

- **Fr Grennan continued in his role as Chairman of the Board of Management of the national school in Monageer after this controversy occurred without any investigation by the Department of Education or the Diocese as to his suitability for such a role.**

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### **FR SEAN FORTUNE (Deceased)**

Sean Fortune was born in Gorey, County Wexford, in 1953 and was educated in the Christian Brothers School in Gorey. In July 1968, when he was 14 years old, Sean Fortune attended the Christian Brothers Juniorate in Carraiglea Park in Dun Laoghaire with a view to completing his secondary education and joining the Christian Brothers Order.

Sean Fortune attended Blackrock College for one term in September 1971, with the intention of becoming a member of the Holy Ghost order instead of a Christian Brother. The College has confirmed to the Inquiry that he was not asked to leave because of any impropriety, but rather because he was regarded as temperamentally unsuited for missionary work.

Sean Fortune did not proceed to the novitiate of the Christian Brothers. In 1973, he applied to St Peter's seminary in his native Wexford to pursue a vocation for the diocesan priesthood. He was admitted into St Peter's seminary without being assessed because of the five years he had spent in the Juniorate of the Christian Brothers.

The first allegation against Sean Fortune of which the Inquiry has become aware was made by Stephen (4.5.1). Stephen complained to a senior staff member in St Peter's in 1976 about the sexual abuse perpetrated on him by Sean Fortune. Although the response of the staff member was one of anger against Stephen, Fortune's approaches to him ceased thereafter and his relationship with the senior staff member, which had been quite a close one, ended. It is inferred that the staff member spoke to or reprimanded Sean Fortune. This senior staff member is now deceased and the Inquiry does not know whether he spoke to anybody else in St Peter's about Stephen's allegations.

An allegation of sexual abuse against Sean Fortune was made in connection with the Catholic Boys Scouts of Ireland in early 1979. A full report was prepared by the assistant scout leader at the time which was finalised in December 1979. The Inquiry is satisfied that this full report was passed on to Bishop Herlihy by a scout leader in St. Peter's in 1979 or early 1980. It has not been possible to establish whether this complaint was made informally to the Bishop prior to Sean Fortune's ordination in

May of that year. A note attached to this Report indicates that by November 1979 it was brought to the attention of senior staff members in St Peter's as well as the Bishop of Ferns.

The Inquiry has been informed that a further complaint by Carl (4.5.4) was also communicated to the President of St. Peter's college and another senior staff member of the seminary in 1978. Both of these men have stated categorically that as far as they are concerned, such a meeting did not take place. The Inquiry can find no response by St. Peter's to Carl's complaint which was made prior to Sean Fortune's ordination and it has been confirmed to the Inquiry that no record exists in the archives of St Peter's.

There is no written record of any of these complaints being received by either the Diocese or St Peter's college. In addition, most of the individuals in the Diocese and St Peter's who were involved at the time, are now deceased. However, the Inquiry did speak with one senior staff member who was in St Peter's at the time. His evidence to the Inquiry was that he has no recollection of hearing anything relating to sexual activity about Sean Fortune prior to his ordination. He said he was aware of personality problems with Sean Fortune but felt that his energy and capacity to work outweighed whatever adverse personality traits he had.

After his ordination in May 1979, Fr Fortune was sent to the Holy Rosary parish in Belfast. The Inquiry has heard from fellow priests, who were with Sean Fortune at the time, that he was regarded as unmanageable and did not fit in the Diocese. It was on this basis that the Vicar General of the Diocese of Down and Connor arranged for Fr Fortune to be recalled to his diocese in Ferns. Shortly after the decision was made to remove Fr Fortune, Fr Martin Kelly who was Spiritual Director at St Malachy's College in Belfast, was approached by a student who said both he and a friend had been propositioned sexually by Fr Fortune. Fr Kelly reported the allegation of abuse to his Bishop Dr Philbin, and within hours of hearing it Bishop Philbin removed Fr Fortune from the Diocese.

A further allegation against Fr Fortune arising out of this time in Belfast was made in 1995 (see Charles 4.5.6).

Fr Fortune's continued involvement with the Boy Scouts caused problems while he was in Belfast. According to a curate who lived with Sean Fortune at that time and who was contacted by the Inquiry, Bishop Philbin directed that Sean Fortune was to have no involvement with the Boys Scouts but did not indicate a reason for this. Although he discontinued his association with the CBSI in Belfast, Fr Fortune formed a separate body of the Boy Scouts in Belfast. Fr Fortune's fellow curate in the Holy Rosary Parish in Belfast said that there was a constant stream of young boys coming in and out of the house even after he was removed from the scouts.

It is a matter of regret that there is no documentary evidence relating either to Fr Fortune's appointment to the Diocese of Down and Connor or to his removal from that Diocese. It is improbable that Dr Philbin would not have communicated to the Bishop of Ferns, Dr Herlihy the reason for Sean Fortune's precipitous removal from the Diocese.

In May 1980, while Fr Fortune was still a curate in Belfast, he applied for a post-graduate Catechetical course in Mount Oliver, Dundalk. This course began in September 1980. The Administrator of St Patrick's parish in Dundalk confirmed to the Inquiry that he had received a visit from a priest from the Diocese of Down and Connor who advised him to put a stop to plans which Fr Fortune had for bringing boys from the Christian Brothers School to his house in Ravensdale, Dundalk. The Administrator did this and when confronted by Sean Fortune, he said to him that he had received information that he, Sean Fortune, had been abusing boys. At this, Sean Fortune stood up and walked out of the room. The Administrator said that he did not understand the enormity of what had been happening to the boys at the hands of Sean Fortune. He said he did not report any of this to Bishop Herlihy which is something he is now concerned about; but at the time, he did not know Bishop Herlihy well and did not think it was the right thing to do.

The Inquiry has heard one allegation of abuse arising from Fr Fortune's time in Dundalk involving Peter (4.5.8).

In the absence of appropriate records, it is not possible to establish the extent to which the allegations of child sexual abuse made against Sean Fortune in 1979/1980 were brought to the attention of Bishop Herlihy. What is clear is that the Bishop sent Fr Fortune to be interviewed by Monsignor Professor Feichin O'Doherty who was Professor of Logic and Psychology at University College Dublin, in March 1981. In his first report to Bishop Herlihy Prof O'Doherty said "*his [Fr Fortune's] personal history during his seminary years, and more recently during his Mount Oliver studies, gives rise to grave concern.*" He went on to say that although Fr Fortune dismissed his behaviour in the boys scouts as "*just messing*", it was, in Professor O'Doherty's view, "*homosexual behaviour, and might even be classified as indecent assault in Civil Law*".

