior. Then Fr. Brendan expressed a desire to have his case treated with the Abbot's Council with himself present.

Father Abbot said this was agreeable. It was accordingly decided to have a special meeting of the Abbot's Council on April 9th afternoon to treat of the confrere's personal case.

MINUTES OF ABBOT'S COUNCIL MEETING

9 APRIL 1979

Present: Full quorum, names not listed.

Item 2. Personal Case of Fr. Brendan Smyth

Father Abbot reminded the Meeting that Fr. Brendan Smyth had expressed a desire to be heard by the Council for his personal case. Fr. Abbot submitted that the Council should take thought for its general approach to hearing and acting upon Fr. Brendan Smyth's case. The Meeting gave its attention to this. The Meeting took into account Fr. Brendan Smyth's actual situation vis a vis the Community, and vis a vis priestly ministry. The Council considered possible undertakings that could be sought from Fr. Brendan, then offers that could be made him. Some progress was reported in the Council's agreed policy in Fr. Brendan Smyth's case. It was decided that immediately after the hearing of Fr. Brendan, the Council would take up the matter to determine the developing situation.

MINUTES OF ABBOT'S COUNCIL MEETING

23 APRIL 1979

Present: Fathers Abbot, [REDACTED]

Item I of Business. Personal Case of Father Brendan Smyth

The Meeting reviewed the situation as to how Fr. Brendan Smyth stood vis-à-vis the Community and vis-à-vis the Abbot's Council. Submissions were made that further requirements be made of Fr. Brendan. It was agreed, however, that some progress had been reported.

MINUTES OF ABBOT'S COUNCIL MEETING

29 OCTOBER 1979

Present: Full quorum, names not listed.

Item I. Ministry abroad for Father Brendan Smyth

Father Abbot communicated the Meeting on his interviewing Father Brendan Smyth in October. Fr. Abbot submitted it was his mind that an initiative must now be taken to secure ministry to apostolate for this confrere. Fr. Abbot reported that he had accordingly presented Fr. Brendan with the option of two apostolates, missionary work in Ghana, Africa or pastoral work in North Dakota.

Fr. Brendan had expressed interest in the second option, and had indicated he was willing to take up this work if his doctor thought it feasible for him.

Fr. Brendan had within an interval of days consulted his doctor and obtained medical approval for the undertaking.

Father Abbot now outlined to the Meeting the nature of the ministry in North Dakota that was being offered to Kilnacrott priests. The offer came from the Bishop of Fargo, North Dakota, in North Central United States, adjoining the State of Montana where American Norbertines had a mission. In the Diocese of Fargo there were 100,000 Catholics. It was a region for which great population expansion was likely because of rich mineral resources (coal). Apart from the existing parishes, there was missionary opportunity with North American Indians. Priests were urgently needed for parishes, hospital chaplaincies, etc. The Bishop of Fargo had extended a welcome in writing to Father Abbot for Kilnacrott priests to undertake ministry in his Diocese. One Religious Order presently serving in the Diocese was the Benedictines.

Father Abbot now asked the Meeting if it would give its support for this pastoral mission being entrusted to Fr. Brendan Smyth. It was accordingly asked whether Kilnacrott would be obliged to send a personal dossier on the confrere being seconded to the Bishop in question. Fr. [REDACTED] said it was his recollection from a message received from the Abbot General that Kilnacrott was not so obligated.

It was submitted then that the provision of work and responsibility was important for each confrere. It was generally felt at the Meeting that Father Brendan should be accorded this.

Father Abbot submitted he would like the confrere going out from the House to have nothing against him from the past. Father [REDACTED] suggested the Council should offer the confrere a commitment of trust. In this way, a confrere could face his new work as a challenge. Fr.

Kilian then said Father Abbot could communicate the Bishop on the interests of Fr. Brendan in regard to ministry. Father Abbot said he would like to inform the Abbot of De Pere on Kilnacrott's undertaking, in view of De Pere priests having ministry in the adjoining State of Montana. Meeting agreed with this.

MINUTES OF CANONRY CHAPTER MEETING

8 JUNE 1981

[REDACTED]

During his address on the state of the Canonry, Abbot Kevin Smith commended the pastoral efforts of Fr. Brendan Smyth, stating that "From reports we have ... I am assured that they are giving worthwhile witness to Christ and the Church in their areas".

Fr. Brendan Smyth's report from North Dakota was also read out at the meeting.

