

Schedule – Freedom of Information Requests
Response of Holy See to Dublin Archdiocese Commission of Investigation

Categories of Record

- A. A copy of all communications between the Department and the relevant Papal Nuncios in Ireland (and their officials) regarding the Commission of Investigation's work from the time it was established until the present day.
- B. A copy of all communications between the Department and the Holy See regarding the Commission of Investigation's work from the time it was established until the present day.
- C. A copy of all communications between the Department and either the Papal Nuncio's office or the Holy See regarding any other related investigation or inquiry on child abuse by clergymen or religious orders.
- D. Correspondence between the Department and the Papal Nuncio since 2006 (excepting records purely administrative in nature – see cover letter).
- E. All internal emails and memos relating to the Papal Nuncio's response to the Commission of Investigation into the Catholic Archdiocese of Dublin.
- F. All records, including but not limited to, notes of meetings, telephone calls, emails and internal memoranda taken in, or relating to, a meeting between the Minister and the Papal Nuncio, including his representatives, on December 8, 2009.
- G. All records, including but not limited to, notes of meetings, telephone calls, emails and internal memoranda relating to communications between the Department and representatives of the Vatican, the Catholic Church, the Dublin Diocese or any other representatives of the Church or Church bodies, in the time following the publication of the Murphy Report up to the date on which this request was received.

Record No.	Date of Record	Description of Record	No. of Pages	Decision to Grant Release / Refuse	Basis of Refusal - Section of FoI Acts	Category
1	24 February 2006	Letter from Papal Nuncio to DFA	2	Refuse	24(2)(b)	D
2	10 July 2006	Letter from Papal Nuncio to DFA	3	Refuse	24(2)(b)	D
3	17 July 2006	Letter from Apostolic Nunciature to DFA	1	Refuse	24(2)(b)	D
4	20 July 2006	Letter from DFA to Papal Nuncio	1	Refuse	24(2)(b)	D
5	19 August 2006	Letter from Apostolic Nunciature to DFA	1	Refuse	24(2)(b)	D
6	25 September 2006	Letter from Papal Nuncio to DFA	4	Refuse	24(2)(b)	D
7	15 December 2006	Letter from Apostolic Nunciature to DFA	1	Refuse	24(2)(b)	D
8	22 December 2006	Letter from DFA to Apostolic Nunciature	7	Refuse	24(2)(b)	D
9	28 January 2007	Diplomatic Note from Apostolic Nunciature to DFA	1	Refuse	24(2)(b)	D

10	01 March 2007	Diplomatic Note from Vatican Secretariat of State to Embassy Holy See	1	Refuse	24(2)(b)	B
11	02 March 2007	Note from Embassy Holy See to HQ forwarding Diplomatic Note from Secretariat of State	2	Refuse	24(2)(b), 24(2)(c)	B
12	29 March 2007	Letter from Embassy Holy See to HQ	1	Refuse	24(1)(c), 24(2)(c)	B
13	26 April 2007	Diplomatic Note from Embassy Holy See to Vatican Secretariat of State	1	Refuse	24(2)(b)	B
14	29 August 2007	Letter from Papal Nuncio to DFA	1	Refuse	24(2)(b)	D
15	13 September 2007	Letter from Papal Nuncio to DFA	3	Refuse	24(2)(b)	D
16	27 October 2007	Diplomatic Note from Apostolic Nunciature to DFA	3	Refuse	24(2)(b), 28(1)	D
17	19 November 2007	Letter from Papal Nuncio to DFA	4	Refuse	24(2)(b)	D
18	18 December 2007	Letter from Papal Nuncio to DFA	15	Refuse	24(2)(b)	D
19	20 December 2007	Letter from DFA to Papal Nuncio	1	Refuse	24(2)(b)	D
20	15 January 2008	Email from Apostolic Nunciature to DFA	6	Refuse	24(2)(b)	D
21	17 January 2008	Email from Apostolic Nunciature to DFA	1	Refuse	24(2)(b)	D
22	18 January 2008	Diplomatic Note from Apostolic Nunciature to DFA	1	Refuse	24(2)(b)	D
23	28 January 2008	Letter from Papal Nuncio to DFA	1	Refuse	24(2)(b)	D
24	28 January 2008	Diplomatic Note from Apostolic Nunciature to DFA	1	Refuse	24(2)(b)	D
25	06 February 2008	Diplomatic Note from Apostolic Nunciature to DFA	1	Refuse	24(2)(b)	D
26	22 February 2008	Diplomatic Note from Apostolic Nunciature to DFA	1	Refuse	24(2)(b)	D
27	17 April 2008	Email from Embassy Holy See to HQ	2	Refuse	24(1)(c), 24(2)(c), 24(2)(d)	A, B
28	02 May 2008	Diplomatic Note from Apostolic Nunciature to DFA	1	Refuse	24(2)(b)	D
29	08 May 2008	Letter from Papal Nuncio to Minister	1	Refuse	24(2)(b)	D
30	27 May 2008	Letter from Minister to Papal Nuncio	1	Refuse	24(2)(b)	D
31	17 July 2008	Email from Embassy Holy See to HQ	2	Refuse	24(1)(c), 24(2)(c), 24(2)(d)	B
32	04 November 2008	Diplomatic Note from Apostolic Nunciature to DFA	4	Refuse	24(2)(b)	D
33	07 November 2008	Email from Apostolic Nunciature to DFA	2	Refuse	24(2)(b)	D
34	16 December 2008	Email from Apostolic Nunciature to DFA	3	Refuse	24(2)(b)	D
35	16 December 2008	Email from DFA to Apostolic Nunciature	1	Refuse	24(2)(b)	D
36	17 December 2008	Email correspondence between Papal Nuncio and DFA	1	Refuse	24(2)(b)	D
37	13 March 2009	Email from Embassy Holy See to D/Taoiseach	1	Refuse	24(1)(c), 24(2)(c), 24(2)(d)	A
38	03 July 2009	Email from Apostolic Nunciature to DFA	3	Refuse	24(2)(b)	D
39	16 September 2009	Letter from Papal Nuncio to DFA	1	Refuse	24(2)(b)	D
40	25 September 2009	Letter from DFA to Papal Nuncio	1	Refuse	24(2)(b)	D
41	23 November 2009	Email from Embassy Holy See to HQ	1	Refuse	24(1)(c), 24(2)(c), 24(2)(d)	B