Professor O'Doherty concluded that Fr Fortune was homosexual and it is significant that this conclusion was reached in spite of the protestations by Fr Fortune that he had no such sexual orientation. The reports by Professor O'Doherty included the following comments:

*"Perhaps the most important thing I can say about him from the psychological point of view is his apparent lack of real feelings about the reality of his position..... I told him that he needs to bring about a radical and fundamental change in his personality. If this is possible at all it will take a very long time".*

Professor O'Doherty said he was more convinced than ever of the homosexual orientation of Fr Fortune's personality after his second meeting with him, and added "*I told him of the dangers a vulnerable personality such as his would be exposed to in certain professions, the priesthood and teaching among them*". In February 1982, Professor O'Doherty, whilst acknowledging that Fr Fortune had a considerable distance to go to become a fully mature person, said that he had no doubt that he would succeed in coming to terms with himself. However, by September 1982, Professor O'Doherty stated "*his [Fr Fortune's] personal history leaves a great deal to be desired. He gives an account of behaviour problems both before and during his seminary days which nobody seems to have noticed. I did not get the impression that*

*he takes his most recent episode and present position seriously enough, nor do I think that we have heard the full story yet”.*

These extracts must have served as a warning to Bishop Herlihy and his successor (to whom the same reports were available) of the personality of Fr Fortune and the dangers which existed in giving him unsupervised access to young people. There is no report from Professor O’Doherty after the September 1982 meeting nor is there any suggestion that Fr Fortune received treatment for his condition or even a reprimand for the conduct which led him to be sent to Professor O’Doherty.

Fr Fortune was appointed as a curate to the parish of Poulfur at Fethard-on-Sea in May 1982. Even making allowances for the then limited appreciation of the nature of child sexual abuse and the propensity of abusers to re-offend, this appointment seems to the Inquiry to have been an extraordinarily ill-advised decision.

The Inquiry is aware through Mr John Jackman, who was actively involved in the parish and the Diocese, that Bishop Herlihy expressed the view to him that Poulfur was a closely-knit community and that *“if Sean Fortune tried to do anything it would be stopped immediately by the community”*. Bishop Herlihy is also recorded by Carl (4.5.4) as expressing the belief that Canon Mernagh, as the parish priest, would have been in a position to control Fr Fortune. Whilst it is accepted that Canon Mernagh was a very distinguished and respected parish priest, the reality was that Poulfur was, as already explained in Chapter 3 above, a half parish and accordingly, Canon Mernagh could not and did not exercise any significant supervision or control over Fr Fortune. The community, or part of it, attempted to curtail some of the activities of Fr Fortune and attempted to draw the attention of Bishop Herlihy and the Papal Nuncio to some of the aspects of his conduct to which they took exception.

Almost immediately upon his arrival to Poulfur, Fr Fortune established youth clubs in the basement of his house, and built and operated a “reconciliation room” in his house for boys who were in trouble at home. His behaviour gave rise to correspondence from parishioners to the Bishop and to the Papal Nuncio. There was an indirect reference to incidents of a sexual nature and given the information the Bishop had, this should have created a well-founded suspicion in the mind of the Bishop that children in the parish were at risk. The Papal Nuncio acknowledged the letter sent by the parishioners and stated that the Holy See had been apprised of their concerns. There is no evidence of any further involvement by the Papal Nuncio in this matter. A number of parishioners took the unusual step of swearing affidavits outlining the improper conduct of Fr Fortune in the parish and forwarding them to Bishop Herlihy. The conduct complained of was of a bullying and offensive nature but did not involve allegations of sexual abuse.

Bishop Herlihy died whilst still in office in 1983 and was succeeded by a Diocesan Administrator, Monsignor Shiggins who served for one year until a new Bishop was appointed. The Monsignor is now deceased.

In April 1984, Bishop Brendan Comiskey was appointed as Bishop to the Diocese of Ferns. He had been Auxiliary Bishop of Dublin before that. His appointment was met with universal approval by the people of the Diocese.

Shortly after his appointment, a letter was sent to Bishop Comiskey by a couple living in the parish, outlining a long list of complaints against Fr Fortune which included allegations of violations of confidentiality, defamation, authoritarian actions, adverse influence on youth and family relationships, and a lack of financial accountability. They also claimed that he had unsupervised parties on the beach at which alcohol, drugs and contraceptives were in use. The letter referred to weekend retreats in Loftus Hall for over 15s which involved over 60 youths and it stated that participants were instructed not to disclose the nature and content of these retreats, even to their parents. It was believed that intimate sexual matters were on the agenda.

The many and varied complaints made by parishioners in Poulfur might have been confusing but the reference to sexual impropriety among those complaints should not have failed to alert Bishop Comiskey to dangers created by Fr Fortune's activities, as he had read the four reports from Professor O'Doherty. Bishop Comiskey told the Inquiry that although he found some of the allegations of the parishioners difficult to believe, they were a precipitating factor in sending Sean Fortune to see a psychiatrist, Dr John Cooney, Associate Medical Director of St. Patrick's Hospital, Dublin, in February 1985. Bishop Comiskey told the Inquiry that he had sent Fr Fortune for psychiatric assessment because of his manic behaviour which, he believed, Fr Fortune needed to learn to control. He said that he did not have any concerns about Fr Fortune's sexuality. It appears that with this statement he intended to convey that he did not suspect Fr Fortune of child sexual abuse because the Bishop did go on to say that he had grave concerns about his homosexuality.

Dr Cooney reported to Bishop Comiskey that Fr Fortune had an unstable personality and was subject to hyper -manic mood swings. Dr Cooney said he discussed in detail with Fr Fortune the question of his sexuality and that Fr Fortune was adamant that this did not give rise to any problems.

The diocesan file contained correspondence throughout 1985 and 1986 relating to Fr Fortune's activities in the parish. Most of these activities involved controversy and contention at some level. This Inquiry is not required to examine Fr Fortune's general activities whilst a curate in Poulfur, but it appears that Fr Fortune was accused of bullying behaviour, financial irregularities and saying Masses and giving blessings for unorthodox purposes.

In 1986, Bishop Comiskey was first presented with an allegation that Fr Fortune was abusing young men. Bishop Comiskey met with Simon (4.5.9) and although an accusation against Fr Fortune was undoubtedly made to Bishop Comiskey, Simon made it clear that he did not wish to pursue the matter any further. Bishop Comiskey explained to the Inquiry that without a complainant who was prepared to be identified he could not proceed against Fr Fortune in Canon law.

Bishop Comiskey told the Inquiry that there was no question of removing a priest who had been accused of child sexual abuse in those days. It was thought that such priests could be treated successfully. He told the Inquiry that it took quite some time before he realised that paedophilia might be "incurable". In 1986 when he received "*the concrete proof*" from Simon, his goal was to get Fr Fortune out of the parish to receive treatment and then get guarantees from his medical advisors before returning him to parish duties.

Bishop Comiskey said that although he became more concerned about Fr Fortune throughout 1986 and 1987, he did not feel that he could institute canonical proceedings against him because of warnings from the Vatican that Bishops had to proceed very carefully and make sure that they had hard evidence before removing a priest. Bishop Comiskey said that he knew Fr Fortune was litigious and that he would undoubtedly appeal to Rome if he was removed without a concrete allegation being made against him.

Fr Fortune attended Dr John Cooney in 1987 and 1988. Dr Cooney recommended a lengthy period of in-patient treatment under close supervision to be instituted as a matter of urgency. He was also referred to a psychologist in St. Patrick's Hospital in Dublin, who confirmed Dr Cooney's concerns. It is difficult to understand how Bishop Comiskey failed to read the signals at this stage and address himself to the problem of protecting children.

