



Advocacy

The act of pleading or arguing something, such as a policy, or interests on behalf of an idea or cause.

Annual Report

2023

Dealing with the trauma of sexual abuse suffered by users of health care services in Ireland



Park Heights, Grange
Rath Drogheda, Meath



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CHAIRS STATEMENT

I am very proud to be able to provide the Chairperson's statement for the 2023 Annual Report of Dignity4Patients.

2023 was a busy year for both the organisation and the services that it provides. Dignity4Patients deal with crimes that can result in complex trauma within a terrain of complex legislation. This navigation could not be done without the drive, expertise, commitment, and dedication of the staff. It is my absolute honour to be able to recognise their hard work and relentless determination toward all potential justice pathways.

This work could not have happened without the overarching guidance of the Board of Management and I, as Interim Chair, have been blessed to have been surrounded by such a wealth of expertise and support.

Our Governance continues to grow in strength through policy review and our new Risk Register. Both board and staff of Dignity4Patients also invested a significant amount of time reflecting on and developing a robust Strategic Plan that will serve as our North Star into the future.

With nearly 350 helpline calls and 65 client meetings in 2023 our client statistics show the ongoing need for our services. The media coverage and subsequent bravery of new victims to come forward demonstrate just how prolific the abuse at the hands of Michael Shine was; we are aware of 345 victims.

We are extremely grateful to the Health Service Executive, the Department of Justice, the National Lottery and individual donations. Your support ensures that victims, both existing and new, have the support and expertise of D4P exactly when they need it in their lives. We look forward to developing a strong and collaborative funding relationship with our new funding partners CUAN as we move into the future.

Our victims have had to deal with some disappointing setbacks which included the decision not to prosecute from the Director of Public Prosecutions (DPP). Some of the reasons the DPP gave for not prosecuting the most recent cases was the age and health of Michael Shine as well as the passage of time. It is my view that if a perpetrator can disregard the age of his victim, so too should the hand of Justice when dealing with the perpetrator.

As I reflect on 2023 and cast my thoughts into 2024 and beyond I do so with a sense of purpose and pride. Pride that I get to be part of this work, with such a courageous team, for people who have survived a trauma so egregious to the soul of their childhood; and who still seek accountability and justice.

Ms. Eve Farrelly
Interim Chairperson

CEO'S STATEMENT



PLAN

This is my third year as CEO at Dignity4Patients and I have to say I remain in awe of the resilience and fortitude of the victims and survivors as they continue their literal battles for justice.

We would love to be able to say the criminal, civil and other justice pathways are finally being realised for the victims and survivors of Michael Shine. They ended 2022 with the devastating news that the Office of the Director of Public Prosecutions (DPP) would not be prosecuting any of the most recent cases (25 in total). Investigations forwarded to them by An Garda Síochána in relation to the sexual abuse they were subjected to by convicted criminal and former surgeon at Our Lady of Lourdes Hospital, Michael Shine.

In early 2023, having applied for Summary of Reasons and then an Independent Review of the DPP's decision, nothing changed for these victims and survivors. This group continue their brave fight for justice and are currently awaiting legal opinions. The media once again stepped up and covered these issues both in print and radio format. And as usual due to media coverage new victims proceeded to come forward. At the same time alarmingly the Medical Missionaries of Mary sought to claim back the indemnity fund (1.4 million Irish Pounds) they set up in 1997 on the sale of Our Lady of Lourdes Hospital in Drogheda, for any legal cases taken against them in relation to Michael Shine (known as 'the Shine Fund'), which sits in Arthur Cox Solicitors. We are fighting this.

Sadly, some of our victims were also victims of sexual abuse in school and we assisted them to engage with the Scoping Inquiry set up in the aftermath of the Blackrock College scandal.

The brilliant tiny team at Dignity4Patients continued to provide accompaniment service with An Garda Síochána, the Divisional Protective Services Unit (DPSU), Hospital Complaints Meetings, Legal Appointments and Medical Council Hearings.