42	26 November 2009	Internal email containing Government Statement on publication of Murphy Report	3	Release		E
43	26 November 2009	Internal email containing Statement by Minister for Justice on publication of Murphy Report	4	Release		E
44	26 November 2009	Email from Embassy Holy See to HQ	5	Refuse	24(2)(c)	B, G
45	26 November 2009	Fax from Embassy Holy See to Vatican Secretariat of State	10	Refuse	24(2)(b)	B, G
46	01 December 2009	Internal email from Private Secretary to Secretary General (PSSG)	1	Refuse	24(1)(c)	E
47	01 December 2009	Email from Embassy Holy See to HQ	3	Refuse	24(1)(c), 24(2)(c)	E
48	01 December 2009	Email correspondence, HQ and Embassy Holy See	1	Refuse	24(1)(c)	E
49	01 December 2009	Internal email from Legal Division	2	Release (in part)	24(1)(c) (in part), 24(2)(c) (in part)	E
50	01 December 2009	Email from Embassy Holy See to HQ	6	Refuse	24(2)(c); 24(1)(c) (in part), 24(2)(c) (in part), 24(2)(d) (in part)	E
51	01 December 2009	Internal email from Political Division	2	Refuse	24(1)(c)	E
52	01 December 2009	Internal email from Legal Division	3	Release		E
53	01 December 2009	Internal email from Protocol Division	2	Release		E
54	01 December 2009	Internal email from Protocol Division	2	Release		E
55	01 December 2009	Internal email from PSSG	3	Refuse	24(1)(c)	E
56	01 December 2009	Internal email from Minister's Office	2	Release		E
57	01 December 2009	Internal email from PSSG	13	Release		E
58	01 December 2009	Email from Embassy Holy See to HQ	4	Refuse	24(1)(c), 24(2)(b), 24(2)(c), 24(2)(d)	B, G
59	01 December 2009	Extract from Dáil Transcript, 1 December 2009	5	Release		E
60	02 December 2009	Internal email, Embassy Holy See	2	Release		E
61	02 December 2009	Email from Embassy Holy See to HQ	1	Refuse	24(2)(c)	G
62	02 December 2009	Email from Embassy Holy See to HQ	1	Refuse	24(2)(c)	E
63	02 December 2009	Email from HQ to Embassy Holy See	3	Refuse	24(2)(c)	E
64	02 December 2009	Internal email from Press Section	2	Release		E, F
65	02 December 2009	Internal email from SG	1	Release		A, E, G
66	02 December 2009	Email from DFA to Papal Nuncio	1	Refuse	24(2)(b)	A, E, G
67	02 December 2009	Internal email from PSSG	1	Release		A, E, G
68	03 December 2009	Report of SG's meeting with Papal Nuncio	3	Refuse	24(1)(c), 24(2)(d)	A, E, G
69	03 December 2009	Email from HQ to Embassy Holy See	1	Refuse	24(2)(c)	A, E, G

70	03 December 2009	Email correspondence between HQ and Embassy Holy See	2	Refuse	24(2)(c)	E, G
71	03 December 2009	Email correspondence between HQ and Embassy Holy See	2	Refuse	24(1)(c), 24(2)(c), 24(2)(d)	B, E, G
72	03 December 2009	Internal email correspondence re media query	3	Release		E, G
73	03 December 2009	Internal email from Press Advisor	1	Release		E, F, G
74	04 December 2009	Email from HQ to Embassy Holy See	1	Refuse	24(2)(c)	F
75	04 December 2009	Note of telephone conversation between Secretary General and Papal Nuncio	1	Refuse	24(1)(c), 24(2)(d)	A, E, G
76	04 December 2009	Email correspondence between Embassy Holy See and HQ	2	Refuse	24(1)(c), 24(2)(c), 24(2)(d)	B, G
77	04 December 2009	Internal email from Private Secretary to Minister (PSM)	1	Release		F
78	07 December 2009	Briefing note for Minister's meeting with Papal Nuncio	3	Refuse	24(1)(c), 24(2)(d)	F
79	07 December 2009	Suggested speaking points for Minister's meeting with Papal Nuncio	3	Refuse	24(1)(c), 24(2)(d)	F
80	07 December 2009	Internal email from PSSG	2	Refuse	24(1)(c)	F
81	07 December 2009	Email from Embassy Holy See to HQ	2	Refuse	24(1)(c), 24(2)(c), 24(2)(d)	G
82	08 December 2009	Report of Minister's meeting with Papal Nuncio	3	Refuse	24(1)(c), 24(2)(d)	F
83	09 December 2009	Irish Times report re Minister's meeting with Papal Nuncio	1	Release		F
84	09 December 2009	RTÉ News report re Minister's meeting with Papal Nuncio	2	Release		F
85	09 December 2009	Irish Independent report re Minister's meeting with Papal Nuncio	2	Release		F
86	09 December 2009	Diplomatic Note from Apostolic Nunciature to DFA	1	Refuse	24(2)(b)	G
87	09 December 2009	Email from Embassy Holy See to HQ	1	Refuse	24(1)(c), 24(2)(c), 24(2)(d)	G
88	08 December 2009	Reply to Parliamentary Questions on Papal Nuncio and Murphy Commission	2	Release		F, G

Questions and Answers

Information on the Apostolic Nuncio

Q When was the Apostolic Nuncio appointed to Ireland ?

A. H.E. Most Reverend Giuseppe Leanza presented his Letters of Credence to the President on the 28th of April 2008. He received agrément (formal approval from the Irish Government) in February 2008.

Q. Why is the Apostolic Nuncio Dean of the Diplomatic Corps?

The Apostolic Nuncio has been the Dean of the Diplomatic Corps in Ireland since the foundation of the state. This is generally the case for countries that have Roman Catholicism as the official or main religion and is in line with the practice in many European countries, such as Germany, France, Italy, Spain and several others.