Bishop Comiskey said that by summer of 1987, he was seriously concerned about rumours and allegations surrounding Sean Fortune. In October 1987, he persuaded Sean Fortune to leave his curacy in Poulfur and to go London on the pretext of attending a media course but in fact to receive assessment and treatment for sexual problems. Fr Fortune received neither. Many priests who attended the Inquiry confirmed that it was their understanding that Sean Fortune had gone to London on a sabbatical year solely to pursue a course in media studies and it was revealed to no-one that he was in fact going for treatment and assessment. Indeed, one of the priests whom Bishop Comiskey asked to visit Sean Fortune when he was in London, told the Inquiry that he believed that Fr Fortune was receiving help for his bullying and extreme behaviour but not because of any allegation of child sex abuse.

Fr Fortune was succeeded in the parish of Poulfur by Fr Sean Devereux and within weeks of his coming into the parish, Fr Devereux received a complaint of child sexual abuse against Sean Fortune. This complaint was made by William (4.5.10). Fr Devereux was only 24 years old when he came to the parish and he told the Inquiry that he was extremely shocked and distressed over what William had told him. He said that he told William to tell the Gardai and he also spoke to Bishop Comiskey immediately after receiving the complaint. Shortly after this, William made a full written statement which Fr Devereux also passed on to Bishop Comiskey.

When Bishop Comiskey received William's complaint, he had already moved Fr Fortune out of the Diocese of Ferns to London. He was not removed from active ministry and continued to perform priestly duties in London albeit not in any parochial capacity. Bishop Comiskey's response to the complaint appears to have been to direct Fr Fortune to cease any pastoral ministry and to concentrate on his treatment and academic courses. Fr Fortune continued to teach in London and appeared to perform very satisfactorily in that role. A number of the institutions where he had been working wrote of him to Bishop Comiskey in glowing terms. Bishop Comiskey did not appear to know about these appointments and there does not appear to have been any warning extended to the management of these colleges relating to Fr Fortune's alleged propensities.

Fr Fortune did receive some counselling but did not attend the prescribed assessment or treatment courses in England. He refused to attend Heronbrook Assessment Centre for a full two-day assessment and he also refused to attend the centre run by the Order of the Paracletes in Stroud which would have offered a treatment programme to him. His counsellor in Heronbrook strongly recommended to Bishop Comiskey that Fr Fortune should attend a residential treatment course as a matter of some urgency and described him as a "pathological liar". No such treatment was ever received.

Fr Fortune returned to Bray, Co. Wicklow in early 1988 without Bishop Comiskey's permission. On 12 April 1988, Bishop Comiskey wrote to Fr Fortune whilst he was still in London:-

*"I presume that it is understood by you that you are to make no move from your present position until you have fully discussed the matter with me and I have reached a decision on it".*

On 20 April 1988, Sean Fortune wrote to Bishop Comiskey's secretary informing her that as and from 27 April, his new address would be at Fairyhill in Bray, Co. Wicklow.

Bishop Comiskey made an appointment with a Dr F.P. O'Donoghue, a consultant psychiatrist in St Patrick's hospital who, having seen Fr Fortune on three occasions, said that he presented an exclusively almost exaggerated heterosexual response which could indicate an underlying homosexual problem. He suggested that Fr Fortune be put on sexual suppressants and be allowed to return to parish work with the proviso that he would have no responsibility for any youth organisation and would be subject to continuing supervision.

In June 1988, Fr Fortune, having become dissatisfied with the psychiatric and psychological help that he was receiving, attended a psychotherapist, Dr Ingo Fischer. Dr Fischer was not instructed or recommended by Bishop Comiskey but was chosen by Fr Fortune himself. Bishop Comiskey said that Dr Fischer was the only person who ever helped Sean Fortune and that as far as he knew; Sean Fortune never abused any child after he had attended Dr Fischer.

Dr Fischer informed Bishop Comiskey that, in his assessment, Sean Fortune did not suffer from any hypo-manic mood swings, his sexual orientation was heterosexual, his personality was stable, and that he would be fit for parish work subject to continuing treatment from him, Dr Fischer. He said that several of the concerns expressed about Fr Fortune were not supported by the evidence he had gathered but other aspects of Fr Fortune's personality would need to be attended to, including his obsessive need to be accepted and approved by people and his tendency to be impulsive and ostentatious.

In July 1988, Bishop Comiskey met with Sean Fortune and recorded the meeting in a minute with which the Inquiry has been provided. It is worth quoting sections of that minute in full:

- 1. As a result of very serious charges made against Fr Fortune, and denied by him, I asked him to undergo assessment at the House of Affirmation in Birmingham. This he has refused to do.*

2. *He came back with the understanding that he would undergo something similar under John Cooney, St Patrick's Hospital Dublin. This has not happened for whatever reason.*
3. *The present position is that I have received a report by telephone from Dr O'Donoghue. He mentions three possibilities in that report, a), Fr Fortune is entirely homosexual, b), he may be using "the mental mechanism of reaction formation", and c), he may be telling lies. Dr O'Donoghue recommends that Fr Fortune should be allowed to return to parish duties provided he is kept under strict supervision.*
4. *I am not willing to accept this recommendation as I am not satisfied that Fr Fortune is able to accept any restrictions. Nor am I in any position to provide a context in which any of our priests have to be kept "under a microscope".*
5. *But, most important of all, twelve months after Fr Fortune had been advised of the charges against him, and after extensive meetings with at least three professionals, there is considerable evidence that he continues to deny the charges.*
6. *There is the added complication that Fr Fortune's name has come to the attention of the Gardai.*
7. *The most serious charges against Fr Fortune are in the area of sexual misconduct and misappropriation of funds.*
8. *Either there is substance to the charges or there is not. Fr Fortune maintains there is not. Medical intervention has not proved particularly helpful.*
  - i. *I have decided therefore to ask three priests to examine the allegations and the facts as established and make recommendations to me as Bishop.*
  - ii. *These priests will be sworn to secrecy and will take evidence under oath from those people who have made charges against Fr Fortune, they will also be entitled to any other written documentation relevant to these charges.*
9. *Fr Fortune will remain on paid leave of absence pending the outcome of this investigation;*
10. *If Fr Fortune does not wish this investigation to take place, he may admit that he has serious difficulties and go to Stroud for treatment."*

The Inquiry believes that the above memorandum from Bishop Comiskey reflects an accurate summary of the situation as it existed in the summer of 1988.

Paragraph 8.i above refers to the setting up of a three-man inquiry to examine the allegations, establish the facts and make recommendations to Bishop Comiskey. Bishop Comiskey told the Inquiry that although he did write to three priests whom he wished to sit on this inquiry, it never led to anything. Bishop Comiskey said that by engaging the services of a firm of solicitors, Fr Fortune effectively brought this Canon law inquiry to a halt and the Bishop had been advised by a Canon lawyer that the process should be discontinued.