In 2023, with an optimistic view to going forward and securing further funding we developed our new 5-year Strategic Plan (2024 - 2028), with a view to developing our Operational Plan in 2024. We also developed and launched a new website, and a new risk register. Once again, we are grateful to have funding from the Health Service Executive and the Department of Justice and the National Lottery to continue this work. We also continued to receive sporadic small private donations every now and then of which we are eternally grateful.

I would like to take this opportunity to thank the victims and survivors, our active volunteer Board and the tireless work of the staff in keeping Dignity4Patients going against all the odds.

Go raibh míle maith agaibh go léir

Adrienne Reilly, LL.M, B.A., A.L.C.M.

DIGNITY4PATIENTS

Our HISTORY

Dignity4Patients was founded in 2008 and incorporated as a charity in 2010. For over a decade Dignity4Patients has advocated on behalf of patients who have been victims of sexual abuse while accessing health care in the Irish health service. We provide support information and advocacy to victims and survivors on their justice, health and well being pathways. Prevention and zero tolerance of sexual abuse of patients in all health care, nursing care, and other forms of health services by service practitioners is key to our work.

Our MISSION

Dignity4Patients is committed to upholding the dignity and rights of victims and survivors of sexual abuse in healthcare settings throughout Ireland.



Our VISION

A healthcare system in which sexual abuse and inappropriate sexual behaviour is met with a zero-tolerance response.

2023 STATISTICS

14

Reported
Locations
of Abuse

348

Helpline
Calls

Client
Meetings

65

714

Helpline
Emails

Client Admin
Hours

280

26

New
Victims
Assisted

189

Client
Referrals

Clients
Supported

289



SERVICE OVERVIEW

Dignity4Patients provides Support, Advocacy, Information (SAI) and accompaniment services to victims and survivors who have experienced sexual abuse or inappropriate sexual behaviour while in a healthcare setting as a patient, service user or client. We aim to support the physical and mental wellbeing of victims and survivors who have experienced such behaviour (primary victims) in a health care setting (hospital, psychiatrist rooms, doctors treatment rooms etc). We also support others abused in other care settings such as nursing homes.

In providing these services we help victims and survivors of sexual abuse as well as their families and next of kin (secondary victims) on their journey towards dealing with sexual abuse, healing, and recovery.

Dignity4Patients on an ongoing basis continually addresses issues of prevention of sexual abuse within the health care service Health Service Executive (HSE) and the Medical Council, and any other relevant bodies by exploring all avenues of justice to remove perpetrators from the Irish health care service.



HELPLINE ENGAGEMENT

During 2023, Dignity4Patients provided vital support and assistance to many individuals and their next of kin as they sought to report their experience of sexual abuse in healthcare settings and other care environments. Once again revelations of sexual abuse in Irish medical institutions, healthcare environments and clinical settings highlight the important need of support services for victims of sexual abuse.

Many victims need a trusted space to share their experiences and learn how to address this issue, for their recovery and resilience. Dignity4Patients provided support and advocacy to those at a very vulnerable and critical time. Time and again many experience the confusion, anger and ongoing trauma that surround experiences of sexualised behaviour towards users of Ireland's health service. Unless there is clear lines of reporting and transparent acknowledgement or investigations that this is a patient safety issue, the risk remains that incidents go underreported and inappropriate sexual behaviour continues to happen to others.



**Helpline
Calls**

348



**Helpline
Texts**

528



**Helpline
Emails**

714

CRIMINAL JUSTICE

In 2023, Dignity4Patients remains deeply concerned about the decision by the Director of Public Prosecutions not to prosecute 24 cases of sexual abuse. Of the 16 victims and survivors who engage our services, 10 proceeded to get an Independent Review of the DPP's decision. For the most part the Independent Reviewer found that the cases were prosecutable. However, the Independent Reviewer still favoured the decision by the DPP based on the cumulative factors of delay, cognitive and physical health of the accused, age and historical nature of allegations and the legal precedent of 'wholly exceptional circumstances. The application of this legal precedent emanates from a Court of Appeal Judgement (2021) based on an administrative error by the DPP leading to failure to inform Michael Shine for two years of notice to prosecute.