*The appointment
of the first
Nuncio in 1930*

The position of Dean of the Diplomatic Corps is a ceremonial position of precedence. Receiving States are permitted to accord this position to the representative of the Holy See, by Article 16 (3) of the Vienna Convention on Diplomatic Relations "This Article is without prejudice to any practice accepted by the receiving State regarding the precedence of the representative of the Holy See" a position usually otherwise reserved for the longest-serving ambassador to a country.

Q. Is the Dean of the Corps a formal position? What does it mean?

The Dean is a ceremonial position and the Dean serves as spokesperson on formal occasions, such as the presenting of New Years Greetings to the President. The Diplomatic Corps may also cooperate amongst itself on a number of matters, including certain dealings with the host government.

The Dean may be asked by the Diplomatic Corps to represent the diplomatic corps for matters that affect the corps as a whole, although this function is rarely formalised.

Q. What is the legal basis for the practice that correspondence between States should go through formal diplomatic channels?

Deleted: is

Deleted: ative

Article 41 Section 2 of the Vienna Convention on Diplomatic Relations of 1961, which is incorporated into Irish law by the Diplomatic Relations Act of 1967, states that 'all official business with the receiving State entrusted to the mission by the sending State shall be conducted with or through the Ministry for Foreign Affairs of the receiving State or such other ministry as may be agreed'. This reflects the general rule of international law that all communications between states should be conducted via the diplomatic channel, unless some other form of communication is agreed.

Deleted: s

Deleted: and 1963 as

Deleted: and 1976

Hanniffy Mark HQ-SEC GEN

From: O'Donnell Marion HQ-PROTOCOL
Sent: 01 December 2009 14:03
To: Sec Gen PSSG
Cc: Hennessy James HQ-POLITICAL; Brennan Joe HQ-PROTOCOL; Kilcullen Emer HQ-LEGAL

Importance: High

Attachments: Questions and Answers1 Dec 2009(1).doc



Questions and
Answers1 Dec 200...

Mark
As discussed
Marion

Questions and Answers

Information on the Apostolic Nuncio

Q When was the Apostolic Nuncio appointed to Ireland ?

A. H.E. Most Reverend Giuseppe Leanza presented his Letters of Credence to the President on the 28th of April 2008. He received agrément (formal approval from the Irish Government) in February 2008.

Q. Why is the Apostolic Nuncio Dean of the Diplomatic Corps?

The Apostolic Nuncio has been the Dean of the Diplomatic Corps in Ireland since the foundation of the state. This is in line with the practice in many European countries, such as Germany, France, Italy, Spain, Austria, Belgium and several others.

The position of Dean of the Diplomatic Corps is a ceremonial position of precedence. Receiving States are permitted to accord this position to the representative of the Holy See, by Article 16 (3) of the Vienna Convention on Diplomatic Relations "This Article is without prejudice to any practice accepted by the receiving State regarding the precedence of the representative of the Holy See" a position usually otherwise reserved for the longest-serving ambassador to a country.

Q. Is the Dean of the Corps a formal position? What does it mean?

The Dean is a ceremonial position and the Dean serves as spokesperson on formal occasions, such as the presentation of New Years Greetings by the Diplomatic Corps to the President of Ireland.

The Dean may be asked by the Diplomatic Corps to represent the Corps for matters that affect the Corps as a whole.

Q. What is the legislative basis for the practice that correspondence between States should go through formal diplomatic channels?

Article 41 Section 2 of the Vienna Conventions on Diplomatic Relations of 1961 and 1963 as incorporated into Irish law by the Diplomatic Relations Act of 1967 and 1976, states that 'all official business with the receiving State entrusted to the mission by the sending State shall be conducted with or through the Ministry for Foreign Affairs of the receiving State or such other ministry as may be agreed'

Hanniffy Mark HQ-SEC GEN

From: O'Donnell Marion HQ-PROTOCOL
Sent: 01 December 2009 14:05
To: Sec Gen PSSG
Cc: Brennan Joe HQ-PROTOCOL; Hennessy James HQ-POLITICAL; Kilcullen Emer HQ-LEGAL

Importance: High

Attachments: Questions and answers(2).doc



Questions and answers(2).doc (...)

Mark
 Sorry this is the updated version
 Marion

Questions and Answers

Information on the Apostolic Nuncio

Q When was the Apostolic Nuncio appointed to Ireland ?

A. H.E. Most Reverend Giuseppe Leanza presented his Letters of Credence to the President on the 28th of April 2008. He received agrément (formal approval from the Irish Government) in February 2008.

Q. Why is the Apostolic Nuncio Dean of the Diplomatic Corps?

The Apostolic Nuncio has been the Dean of the Diplomatic Corps in Ireland since the foundation of the state. This is in line with the practice in many European countries, such as Germany, France, Italy, Spain, Austria, Belgium and several others.

The position of Dean of the Diplomatic Corps is a ceremonial position of precedence. Receiving States are permitted to accord this position to the representative of the Holy See, by Article 16 (3) of the Vienna Convention on Diplomatic Relations "This Article is without prejudice to any practice accepted by the receiving State regarding the precedence of the representative of the Holy See" a position usually otherwise reserved for the longest-serving ambassador to a country.

Q. Is the Dean of the Corps a formal position? What does it mean?

The Dean is a ceremonial position and the Dean serves as spokesperson on formal occasions, such as the presentation of New Years Greetings by the Diplomatic Corps to the President of Ireland.

The Dean may be asked by the Diplomatic Corps to represent the Corps for matters that affect the Corps as a whole.

Q. What is the legal basis for the practice that correspondence between States should go through formal diplomatic channels?

Article 41 Section 2 of the Vienna Conventions on Diplomatic Relations of 1961, which is incorporated into Irish law by the Diplomatic Relations Act of 1967, states that 'all official business with the receiving State entrusted to the mission by the sending State shall be conducted with or through the Ministry for Foreign Affairs of the receiving State or such other ministry as may be agreed'. This reflects the general rule of international law that all communications between states should be conducted via the diplomatic channel, unless some other form of communication is agreed.