William, whose complaint gave rise to this inquiry, was brought up to All Hallows College to be interviewed by Rev Dr Robert Noonan D.C.L. who was a Canon lawyer there. In his report of his interview with William, Dr Noonan said that he found him to be a believable witness and had no reason to disbelieve him. Subsequently, Fr



Fortune attended for an interview with Fr Noonan. At the end of the interview, Fr Noonan came to the conclusion that Sean Fortune was also a believable witness and that he had no reason to disbelieve his account of what occurred.

Fr Noonan explained that his role in this Canon law process was simply to establish whether either witness could be described as believable. He said that he had no difficulty in making such a finding in respect of both Fortune and William. However, he emphasised that his was not a role of judgement and it was not for him to decide on the veracity of the allegations. Fr Noonan also stated to the Inquiry that he was given no information about Fr Fortune's history in the Diocese up to that point and based his finding solely on the oral evidence presented to him.

This request to attend All Hallows was the first response that William had to his complaint which he made a full year earlier.

Bishop Comiskey told the Inquiry that he had hoped that Fr Noonan would give him some advice after speaking with the two parties but this did not happen. Fr Noonan has pointed out that such advice was not sought from him in spite of an offer from him to assist further if required..

Dr Ingo Fischer advised Bishop Comiskey that no further progress could be made with Fr Fortune unless he was restored to some ministry within the Diocese. A curate from the Diocese, who had known Fr Fortune's family all his life, was asked to keep an eye on him by Bishop Comiskey. This curate has stated that he met with Fr Fortune weekly throughout his treatment with Dr Cooney, the psychologist working with Dr Cooney and Dr Fischer and was aware that Fr Fortune was being treated for sexual abuse of a minor. It was this curate who accompanied Fr Fortune to an important meeting with Dr Ingo Fischer in July 1988, at which definite proposals were made in respect of Sean Fortune. At that meeting Dr Fischer agreed that Fr Fortune should be subjected to an independent assessment and that Bishop Comiskey should be asked to accept the outcome of that assessment, which he did.

A curate of the Diocese is recorded in the diocesan files as having heard very serious rumours of parties held by Fr Fortune in Bray. He had no recollection of this statement or of the circumstances to which it refers, when speaking with this Inquiry.

In September 1988, Dr Fischer arranged for Fr Fortune to attend Dr JRW Christie-Brown, a consultant psychiatrist in the Bethlem Royal Hospital and the Maudsley Hospital, London. Dr Christie-Brown said that he would need to see Sean Fortune on more than one occasion and suggested that Sean Fortune should remain in London for a two-week period.

Fr Fortune attended Dr Christie-Brown in December 1988: a full report was forwarded to Bishop Comiskey at that time. The Inquiry received a copy of that report and has discussed it with Bishop Comiskey. In presenting detail from his background, Fr Fortune was less than honest with Dr Christie-Brown. He described his childhood as very happy although later, when preparing for his criminal trial, he spoke of experiences of sexual abuse by a religious during his childhood. He described his school days as academically successful and gave an account of his academic achievement, which was a considerable exaggeration from the official record that this Inquiry has consulted. Fr Fortune told Dr Christie-Brown that he coped well with his time in the seminary and his posting to Belfast, and he described his post-graduate

year in Dundalk as challenging. The Inquiry is, of course, aware that Fr Fortune had allegations of child sexual abuse made against him in St Peter's and during his time in Belfast as well as Dundalk. Bishop Comiskey was aware of the difficulties encountered by Fr Fortune in his time as a seminarian and during his ministry in Belfast from the Professor Feichin O'Doherty Report.

Fr Fortune told Dr Christie-Brown that when he came to Poulfur, the parish was already divided because of a boycott which had taken place in 1957 involving a prominent Catholic parishioner who had married a non-Catholic woman. The boycott left serious divisions in the parish of Poulfur which, according to Sean Fortune, were still there, when he became curate. Fr Fortune agreed with Dr Christie-Brown that he might have been insensitive and even imprudent in his dealings with people in Poulfur but he felt that the main reasons for complaint against him were due to envy and intolerance.

When speaking about his sexual history, Fr Fortune told Dr Christie-Brown that from the age of about 11 he was aware of sexual feelings and that before taking his vows he had a number of sexual relationships with women. He said he never had any homosexual interests or indulged in any homosexual activities. Dr Christie-Brown said that he could find no evidence of any current mental or psychiatric illness in Fr Fortune's behaviour. Specifically, he said he could find no evidence of hypo-mania as diagnosed by Dr Cooney and the psychologist. Dr Christie-Brown put Fr Fortune's problems down to his personality. He said that he had a clear superior intellectual ability and had exceptional energy and enterprise, having achieved in a period of a few years what many failed to do in a lifetime. Dr Christie-Brown said that he could well believe that Fr Fortune's energy and achievement might be irritating or even elicit envy.

In conclusion, Dr Christie-Brown said that he could not say whether Fr Fortune was suitable for a position as curate and that that was a decision best left to his Bishop and fellow clergy. He did say that Fr Fortune recognised that his energy and impulsiveness could cause difficulties and that he was happy to receive counselling in respect of these from Dr Fischer.

In relation to this assessment, Dr Christie-Brown drew the Bishop's attention to missing information and has confirmed to this Inquiry that, as appears from the documentation, he was not briefed on the very serious allegations that had come to the attention of the Diocese. He also pointed out to the Bishop that he was not provided with any of the other medical reports obtained by the Diocese before he was consulted.

Bishop Comiskey has stated that he did not speak with Dr Christie-Brown and the curate appointed to act as liaison has stated that he was not aware at the time of the full extent of the allegations. Dr Christie-Brown has confirmed to this Inquiry that he was never told that any allegations of child sexual abuse had been made against Sean Fortune when he came to consult with him and was only informed of one single unfounded allegation of a sexual advance to a young man of seventeen which was communicated to him by Fr Fortune himself. The inquiry believes the failure to convey Fr. Fortune's full history to Dr. Christie-Brown to be extremely negligent.

Dr Christie-Brown concluded his Report by saying, *"If there is any further evidence available bearing on his condition or on my conclusions, I would be happy to consider that evidence, seeing him again if necessary."* Bishop Comiskey did not revert to the doctor after this opinion had been received by him.

In November 1989, it had been agreed between Bishop Comiskey and Dr Fischer that Sean Fortune would be brought back to the Diocese of Ferns and given a residence there, pending the results of the London assessment. It was agreed that Bishop Comiskey would help Fr Fortune to bring his finances under control. It was further agreed that Dr Fischer would draw up a job description and a "life plan" with specific criteria to measure whether or not progress was being made by Fr Fortune.

In March 1989, Bishop Comiskey decided to appoint Fr Fortune to a half-parish in the Diocese. After some initial difficulties the Bishop found a curacy for Fr Fortune in Ballymurn which was the half parish of Crossabeg, of which Fr Michael McCarthy was the parish priest.

