

Sex crimes and the Vatican: Transcript

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PANORAMA

Sex Crimes and the Vatican

RECORDED FROM TRANSMISSION: BBC ONE

DATE: 1:10:06 Q: Can you show the camera how you think you look when you abuse. When you're actually doing the physical sexual act.

O'GRADY: Okay.

Q: Can you go to that person Oliver?

O'GRADY: That's that person now.

PAUL KENYON: This is Father Oliver O'Grady, a former Catholic priest. The church knew he was a child abuser.

Q: How about how you would greet that little girl you were grooming? Just use the name Sally.

O'GRADY: Hi Sally, how you doing? Come here, I wanna give you a hug. You're a sweetheart, you know that. You're very special to me. I like you a lot.

KENYON: Instead of reporting O'Grady the church hid him from the authorities. No mistake, but part of a secret church directive. The man responsible for enforcing it was Cardinal Joseph Ratzinger, now Pope Benedict XVI.. County Wexford in Ireland. The diocese of Ferns is a strip of towns and villages sprinkled along the rugged coastline. Four years ago this priest, Father Sean Fortune, was at the centre of Ireland's biggest child abuse enquiry. The scandal exposed details of a secret Vatican decree which seemed to shelter the perpetrators, and silence the victims of abuse. Colm O'Gorman was one of its victims. He returned to his home town in Ferns to try to come to terms with his past. When he was 14 years old Colm was raped by Father Sean Fortune.

On Sunday mornings, after Fortune had abused me, he'd leave me in his bed, in the bedroom in the house there, and come down and say first mass. And I remember that he used to come back after saying first mass, and... sometimes abuse me again. And then I'd have to go downstairs with him and have breakfast, and then come down here for the second mass, and sit and watch him say mass.

KENYON: The church knew Father Fortune was a paedophile, but failed to inform the police. Instead it moved him from Parish to Parish. He was finally exposed, and killed himself on the eve of his criminal trial. Along with the BBC, Colm began investigating who'd been responsible for helping him evade detection. It turned out to be the most senior church figure in the diocese, the Bishop of Ferns Doctor Brendan Comiskey. We confronted him.

SARAH MacDONALD: Bishop Comiskey.

COMISKEY: [singing to himself as he steps out of car] We will survive.... How are you?

McDONALD: I'm fine thanks. Sarah McDonald, BBC television. You're looking very well.

Dr BRENDAN COMISKEY

Bishop of Ferns

(smiling warmly) Sarah, how are you?

MacDONALD: I'm very well thank you. I've just come to ask you just a question about Sean Fortune. We just wanted to know....

COMISKEY: (smile gone he turns his back instantly and rapidly retreats) I'm going to have mass at half past..

MacDONALD: (calling after the retreating figure) Why didn't you stop Sean Fortune....

COMISKEY: I.. I.. I moved...

MacDONALD: ..abusing young boys? Bishop Comiskey?

COMISKEY: ... when it was brought to my attention I moved him out of the Parish, and sent him on treatment...

MacDONALD: Not for 6 years..

COMISKEY: ...for 2 years.

MacDONALD: Not for 6 years you didn't move him out of the Parish. Why didn't you stop him?

COMISKEY: Thank you very much.

MacDONALD: Why didn't you stop him Bishop Comiskey?

COMISKEY: (enters building and firmly shuts door)

KENYON: Within weeks of that denial Bishop Comiskey was summoned to Rome.

COMISKEY: (making public statement) On Thursday last I tendered my resignation as Bishop of Ferns to Pope John Paul. I travelled to Rome later this week in the further of that process.

KENYON: Bishop Comiskey had gone, but in Ferns more stories of abuse followed. Colm is now Director of one of Ireland's largest charities supporting victims of child abuse. He campaigned for a government inquiry, and got it. In October last year, when the Ferns report was published, it exposed a cover up involving more than just one priest.

COLM O'GORMAN

The Ferns report makes disturbing reading. It details allegations of the rape and abuse of over 100 girls and boys, made against 26 priests from this small, rural diocese. It says that there was a culture of secrecy, and a fear of scandal, that led Bishops to place the interests of the Catholic church ahead of the safety of children.

KENYON: The report was the first to link the churches behaviour to a secret Vatican decree for dealing with paedophile priests. The more Colm meets other Ferns victims the more convinced he's become that the decree has been used to silence their allegations of abuse.