Hanniffy Mark HQ-SEC GEN

From: Taylor Frances HQ-MINISTER
Sent: 01 December 2009 16:47
To: Sec Gen PSSG
Subject: PQ for answer 08/12/2009

Follow Up Flag: Follow up
Flag Status: Red

Attachments: PQ45385.09.doc



PQ45385.09.doc
(26 KB)

Mark

PQ attached, as discussed.

Regards

Frances

Question No.

Parliamentary Question - Dept Details

To ask the Minister for Foreign Affairs if he will summon a person (details supplied) to his Department as a mark of disapproval at the failure to respond to the Commission of Inquiry into Child Abuse.

- Finian McGrath.

* For WRITTEN answer on Tuesday, 8th December, 2009.

The Papal Nuncio

Ref No: 45385/09

DRAFT REPLY

Hanniffy Mark HQ-SEC GEN

From: Sec Gen PSSG
Sent: 01 December 2009 18:26
To: Grant Philip HQ-PRESS
Subject: Taoiseach's Statement on Holy See and Murphy Report
Attachments: Leaders Questions - Murphy Report.doc

Philip.

Relevant extract from the Taoiseach's statement, as delivered to the Dáil, is below. I will forward briefing material separately.

Mark.

It is a matter of regret that the Holy See was not in a position to provide a substantive response to inquiries from the commission of investigation of the Dublin Archdiocese. It is important to be clear as to how and why this occurred.

The commission of investigation wrote to the Congregation for the Doctrine of the Faith in September 2006 seeking, *inter alia*, information on reports of child sexual abuse that had been passed on to the congregation by the Archdiocese of Dublin. The Holy See responded to that request by diplomatic note, sent by the Vatican Secretariat of State to the Embassy of Ireland to the Holy See in March 2007. This note made clear the view of the Vatican that, as the commission had been established under the authority of the Government through the Department of Justice, Equality and Law Reform, such a communication should be routed through diplomatic channels and in accordance with international laws and customs. This diplomatic note was forwarded via the Department of Foreign Affairs to the Department of Justice, Equality and Law Reform, which passed it to Judge Murphy of the commission. There does not appear to have been any further communication between the commission and the Holy See after that note was passed.

I understand, however, that the Holy See sought confirmation that the content of its note had been made known to the commission. That was confirmed to the Holy See and Judge Murphy was informed of the Vatican's interest in knowing the note

Hanniffy Mark HQ-SEC GEN

From: Nagle Olive HQ-PRESS
Sent: 02 December 2009 17:32
To: Sec Gen PSSG
Cc: #HQ-PRE Press
Subject: Drivetime - Colm O Gorman
Attachments: Drivetime.doc

PSSG,

Please find attached a transcript of the section of an interview with Colm O Gorman, Director of Amnesty International, about the Minister for Foreign Affairs meeting with the Papal Nuncio.

Regards,
 Olive
 Ext. 2550

Drivetime, 2 December 2009 – In-House translation

Extract from an Interview with Colm O’Gorman, Director of Amnesty International on the Murphy Commission Report

Colm O Gorman: ...The bigger half that we need to address, really, is the nature of how the State interacts with Church and how the State allows Church to be unaccountable through refusing to be properly responsible for things like child protection in the context of education etc. That’s the bigger issue and those are the big political issues that need to be addressed.

Mary Wilson: At the very least, do you believe that the Papal Nuncio, who is a diplomat in this country and a representative of a State, should be meeting the Taoiseach?

Colm O Gorman: I think the Papal Nuncio should be meeting the Minister for Foreign Affairs...but I mean, that’s the other part in all of this that is actually so frustrating, I mean if we strip this back down, we are talking about a church that is meant to be the Church of Christ, that I was born into and was told was about truth and love and integrity, and honestly, that is now using the niceties of diplomatic law to say “here is why we couldn’t tell people about what we knew about the rape and abuse of Irish children by priests”. I mean it doesn’t get more obscene than that. And yet here we are debating exactly what diplomatic steps should be taken next. It’s surely beyond the point where we need to consider how is it appropriate for a church, for a safe institution to be a State, and to use that particular position to avoid responsibility or accountability. All anyone has to do is look at how the Holy See as a State engages at the UN level. It makes itself accountable for nothing, by not signing up to any mechanisms that could guarantee accountability but comments on everything.

Mary Wilson: Alright Colm, thank you very much, we have to leave it there. Colm O Gorman, Director of Amnesty International and founder, of course, of “One in Four”.

**Press Section
2 December 2009**

Hanniffy Mark HQ-SEC GEN

From: Cooney David HQ-SEC GEN
Sent: 02 December 2009 18:40
To: Sec Gen PSSG
Cc: Cronin Aidan HQ-MINISTER
Subject: Nuncio

The Papal Nuncio, H.E. Archbishop Giuseppe Leanza, today called at his own request on the Secretary General of the Department of Foreign Affairs, Mr. David Cooney, to discuss issues surrounding the Report of the Dublin Archdiocese Commission of Investigation.

During the course of the discussions, the Nuncio, on his own behalf and on behalf of the Holy See, made clear his profound shock and dismay at the content of the Commission's report.

Archbishop Leanza stressed that the Holy See had not refused to cooperate with the Commission but that, in response to a request for information made directly by the Commission to the Congregation of the Doctrine of the Faith, had indicated that the Commission should pursue its enquiries through normal diplomatic channels. He also pointed out that the letter addressed to him by the Solicitor to the Commission on 6 March of this year had not included a request for information. Rather, it had enclosed for his attention a copy of four chapters of the draft report and had informed him of the 14 day deadline for making submissions or requests to the Commission or applications to the Court. The Nuncio said that had not believed it appropriate to pursue any of these options.

Hanniffy Mark HQ-SEC GEN

From: Sec Gen PSSG
Sent: 02 December 2009 18:59
To: Grant Philip HQ-PRESS
Cc: [REDACTED] (Private email address of P. Grant)
Subject: Statement on Secretary General's Meeting with Papal Nuncio

Philip,

Please find below a statement agreed between the Secretary General and the Papal Nuncio, which can be drawn on if appropriate in response to any press queries.

