

# Fury as 25 cases against paedophile surgeon dropped by DPP

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Convicted paedophile Michael Shine may not face any further time behind bars after it emerged the Director of Public Prosecutions has dropped 25 more cases.

Shine, 89, worked at Our Lady of Lourdes Hospital in Drogheda, Co. Louth, where he allegedly abused children for decades.

He was released from prison in February after serving three years for indecent and sexual assault of seven boys between 1971 and 1992.

The Court of Appeal ruled last year that a separate sexual abuse trial for Shine, concerning ten other patients, could not proceed due to his age, physical health and the historic nature of the allegations.

Dignity For Patients, the group set up to support those who allege they were abused by Shine, called last night for a full Government inquiry into other claims made against the convicted paedophile. The organisation said it has marked the death of at least 13 clients while waiting for the truth to emerge.

A full inquiry investigating the now hundreds of allegations against the former consultant surgeon has never been commissioned by Government.

In 2009, a retired judge, Thomas Smyth, was appointed by the then-government to head a review into what was done by the hospital to protect patients from sexual abuse, but it never saw the light of day.

Last night, RTÉ's Prime Time reported that despite various legal challenges, the survivors who agreed to share their painful stories have never been given access to the finished report.

The Department of Health told RTÉ the judge indicated at the time of the report that its release should not be contemplated until all outstanding proceedings, criminal and civil, are resolved, in case doing so would prejudice these. It added the department recently sought updated legal advice and could confirm this remains the position.

However, Professor Phil Scarton, a human rights expert known for his research on the Hillsborough disaster, said: 'A report that is confidential, that remains behind closed doors, that has a decades-long ban on its publication, is completely unacceptable. There is no justification other than certain very specific moments of national security - you know really, I'm talking about war.'

'There is no other circumstance at all which should enable a state to withhold rightful information from its people, particularly if its people have been wronged previously, because that then becomes an exacerbated wrong. "We're going to listen to you, we're going to hear you, but you can't see what the outcome is." I can't believe how that has any place in any democratic society.'

One man, speaking under the pseudonym of Noel, alleged on the Prime Time programme last night that he had been abused by Shine as a child.

He said he had reported it to An Garda Síochána seven years ago, and believed there would be another court case.

'Out of the blue, a phone call came from the guards to tell me that the DPP has decided not to proceed with any further cases against Shine,' he said.

'I was taken aback by this because I had always hoped that more cases would go against him, he'd be brought back to court and sent back to jail.'

Another alleged victim, 'John', said: 'I just felt shocked. I felt let down and angry by the DPP that they were just letting him off. It was as if they were taking his side of things, that what I had gone through had never happened, that was all forgotten about.'

'They were absolving him of sexually abusing me when I was a child.'

John added: 'I suppose what I wanted was just that somebody could hear my story, my side of it, so that people would believe that this happened to me. Nobody believes young children - it leaves an awful effect on you.'

Noel added: 'Sixty-odd years later and there's still no justice that I feel I've ever gotten for the abuse that happened to me and happened to others within the Medical Missionaries hospital in Drogheda. Still no justice. Still even today, you know.'

Many of those who say they were abused by Shine have also pursued civil cases.

In 2012 - after over 110 cases were taken against the former medic and his employers at Our Lady of Lourdes Hospital - the Medical Missionaries of Mary agreed a deal with survivors in the region of €8million. A further 109 cases have since been at the centre of new settlement talks for a considerable time.

Late last year it was widely reported that a deal had been reached, only for it to falter at the 11th hour when the religious order told the High Court the matter was not settled.

Court exchanges claimed the issue centred on a dispute over who would pay legal costs of more than €1million incurred by the HSE when it was once a defendant to the cases.

The HSE has now confirmed that the matter of costs was recently the subject of a successful mediation, and was not an impediment to the settlement of the claims. RTÉ Investigates said it had learned that most of the 109 cases are now close to being fully settled within the next two weeks. Shine retired on a full pension in 1995 having worked in Drogheda for 30 years.

**If you have been affected by any of the issues raised in this article, you can contact Dignity4Patients, whose helpline is open Monday to Thursday 10am to 4pm.**