AIDEN DOYLE

I'm looking here at the room that I was in 40... nearly 41 years ago. That's four decades, and I'm still remembering what happened inside, under that roof, in the peace and quiet of a Saturday afternoon in that room, behind that window.

KENYON: Aidan Doyle was educated at a Catholic school run by priests.

DOYLE: Terror struck at approximately 10 past 3 in the afternoon, when he decided to come in and, as he put it, help me with the practicing of my music. Then a moment later everything changes. I was hauled back down onto the bed, I was told to lie down on the bed with him, on the bed where I was made to grope his private area. I was then... oh... (struggling and distressed) I was then mauled really. It was: "You're going to be intimate with me, you're going to get closer to me, you're going to be my special person." I think all my hopes and dreams went then. It was just a question of when, how, will it ever stop.

KENYON: After the sexual assault Aidan ran from the room. He told another priest what had happened. But instead of going to the authorities the priests invoked one of the most powerful tenets of the Catholic faith - To bar Aidan or his abuser from ever speaking out.

DOYLE: He said to me 'I'm going to apply the seal of confession to you, so that you must never talk about this, and it will be kept secret.' And I remember saying that that evening. That why should I have to keep quiet about something that I hadn't initiated?

KENYON: Aidan didn't know it, but an oath of silence was part of the secret church decree called 'crimen sollicitationis' (crime of solicitation). The directive was written in 1962, and Catholic bishops worldwide are ordered to keep it locked away in the church safe. It instructs them on how to deal with priests who solicit sex from the confessional. But it also deals with any obscene external acts with youths of either sex. Child abuse. Originally written in Latin it imposes the strictest oath of secrecy on the child victim, the priest dealing with the allegation, and any witnesses. Breaking that oath means instant banishment from the Catholic Church - excommunication.

AIDEN DOYLE

I was told that.. simply told you don't talk about this again. It's over, you'll get over it, it'll fade away in time, it'll go away, you've nothing to worry about. You know it's all about forgiveness, it's all about forgiving your offender as well as the offender forgiving me. They were judge, jury and everything else. I didn't have any opportunity to receive understanding. There was no understanding brought about. I didn't know what this meant other than that I must never talk about it again.

KENYON: Aidan was so intimidated he hasn't spoken of what happened for 40 years, until now. His abuser has never been punished. To uncover the significance of crimen sollicitationis Colm goes to meet Father Tom

Doyle, a canon lawyer. Once a Vatican high flyer, then he criticised the church's handling of child abuse and was sacked.

Father TOM DOYLE
Canon Lawyer

Crimen sollicitationis is indicative of a world-wide policy of absolute secrecy and control of all cases of sexual abuse by the clergy. But what you really have here is an explicit written policy to cover up cases of child sexual abuse by the clergy, to punish those who would call attention to these crimes by churchmen. You've got a written policy that says the Vatican will control these situations, and you also have, I think, clear written evidence of the fact that all they're concerned about is containing and controlling the problem. Nowhere in any of these documents does it say anything about helping the victims. The only thing it does is say that they can impose fear on the victims, and punish the victims, for discussing or disclosing what had happened to them.

KENYON: The procedure was intended to protect a priests reputation until the church had investigated. But in practice it can offer a blueprint for cover-ups. The man in charge of enforcing it for 20 years was Cardinal Joseph Ratzinger, the man made Pope last year. In 2001 he created the successor to the decree. In spirit it was the same, overarching secrecy with a threat of excommunication. He sent a copy to every Bishop in the world. But now he ordered that the Vatican must have what it calls 'exclusive competence'. In other words, all child abuse allegations must go exclusively to Rome.

FR. DOYLE: It's all controlled by the Vatican, and at the top of the Vatican is the Pope. So Joseph Ratzinger was at the middle of this for most of the years the crimen was enforced. He created the successor to crimen, and now he's the Pope. This all says that the policy and the systematic approach has not changed.

KENYON: Cardinal Ratzinger's new decree was a missed opportunity to modernise the church's approach just as its biggest scandal was about to break in America. Colm travelled there to discover whether these were isolated cases sadly mishandled, or a Vatican policy of cover up.