MINUTES OF ABBOT'S COUNCIL MEETING

4 SEPTEMBER 1981

Present: Fathers Abbot, [REDACTED]

Abbot offered the Meeting information on particular matters.....

Bishop of Fargo, North Dakota had visited Kilnacrott and had commended Fr. Brendan Smyth's labours in the diocese.

MINUTES OF ABBOT'S COUNCIL SPECIAL MEETING

12 OCTOBER 1981

Present: Full quorum, names not listed. Also in attendance [REDACTED]

The returns in dollars from [REDACTED] missionary appeal in United States was noted, as also returns received from Fr. Brendan Smyth, and from the Bishop of Fargo.

MINUTES OF ABBOT'S COUNCIL MEETING

10 APRIL 1982

Present: Fathers Abbot, Prior, [REDACTED]

Father Abbot reported that he had been advised in a letter from Langdon, North Dakota, that the Langdon Parish School Committee had had serious disagreement with their parish priest, Father Brendan Smyth.

Fr. [REDACTED] submitted that some parish committees in United States could be pursuing policies of Catholic education that a priest would find it hard to accept. He said that Fr.

Issued by Cardinal C.B. Daly on 5 December 1994.

his family who will share the prize with him, said a spokesman.

The men played £1 each a week and include the retired father, as well as two married and one single man, who are all employed. They join a bachelor from Co Clare and a sales representative from Dublin who picked up the other two cheques for over £1.2 million.

Close of business today will be the cut-off point to claim £224,280 for the holder of the winning ticket bought in Daveys at Omeath, Co Louth, on September 7th. The winning numbers were 1, 12, 27, 30, 33, 36.

240 patients for screening today

Two hundred and forty of the 1,500 patients to be screened for hepatitis B will be examined at Limerick Regional Hospital today. The screening of the patients will continue for the next two weeks.

The patients being recalled are those who have been in contact with jailed consultant, Dr Umesh Gaud, who worked in the hospital between January and June 1987. Dr Gaud was imprisoned in London in October for practising while concealing the fact that he had hepatitis B. However, the authorities do not know if he suffered from the disease while working in Limerick and other hospitals throughout the State.

£10m spent at Lough Derg

The £10 million spent each year by visitors to Lough Derg, Co Clare, could double by 1999, bringing with it a total of 900 jobs, according to a new five-year development strategy for the lake launched in Killaloe yesterday by Mr John Browne, acting Minister of State for Environmental Protection.

The Lough Derg working group, which included a partnership of State bodies, local authorities and private interests, which pinpointed the priority need for a co-ordinated clean up of the lake by commissioning an £80,000 water quality study, has now drawn up a development agenda for on-shore facilities.

Lecture on peace in North

Professor Padraig O'Malley from the University of Massachusetts in Boston, in a lecture tonight at Queen's University, Belfast, will warn that the present "fragile and tenuous peace" in the North cannot obscure the deep underlying differences between the two communities.

He will be giving the second annual *Fortnightly*/RTE/BBC Radio Ulster lecture in the Ulster Museum at 7.30 p.m. Prof O'Malley was a member of the Opsahl Commission and is author of a study of the 1981 H-Block hunger-strike.

Profit for penny-hoarders

Full text of statement from Cardinal Daly

1. The conviction of Father Brendan Smyth in June 1994 and the information which has since come to light have given rise to grave and justified public concern. I am profoundly sorry that the crimes of a priest have caused such appalling suffering. I am further anguished that this misconduct was permitted to continue over such a long period of time. The wrong done to the victims and families is all the more cruel because it is a betrayal of the trust which they placed in a priest ordained to minister in the name of Christ. The wrong is not a past event. It may have long lasting effects on the innocent victims' lives.

2. For these reasons, I have been reluctant to speak publicly about the Father Brendan Smyth case. However, it has become clear to me from many reports and commentaries in the media, both in Ireland and elsewhere, that there is widespread public misunderstanding about my own role relative to the Father Smyth case. It is, therefore, necessary for me to clarify the position. While nothing that I have said or can say in relation to the affair can take away the deep wound suffered by this family and other families abused by Father Smyth, I feel obliged to set out the following chronology of events.