Regards,

Mark.

The Papal Nuncio, H.E. Archbishop Giuseppe Leanza, today called at his own request on the Secretary General of the Department of Foreign Affairs, Mr. David Cooney, to discuss issues surrounding the Report of the Dublin Archdiocese Commission of Investigation.

During the course of the discussions, the Nuncio, on his own behalf and on behalf of the Holy See, made clear his profound shock and dismay at the content of the Commission's report.

Archbishop Leanza stressed that the Holy See had not refused to cooperate with the Commission but that, in response to a request for information made directly by the Commission to the Congregation of the Doctrine of the Faith, had indicated that the Commission should pursue its enquiries through normal diplomatic channels. He also pointed out that the letter addressed to him by the Solicitor to the Commission on 6 March of this year had not included a request for information. Rather, it had enclosed for his attention a copy of four chapters of the draft report and had informed him of the 14 day deadline for making submissions or requests to the Commission or applications to the Court. The Nuncio said that had not believed it appropriate to pursue any of these options.

Hanniffy Mark HQ-SEC GEN

From: Cooney David HQ-SEC GEN
Sent: 03 December 2009 16:59
To: Cronin Aidan HQ-MINISTER; Gillane Deirdre HQ-MINSTER
Cc: Sec Gen PSSG
Subject: RE: Dearbhail/Irish Independent Query 031209
Attachments: Leanza press.doc

Aidan, Deirdre,

I attach a draft reply to Dearbhail McDonald. I would be grateful if you would discuss any proposed changes.

Regards,

David

From: Sec Gen PSSG
Sent: 03 December 2009 16:55
To: Cooney David HQ-SEC GEN
Subject: FW: Dearbhail/Irish Independent Query 031209

From: Grant Philip HQ-PRESS
Sent: 03 December 2009 15:25
To: Hanniffy Mark HQ-SEC GEN
Subject: FW: Dearbhail/Irish Independent Query 031209

Philip Grant | Press Officer | Department of Foreign Affairs | Dublin | ✉ philip.grant@dfa.ie | ☎ tel: (+ 353 1) 408 2278 | 📠 fax: (+353 1) 478 5942 | 🌐 press.office@dfa.ie

From: Dearbhail McDonald [<mailto:dmcDonald@independent.ie>]
Sent: 03 December 2009 14:40
To: Nagle Olive HQ-PRESS
Cc: Dearbhail McDonald
Subject: Dearbhail/Irish Independent Query 031209

Olive:

Many thanks for taking my call.

Just regarding the Commission of Investigation, Dublin Archdiocese, Catholic diocese of Cloyne.

As discussed, could you ascertain if the Department of Foreign Affairs has liaised with the Papal Nuncio in the wake of the publication of the Murphy report with a view to following up on the commission's conclusions as indicated by the Taoiseach earlier this week?

If not, does the DFA intend to communicate with the Holy See, through the appropriate diplomatic channels?

Kind regards:

18/12/2009

Dearbhail

Dearbhail McDonald
Legal Editor
The Irish Independent
27 - 32 Talbot Street
Dublin 1
Ireland

dir: 00353 1 7055757
mob: 00353 87 9643566
e: dmcdonald@independent.ie
url: www.independent.ie

Please think of the Environment before printing this email.

Private Confidential & Privileged

This Email and any files and attachments transmitted with it are confidential and/or privileged. They are intended solely for the use of the intended recipient. Any views and opinions expressed are those of the individual author/sender and are not necessarily shared or endorsed by Independent Newspapers (Ireland) Limited or any associated or related company. The content of this EMail and any file or attachment transmitted with it may have been changed or altered without the consent of the author. If you are not the intended recipient, please note that any review, dissemination, disclosure, alteration, printing, circulation or transmission of this Email and/or any file or attachment transmitted with it, is prohibited and may be unlawful. If you have received this Email or any file attachment transmitted with it in error, please notify Independent Newspapers (Ireland) Limited, by Emailing

postmaster@independent.ie or contact :

The Systems Manager
Independent Newspapers (Ireland) Limited,
27 - 32 Talbot Street,
Dublin 1,
Ireland.

Switchboard +353 (0)1 7055999

This footnote also confirms that this email message has been swept by F-Secure for the presence of computer viruses.

Registered in Ireland
No: 153066

18/12/2009

The Minister for Foreign Affairs, Mr. Micheál Martin T.D., who was on official business in London and Athens in the early part of the week, has invited the Papal Nuncio, H.E. Archbishop Giuseppe Leanza, to meet with him to discuss issues surrounding the Report of the Dublin Archdiocese Commission of Investigation. This meeting is likely to take part early next week.

On 2 December, Archbishop Leanza called at his own request on the Secretary General of the Department of Foreign Affairs, Mr. David Cooney. During the course of their discussions the Nuncio, on his own behalf and on behalf of the Holy See, made clear his profound shock and dismay at the content of the Commission's report. Mr. Cooney drew attention to the deep concern of the Irish Government and people at the abuse of children by priests and religious and at the unacceptable way that such abuse had been handled by the Church authorities

Responding to suggestions in the Commission report that the Holy See had refused to cooperate with the Commission, Archbishop Leanza stressed that this was not the case. In response to a request for information made directly by the Commission to the Congregation of the Doctrine of the Faith, the Holy See had indicated that the Commission should pursue its enquiries through normal diplomatic channels and had asked the Irish Government to confirm that this note had been brought to the attention of the Commission, precisely to avoid the impression that the Commission's request had been ignored. Mr. Cooney confirmed that the Holy See's note had been brought to the attention of the Commission at the time and that this was clear from the Commission's report

The Nuncio also pointed out that the letter addressed to him by the Solicitor to the Commission on 6 March of this year had not included a request for information. Rather, in pursuit of the Commission's obligations under the Commissions of Investigations Act 2004 which requires the Commission to send a draft of the relevant part of the draft report to any person who is identified in or identifiable from the report, it had forwarded for his attention four chapters of the draft report and informed him of the 14 day deadline for making submissions or requests to the Commission or applications to the Court. The Nuncio said that had not believed it appropriate to pursue any of these options.