COLM: At the same time as the scandals were erupting in Ireland in 2002, hundreds of cases were emerging here in the United States. A US report tells us that almost four and a half thousand US priests have been accused of raping or sexually abusing children.

KENYON: Its epicentre was Boston. The same stories repeated time and again. The church quietly shifting accused priests from parish to parish. Allegations of a systematic cover-up. Colm tracks down Patrick Wall, a former Benedictine monk who became the Vatican approved enforcer of crimen sollicitationis in his Minnesota diocese.

PATRICK WALL
Former Benedictine Monk

I was part of the system that was getting chewed up and being used deceptively, and it was a real dark night of the soul. Everything that I had trained for, you know, well over a decade to do, I found out that I wasn't working for a holy institution but an institution that was wholly concentrated on protecting itself.

KENYON: When a priest was accused of sexual abuse, the abuser was slipped quietly away, and Father Patrick was moved in.

WALL: Cos most of the cases never saw the light of the day, hence we were successful. That is really the ultimate definition of success for the church, when it comes to a case of sexual abuse of a minor, that no one ever finds out about it, that it gets shut down, that it's kept quiet. If a pay off is needed, or if some kind of a settlement is needed, it's done. We had a \$7 million budget in 1996 to do such things. And.. but the thing that we had to have was a confidentiality order where it absolutely had to be agreed that everything was quiet. And you work with the victims as best you can, but the ultimate desire is to maintain stability, peace and calm, and the biggest thing you have to do is absolutely shut down the scandal.

KENYON: Disillusioned, Father Patrick left the priesthood and joined lawyers acting for victims. One of its first cases was against prolific abuser Father Oliver O'Grady, ordained in Ireland but working in California.

March 2005

O'GRADY: I swear by Almighty God that the evidence that I shall give in this deposition will be the truth, the whole truth and nothing but the truth....

KENYON: He gave this deposition last year in a civil law suit where he was accused of sodomizing a child over a hundred times.

OLIVER O'GRADY
Former Catholic Priest

[giving evidence in court] If the boy was tall or fat, that wouldn't attract me. I tended to take boys that were rather slim built. I tended to be attracted to the genital area, and there was a part of me would kind of want to be in touch with that, or to discover that, to see that in this particular boy.

KENYON: He admits to at least 30 victims, both boys and girls, over 2 decades.

Q: What is it.. what about the little girls did you find attractive?

O'GRADY: If she had a short dress or something like that I might have been tempted to, and often did, maybe raise her dress in a kind of subconscious way, or should I say in a way that she's not aware that I'm doing that. But checking her out at the same time, you know. You'd get a glimpse of her underwear.

Q: And did you find that arousing?

O'GRADY: I did, yes. The viewing was more attractive actually than the touching in the girl's case.

Q: How about how you would greet the little girl you were grooming? Just use the name Sally.

O'GRADY: Hi Sally, how you doing? Come here, I wanna give you a hug. You're a sweetheart, you know that. You're very special to me. I like you a lot. She might respond 'I like you too'. And that would allow me to give a better hug to you.

KENYON: O'Grady was jailed for 7 years. He's now been deported and lives in Ireland. His victims have now set their sights on his Bishop, the Cardinal of Los Angeles, Roger Mahoney. He now stands accused of shifting O'Grady from parish to parish to avoid scandal.

Q: Well, the bishop knew that you had abused in '76, correct?

O'GRADY: Yes.

Q: And abused earlier, correct?

O'GRADY: Yes.

Q: So, knowing that, would you have appointed yourself a pastor?

O'GRADY: No, I would not.

KENYON: In 2002 the American Catholic church responded to mounting scandal by setting up an independent body called the National Review Board. Its first job was to study the scale of the problem.

Judge ANNE BURKE

National Review Board 2002-2005

One of the interesting pieces that the study found was that it wasn't epidemic in nature. It wasn't one diocese found to have more cases than another. It was endemic, in which from the Atlantic to the Pacific Ocean the same percentages of criminal sexual assault against minors occurred in every diocese.

KENYON: But the review board quickly hit problems, with its Chairman comparing the church's secrecy with that of the mafia.

CBS June 2003

Former Oklahoma Governor Frank Keating has resigned as head of a National Review Board looking into the Catholic church sex scandal after serving only one year in that capacity. The contentious departure followed Keating's interview with the LA Times, where he compared some church leaders to La Casa Nostra. In his resignation letter Keating said, quote: "To resist grand jury subpoenas, to suppress the names of offending clerics, that is the model of a criminal organisation, not my church".

