

Shine victims' fury at bid to take back legal money

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A victims' support group expressed 'outrage' over a religious congregation's bid to withdraw funds for legal battles with survivors of paedophile Michael Shine.

In recent days, it emerged that the State is fighting the Medical Missionaries of Mary [MMM] efforts to take back money from a fund set up in 1997, to indemnify the Government against legal costs. The religious institute previously ran Our Lady of Lourdes Hospital in Drogheda where Shine worked. When details of the disgraced surgeon's abuse came to light, MMM paid £1.6million to an Indemnity Fund to protect the State from any costs if litigation were to arise. At the time, the ownership of the hospital was transferring to the then Eastern Health Board.

New documents obtained under a Freedom of Information Act reveal the congregation is trying to take some of the money back. In response, advocacy group Dignity4Patients said it is 'outraged' and urged the Department of Health to resist the request. 'Dignity4Patients and the victims we support are outraged that the Medical Missionaries of Mary have requested a return of monies from the Indemnity Fund of IRE£1.6 million it agreed with the State in 1997,' the association said.

'This fund was set up to pay for the sexual abuse cases they knew were coming down the line. 'We have evidence that this fund internally in the Department of Health was called "the Shine Fund". We understand that an independent expert has been appointed. We strongly support the State in their resistance to any monies being released.'

Dignity4Patients CEO Adrienne Reilly said the group would 'fight tooth and nail' on behalf of Shine's victims. Shine, 90, was freed from prison last February after serving three years for sexual assault of seven boys over three decades. More than 100 lawsuits against a religious order over the activities of the convicted child molester have already been settled. 'Former surgeon Michael Shine sexually assaulted and abused hundreds of children and young people in his care,' the Dignity4Patients' statement added.

'One was four years old. Michael Shine used his power as a surgeon to become a prolific sexual abuser. He sexually abused children and young adults over a 30-year period in Our Lady of Lourdes Hospital and associated treatment rooms in Drogheda. While some adult survivors have received civil redress in the form of compensation via the insurer of the Medical Missionaries of Mary, many are still in protracted criminal justice processes for decades. In fact, for most of their adult lives. Victims are still coming forward.' The

IRE£1.6million fund was part of an agreement between MMM and the Minister for Health that it would indemnify the State in the event of liable claims connected to abuse. The cash was originally managed by the Eastern Health Board and the Minister for Health. However, a 'third party' now presides over the fund.

It's understood the State has never withdrawn money from it to settle payments. According to a draft briefing document from December, seen by the Irish Times, the Corporate Affairs Division from the Department of Health planned to 'resolve issues relating to the Medical Missionaries of Mary request for withdrawal from a fund established to protect the State from exposure to costs arising from the abuse of patients by Dr Michael Shine.'

The Department of Health confirmed an 'independent expert' has been assigned to make a determination on the withdrawal. 'We also understand that an independent expert is only appointed where there is disagreement on how much the religious order can draw down,' the Dignity4Patients group added.

'We are deeply concerned that an independent expert may decide on this without any input from us or the victims and survivors who engage with our services. 'The money that has accrued through interest in this account should be given over immediately to meet the rights, requests and medical needs of the victims and survivors.' The Medical Missionaries of Mary said it 'has no comment' on the matter.