In a very warped outcome, this DPP's failure has led to Michael Shine being protected from prosecution. The victims and survivors do not accept this as a legitimate justice outcome and sought legal advice by way of Junior Counsel. Given the complexity of constitutional and human rights law provisions in this legal opinion they are now awaiting the outcome of Snr Counsel advice.

They will not let this matter rest.

In light of all of this it is also imperative that a Commission of Investigation / Public Inquiry be granted for these victims and survivors. Victims are still coming forward. There are currently new cases being investigated by An Garda Síochána and being sent to the DPP for consideration.



CIVIL JUSTICE



Dignity4Patients continues to support victims and survivors navigating their way through the civil justice process. Over 200 of our service users have received some form of settlement relating to their experience of sexual abuse in a hospital setting. Albeit in extremely protracted and difficult legal processes reaching in some cases nearly a decade. New victims still awaiting outcomes are very anxious given this history. They are concerned the Medical Missionaries of Mary and former surgeon and convicted sex offender Michael Shine’s legal team will continue to use stalling tactics.

Recognising the frustration of the protracted nature of civil redress and the lack of admission or liability failure to protect victims, in our experience many feel some form of acknowledgment from the state or the Medical Missionaries of Mary, specifically in the form of an apology, as part of symbolic reparation, would go a long way on their justice journey.

Dignity4Patients continues to provide support, information and advocacy to victims and survivors. Many of whom continually express their anger and disappointment at the delayed justice and perceived lack of care or consideration for them as adult victims and survivors of childhood and non-recent sexual abuse.



Number of Civil Cases

26



Number of Complainants

26



Number of Settlements

0

REFERRAL PATHWAYS



Dignity4Patients continues to support and assist a number of victims and survivors in their pursuit to report the crime of sexual abuse or sexual misconduct committed against them by healthcare professionals and those who contact our helpline for support. Victims and survivors have been assisted in reporting their complaints through a variety of justice pathways including An Garda Síochána; the Medical Council; and various health complaints processes as well as referrals and accompaniment to other legal and wellbeing organisations.

In **2023** a total of **189** referrals were made to or on behalf of our victims and survivors and service users to other organisations including those in the chart below.



COMMISSION OF INVESTIGATION

In 2022, we welcomed the fact that the Government was investigating sexual abuse in educational settings. In 2023, we followed closely the ongoing Hickson Inquiry in relation to the sexual abuse of young boys by convicted offender and former Basketball Coach, Bill Kenneally, from Waterford. The terms of reference of the Hickson Inquiry are exactly what the victims and survivors of former surgeon and convicted sexual offender Michael Shine want for their own public inquiry. Just like the Kenneally victims Shine victims and survivors want to know what, if any level of knowledge of the offences committed by Michael Shine was held by a number of organisations including *An Garda Síochána, the Medical Missionaries of Mary, the North Eastern Health Board,, the Medical Council, the Royal College of Surgeons, and certain political figures* in the relevant time period.

We met with the Minister of Justice Helen McEntee to discuss this and propose that there is a tripartite discussion between the Ministers for Health and Finance with regards to getting this over the line. We explained that there is a IRL£1.6 million Indemnity Fund in Arthur Cox Solicitors since 1997, lodged by the Medical Missionaries of Mary to protect the State from costs arising from abuse if any litigation arose.

The terms of this deposit account were that the Health Board and the Minister for health would have first charge as security. This fund has never been accessed for the victims, as the Nuns insurers paid for most civil claims. The Medical Missionaries of Mary tried to access these funds in 2024, but we have strongly objected to this. We outlined to Minister McEntee that this money should be used to fund a public inquiry for the victims and survivors of Michael Shine. the fund is for them.





NON-ADVERSARIAL RESTORATIVE JUSTICE

Criminal trials and civil actions in Ireland continue to be a source of distress to victims and survivors. These processes are not trauma informed. In fact, victims and survivors have reported engagement with these criminal and civil processes as traumatising, humiliating, and dehumanising. It is high time that organisations who fail to protect in children and young people as well as vulnerable adults accessing any form of health care from sexual abuse, and when this is exposed, that there is constructive and timely engagement from the outset.