Counsel for the Inquiry questioned Bishop Comiskey in detail about the wisdom of this appointment. The Bishop was invited to comment about the opinion of Dr Christie-Brown that Fr Fortune's sexual orientation was heterosexual and not homosexual. Bishop Comiskey admitted that he was surprised at that description although he did not advert to the very limited information that had been made available to Dr Christie-Brown in particular the failure to furnish the reports of Prof Feichin O'Doherty and Dr Cooney. With regard to the failure of Dr Christie-Brown to find any evidence of psychiatric illness or indeed homosexuality in Sean Fortune, Bishop Comiskey again told the Inquiry that he was surprised but not amazed. Counsel reminded the Bishop that he had previously stated that he had become concerned about possible sexual misconduct by Fr Fortune as a result of complaints made to him by parishioners in Poulfur taken in conjunction with the reports provided by Rev Professor O'Doherty and the history of abuse recorded in them. The concerns were strengthened by the advice received from Dr Cooney. The Bishop himself had concluded that Fr Fortune required the facilities which he had arranged for him at Stroud in England. Fr Fortune declined to undergo such assessment and treatment.

In his memorandum of July 1988, the Bishop clearly recorded his decision not to appoint Fr Fortune to a parish on the basis that supervision would be required. Why then was this done? Bishop Comiskey explained that he placed great faith in Dr Fischer who was highly regarded in clerical circles. He said that he was relieved that, for the first time, somebody was taking active responsibility for Fr Fortune. He felt that the arrangement was very positive and beneficial to all parties. Dr Fisher had explained in a memorandum sent by fax on 1 March 1989 that he could not continue to work with Fr Fortune and continue his rehabilitation unless Fr Fortune was in some kind of pastoral ministry. Bishop Comiskey stated in correspondence that his concern was that Fr Fortune's very priesthood was at stake and whether he liked it or not, Fr Fortune was *"one of our own"*. He stated to the Inquiry that *"whatever a priest does wrong, he doesn't excommunicate himself from the care of the Church."*

In appointing Fr Fortune to Ballymurn, Bishop Comiskey did stipulate certain conditions in his letter dated 1 September 1989. It was explained that the appointment was for one year but if that year was successful, it would be easier for Fr Fortune to

secure a permanent placement in a parish. The Bishop explained the position in the following terms:-

*“That raises the very obvious question – what constitutes ‘a successful year’? I suggest the following guide...*

*-that you win and maintain the esteem, respect and affection of the community of Ballymurn. Checking back on the files of that particular curacy, I note that we have not received a single complaint about any priest serving there for the last ten years”.*

In those and other terms, the Bishop was expressing his concern in relation to the style or practice of Fr Fortune which had created division and hostility in Poulfur. What is more significant is that the letter contained no reference to any potential danger of child sexual abuse. The Bishop explained to the Inquiry that he spoke at considerable length to Fr Fortune on this topic. Fr Fortune consistently and vehemently denied that there was any truth in any of the allegations made against him. Bishop Comiskey said that at his request, Fr Fortune took an oath expressly denying that there was any truth in the allegations made by William (4.5.10) and Simon (4.5.9).

Bishop Comiskey claimed that he had put in place certain provisions to monitor the conduct of Fr Fortune in Ballymurn. He understood that the parish priest, Fr Michael McCarthy, would be helpful in this regard. In fact, Fr McCarthy informed the Inquiry that he knew nothing about the allegations of abuse made against Fr Fortune when he took him on as curate. It was his understanding that Fr Fortune had received treatment for behavioural problems such as bullying, and was rehabilitated. Fr McCarthy said that Fr Fortune’s first year in Ballymurn was a happy one. As he saw it, it was in the second year that problems began to arise, but not in the context of sexual misbehaviour. Bishop Comiskey also said that he asked Fr Donald McDonald “to keep an eye on Fr Fortune”.<sup>54</sup> Fr McDonald, who was also on the teaching staff of Bridgetown VEC, agreed that this request was made but stated that he was given no indication of what to watch out for and he was unaware of the fact that Fr Fortune had been accused of child sexual abuse.

Dr Fischer clearly predicated his recommendation to return Fr Fortune to ministry on further treatment being undertaken by Fr Fortune with him. The Inquiry found no evidence of any such treatment continuing after Fr Fortune’s appointment to Ballymurn. The Inquiry is of the view that Fr Fortune should not have been appointed to the curacy of Ballymurn, even under careful supervision. The inquiry also finds it astonishing that Fr. McCarthy was not made aware by Bishop Comiskey of the specific concerns about Fr. Fortune.

As curate of Ballymurn, Fr Fortune was appointed chairman of the Board of Management of the Ballymurn National School. In addition, Fr Fortune gave classes in religious instruction in Bridgetown VEC. Within eighteen months of his appointment to Ballymurn, serious problems arose concerning the conduct of Fr Fortune there. These difficulties arose in relation to the management of Ballymurn national school. Fr Fortune engaged in a controversy in relation to the appointment of an assistant teacher resulting in a number of parents withdrawing their children from

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<sup>54</sup> Fr Donald McDonald died some months after speaking with this Inquiry.

the school. Fr Walter Forde met with a deputation of parents to try to resolve this boycott and it was resolved after some weeks by the Department of Education. The issue divided the parish and there was a significant drop in church collections in Ballymurn.

There was undoubtedly evidence that the personality of Fr Fortune was once again proving to be a divisive factor. It must have been clear to the Bishop that although Dr Christie-Brown had found no evidence of mental disorder, his opinion was qualified, he had not been given full information and had drawn attention to personality difficulties. These difficulties were now becoming manifest.

What was more significant was the fact that also in 1991, a number of parents complained in the first instance to Mr Tony Power, the Principal of Bridgetown VEC, and subsequently to Bishop Comiskey about the content of classes given by Fr Fortune there. Bishop Comiskey met the parents but insisted on Fr Fortune being present at the meeting. The complaints made by the parents were that Fr Fortune encouraged the children to tell lewd jokes, that he used sexually inappropriate language and that he asked prurient questions while hearing Confessions.

Bishop Comiskey discussed the matter with Mr Power and with Fr Fortune and agreed that if Mr Power believed it appropriate, Fr Fortune should resign from his position in the vocational school, which he did.

A curate of the Diocese told the Inquiry that he was surprised at the appointment of Fr Fortune to Ballymurn and shocked at the appointment to the school and that he made it his business to check on Fr Fortune. He did this by asking students about the content of Fr Fortune's classes. He said he had been concerned about the position of Fr Fortune in the schools. This curate did not communicate his surprise at Fr Fortune's appointment to the diocesan authorities and although he did make enquiries about Sean Fortune, he was not aware of any rumours concerning him during his time in Ballymurn.

Bishop Comiskey confronted Fr Fortune with details of the complaints made by parishioners and also about the complaints made by Mr Tony Power and some parents in the VEC regarding the sexual content of his lectures. Once again, Fr Fortune denied emphatically the accusations made against him and stated that he would institute legal proceedings against those who made such false accusations. Bishop Comiskey advised Fr Fortune that he had an obligation to do so if he believed that the allegations were incorrect. He further informed Fr Fortune that the accusations were serious enough to have him removed from pastoral contact with young people and that he, Fr Fortune, should prove his innocence as soon as possible. Fr Fortune did not institute any legal proceedings to challenge the accuracy of the complaints made against him by students and parents in Bridgetown VEC.