Mr. Cooney recalled the Taoiseach's statement in Dáil Éireann on 1 December in which the Taoiseach remarked that an approach to the Holy See through appropriate diplomatic channels could assist in following up on the Commission's report and that the Government could consider this, if appropriate in the context of its report.

Hanniffy Mark HQ-SEC GEN

From: O'Connor Jerry HQ-MINSTER
Sent: 03 December 2009 19:31
To: Sec Gen PSSG; Gillane Deirdre HQ-MINSTER
Subject: **RESPONSE TO IRISH TIMES AND INDEPENDENT QUERIES - AS AMENDED AND CLEARED BY MINISTER**
Follow Up Flag: Follow up
Flag Status: Orange

The Minister for Foreign Affairs, Mr. Micheál Martin T.D. has asked the Papal Nuncio, H.E. Archbishop Giuseppe Leanza, to meet with him to discuss issues surrounding the Report of the Dublin Archdiocese Commission of Investigation. This meeting is to take place early next week.

On 2 December, Archbishop Leanza called at his own request on the Secretary General of the Department of Foreign Affairs, Mr. David Cooney.

Minister Martin said "On behalf of the Taoiseach and the Government I will be meeting the Papal Nuncio in the coming days to discuss with him the Commission's findings as well as the issue of the cooperation of the Nuncio and the Holy See with the Commission".

Hanniffy Mark HQ-SEC GEN

From: Cronin Aidan HQ-MINISTER
Sent: 04 December 2009 12:12
To: Sec Gen PSSG; Gillane Deirdre HQ-MINISTER
Cc: Duffy Antoinette HQ-MINISTER
Subject: Papal Nuncio

The Minister's meeting with the Papal Nuncio is now confirmed for Tuesday morning 8 December at 9.30am in the Minister's Office in Iveagh House. I can put together a brief for the Minister on Monday morning before I go to the GAERC - background docs, speaking points and steering note - so please e-mail to me.

Aidan Cronin
Private Secretary to the
Minister for Foreign Affairs

+353 1 408 2140

aidan.cronin@dfa.ie

Vatican to issue 'strong response'

KITTY HOLLAND and MARY FITZGERALD

Wed, Dec 09, 2009

PAPAL NUNCIO: THE VATICAN will issue a "strong response" to the Dublin diocesan report after Pope Benedict meets Archbishop Diarmuid Martin and Cardinal Seán Brady on Friday, papal nuncio Archbishop Giuseppe Leanza has said.

Speaking after a 45-minute meeting with Minister for Foreign Affairs Micheál Martin yesterday, Archbishop Leanza expressed shock at the report's damning findings. He pledged that communication between the Catholic Church and the Irish Government would be improved in the future "to avoid misunderstandings".

Archbishop Leanza described the meeting as "serious" and "meaningful".

He said the Vatican felt "ashamed" for what had happened. "I express my shock and dismay and certainly I understand the anger of the people and the suffering of those who have been abused, so we certainly condemn this . . . If there was any mistake from our side we always apologise for this," he said. Archbishop Leanza stressed that there was "no intention" not to co-operate with the commission of investigation. But he added: "I think [it] is clear that mistakes were there. So no one would like to cover up. It is much better that what has been wrong emerges."

The papal nuncio acknowledged during the meeting with Mr Martin that he should have replied to a letter from the commission formally. "He did indicate that he did regret he didn't acknowledge the letter that he received," the Minister said afterwards.

Archbishop Leanza told reporters that he felt a response was not required as he believed the letter, which contained extracts from the unpublished report, had been sent to him solely for information purposes.

Asked why the Vatican had not responded to the Dublin diocesan report or the earlier Ryan report, Archbishop Leanza said time was needed to examine the contents.



The Holy See was "studying carefully" the findings, he continued, and the Pope "will take any action that is necessary." Mr Martin said he had conveyed to the papal nuncio the Irish public's "deep anger and outrage" over the report and its "horrific and appalling litany of abuse on generations of young children in the Dublin archdiocese.

He also demanded full co-operation from the church in relation to the forthcoming inquiry into clerical abuse in the diocese of Cloyne. "My focus was very much on the need for a substantive response even now to the questions that have been raised . . . that there would be a comprehensive response to any question that might be raised, or asked, in relation to Cloyne," the Minister said.

Mr Martin added that Archbishop Leanza had stressed during the meeting that there was no attempt to cover anything up.

© 2009 The Irish Times

Vatican 'dismayed' at Murphy Report findings

  Tuesday, 8 December 2009 22:05

The Papal Nuncio to Ireland, Archbishop Giuseppe Leanza, has said the findings of the Murphy Commission have shocked and dismayed the Vatican.

The Nuncio made his comments following a 45-minute meeting with the Minister for Foreign Affairs in Dublin this morning.

Micheál Martin requested the meeting with Archbishop Leanza in the wake of the latest report into the Catholic Church's handling of clerical child abuse in the Dublin Archdiocese.

The Papal Nuncio admitted during the meeting that he should have responded to a letter from the commission formally.

Mr Martin said he informed the Papal Nuncio that the Government expected the church to respond fully to the questions asked by the Murphy Commission.

He said the Vatican needs to respond substantially and comprehensively to the questions posed by the commission and he said it should do so as soon as possible.

The Minister also said that the Vatican should prepare whatever documents are necessary to forward them to the commission in order to address the questions posed.

The Papal Nuncio described the meeting as 'serious' and 'meaningful'.

Afterwards he told the media he felt at the time that he did not need to respond to the commission's letter, which he felt was forwarded to him for information purposes.

When asked about the silence of the Vatican following the publication of the Murphy and Ryan reports, he said time is needed to study their contents.

He said the Murphy Report is now under study at the Vatican and he said he hoped there would be a response to its contents following a meeting on Friday.

The Papal Nuncio said he expected a response from the Vatican following the meeting between Cardinal Seán Brady and Archbishop of Dublin Diarmuid Martin with the Pope in the Vatican this week.

He said clear mistakes had been made but the church had condemned clerical child abuse and the Vatican had already apologised for hurt caused.