3. I was Bishop of the diocese of Down and Connor from October 1982 until December 1990. Belfast, where the family referred to below lives, is in that diocese. In May 1987 a statutory social worker had alerted me to the problem of child sex abuse, but not in the context of abuse by a priest or religious. I asked the Director of the Down and Connor Catholic Family Welfare Society (the agency set up by the Church in Down and Connor for family welfare and counselling) to ensure that the Society's social workers had the specialised knowledge and skills needed to handle cases of child sex abuse. I instructed my priests, should such cases come to their attention, to avail of the services of such trained personnel. I also advised my priests that "children who report incidents of this nature should be presumed to be telling the truth and should be treated very sympathetically".

4. On 23rd February 1990 a client, accompanied by a parent, visited the offices of the Catholic Family Welfare Society in Belfast. They were interviewed by one of the Society's social workers. The client told the social worker about sexual abuses suffered at the hands of Father Brendan Smyth over a period of years. The social worker offered advice. She obtained the family's permission to inform the RUC and she did, in fact, report the allegations to the police. She also urged the family themselves to inform the RUC. Subsequently the social worker informed the statutory health and social services authorities.

The social worker also informed the priest Director of the Catholic Family Welfare Society (a priest of the diocese of Down and Connor) who in turn informed my priest secretary. My secretary immediately informed me. I approved of the steps taken and, specifically, expressed my approval of the fact that the allegations had been reported to the police.

5. On 7th March 1990 a formal statement of complaint was made to the RUC by a member of the same family. Within the next two to three weeks thereafter statements were made to the RUC by other members of the family.

6. As soon as I was informed about the complaints, I telephoned Father Smyth's religious superior, Abbot Kevin Smith, who alone had ecclesiastical jurisdiction over him. Because of the gravity of the matters reported to me, I sought a meeting with the abbot. The meeting took place on 12th March 1990. I informed the abbot about the complaints. I told him that a social worker had seen the client and that the allegations of abuse had been reported to the RUC. The abbot accepted full responsibility for Father Smyth and undertook to take prompt and appropriate steps to deal with the matter.

7. From early March 1990, therefore, the Church and Church agencies in Down and Connor had ensured that the following steps were taken:

(a) The RUC had been informed and the police investigation had begun.
(b) The statutory Health and Social Services had been informed.

(c) Professional advice and help had been provided for the victim and the family.

(d) The accused priest's religious superior had been informed and had undertaken to deal effectively with Father Smyth.

I left Down and Connor in December 1990, having been appointed Archbishop of Armagh.

8. In February 1991, by which time I had gone to Armagh, I was contacted by the same family about the matter. I immediately contacted the abbot again, drawing his attention once more to the complaints of the family and strongly emphasising the need for him to take firm action to deal with Father Brendan Smyth. I also telephoned the parish priest of the parish in Belfast where the family lived and requested that he offer pastoral support.

9. The abbot wrote to me on 21st February 1991. He told me that Father Brendan Smyth had denied that there had been "any incident of that nature for a couple of years now"; and that Father Smyth "only goes to Belfast to visit his doctor, and otherwise only visits his own family".

10. At or about this time I learned that the police investigations, which had commenced in March 1990, were approaching some conclusion and that Court action was anticipated. I now understand that on 8th March 1991 Father Brendan Smyth presented himself for interview by the RUC in connection with these complaints and made admissions of wrongdoing.

11. In August 1992, the family wrote to me again. They expressed their distress that Father Brendan Smyth had been seen in their district. Once more I communicated with Abbot Smith. I expressed to him my grave and urgent concern at the continuing failure to deal effectively with the problem in spite of firm assurances given to me in 1990 and in 1991. At this time I again telephoned the family's parish priest.

12. In October 1993 the family made further contact by telephone with my office in Armagh. I understand that, following these telephone calls to my office, the family, as requested by my secretary, made contact with the diocesan offices in Down and Connor. Through the Catholic Press and Information Office, I have already commented on these telephone calls to my office (see letter in *The Irish Times*, 28th October 1994).

13. At no time was I aware nor was I made aware of Father Brendan Smyth's long previous history of paedophile crimes. This history became known to me only through the media this year.

14. I have never had any knowledge of any ministerial placements of Father Smyth at any period of his ministry, neither was I instrumental in any such placement. Father Smyth was and remained at all times a member of the Norbertine Order. He never at any time had any assignment from me or any pastoral mandate which would have required him to be in Down and Connor diocese during my time as bishop there.

15. As Archbishop of Armagh, as Primate or as Cardinal, I have no jurisdiction under canon law or otherwise over any other bishop or diocese or over any priest except the diocesan clergy of the Archdiocese of Armagh and the religious priests of the archdiocese as and when they exercise a pastoral ministry at my appointment in the archdiocese. I have never had any jurisdiction at any time over Father Brendan Smyth.