Ireland's restorative justice should adopt a non-adversarial, human rights based and victim centred approach. Any process should include acknowledgment of wrongdoing as a key element of restorative justice. Sadly, in Irish justice processes to date this has been very reluctantly given, if at all.

ONGOING WORK

At the end of 2023, as an organisation, we were devastated for the victims and survivors who seemed to have hit a wall regarding their criminal justice pathway, due to the actions and decisions of the Office of the Director of Public Prosecutions (DPP). A Senior Counsel Legal Opinion has been sought. That said, with the completion of our new five year Strategic Plan in the latter part of 2023, with a view to developing our Operational Plan in 2024 we look to the future with renewed vigour.

The media interest in public inquiries is at an all-time high, and the recognition that all victims of State and institutional failings should have an opportunity to have their experiences documented and addressed in a Public Inquiry in the same manner as the Hickson Inquiry (into sexual abuse by former convicted sexual offender and Basketball Coach, Bill Kenneally).

With local elections in June 2024 and a general election in early 2025, we intend to highlight these the rights and requests from victims and survivors support with local and national politicians and parties.

Once again, we are hopeful in 2024 that, in meeting with the relevant government Ministers, we can build on the progress made in the possible utilisation of the States indemnity fund (known as 'the Shine Fund') to cover the costs of a Public Inquiry for victims and survivors. When it comes to sexual abuse, zero tolerance should mean zero, and the Department of Health and the HSE who have securing control of these funds should recognise this as their most purposeful use.

Of the new victims that come forward to our services, disclosing recent and non-recent sexual abuse, our core goal in 2024 is to continue to provide support, advocacy and information to all. We also hope to secure a further three years funding from the HSE in order to advance this ongoing complex justice work.

In 2024, we will continue to engage with policymakers, healthcare services, and community leaders to raise awareness about the importance of addressing sexual abuse and accountability. We will also work to strengthen our partnerships to ensure that victims receive comprehensive care and support.

GOVERNANCE

As a Board, we will continue to implement and review the Charities Act to ensure our compliance with the Charities Regulator's Governance Code. Our main concern is to reassure our funders that their money is being managed with good governance and that we are open, honest, and transparent in our operations and service outcomes and achievements.

By adhering to these principles, we aim to maintain the trust and confidence of our stakeholders, while continuing to deliver high-quality services that make a positive impact on our community.

One of the highlights of 2023 was the development of our new Strategic Plan for 2024 – 2028. We engaged an external facilitator, and during an away day with Staff and Board deep dived into our direction for the next 5 years. Our facilitator engaged our sectoral partners, clients and funders for feedback on our work, which was extremely positive, illustrating the continued need for the service. From this we developed a robust plan, which we hope to operationalise through maintaining our funding (HSE & CUAN) to deliver our services. At the end of this year, we started work on our Operational Plan to correspond with this Strategic Plan.

Completion of our Operational Plan in early 2024 will ensure our activities and organisation's direction continue to meet our charity's aim and objectives and to meet the needs of those that continue to turn to our service for support.

BOARD MEETING ATTENDANCE

Meeting Date	Meeting Type	E. Farrelly	P. Farrell	P. Murphy	B. O'Shea	L. Brennan	G. Rutledge
1st Feb 2023	GM	Y	Y	N	Y	N	-
10th May 2023	GM	Y	Y	Y	N	N - Resigned	-
26th Jul 2023	AGM	Y	Y	Y	Y	-	-
24th Aug 2023	GM	Y	Y	N	Y	-	-
28th Aug 2023	GM	Y	Y	N - Resigned	Y	-	-
07th Sep 2023	GM	Y	Y	-	N	-	-
17th Oct 2023	GM	Y	Y	-	Y	-	-
5th Dec 2023	GM	Y	Y	-	Y	-	Y - Appointed

THANK YOU!

ACKNOWLEDGEMENTS

We are extremely grateful for the continuous support from the Department of Justice, the Department of Health, the HSE and the National Lottery in addressing support for victims and survivors. Their financial assistance in 2023 has been invaluable once again.