Minister Martin said he had sought a commitment from the Archbishop that the church would co-operate fully with upcoming the Cloyne inquiry.

Murray resignation expected

Meanwhile, Bishop of Limerick Donal Murray, who was criticised in the Murphy Report because of his handling of abuse complaints, is expected to tender his resignation in Rome this week.

Another of Dublin's auxiliary bishops, Dr Eamonn Walsh, has said that the report speaks for

itself concerning his responses to allegations of clerical child sexual abuse.

Bishop Walsh was responding to a newspaper report quoting Vatican sources as saying he will have to resign.

He also said that he would be responding to last week's letter from Archbishop of Dublin Diarmuid Martin requesting bishops mentioned in the report to account for their child protection record in the Archdiocese.

Bishops to meet in 'humble and repentent spirit'

Meanwhile, Bishop Willie Walsh of Killaloe has acknowledged that tomorrow's planned meeting of the country's bishops will be a very difficult one.

Speaking after a dedication ceremony at a new chapel at Skycourt Shopping Centre in Shannon this afternoon, Bishop Walsh said he and his fellow bishops were going to that meeting in a 'very humble and repentant spirit'.

He said he hopes and prays that they can in some way touch the hearts of those who have been hurt and in some way begin the journey of healing.

'That really is ultimately our only hope for the future' he said.

He said they had to be brave enough to bring the real spirit of Christ back- the virtues of truth, justice compassion and love--if our Church is not about those things, it is not worth anything, he added.

'Certainly all of us going into that meeting, whatever our failings in the past, all of use are going into that meeting in that spirit where we must get back to the values and teachings and example of Jesus Christ, and whatever we have to lose or shed or change in our church, then thats our only possible answer at this time of crisis.

In making the comments Bishop Walsh specifically said he would not comment on any of his colleagues because he did not want to hurt anyone or cause any more pain.

He again made a sincere apology to victims of clerical sexual abuse who may have been hurt by a media interview he did last week.

He said he was very conscious at this time of deep crisis in the Church, that ill-chosen words he made during a radio interview last week caused deep hurt and he had no hesitation in apologising.

He said the last thing he wanted to do was to add to the deep hurt that has been caused to survivors of abuse over the years.

Story from RTÉ News:

<http://www.rte.ie/news/2009/1208/abuse.html>

Hanniffy Mark HQ-SEC GEN

From: Nagle Olive HQ-PRESS
Sent: 26 November 2009 15:14
To: Nagle Olive HQ-PRESS; Kelly Donal PARIS EM; Farrell Adrian BERLIN EM; Ni Choigligh Alma LONDON EM; Farrell Deirdre BRUSSELS PR; Doyle Dearbhla ROME EM; Keleher Helena HOLY SEE EM; Hennessy James HQ-POLITICAL; Fahey Noel AMB HOLY SEE EM; McGillicuddy Anna HQ-POLITICAL; Christian Lorraine NEW YORK CG; Geiran Myles WASHINGTON EM; Moore Laoise EDINBURGH CG; Sec Gen PSSG; Cronin Aidan HQ-MINISTER
Cc: #HQ-PRE Press
Subject: Statement by the Government on the publication of the Commission of Investigation Report into the Catholic Archdiocese of Dublin

**Statement by the Government on the publication of the Commission of Investigation
 Report into the
 Catholic Archdiocese of Dublin**

The Report of the Commission of Investigation into the Catholic Archdiocese of Dublin shows clearly that a systemic, calculated perversion of power and trust was visited on helpless and innocent children in the Archdiocese over a 30 year period.

The perpetrators must continue to be brought to justice, and the people of Ireland must know that this can never happen again.

We all owe a profound debt to the victims of this injustice for their brave cooperation with the Commission in its work. The remarkable selflessness they have shown, in the face of great adversity, is a beacon of light in a harrowing catalogue of the abuse of power.

Archdiocese Cover-up

The Government expresses its appreciation too to the Chairperson and members of the Commission for the extremely valuable work which they have carried out. The findings of the Commission speak for themselves. The report leaves us in no doubt that clerical child sexual abuse was tolerated and covered up by the Archdiocese of Dublin and other Church authorities. The focus of those authorities was on the avoidance of scandal for the Church and the preservation of the good name, status and assets of the institution, rather than on the welfare of children. The findings are shocking and raise the most fundamental questions for the Church authorities.

While much of the report paints a damning picture of the handling by the Church of allegations of abuse, it rightly deals also with failings of agencies of the State. While the Government notes the Commission's acknowledgement of the contribution which the Archdiocese of Dublin and the many religious orders based there have made to the lives of the citizens of Ireland, it believes it will be a matter of profound regret to Irish people that the deference which so many people traditionally showed to their Church was, insofar as the area of child abuse was concerned, entirely misplaced and had the effect of further abusing the victims.

Whatever the historical and societal reasons for this, the Government, on behalf of the State, apologises, without reservation or equivocation, for failures by the agencies of the State in dealing with this issue.

It is not now - nor has it ever been - acceptable that institutions behave or are treated as being above the law of the state.

Hanniffy Mark HQ-SEC GEN

From: Nagle Olive HQ-PRESS
Sent: 26 November 2009 15:15
To: Kelly Donal PARIS EM; Farrell Adrian BERLIN EM; Ni Choighligh Alma LONDON EM; Farrell Deirdre BRUSSELS PR; Doyle Dearbhla ROME EM; Keleher Helena HOLY SEE EM; Hennessy James HQ-POLITICAL; Fahey Noel AMB HOLY SEE EM; McGillicuddy Anna HQ-POLITICAL; Christian Lorraine NEW YORK CG; Geiran Myles WASHINGTON EM; Moore Laoise EDINBURGH CG; Sec Gen PSSG; Cronin Aidan HQ-MINISTER
Cc: #HQ-PRE Press
Subject: Remarks by Minister for Justice, Equality and Law Reform

Check Against Delivery

**Remarks by Mr. Dermot Ahern T.D.
 Minister for Justice, Equality and Law Reform
 on the publication of the report of the Commission of Investigation established
 to investigate the handling of allegations
 of child sex abuse against clergy operating under the aegis
 of the Catholic Archdiocese of Dublin**

Today we are publishing the report of the Commission of Investigation into the Archdiocese of Dublin.