16. Finally, I wish to state categorically that at no time had I any knowledge of or involvement of any kind with any matter concerning the extradition proceedings relating to Father Brendan Smyth.

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MINUTES OF ABBOT'S COUNCIL MEETING

21 JUNE 1989

Present: No attendance take, clear from minutes that Father Abbott, [REDACTED] Prior and Gerard Cusack in attendance.

Fr. Abbot reported that approaches to Fargo Diocese regarding Fr. Brendan being accepted for ministry are in progress.

MINUTES OF ABBOT'S COUNCIL MEETING

18 OCTOBER 1989

Present: Fathers Abbot, Prior, Gerard Cusack and [REDACTED]

Fr. Abbot communicated that Fr. Brendan Smyth had intimated to him that he had written the Bishop of Fargo, North Dakota to inform him that he did not wish to offer himself for service in his diocese. Fr. Brendan said that he was prevented from making any commitment because of an impending prostate gland operation.

MINUTES OF ABBOT'S COUNCIL MEETING

22 MARCH 1990

Present: Full quorum, names not listed.

Father Abbot now offered the Council a report on an interview he had had with Bishop Cathal Daly of Down and Connor in regard to Fr. Brendan Smyth.

Bishop Daly had telephoned Kilnacrott to request this Meeting. They had met at Maynooth College, Monday, March 12th.

Bishop Daly told Fr. Abbot Smyth that three of his priests had brought him word that Fr. Brendan Smyth had been involved in apparent unlawful behaviour with young persons. A Social Worker had also given testimony. Bishop Daly said he understood the police had been given some information. Bishop Daly showed himself understanding in the whole matter, acknowledging that other priests have difficulties of this kind. Father Abbot informed the Bishop of Kilnacrott's Superiors endeavours in the matter. Up to very recently, Father Brendan had been attending a course of treatment given by a psychiatrist recommended by C.M.R.S.

On his return to the Abbey, Fr. Abbot had communicated Fr. Brendan on Bishop Daly's submissions. Fr. Brendan had answered that he was not prepared to accept the truth of any recent charges. Fr. Brendan said that he did not envisaged any personal danger for himself in returning to Belfast. Father Abbot did not pursue the matter further.

MINUTES OF ABBOT'S COUNCIL MEETING

5 APRIL 1990

Present: Full quorum, names not listed.

Fr. Brendan Smyth's services

Fr. Prior informed Council Fr. Brendan Smyth had requested to be allowed accept a Hospital Chaplaincy relief service for a number of weeks this Summer. Council offered no objection.

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February 11, 1991.

Appendix ②

CONFIDENTIAL

My dear Lord Abbot,

I have received further complaints about Father Brendan Smyth. I am afraid it looks as though he is using the excuse of his visits to Belfast for therapy to continue the practices about which we spoke some years ago. It is not for me to say what action should be taken; but I hope that you will forgive me for saying that experience seems to show that therapy is not being effective and that more drastic steps seem imperative if further harm is not to be done and if the risk of very grave scandal – and indeed, almost certainly, of court proceedings – is to be averted.

I am sorry for raising the matter with you again, but I hope that you will forgive me, since the matters at stake are so grave and might easily become public.

I hope that you are very well and I pray that you and your Community may be filled with every grace and blessing from God throughout 1991. I ask for the favour of a remembrance in your prayers.

Yours very sincerely,

Archbishop of Armagh

Rt. Rev. Kevin A. Smith, O.Praem.,
Abbot,
Abbey of The Most Holy Trinity & St. Norbert,
Kilnacrott Abbey,
BALLYJAMESDUFF,
Co. Cavan.

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NORBERTINE CANONS.
CANONS REGULAR OF PREMONTRE.
WHITE CANONS OF ST. NORBERT.

Holy Trinity Abbey

Kilnacrott, Ballyjamesduff,

Co. Cavan.

Tel: (049) 44416.

21st February 1991.

Most Rev. Cathal B. Daly,
Archbishop of Armagh,
ARA Coeli,
Armagh BT61 7QY,
N.I.

My Dear Archbishop,

I am in receipt of your good letter of 11th inst.

