



**DIGNITY
4 PATIENTS**

**Overview of Report of
'Scoping Exercise in Relation to Allegations of Sexual Abuse Made Against
Michael Shine'
Lorcan Staines Barrister SC And Gemma McLoughlin Burke BL**

Presentation: Adrienne Reilly CEO Dignity4Patients



How and why Scoping Exercise Set-Up

30 June 2025 — Dignity4Patients submitted its formal paper to the Minister for Health requesting a statutory inquiry/investigation into Michael Shine and the circumstances surrounding the abuse.

24 November 2025 — Minister for Health Jennifer Carroll MacNeill met with Dignity4Patients and representatives of survivors. This was immediately before the Government decision and was an important step in progressing the proposed two-stage process.

26 November 2025 — **Government formally agreed to establish the time-limited Scoping Exercise.** This is the crucial date: the exercise was officially approved by Government on this day.

3 March 2026 — **Lorcan Staines SC was formally appointed as the independent facilitator**, and the Department of Health announced that the work would commence that day and run for up to 16 weeks.

3 July 2026 — **Lorcan Staines submitted his final Scoping Exercise report** to the Department of Health. It recommended that a **six-phase Commission of Investigation** be established and that it should begin. The process lasted 16 weeks.



Report concerned with two related tasks

To clearly explain the background to the issues surrounding Michael Shine (Pg9 of report)*

To ADVISE on the **MOST APPROPRIATE FRAMEWORK** for ANY FURTHER STATE RESPONSE (if any)

* The exact wording in the Report is “to set as clearly as possible the procedural and institutional background to the issues surrounding Michael Shine” Page 9.



Key findings and recommendation to Minister for Health



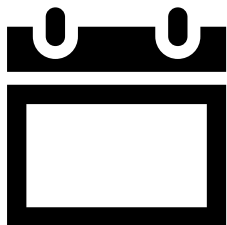
Issues raised by victims and survivors have not been sufficiently addressed.



Lorcan Staines SC came to the view that **‘there is a basis for further investigation’** *Given the number of complaints and significant issues raised by victims and survivors that **have not been examined sufficiently (or at all) a further state response is required***



Due to the passage of time this should be **bespoke** and **tailored** to deal with **specific issues**

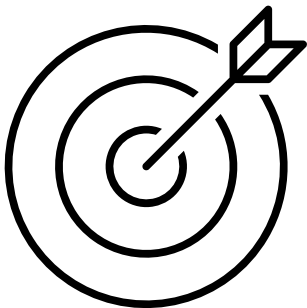


This should be **carried out as soon as possible**



Appropriate Framework for Any Further State Response

- Considering the issues that arose during the exercise and the desire of victims of view –
“A commission of investigation should be established by way of statutory instrument pursuant to the Commission of investigation Act 2004”
- That such Commission should be **broken down into phases**
- These Phases should **run at the same time**



This meeting is to discuss this approach to a commission of investigation and the six proposed phases



Recommended Phase One - Address issues with An Garda Siochana and the Director of Public Prosecutions (DPP)*

- Recommends the establishment of an independent **document based review** to set out:
 - the history of the making of complaints to Gardai
 - The submission of making complaints to the office of the DPP and the outcome of the prosecutions
- This review should be **fact finding in nature**
- **Compellability power** to get documents, records, correspondences etc.
- Set out **prosecution history in full**
- This should be done in accessible terms and in form of report
- **Should conclude with public report in plain language**



PURPOSE of Phase One

- To provide victims and survivors, and the public, with a clear explanation as to

“why so few allegations made against Shine resulted in prosecution and lesser still conviction?”

Many victims requested reason why the DPP could not prosecute criminal complaint made against him referencing the scale of allegations.



Recommended List for Phase Two – Medical Council*

An independent document based **review established to examine the response of the Medical Council to complaints and allegations concerning MS**

Delays due to criminal proceedings and judicial proceedings brought by Shine

Explain the Statutory and procedural context in which the Medical Council was operating

Fact finding in nature. No oral evidence required.