KENYON: The review board carried on, and drew up a child protection charter for the American Catholic church. Around the Western world similar allegations were prompting similar responses. In Britain the Catholic church has introduced a comprehensive regime of child protection guidelines. But such national policies have been piecemeal, and the Vatican has no global child protection charter in relation to abuse by priests. In America, despite the push for transparency, when media attention shifted away the church continued investigating allegations in secret, marginalizing the victims.

BURKE: We haven't seen sufficient evidence to show that we are satisfied with what has been done, and I think we're not able to trust. And that's getting reinforced periodically with the watering down of the charter, the failure of some diocese' to remove priests when there's an allegation. So I think we cannot trust at this point. We would have thought that the last four years would have taught us enough, and would have taught

the Bishops enough to handle the situation. But we see every week, every month, something new happening that would lead you to believe that perhaps they didn't learn from the past mistakes.

KENYON: There's clearly a tension between the rule of law and the rule of the church, between child protection and the orders of Cardinal Ratzinger.

Father TOM DOYLE
Canon Lawyer

There's no policy to help the victims, there's absolutely no policy to help those who are trying to help the victims, and there's an unwritten policy to lie about the existence of the problem. Then, as far as the perpetrators, the priests, when they're discovered, the systemic response has been not to investigate and prosecute, but to move them. To move them from one place to another in a secret way, and not reveal why they're being moved. So there's total disregard for the victims, total disregard for the fact that you're gonna have a whole new crop of victims in the next place. Now this is just... this is not in the United States where this is happening. This is all over the world. You see the same pattern and practice no matter what country you go to.

KENYON: In some countries the Catholic church has little or no child protection procedures, and, as Colm discovers, the Vatican sex crime decree it all but fills the vacuums for some of its most trusting followers.

COLM O'GORMAN

I'm in Brazil, the largest Catholic country on the planet, home to 125 million faithful. It may look like paradise, but scratch beneath the surface and you'll find extreme poverty, illiteracy, sex tourism, and enormous child protection concerns. The Catholic church may have been forced to learn hard lessons in the Western world, but is it applying those lessons here?

KENYON: Six years ago a new priest arrived in the small rural community of Annapolis in Central Brazil. His new congregation didn't know it, but Father Tarcisio Tadeu Spricigo had been charged with child abuse by police in Sao Paolo.

COLM: The priest was first accused of sexual abuse in 1991. He was moved at least 4 times following that first allegation, and continued to abuse in each parish to which he was appointed. He finally ended up here in this tiny, and very, very impoverished community. The Bishop who appointed him to this parish knew that he was facing charges of sexual abuse in Sao Paolo. He has explained since that he felt, or believed, that the priest had been cured. But he hadn't. The abuse continued.

KENYON: The priest moved 3 doors away from Donna Elza and her 5 year old grandson Warley. He offered to give Warley guitar lessons.

ELZA DA SILVA

Early one Sunday morning he woke me up and said: "Granny, I know how to make love". I asked him: "What do you mean? You are so small, you're only 5, what are you talking about?" And he said: "If I try to tell Mummy and Daddy they will beat me, and I'm scared". And I said: "They won't beat you, tell me what has happened." And that's how I learned it was Father Tarcisio. We let the boy take guitar lessons with him because we thought he was in safe hands, with a good person, with a person who speaks the word of God every day in church. I trusted the Father because I have been Catholic all my life, and I never expected that this could have happened. When the kids accost him in the streets they call him "the priests little wife" and he feels so angry, so angry that he cries and cries. He tells me often that he just wants to die.

KENYON: This was during the period when Cardinal Ratzinger instructed all allegations of child abuse to be sent to the Vatican. So if it knew about the criminal charges against Father Tarcisio why did it allow him to continue working as a priest in close contact with young children?

