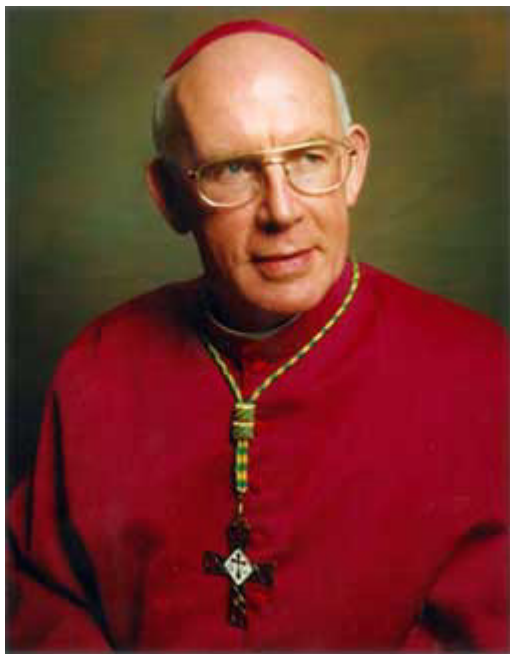


Cardinal Brady and the Civil Action Taken by alleged victim of Brendan Smyth

March 26, 2010 [sineadmaryring](#) [Leave a comment](#) [Go to comments](#)



The Irish Times [reports](#) that [Cardinal Seán Brady](#), the besieged leader of the Catholic Church in Ireland, has said today that he wants a “just resolution” to a civil case taken against him by an alleged victim of the convicted child abuser [Father Brendan Smyth](#). The man is suing Cardinal Brady in his capacity as Archbishop of Armagh and as the Catholic Church’s representative in Ireland. The action was initially taken some 13 years ago, in 2007. The Cardinal has asked his lawyers to engage with the complainant’s solicitor “with a view to progressing the case”.

The man claims he was repeatedly sexually abused by Brendan Smyth in Dundalk in the early 1970s. According to the Irish Times, the man is alleging that the Catholic Church called an ecclesiastical court to deal with the allegations and assured the man that Smyth would never be placed in a situation where he could abuse children.

[RTE reports](#) that it has seen the Cardinal’s defence, that is dated February 2009 and is not sworn. According to RTE the defence asserts that the alleged acts of abuse are not grounds

for suing him and asks for proof that they happened. It also refutes the man's claims that the Cardinal was the Church's representative in Ireland, that Smyth was his servant or agent and that there was any duty of care owed by the Cardinal to the man. The report also states that the Cardinal's defence denies an ecclesiastical court was called, or that any assurances were given regarding protecting other children from abuse.

According to RTE, the Cardinal received a letter last month from the man's solicitors, saying that the defence was compounding the grievous wrongs perpetrated on his client, and that it should be withdrawn in order to give practical expression to recent statements about remorse for child sexual abuse.

The Cardinal's statement today comes in the context of the recent controversy surrounding Cardinal Brady's handling of complaints against Smyth. In a homily on St Patrick's Day, Cardinal Day [apologised](#) for his role in canonical inquiries into allegations of child sexual abuse by Smyth in 1975 and expressed his shame that he has not always upheld the values that he professes and believes in. As a priest Cardinal Brady was present at meetings where children signed vows of silence relating to complaints of sexual abuse against Brendan Smyth. According to the Catholic Church these oaths were designed to ["prevent potential collusion" among complainants](#) and ensure that the testimony would withstand challenge. However no reasons were given as to why the complaints were not reported to the civil authorities.

We at HRinI will be following developments in this case to see if any resolution will be reached.

Categories: [Children and the Law](#), [Human Rights in the News](#), [Law, Culture and Religion](#)

Tags: [clerical abuse](#), [religion](#), [Sean Brady](#)

[Comments \(0\)](#) [Trackbacks \(0\)](#) [Leave a comment](#) [Trackback](#)