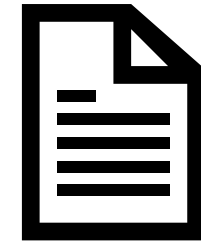
The Appeals process

Examine the confidentiality and publication rules of Fitness to Practice matters

Review should set out chronologically the MC process, including six notices of intention to hold an inquiry issue **between 1994 and 2006**

Medical Council inquiry 17 – 21 January 2008 resulting in October 2008 decision to erase his name from register

All documentation should be obtained



Conclude with **PUBLIC REPORT** in **PLAIN AND accessible LANAGUGE**



PURPOSE of Phase Two

To provide victims and survivors and the public with a clear explanation for the DELAY in removing Michael Shine's name from the Medical register

Note from Dignity4Patients

- The Medical Council is one of few organisations that provided anything of substance to Lorcan Staines SC during the Scoping Exercise
- The Medical Council made the following public statement after the Scoping Exercise Report was issued...



Statement by the Medical Council

“We **welcome the publication** of this report and its recommendations, in addition to the Government’s swift acceptance of the full recommendations of the report.

“I want to **pay tribute to the victims and survivors**, who have shown immense courage in speaking out, and whose continued advocacy over many years has been instrumental in bringing these serious concerns to light. For those involved, the issue is not only the heinous crimes committed but the potential for institutions to have blind spots and to fail to act on warning signs over many years.

We are committed to fully engaging with and supporting the Commission of Investigation.”

Dr Maria O’Kane, Medical Council CEO



Recommended Phase Three – Issues with Payment of Retirement Pension to Michael Shine*

- Independent **document based** review to examine the circumstances under which Michael Shine was allowed retire from Our Lady of Lourdes Hospital on 13th of October 1995
- Should examine the legal and contractual consequences of that retirement including if any lawful alternative existed
- Fact finding review, without oral evidence.
- Shall address
 - first formal complaint in hospital 29th March 1995
 - Shine's absence & discussion about retirement
 - Ultimate decision made
 - Degree of knowledge hospital had about the complaints.

Shall provide a short, public and plain language report



PURPOSE of Phase Three

To provide victims and the public with **a clear explanation as to the circumstances in which Michael Shine retired**

Why the disciplinary route was not carried out through to conclusion

Whether the hospital could lawfully have prevented his retirement and whether any other mechanism existed to alter his pension entitlements



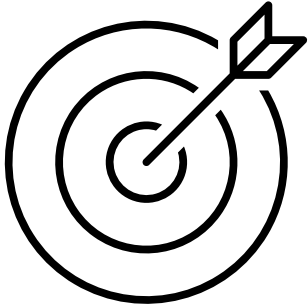
Recommended Phase Four - Current Patient Protection*

- Many victims expressed their wish to Lorcan Staines to ensure that protections are put in place to make sure that what happened to them could never occur again. This phase addresses this.
- Short focused module on current patient-protection policies in health care system.

Focus on:

- Hospital Safeguarding protocols
- Intimate examination rules
- Chaperoning
- Patient information
- Complaint routes
- Whistle-blower protections
- Mandatory reporting
- Escalation pathways
- Regulatory categorisation of sexual abuse allegations
- Interim restriction powers
- Public and information sharing rules
- Staff training
- Inspection and audit systems
- Whether allegations of sexual abuse or assault by clinicians treated as sufficiently distinct category of misconduct in the content of professional complaints

PURPOSE of Phase Four



In order to examine if Ireland's current safeguard are adequate to protect children and adults in healthcare settings.

Will take oral evidence from those currently responsible for patient safety etc for example the Department of Health, the HSE and the Medical Council

It will also hear oral evidence from a small number of international experts for international comparison

It will have power to compel documents



Recommended Phase Five - Truth and Recovery Process*

- **Establish a Truth and Recover Process as a distinct , victim-centred and non-adversarial module FOR VICTIMS AND SURVIVORS** (no cross examination by Shine or his legal team or judgement from anyone else)
- **Running alongside preparation for Phase 6 (statutory inquiry process)**, starting immediately
- **Provide a structured means for victims and survivors to be heard in their own right**, to describe and have recorded in their own words what happened to them, and the impact of this abuse
- **Victims and survivors accounts should be taken in a comfortable, carefully managed environment**
- **The process should be trauma informed**, practically **accessible**, and supported by **counselling, advocacy** and appropriate assistance for victims and survivors.
- **An optional facility should be made to have accounts visually recorded AS well as written**, and this may help if they are going to give evidence in Phase 6/the Statutory Process. This truth and recovery process is not obligatory for victims and survivors, written testimony is also fine