Although Fr Fortune was required to resign his position in the VEC in 1991, he remained as curate in Ballymurn and as Chairman of the Board of Management of Ballymurn national school. He occupied this position until December 1995 at the nomination of Bishop Comiskey. He continued to give classes in that school until he was arrested by the Gardai in March 1995.

The allegations made concerning the VEC, which were supported by the Principal, might not have been so alarming in themselves, but in the context of the history of Fr Fortune, the allegations made against him, his unwillingness to undertake the treatment specified by the Bishop and the very special circumstances in which he was reappointed to a curacy, they represented a most alarming development.

When asked by the Inquiry why he failed to remove Fr Fortune from Ballymurn at that stage, Bishop Comiskey stated that he was helpless in the face of Fr Fortune's refusal to co-operate and that Canon law offered no assistance to him in dealing with a priest like Fr Fortune.

Bishop Comiskey did point out that, subsequent to his appointment in Ballymurn, no allegation of child sexual abuse was levelled at Fr Fortune. The Bishop made this reference as a vindication of his acceptance of Dr Fischer's Report. Although the Inquiry has received no allegations of child sexual abuse after Bishop Comiskey's intervention in 1987, the Inquiry does not accept the logic of that argument. Moreover, a very regrettable fact is that allegations were made against Fr Fortune which related to his rape and abuse of young male adults after his appointment to Ballymurn, some of whom had been the victims of abuse by Fr Fortune as children.

In February 1995, Frank (4.5.12) made a complaint to Detective Garda Patrick Mulcahy of Wexford Garda Station, alleging sexual abuse by Fr Fortune which had occurred over a two year period during the early 1980s. This led to a Garda investigation and in March 1995, Fr Fortune was brought to the Garda station for questioning. He was released without charge while a file was prepared for the DPP.

In March 1995, Fr Sean Fortune was put on administrative leave by Bishop Comiskey. There is no evidence that any Precept was issued against Fr Fortune by the Bishop and the Inquiry has heard evidence that Fr Fortune continued to say Mass and conduct religious ceremonies after that date.

During this period Bishop Comiskey became engaged with the media and its reporting of the allegations against Fr Fortune. He said that the media had managed to convince people that he had mishandled child sexual abuse cases in the first instance, and that as a result of his mishandling them, had covered them up.

Bishop Comiskey said to this Inquiry that he did not mishandle any sex abuse case. He said that he did his best with the resources that he had at the time, and that one of his experiences in reading the files for the purposes of this Inquiry had been, on a personal level, to be pleasantly surprised at how well he did looking back over 20 years.

In two particular respects, Bishop Comiskey took issue with the media reporting of Fr Fortune's case. In one report it was alleged that he had arranged for William (4.5.10) to attend Maynooth for questioning. Bishop Comiskey denied this vehemently. He explained that an inquiry carried out in Maynooth would have been an Episcopal inquiry and he wanted to clarify that this did not occur. He was asked why he did not explain that the meeting had taken place in All Hallows instead of Maynooth. Bishop Comiskey replied that it was none of the media's business where the meeting had taken place.

A second controversy arose in relation to a letter of apology which, it was claimed, he had sent to William. Bishop Comiskey was adamant that no letter of apology had ever been sent by him but subsequently he accepted that he could have written a letter of regret.

Fine distinctions of that nature gave rise to misunderstandings and led to intrusive media attention on complainants.

A question arose regarding the level of co-operation extended by the Diocese to the Gardai following Fr Fortune's arrest and this is dealt with in Chapter Seven in this Report.

Bishop Comiskey's only significant engagement with the Gardai did not arise until he became involved in a series of communications with the Garda Head Quarters over leaks from the Wexford Garda Station in connection with the Sean Fortune case. These complaints were pursued by Bishop Comiskey to the level of the Garda Commissioner and the Minister for Justice. The Gardai in Wexford investigated the allegations and concluded that no leaking of information occurred from the Wexford Station. They also pointed out to Bishop Comiskey that the media reports could have come from sources other than the Gardai.

Fr Fortune was heard to remark that if he went down he would "*bring Bishop Comiskey down with him*". What has been read into that statement by a number of commentators was that Fr Fortune had some "hold" over Bishop Comiskey which made it impossible for Bishop Comiskey to deal with him properly. Bishop Comiskey said the rumour that Fr Fortune had some hold over him stemmed from the media perception that he had mishandled and then covered up allegations of child sexual abuse. Bishop Comiskey denied that he had mishandled allegations of child sexual abuse and also vigorously denied that he had covered up any allegations of such abuse or that Fr Fortune had any hold on him whatsoever.

The Inquiry asked a number of other witnesses how they interpreted the statement by Fr Fortune that he would bring Bishop Comiskey down with him. One witness, who was involved in reporting the issue of child sexual abuse in Ferns, attended the Inquiry and said that he felt that Bishop Comiskey's acknowledged alcohol problem could have led him to be indiscreet in the presence of Fr Fortune and that such indiscretion may have been something that Fr Fortune could have used against him. He said he believed that had there been anything more sinister in the statement by Fr Sean Fortune, it would have come to his attention.

Bishop Comiskey's alcohol dependency is something that was raised by a number of witnesses to the Inquiry, both lay and clerical. His former Diocesan Secretary, Fr Thomas Brennan, who had worked with him from 1985 until 2000, described the impact of Bishop Comiskey's drinking on the day-to-day life of the Bishop's house. He said that when he was appointed Diocesan Secretary in 1985 at the age of 24, he was not aware that Bishop Comiskey had a difficulty with alcohol. However, as time went by, he began to recognise a pattern whereby the Bishop would enter a phase of tremendous creativity, energy and productivity for a few months and then without warning, collapse into a state of deep depression and withdrawal from work and

people. These episodes of depression and withdrawal were accompanied by heavy drinking.

In 1994 and 1995, Fr Brennan began to notice a deterioration in the Bishop's condition. The bouts of depression became longer and his ability to pull himself out of them was seriously diminished. Eventually, Bishop Comiskey left for America in September 1995 to undergo treatment for alcohol dependency. This was at a time when sex abuse scandals were impacting severely on the Diocese. The media coverage that followed his leaving took the clergy of the Diocese by surprise and they were completely ill equipped to deal with it. Fr Brennan said that Bishop Comiskey was committed to his recovery programme and to the 12 Steps programme of Alcoholics Anonymous.

The fact that Bishop Comiskey took holidays in Bangkok, Thailand, was something that was raised by the media at the time of his resignation and was subsequently raised by witnesses before this Inquiry. Allegations were made that Bishop Comiskey used holidays in Thailand to indulge in improper behaviour and given that this was a prevalent rumour, the Inquiry asked Bishop Comiskey if he wanted to address it. Bishop Comiskey said that the rumours about his holidays in Thailand were false and evil. No witnesses have come forward to this Inquiry with evidence of any impropriety on the part of Bishop Comiskey whilst in Thailand.

