

COMMISSION TO INQUIRE INTO CHILD ABUSE
PUBLIC HEARING

HELD AT HERBERT PARK HOTEL
BALLSBRIDGE, DUBLIN 4

ON THURSDAY, 1ST JUNE 2006 - DAY 223

EVIDENCE OF SR. UNA O'NEILL

BEFORE:

MR. JUSTICE SEÁN RYAN
CHAIRPERSON OF THE INQUIRY

and

MS. MARIAN SHANLEY
MR. FRED LOWE

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I hereby certify the following to be a true and accurate transcript of my shorthand notes of the evidence in the above-named action.

MEMBERS OF THE COMMISSION PRESENT:

REGISTRAR TO INVESTIGATION COMMITTEE: MR. B. REEDY

COUNSEL FOR THE COMMISSION: MR. N. MacMAHON SC
MS. C. MCGOLDRICK BL

Instructed by: MS. E. MCHUGH

FOR THE SISTERS OF CHARITY: MR. N. BUTLER SC

Instructed by: ARTHUR COX

MR. M. DOWLING BL

Instructed by: LAVELLE COLEMAN

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1 instructed by Arthur Cox, will go next. Thank you.

2
3 **END OF QUESTIONING OF SR. O'NEILL BY THE COMMISSION**

4
5 **THE CHAIRPERSON:** Very good. Now,
6 Mr. Dowling.

7
8 **SR. UNA O'NEILL WAS THEN EXAMINED, AS FOLLOWS, BY**
9 **MR. DOWLING:**

10
11 4 Q. **MR. DOWLING:** Sister, as Ms. McGoldrick
12 explained, my name is
13 Marcus Dowling, I'm a barrister instructed by Lavelle
14 Coleman solicitors. I am here to ask you some
15 questions on behalf of all of the complainants as a
16 general group as opposed to their specific capacities.
17 Lavelle Coleman the firm of solicitors who instructed
18 me acted for five of those complainants, so I was
19 present or read the transcripts at five of those
20 hearings. I don't know what happened at the other
21 four. I have a small number of questions for you, I
22 should say, first of all.

23
24 The first thing I wanted to ask you about was the
25 source of the information that you have about what
26 happened in St. Patrick's because I think St. Patrick's
27 is unusual in that there were no specific allegations
28 made against members of the Order that they had to give
29 evidence in relation to; isn't that correct?

1 A. That's correct, yes.

2 5 Q. So the Commission, during the course of the Phase II,
3 hasn't had the benefit of hearing specific evidence
4 from a member of the Order who was there at the time;
5 isn't that correct?

6 A. That's correct, yes.

7 6 Q. How many members of the Order who were there at the
8 time are you still in contact with? Are there a large
9 number, two or three, one?

10 A. I met with the group of Sisters who would have been
11 there in various capacities over the years. Now, my
12 memory may be about -- there may be eight the ten, were
13 there even that, maybe eight the ten Sisters, I would
14 have met with, yes.

15 7 Q. Did you meet with them individually or as a group or
16 did you get statements from them? How did you get
17 information from them about what conditions were like
18 in St. Patrick's?

19 A. I met with some of them individually, I met with them
20 as a group on, I think maybe, two occasions and I would
21 have met with them with other Sisters who were in other
22 institutions on a number of occasions.

23 8 Q. Would I be right in thinking that those group meetings
24 could be the source of -- because I think in your
25 evidence during Phase I you talk about a sort of
26 collective impression that your Order has about what
27 happened in St. Patrick's and a collective memory of
28 what the institution was like and that people were, you
29 know, disappointed to hear this or surprised to hear

