

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] **FBS 38**, 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 **FBS 38** 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 **FBS 38** 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 **FBS 38** 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** **FBS 39** was then sixteen (16) years of age and had been named by **FBS 38**. 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 **FBS 38** 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** **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** **FBS 50** a priest of the Archdiocese of Armagh, was involved in the interview with **FBS 38** 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 **FBS 38** was reported to the civil authorities by **FBS 38** 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 (Ray) Michael C. Jones

Dated 18 June 2015