The Inquiry has reviewed a copy of the Garda file on Fr Fortune's suicide in March 1999. The Inquiry has also spoken with an employee of Fr Fortune, who found his body on the morning of Saturday 13 March 1999. When she arrived at Fr Fortune's house, she found the shutters were locked. She rang Fr Fortune's caretaker to help her open them. They found the house in darkness and when they went upstairs, found Fr Fortune fully clothed, wearing his glasses and lying on his bed with a set of rosary beads in his hands. In the bin beside his bed was an empty whiskey bottle and papers. The Gardai, the doctor, priests and Fr Fortune's own family were immediately telephoned.

Sergeants Kelly and Cleere answered the call to New Ross Garda station to say that Fr Fortune had been found dead in his house. They said that they examined the room and found a note in the form of a poem left on the dressing table beside his bed entitled, "A Message from Heaven to my Family".

In August 1999, a Coroner's Court found that Fr Fortune came to his death "*as a result of central cardio respiratory failure secondary to multiple drug over-dosage and alcohol*".

Fr Gerald O'Leary attended the Inquiry and spoke about a letter that had been left by Fr Fortune when he committed suicide on 13 March 1999. The existence of this letter was not known to the Gardai and was not referred to in any of the Garda files. However, the Inquiry had been given details of the letter by an employee of Fr Fortune. She described how, when she went into Fr Fortune's bedroom before the Gardai arrived, there was a note entitled "A Message from Heaven", a brown envelope addressed to Fr Fortune's brother and a third letter addressed to her which she put in her pocket.. Later that evening, she read this third letter and the following day brought it to Fr Gerald O'Leary who was her local curate.



On the outside of the folded A4 sheet of paper was the following: "[name of employee] give this to all the newspapers". The account of the letter as agreed by Fr O'Leary and Fr Fortune's employee stated:

*"Fr Fortune began his letter by stating that he was a priest of Jesus Christ for 20 years. He went on to state that he was driven to this action as he had no other option. He claimed that he was innocent of all the allegations made against him and that those making the allegations were a pack of liars. He then went on to speak about his funeral arrangements. He asked an employee to lay him out in his favourite white vestments. He wanted to be brought to Ballymurn Church where he was to repose overnight. After his funeral mass he expressed a wish to be buried with his parents in Gorey. He also stated that he wanted Fr Laurence O'Connor P.P. Ballycullane, and Fr Hugh O'Byrne P.P. Blackwater, to celebrate his funeral. He specifically stated that Fr Aidan Jones P.P., Bunclody, and Bishop Brendan Comiskey were not to be present at his funeral. He claimed that Bishop Comiskey was 'responsible for all this as he had raped and buggered me'...*

*He asked an employee to say goodbye to his brothers and sisters, and he said 'after my death I know that I will be reunited with my father and mother in heaven'..... Finally whatever property he had was to be divided among his family."*

The contents of this letter is a direct contradiction of the terms of Fr Fortune's Last Will and Testament which was signed by him in January 1998 and which specifically requested that whoever was the Bishop of Ferns at the time of his death should say his funeral Mass and that he should be buried in Ballymurn.

Fr O'Leary told the Inquiry that he realised that this was "*a very explosive document*". He believed that it was a deliberate attempt to destroy Bishop Comiskey and he asked Fr Fortune's employee to give it to him. Bishop Comiskey was just back from treatment for alcohol addiction at this time. Fr O'Leary said that he did not tell Bishop Comiskey about the letter and kept it in the safe in the presbytery in Ballymitty for approximately two years. He said that he believed that five priests in the Diocese had either seen the letter or knew about it. Fr Donal Collins had been told about the letter and he informed Bishop Comiskey.

Fr O'Leary told the Inquiry "*I would like to say at this point that at no time did I believe the allegations against Bishop Comiskey. I knew from my experience of Fr Fortune that he was an accomplished liar*".

Fr O'Leary subsequently met Bishop Comiskey at a funeral and Bishop Comiskey said to him, "*I heard you got the letter*". Fr O'Leary confirmed that he had got a letter but they did not discuss it any further as both were going in different directions. It was not until June 2000 when Bishop Comiskey was in Fr O'Leary's parish and they were having tea that the issue of the letter came up again. Surprisingly, Bishop Comiskey had not contacted Fr O'Leary previously about the contents of the letter. Fr O'Leary told the Inquiry that Bishop Comiskey's response was to say that Sean Fortune was obviously an evil person. Fr O'Leary was concerned when he was recuperating after being seriously ill that this letter would be found in his papers and so, not believing its contents, he burned it.

In April 2003, the Inquiry was furnished with the copy of that letter quoted above, reconstructed by Fr O'Leary at Bishop Walsh's request.

Bishop Comiskey said that he was astounded when he first heard about this letter from Fr O'Leary. He described its content as " *absolutely grotesque*". He said he never stayed with Fortune other than one overnight visit in 1985 and that he never attended a party in Fr Fortune's house. He said he was at dinner once in the context of his pastoral visitation in Poulfur and that he visited Ballymurn no more than nine times. He said he never drank on any of these visits as he did not trust Fortune.

Bishop Comiskey was dismissive of Fr Fortune's note as being a fabrication of lies. He said "*I have often dwelt on how anybody, within an hour or two of going to, a priest going to their Creator could write such stuff or how could anybody do that..... but in any case I had no relationship and the suggestion is grotesque*".

Bishop Comiskey said it was important to note that in the same letter in which Fr Fortune makes his allegation against him, Fr Fortune denied ever abusing any boys. Bishop Comiskey said he was breathless when he heard about the suicide note and the subsequent allegations and felt that they had certainly damaged his reputation. He said he would have welcomed an opportunity to actually cross-examine people who made allegations against him at a public inquiry because from his perspective, it was unsatisfactory that he was being questioned about unsworn evidence.

The Inquiry would agree that the allegations contained in Fr Fortune's suicide note must be seen in the light of that note's denial of any sexual abuse of children by Fr Fortune. The Inquiry has received no evidence to support the very serious allegations contained in that letter and does not believe them to be true. The letter is reproduced by the Inquiry in full in order to avoid any speculation as to its content and in order to illustrate the context in which these allegations were made against Bishop Comiskey.

Most of the allegations which arose against Fr Fortune refer to a period before Bishop Comiskey was appointed to Ferns and the Inquiry is satisfied that Bishop Comiskey and Fr Fortune had not met prior to 1984 when Bishop Comiskey was appointed.

## **BISHOP EAMONN WALSH**

When Bishop Walsh was appointed Apostolic Administrator to the Diocese of Ferns, he met with Frank who was the first of Fortune's victims to report his abuse to the Gardai. At that time Frank was engaged in a civil suit against the Diocese, and Bishop Walsh, in a letter to his lawyer, said "*In a case where there is no dispute regarding the facts, it's in everyone's interest that this is settled in a way which will bring as holistic a healing as is possible. If the way in which we administer redress is not in harmony with the pastoral statements that are made, then this can only do further damage. I know this is more easily said than done, but it's the direction which I would hope to proceed in this and in similar cases*".