I have spoken to the man in question and he assures me that there has been no incident of that nature for a couple of years now. He only goes to Belfast to visit his doctor [REDACTED] at Ballyowen Health Clinic, Andersonstown and the Royal Hospital. Otherwise he only visits his own family. For his therapy he goes twice monthly to St. James Hospital, Dublin and he assures me that it is helping him. I have made him aware of the contents of your letter and also asked him to be prudent in the matter.

With every good and kind wish.

Yours sincerely and fraternally,

(Rt. Rev.) Kevin A. Smith O.Praem
LORD ABBOT.

MINUTES OF ABBOT'S COUNCIL MEETING

11 APRIL 1990

Present: Full quorum, names not listed.

Fr. Abbot informed the Council Fr. Brendan Smyth had expressed willingness to undertake a service for a six week period in the Mission Appeal work.

MINUTES OF ABBOT'S COUNCIL MEETING

30 APRIL 1990

Present: Full quorum, names not listed.

Council heard that Fr. Brendan Smyth was preparing to offer himself for Mission Appeal work for the month of July. He was due for hernia operation in early June, but expected to be well enough for this ministry after one month. Fr. Brendan is to return to Ireland in July end, as he is undertaking hospital chaplaincy work in Co. Kerry in August.

MINUTES OF CANONRY CHAPTER MEETING

14 & 15 JANUARY 1991

Present: Kevin Smith, [REDACTED] Brendan Smyth, [REDACTED]

[REDACTED]

Kilnacrott Abbey ReportSupplies

Quite a number of priest requested help during the year, mostly within reasonable distance from the Abbey. The exceptions were the General Hospital, Tralee, undertaken by Fr. Brendan Smyth and Knock Confessions also undertaken by him.

Illness

A number of confreres needed hospital treatment during the past year.....Brendan Smyth.

MINUTES OF ABBOT'S COUNCIL MEETING

8 APRIL 1991

Present: Father Prior, Sub prior, Gerard Cusack, [REDACTED]

Council acknowledged with gratification the happy outcome of the difficulties between Father Brendan and parties in Northern Ireland. Father Brendan had informed that he was taking on board the commitments he had previously pledged; U.S. Mission Appeals.

[REDACTED] asked if a more lengthy ministry in United States could be considered for

Father

Brendan.

Fr. Gerard urged the propriety of making the party involved in any negotiation in ministry, i.e., the receiving Bishop, aware of Fr. Brendan's personal weakness. The Bishop could be advised that Fr. Brendan has a problem, that he is receiving treatment and that ongoing treatment is vital. Fr. Prior asked if it could be envisioned that Fr. Brendan be asked to a Council Meeting, invited to communicate regarding himself, told of Council's interest to help him obtain ministry in the United States and advised that the Council feel the receiving Bishop should be informed regarding Fr. Brendan's personal difficulties.

MINUTES OF ABBOT'S COUNCIL SPECIAL MEETING

24 APRIL 1991

Present: Full quorum, names not listed.

Fr. Prior narrated events occurring in Father Abbot's absence, related to an issue of contention between particular lay persons and Fr. Brendan Smyth. Fr. Prior explained that Fr. Brendan had been willing to present his personal case before Council members. Council had sought to encourage Fr. Brendan Smyth facing prospect of court case. Fr. Prior related that at a critical juncture, the contention was resolved peaceably. Council recorded that Fr. Brendan had cooperated with Council and Fr. Prior throughout. Attention was now given to possible apostolate for Fr. Brendan Smyth. One avenue that could be explored was parish ministry in Fargo Diocese, North Dakota.

Council debated whether Bishop of Fargo ought to be informed regard Fr. Brendan's personal problem.

Fr. Abbot submitted that any such communication would preclude an assigning to ministry.

Council considered reasons why communication to Bishop might not be demanded.

- i. situation does not appear different from previous time of Fr. Brendan pursuing ministry in Fargo.
- ii. Fr. Brendan had a good record in Fargo diocesan parish ministry.
- iii. Fr. Brendan is having treatment for his problem. This treatment could be continued, presumably, in North Dakota.
- iv. Fr. Brendan is aware of consequences in the U.S. of any disordered conduct.
- v. Abbot General Calmels, upon Fr. Brendan's initial nomination for ministry in Fargo, had not recommended communicating the diocesan bishop.

Father Abbot told Council he would interview Fr Brendan.

MINUTES OF CANONRY CHAPTER MEETING

13 JANUARY 1992

Present: Gerard Cusack,

It was reported that "during the summer both the Abbot and Fr. B.G. Smyth were in the USA working on mission appeals."