We want to express our gratitude to the various organizations that offer assistance to victims and survivors as they navigate the legal systems and continue to support Dignity4Patients in addressing this public need.

We are always thankful to all those who have bravely trusted Dignity4Patients over the years to fight for justice against sexual abuse in Irish healthcare. Your courage and determination paves the way for others to seek accountability and healing.

Together, we can and will make a difference for future users of Ireland's health service.



An Roinn Sláinte
Department of Health



An Roinn Dlí agus Cirt
agus Comhionannais
Department of Justice
and Equality

OUR TEAM



Board of Management

Eve Farrelly - Interim Chairperson

Paul Farrell - Treasurer

Barbara O'Shea - Trustee

Gary Rutledge - Trustee



Management Team

Adrienne Reilly - Chief Executive Officer

Philip O'Donoghue - Operations Manager

Pat Murphy - Senior Support & Advocacy Officer

Catherine Smith - Helpline Assistant





Financial Statement

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FINANCIAL STATEMENT

Profit & Loss Accounts

Financial year ended 31 December 2023

	2023	2022
Income	€ 221,695	€ 202,167
Gross profit	€ 221,695	€ 202,167
Administrative expenses	-€ 210,548	-€ 181,668
Operating Loss / profit	€ 11,147	€ 20,499
Profit/(Loss) Profit before taxation	€ 11,147	€ 20,499
Tax on profit	-	-
Profit/(Loss) Profit after taxation	€ 11,147	€ 20,499

1	2023	2022
Employed Staff	Number	Number
Administration	5	3
Management	1	1
Total Employed Staff	5	4
The aggregate payroll costs incurred during 2022:		
Wages and salaries	€ 135,907	€ 124,364
Social insurance costs	€ 14,774	€ 13,811
Total Payroll Costs	€ 150,681	€ 138,175

FINANCIAL STATEMENT

Balance Sheet

Financial year ended 31 December 2023

	2023	Total	2022	Total
Fixed assets				
Tangible assets	€ 11,254		€ 9,108	
		€ 11,254		€ 9,108
Current assets				
Debtors	€ 1,643		€ 1,624	
Cash at bank and in hand	€ 131,006		€ 126,655	
		€ 132,649		€ 128,279
Creditors: falling due				
within one year	-€ 3,187		-€ 2,897	
Net Current Assets		€ 129,462		€ 125,382
Total assets less current liabilities				
after more than one year	-€ 91,023		-€ 95,944	
Net Assets		€ 49,693		€ 38,546
Capital & Reserves				
Accumulated Reserves	€ 49,693		€ 38,546	
Members Funds		€ 49,693		€ 38,546

These financial statements were approved by the board of directors on **11th June 2024** and signed on behalf of the board of trustees' by Dignity4Patient's **Chairperson** Ms. Eve Farrelly and **Treasurer** Mr. Paul Farrell.

FINANCIAL STATEMENT

Statement of Cashflow

Financial year ended 31 December 2023

	2023	2022
Cash Flows from Operating Activities		
Profit/(Loss) for the financial year	€ 11,147	€ 20,499
Adjustments for:		
Depreciation of tangible assets	€ 4,339	€ 3,815
Accrued expenses/(income)	€ 318	€ 369
Changes in:		
Trade and other debtors	-€ 19	€ 1,131
Trade and other creditors	-€ 4,949	-€ 6,529
Cash generated from operations	€ 10,836	€ 19,285
Net cash from/(used in) operating activities	€ 10,836	€ 19,285
Cash Flows from Investing Activities		
Purchase of tangible assets	-€ 6,485	-€ 257
Net cash used in investing activities	-€ 6,485	-€ 257
Movements in Cash Flows		
Net Increase/(Decrease) in Cash & Cash Equivalents	€ 4,351	€ 19,028
Cash & cash equivalents at beginning of financial year	€ 126,655	€ 107,627
Cash & cash equivalents at end of financial year	€ 131,006	€ 126,655



Thank You

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