Recommended Phase 5 - Truth and Recovery Process

- Victims can **speak not only** about abuse, but also about personal, medical, psychological, and other impacts, including on family
- Close family members and others will also be allowed to give evidence
- This will show the '**accumulated truth**' as to the reach of the abuse, drawing together recurring patterns in the evidence and impact on victims and survivors, and where relevant their families
- **This should commence without delay**, given the age and vulnerability of many victims that he (Lorcan Staines) met and enough time has elapsed



PURPOSE of Phase Five

To assemble what Professor Phil Scraton describes as an “accumulated narrative” or an “aggregated truth”

This is drawn from the recurring patterns in the evidence from the victims and survivors and the experiences of those affected

The report at end of this should amount to a history of Michael Shine, and his actions, told through the voices of the victims.



Recommended Phase Six – A formal statutory investigation*

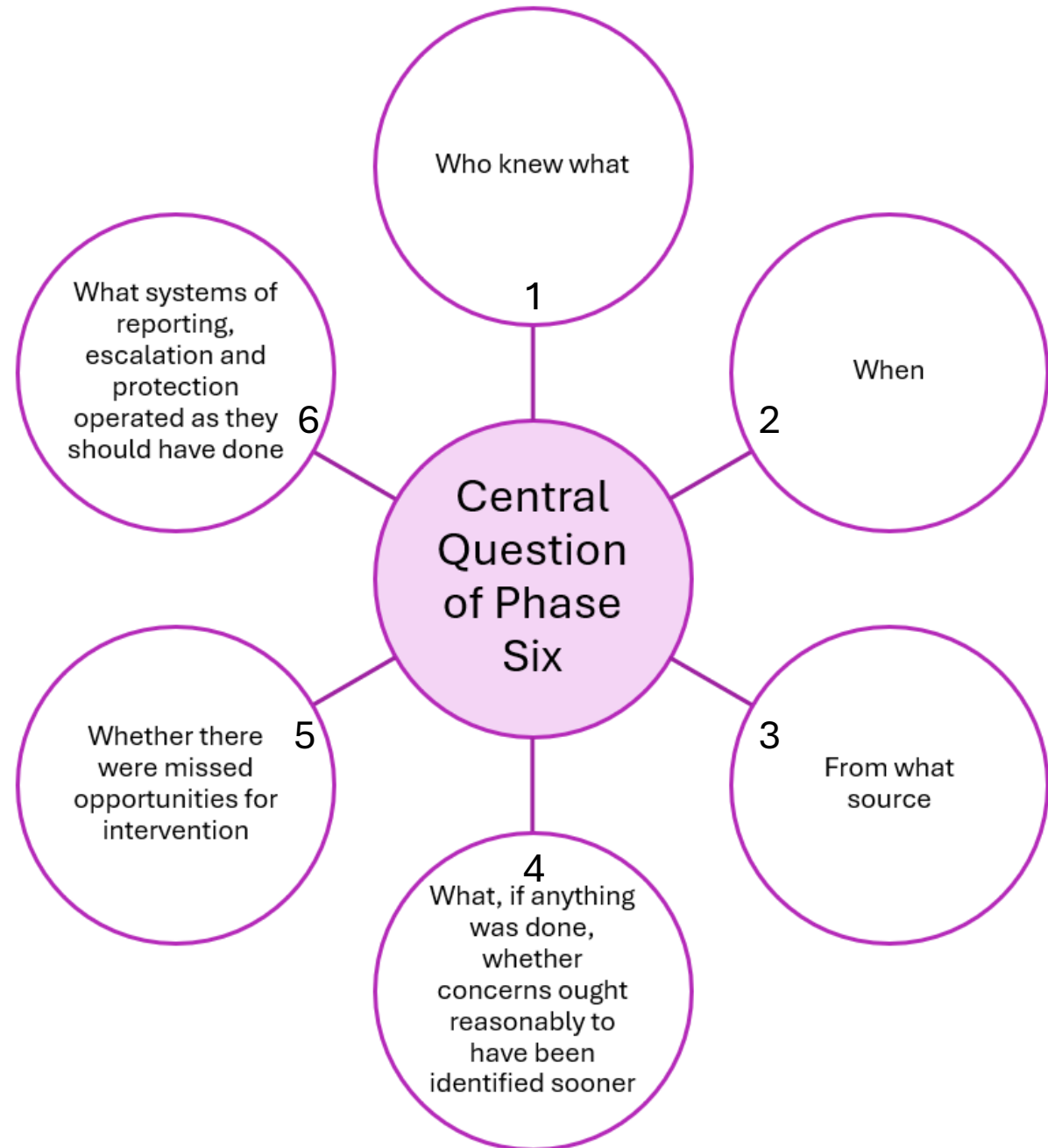
- A formal investigation to with **POWER** to:
 - Hold public and Private hearings
 - Compel witnesses to attend
 - Require the publication of documents
 - Take evidence under oath
 - Make findings of facts on matters within the Terms of Reference