Earlier this year we had the Ryan report.

That dealt with the fate of thousands of children who had been placed by the state in residential institutions almost entirely run by the religious.

What is at issue here is children who were living in the community who were abused by clergy.

The Commission were asked to look at a representative sample of how allegations of abuse against clerics in the Archdiocese over the period 1975 to 2004 were handled by the Church and State authorities.

The only changes that have been made to the Report have been those ordered by the High Court because of the need to avoid prejudice to criminal trials - to avoid the possibility that the perpetrators of this awful abuse would walk free.

Words cannot easily describe the depth of emotions people will feel when they read this report.

Its publication will inevitably revive painful memories and potentially cause distress to people who were victims of abuse. That is why both state and non-state agencies are coming together to provide support for people through special contact numbers.

The Gardaí will today establish special contact arrangements for victims and citizens to come forward with any new information which could help put these abusers behind bars.

There must be people out there who hold some memory, some fact which can help

Hanniffy Mark HQ-SEC GEN

From: Kingston James HQ-LEGAL
Sent: 01 December 2009 13:38
To: Fahey Noel AMB HOLY SEE EM; Sec Gen PSSG; #HQ-POL Directors Office; White Kathleen HQ-PROTOCOL
Cc: Hennessy James HQ-POLITICAL; Forbes Michael HQ-POLITICAL; Brennan Joe HQ-PROTOCOL; O'Donnell Marion HQ-PROTOCOL; Kelly Louise HQ-PROTOCOL; #HQ-LEG Legal Adviser's Office
Subject: FW: Note on reference to Vatican in Chapter 2 of Murphy
Attachments: Note re Murphy.doc

Colleagues

There appear to be various e-mail chains on this matter, which I am now consolidating. Legal Division is in the process of preparing a short note on Article 41.2 of the Vienna Convention to be fed into the note on the matter being prepared by Political Division.

We have checked through our files and do not appear to have been contacted about the matter at the time the communications were being processed/prior to the publication of Judge Murphy's report and so I cannot throw any light on either the



Vote re Murphy.doc
(31 KB)

Commission's or the Department's thinking at the time that these matters occurred (we will continue to search our records).

The independence of the Commission under Irish law would not appear to be of relevance as a matter of international law, according to which dealings between states should be conducted via the diplomatic channel (unless other arrangements are made by mutual consent - although contact via governmental agencies is still envisaged). The fact that the Commission is independent under Irish law should not necessarily be a barrier to communications through the diplomatic channel - the Department has provided assistance to other tribunals and eg extradition requests are issued by the DPP via the diplomatic channel notwithstanding his office's statutory independence.

JK

From: Kingston James HQ-LEGAL
Sent: 01 December 2009 12:49
To: Kilcullen Emer HQ-LEGAL
Cc: #HQ-LEG Legal Adviser's Office; White Peter HQ-LEGAL
Subject: FW: Note on reference to Vatican in Chapter 2 of Murphy

From: Fahey Noel AMB HOLY SEE EM

(Part Redacted: Email correspondence and attachment)

Hanniffy Mark HQ-SEC GEN

From: Kilcullen Emer HQ-LEGAL
Sent: 01 December 2009 13:59
To: Hennessy James HQ-POLITICAL; Sec Gen PSSG
Cc: O'Donnell Marion HQ-PROTOCOL; White Kathleen HQ-PROTOCOL; Brennan Joe HQ-PROTOCOL; #HQ-LEG Legal Adviser's Office
Subject: FW: Urgent

Importance: High

Attachments: Questions and Answers1 Dec 2009.doc



Questions and
Answers1 Dec 200...

Please see attached Legal Division's obs

-----Original Message-----

From: Kilcullen Emer HQ-LEGAL
Sent: 01 December 2009 13:53
To: O'Donnell Marion HQ-PROTOCOL
Cc: Brennan Joe HQ-PROTOCOL; White Kathleen HQ-PROTOCOL; #HQ-LEG Legal Adviser's Office
Subject: FW: Urgent
Importance: High

Marion,

Please find attached suggested tracked changes in the attachment.

We will be in contact this afternoon about the matter.

Grateful to be copied with Q and A as they are processed up the line.

Emer

-----Original Message-----

From: O'Donnell Marion HQ-PROTOCOL
Sent: 01 December 2009 13:36
To: Kilcullen Emer HQ-LEGAL
Cc: Brennan Joe HQ-PROTOCOL
Subject: RE: Urgent
Importance: High

Emer

There was no other attachment with this, just requesting obs on the Q and Answer below. Please find now attached the draft Q&As which I have sent to Joe Brennan for clearance (due in Sgs office in five minutes).

marion

-----Original Message-----

From: Kilcullen Emer HQ-LEGAL
Sent: 01 December 2009 13:31
To: O'Donnell Marion HQ-PROTOCOL
Cc: Brennan Joe HQ-PROTOCOL; Hennessy James HQ-POLITICAL; #HQ-LEG Legal Adviser's Office; Kelly Louise HQ-PROTOCOL
Subject: RE: Urgent

Marion,

Grateful for attachment.

Emer

-----Original Message-----

From: O'Donnell Marion HQ-PROTOCOL

Sent: 01 December 2009 13:25

To: Kilcullen Emer HQ-LEGAL

Cc: Brennan Joe HQ-PROTOCOL; Hennessy James HQ-POLITICAL; #HQ-LEG Legal Adviser's Office; Kelly Louise HQ-PROTOCOL

Subject: Urgent

Importance: High

Emer

Further to communication from Joe Brennan, I propose sending the attached to SGs office together with a few other Q&As - do you have any further obs to add in relation to this question please.

Tks

marion

Q. What is the legislation that states that correspondence between states must come through formal channels?

Article 41 Section 2 of the Vienna Convention states that 'all official business with the receiving State entrusted to the mission by the sending State shall be conducted with or through the Ministry for Foreign Affairs of the receiving State or such other ministry as may be agreed'