COLM: We may be thousands of miles away from Rome, but this place is directly linked to the Vatican. What gets me is it's the same story every time and every place. Bishops appoint priests, who they know have abused children in the past, to new parishes and new communities, and more abuse happens. This boy was abused in 2002, think about that, 2002, at exactly the same time as the scandals are kicking off in Boston, in the United States, and in Ireland, at exactly the same time that bishops and the Vatican are giving us excuses for why it happened, and for what they're going to do to put it right. At exactly that time this boy is being raped here in Brazil. So now this boy talks about wanting to die, he doesn't want to stay alive any more. He can't handle it, he's being bullied at school. They tell him that he's the "priests little girl." And the church have done nothing. No therapy, no support, no connection, no outreach, nothing! I'm fed up of saying it's not okay. (emotional) It's not okay.

KENYON: Despite evidence that the priest had already abused a 13 year old boy in Sao Paolo, Donna Elza claims she was pressured by both the church and the community to drop the allegations over her 5 year old grandson.

ELZA: The church was angry with me, and people in the church, people in the street were running. They were running away from me. It felt like I was excommunicated from my own community. But I wanted them to believe, like I did, in my grandson.

COLM: That's the thing people don't understand. This family didn't have much, but they had their faith. Now they don't have that.

ELZA: There's such a great sadness inside us. (pause - struggling to retain composure but eyes full of tears) I fear my boy will grow with that sadness in his mind, the boy growing with problems in his mind.

COLM: It looked like the priest might get away with it again, and then this was found. It's his diary. In it he details the kind of child that he targets, and how to abuse them without getting caught. I'll read you a section. Age: 7, 8, 9, 10. Sex: masculine. Social condition: poor. Family condition: preferably a son without a father, only a lonely mother or a sister. Where to look: on the streets, in schools and in families. How to attract them: guitar lessons, choir, altar boy. Very important, ingratiate yourself with the family. Possibilities: a boy who's affectionate, calm, and is appreciative. Needy of a father, and has no sexual scruples. My attitudes: see what the boy's like, then ask the boy to give himself to me as payment for receiving a present.

KENYON: Father Tarcisio's decades of abuse were finally brought to an end. Not because of any action by Cardinal Ratzinger's Vatican office, but by the police. Last year Father Tarcisio was jailed for 15 years. The Catholic church has 50 million children within its world-wide congregation.

Father TOM DOYLE
Canon Lawyer

The Vatican has no child protection policy. The only policy they have is to protect the perpetrators, protect the.. to protect the Vatican, to cover this up, to keep it as deeply buried in secrecy as possible, and to prevent as much damage to the institution as possible. So it's damage control.

KENYON: Cardinal Ratzinger's instruction to send all allegations of child abuse to the Vatican is proving frustrating for police and social workers trying to catch and jail priests suspected of abuse. This is Father Joseph Henn, a choir master. The picture was taken during his first assignment as a young priest in Phoenix, Arizona. It was around the time he met 14 year old altar boy Rick Rivezo.

RICK RIVEZO

My parents knew that I was spending time with him, and we went.. he would come to our house a lot. I remember my father telling me that he had an open door policy with Jo, he can come over any time he wanted. He was part of the family.

KENYON: Once the relationship with Rick's family was secure, Father Henn's abuse began.

RIVEZO: What he would do with us is he would take us out, and we'd go to these different things. Whether it would be a funeral, or a wedding, or that kind of thing. And there were times when he would take us swimming. After swimming we would go into the rectory and he would ask me to.. he would ask me to remove my trunks so that he can put them in the dryer. And he would take his and put them in the dryer. And he'd give me a towel, and same for him. And he'd tell me to lay on the bed. So now he's sitting on me, facing me, and I'm facing up, and he would massage me on my chest. And when he would go down is when he would stroke me, and go back up and down again. And he just did that over and over again. I wouldn't want to look at him, I didn't want to see him, I didn't want to see anything below his stomach. I didn't want to feel anything that he was doing, so my concentration was constantly my eyes closed, and I would have my hands out cos I knew his legs were there and I didn't want to touch them. And I'd just turn my head and close my eyes and put myself somewhere else and wait for him to be done.

KENYON: The man who dealt with his case was Rick Romley, a high profile district attorney in Phoenix. Before retiring this year he convicted 8 paedophile priests in his diocese and, uniquely, forced a written confession from the local bishop admitting that he knowingly hid child sexual abuse from the police.

RICK ROMLEY

Former Phoenix District Attorney

I will tell you that the secrecy, the... I mean the obstruction that I saw during my investigation was unparalleled in my entire career as a DA here in Phoenix Arizona. It was so difficult to obtain any information from the church at all. In fact we knew of certain meetings that had taken place, and yet no documentation was ever produced to be able to, you know, show that that meeting had even occurred.