In spite of this approach by Bishop Walsh, Frank wrote to the Bishop to say that he felt the approach of the Diocese lacked sincerity and compassion and he asked Bishop Walsh to adopt a less vindictive and adversarial approach. The Bishop's legal instructions were expressed quite clearly in a letter dated 24 October 2002, which

predated the settlement with Frank by two months in which the Bishop said *“The acknowledgement of wrongdoing, apology and expression of being earnest in attempting to repair the harm done insofar as is possible ought not be lost in the process. The integration of pastoral concern into the settlement procedure is essential, I believe, to a lasting healing.”*

Originally when speaking with the Inquiry, Frank was adamant that an alternative structure to the litigation process would not in fact meet the needs of victims who required not just compensation, but real justice and an acknowledgement in civil law that they had been harmed and that those responsible acknowledged their role and apologised appropriately. However, mediation which is now being engaged in by the Diocese with child sex abuse victims or their representatives has proved a useful alternative.

In the case of Frank, a statement was made in open court in which Bishop Walsh acknowledged and sincerely regretted the distress, trauma and hurt caused to Frank by the acts of sexual abuse perpetrated on him by the late Fr Fortune. Bishop Walsh further acknowledged the failure of the then diocesan authorities to recognise the threat posed by the late Fr Sean Fortune to Frank. He apologised unreservedly to Frank for these failures and for the harm which he suffered in consequence.

Proceedings instituted by Vincent, Ian, Peter, Mark, Phillip and Stephen have been settled; none of these complainants wished to have a statement read out in open court.

#### **THE INQUIRY'S VIEW OF THE DIOCESAN HANDLING OF THE FR FORTUNE CASE:**

- **Whilst at least one set of important documents, namely, the reports provided by Professor Feichin O'Doherty to Bishop Herlihy were preserved by the Diocese of Ferns, it is clear that others were not. It is the view of this Inquiry that complaints or allegations of child sexual abuse should be properly recorded, duly preserved, and available to those who were responsible for the control of the person against whom such allegations are made. It is regrettable that in the case of Fr Fortune many relevant documents were not generated or, alternatively, not preserved.**
- **The Inquiry has been informed that the operation of St Peter's seminary was guided by “Norms for Priestly Training in Ireland” which had been published by the Irish Episcopal Conference in 1973. It is the view of this Inquiry that if these norms had been properly applied, Sean Fortune would not have been ordained for the Diocese of Ferns**
- **If Bishop Herlihy was informed, as he should have been, of the allegations made against Sean Fortune of the abuse of boy scouts under his charge and of students at St Peter's College, it was inexcusable that he ordained and admitted him to a vocation that required and provided unsupervised access to young people.**

- **Bishop Herlihy had an obligation to inform other Church authorities in Belfast and Dundalk that there had been concerns expressed at Fr Fortune's activities. This obligation was clearly not met.**
- **The decision of Bishop Herlihy to refer Fr Fortune to Professor O'Doherty for assessment was an appropriate response at the time to an allegation of child sexual abuse. This is the first instance that has come to the attention of this Inquiry where Bishop Herlihy engaged psychological expertise in dealing with this problem.**
- **It is the Inquiry's view that an appropriate and adequate response to an allegation of child sexual abuse is the removal of the accused priest from active ministry. Bishop Herlihy's failure to do this in the case of Sean Fortune was therefore neither appropriate nor adequate but must be seen as understandable given the prevailing knowledge of this problem at that time. Once he became aware of the psychological dimension of this problem, his failure to remove a priest accused of child sexual abuse could no longer be regarded as understandable.**
- **The decision by Bishop Herlihy to appoint Fr Fortune to the curacy at Poulfour was, in the light of Professor O'Doherty's reports, neither appropriate nor adequate. The assumption that the parish priest could "keep an eye" on the new curate was unrealistic, particularly in the context of the system of half parishes which operated in the Diocese.**
- **That a curate with Fr Fortune's history could open youth clubs and build reconciliation rooms for young people in the basement of his house represented a serious lack of supervision and a failure to have regard for the dangers posed by a man with his history.**
- **Both Bishop Herlihy and Bishop Comiskey observed that parishioners in Poulfour could themselves act against Fr Fortune in the face of abusive behaviour. However, individual parishioners would not have access to the confidential medical files of which both Bishops were aware. Nor would individual parishioners have had any information about Fr Fortune's activities during his years in the seminary or his years in Belfast and Dundalk. Only Church authorities could have intervened at this stage to prevent Fr Fortune's activities.**
- **Bishop Comiskey became concerned about Fr Fortune's relationships with young men in late 1985. Bishop Comiskey did persuade Fr Fortune to attend a psychiatrist in Dublin in 1986. However, Bishop Comiskey did not succeed in persuading Fr Fortune to leave the parish and travel to England until October 1987. It is Bishop Comiskey's belief that the two years it took to bring this about was not unreasonable in the light of the complainant's reluctance to make a formal statement. It is the Inquiry's view that allowing Fr Fortune to continue his activities in Poulfour unmonitored and uncontrolled for this period was wholly inappropriate.**

- **The belief in some medical and psychiatric circles in the 1980s was that perpetrators of child sexual abuse could be treated and cured with the proper psychiatric intervention. Therefore, Bishop Comiskey's decision to send Fr Fortune for assessment and treatment was a reasonable response in the context of the time although the time taken to bring this about showed a lack of an understanding of the danger Fr Fortune posed to children whilst in Poulfur.**
- **Fr Fortune's appointment to Ballymurn was ill-advised and dangerous. Bishop Comiskey has stated that he relied upon the report of the distinguished English psychiatrist when reinstating Fr Fortune to ministry. The report was manifestly based on inadequate information as to the history of Fr Fortune and the allegations previously made against him. Furthermore, the report recommended that certain precautions be taken which were ignored by the Bishop.**
- **Bishop Comiskey failed to put in place any proper monitoring or supervision of Sean Fortune in Ballymurn. Such monitoring and supervision as he sought to be put in place for the protection of children was wholly inadequate given Fr Fortune's history at that time.**
- **It is difficult to comprehend Bishop Comiskey's failure to remove Fr Fortune from the parish of Ballymurn after having received complaints in 1991 about the sexual content of Fr Fortune's classes in Bridgetown VEC. If the Bishop was correct in believing that he could not remove a curate whose current conduct confirmed existing suspicions, children might be exposed indefinitely to grievous dangers.**
- **Bishop Comiskey's failure to remove Fr Fortune from his position as Chairman of the Board of Managers of Ballymurn National School was inappropriate in the light of his removal from Bridgetown VEC.**
- **The Inquiry is concerned at the level of cooperation extended to the State authorities by the Diocese after Fr Fortune's arrest. This is dealt with more fully in Chapter Seven of this Report.**
- **The Inquiry believes that Bishop Comiskey was correct to seek medical and Canon law advice in his dealing with Fr Fortune and it accepts that the Bishop did not feel assisted by such advice which made his task more difficult. Nevertheless, the ultimate decision-making power rests with the Bishop and he must take responsibility for those decisions. In the view of the Inquiry the evidence available to Bishop Comiskey was compelling and dictated the immediate removal of Fr Fortune from ministry.**
- **The Inquiry appreciates that Bishop Comiskey, in his personal statement announcing his resignation, appeared to recognise his failure to respond appropriately to the allegations of abuse made against Fr Fortune.**