Continued - Recommended Phase Six

- The investigation will examine the FULL EXTENT to which the:
 - Medical Missionaries of Mary
 - The authorities at Our Lady of Lourdes Hospital
 - The Northern Eastern Health Board and its successors
 - An Garda Síochána
 - The Department of Health
 - And ANY OTHER relevant bodies or office holders received complaints, information, warning signs or indications of risk concerning Michael Shine (if any)
 - What actions they stood in response
 - Whether their actions were adequate and timely at that time

Continued - Recommended Phase Six





Continued - Recommended Phase Six

Investigation will have the power to obtain every surviving record bearing on these issues and examine chronologically each of the relevant institutions



Hospital records



Complaint files



Garda Material



Department of
Health records,



Health Board
Records



Board Papers



Correspondence
and decision
making records

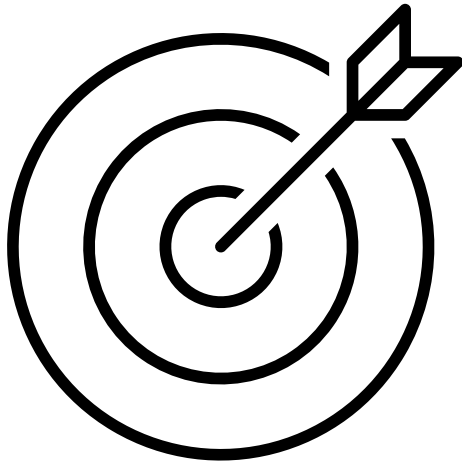


Continued - Recommended Phase Six

CHALLENGES

- Passage of time
- Death of witnesses
- Loss and destruction of material
- Limitations of a retrospective inquiry
- These are **NOT a reason NOT to proceed**, on the **CONTRARY**, they are the **VERY REASON, WHILE EVIDENCE STILL REMAINS to ESTABLISH AS MUCH OF THE TRUTH AS CAN BE ESTABLISHED**
- This phase will be longest but can answer the
 - **CENTRAL QUESTION – which is HOW CAN SO MANY YOUNG BOYS AND MEN BE ABUSED FOR DECADES WITHOUT ANYONE KNOWING OR SUSPECTING SOMETHING WAS AMISS?**

PURPOSE of Phase Six



To address the wider institutional and systemic questions that could not be resolved through the criminal process



Drogheda Review/Smyth Review*

At end of Report Lorcan Staines SC says:

*“In my view the question of publication should be revisited only after the Commission of Investigation has concluded and its final report has been published.
It would be preferable to consider in light of findings and recommendations of a Commission of Investigation.”*

His fear is that publication of the Smyth Review may put some people off engaging with a Commission of Investigation or any of the other phases. And that the priority at this time should be this process.

He also said if a Commission of Investigation does not take place or the recommendations in this report are not followed then he requested that this specific issue be returned to him for consideration.