KENYON: The Vatican's official line is that it's sex crime code is purely for internal use, and not intended to hinder civil investigations.

ROMLEY: You know, when we started looking at it I mean it was really interesting. I mean we came across, in the canons for the church, that there are supposed to be secret archives to where this type of material is to provided and not given to civil authorities no matter what the circumstances. We had information that there is an instruction from the Nuncio, who is Ambassador status, to shift all this, you know, incriminating type of information to him because under our.. under the law we could not subpoena that material because he would have protected status as an Ambassador from the Vatican. I think that that's really what the story is. Is that the church.. the church's failure to acknowledge such a serious problem. But more than that, it is not a passiveness. It is a.. it was an openly obstructive way of not allowing civil authorities to try to stop the abuse within the church. I mean they fought us every step of the way.

KENYON: His toughest battle involved Father Henn and two other priests who fled abroad to escape American prosecutors.

I knew that these priests owed a vow of obedience to Rome, to the Vatican. And so I decided to write Rome and ask them, now that formal charges had been brought, to instruct them to follow their orders and to come back and surrender themselves so that the court system could take the case as we wanted it to. And I've got to tell you, I was very surprised. I'd written to Cardinal Sodano, who is the Secretariat of State, and I basically asked him could he instruct these priests to come back, and they just basically returned it, and they said they item's been returned because the sender has refused to accept the correspondence. They did not even open it, they didn't even acknowledge or give me any type of response. They just refused to accept it. A church with supposedly the moral authority to do what is right had miserably failed, you know, one of the most fundamental things, and that's to stop the abuse of children. And they had a real opportunity here to make a.. I mean to make a powerful statement to the world. To say 'everybody is accountable, to protect our children is important'. And they didn't even open the envelope.

KENYON: Father Henn, the priest whose outings to the swimming pool with Rick Rivezo ended in abuse, is now wanted on 13 molestation charges brought by a grand jury in the United States. But he's no longer there. He's here in Rome, sheltered by the Vatican, and fighting extradition from the headquarters of his religious order, the Salvatorians. The Vatican has not compelled him to return to America to face the charges.

COLM: The most extraordinary thing about this story is that Father Henn isn't alone. A US newspaper did a series of investigative reports recently called 'Runaway Priests', and it discovered that there are over 7 US priests who face allegations of child sexual abuse living with the support of the church here, in and around the Vatican.

KENYON: The Vatican, the moral compass of the Catholic church, may well be holding evidence of other child abusing priests from around the world. But instead of cooperation and transparency, many feel the church's directives create obstruction and cover up in practice. There's one man who has the power to change that.

FR. DOYLE: Cardinal Ratzinger, who now is Pope, could tomorrow get up and say 'here's the policy for throughout the church. Full disclosure to the civil authorities. Absolute isolation and dismissal of any convicted cleric. Complete openness and transparency. Complete openness of all financial situations. Stop all barriers to the legal process. Completely cooperate with the civil authorities everywhere.' He could do that.

KENYON: The Vatican has failed to respond to repeated requests for an interview about the cases featured in this film. Father Joseph Henn has lost his fight against extradition to the US. He's since fled the Salvatorian headquarters in Rome where he was under house arrest, and is believed to be hiding somewhere in Italy. There's an international warrant out for his arrest. Former Catholic priest Oliver O'Grady served 7 years in an American prison for child sex abuse. Despite American psychiatrists labelling him a serial abuser who needed lifelong monitoring he was deported to his native Ireland in 2001. Because he offended in the US O'Grady does not appear on the Irish Sex Offenders' Register, and there are no restrictions on his access to children.

[Court scene]

Q: So the abuse and the molestation was almost a full time avocation during your entire priesthood.

O'GRADY: I would say it was a significant part of the early priesthood.

Q: Of the victims you did molest what percentage do you think were boys, and what were girls?

O'GRADY: I think I'd say three quarters boys, one quarter girls.

Q: What else happened to you as a consequence of abusing?

O'GRADY: Actually nothing happened. Life continued.

Story from BBC NEWS:
<http://news.bbc.co.uk/go/pr/fr/-/2/hi/programmes/panorama/5402928.stm>

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