- 1 that. was that evidence and those impressions based
2 upon the group meetings?
- 3 A. They would have been based on both, I would have to
4 say. If I can give one example in trying to remember
5 the names of the employees of some of the farm hands
6 who were employed, the collective memory would have
7 been used. In relation to maybe particular aspects of
8 St. Patrick's we would have consulted with individual
9 Sisters as well. So it wouldn't just be a collective
10 memory, there would have been individual memories as
11 well.
- 12 9 Q. As well?
- 13 A. Yes.
- 14 10 Q. In terms of those meetings and the individual memories
15 and so on, did you take individual statements from them
16 or did you just take a note of what happened which you
17 relied upon yourself, can you remember?
- 18 A. Yeah, we did not take individual statement from them,
19 we took notes. In fact, I think two people took notes
20 at those meetings, if I remember correctly.
- 21 11 Q. Can I ask you have you gone back to the -- because
22 obviously it is a reasonably large group of Sisters who
23 were there at the time, you say it was eight or nine
24 who were there at different periods, have you gone back
25 to them since the evidence during Phase II to, if you
26 want, check back with them about some of the details of
27 the evidence that emerged during Phase II?
- 28 A. Have I gone back to them? We would certainly have
29 talked to, not as a group, I have not met with them as

- 1 a group. But, yes, even in the last few days if there
2 were questions we had we would have contacted one or
3 other of them, yes.
- 4 12 Q. I mean, just you seem to be kind of slightly vague
5 about that, presumably, I mean the evidence wasn't that
6 long ago, there was specific evidence given during
7 Phase II about various things?
- 8 A. Yes.
- 9 13 Q. I mean, have you gone back and checked with the Sisters
10 who were there at the time, "look, such and such said
11 the following about punishment. Such and such said the
12 following about the lay workers. It is more detailed
13 than we had before, is that correct?" Have you done
14 that since Phase II?
- 15 A. No, I haven't.
- 16 14 Q. Do you intend to carry out that exercise?
- 17 A. Well, I hadn't thought about it until you put the
18 question to me.
- 19 15 Q. Okay.
- 20 A. I am not so sure as so what benefit that would be. I
21 mean, the Commission didn't request further evidence
22 from those Sisters. If they do require us to go back
23 to them and submit evidence I presume we can do so.
- 24 16 Q. Well obviously you have clearly cooperated with the
25 Commission and you are anxious to assist the
26 Commission; isn't that correct?
- 27 A. Of course.
- 28 17 Q. And you have heard a body of evidence from, I think,
29 nine people during Phase II, where they gave detailed

1 evidence and in some cases made detailed allegations
2 about what took place in St. Patrick's; isn't that
3 correct?

4 A. Yes.

5 18 Q. Wouldn't it -- as part of cooperating with the
6 Commission, wouldn't it stand to reason that you would
7 go and check with the group of Sisters who were there
8 at the time, whether or not some of those detailed
9 allegations and that detailed evidence is correct? You
10 can make copy bits of the transcripts and or give them
11 notes of what happened and ask them to comment on that,
12 wouldn't that be part of normal cooperation with the
13 Commission in finding out what happened in the
14 institution?

15 A. I am afraid I wouldn't accept that it would be part of
16 the normal cooperation with the Commission. We have
17 done everything the Commission has asked us to do and
18 in none -- certainly not in the case of St. Joseph's
19 did they ask us to go back and we did do so. However,
20 can I just say, having listened to the Sisters and the
21 evidence that came up in the private hearings,
22 certainly there was evidence that we had not heard
23 before, but it wasn't significantly different from the
24 statements that the boys -- the men had submitted to
25 us, so I am not sure going back to the Sisters
26 concerned, a number of whom would not have been
27 directly involved with the boys in terms of being their
28 carers, would give me any further information as to the
29 detail of the allegations made.

1 19 Q. I think that's a matter for the Commission, in any
2 event, I think.

3 A. Yes, indeed. Can I say, I presume the Commission would
4 have called these people, as they did in the case of
5 St. Joseph's, if they thought they could significantly
6 contribute to the matter.

7 20 Q. If I could just ask you, and I haven't got a huge
8 number of questions for you, I would just flag to you
9 some of the matters that came up during Phase II and
10 then some issues that arise from the documentation. I
11 have a small number of issues that I would like to ask
12 you about.

13

14 The first thing I want to ask you about is corporal
15 punishment and in particular the issue of punishment
16 for bedwetting, because I think you will be aware that
17 there was evidence given during Phase II that it seems
18 to have been the norm to punish boys for bedwetting; is
19 that correct?

20 A. The evidence that was given in, I think -- if you will
21 just bear with me for a moment. Four of the witnesses
22 gave evidence in regard to bedwetting. And, in fact,
23 their description of what happened in terms of
24 punishment does vary. But your question is correct,
25 they were punished for bedwetting, yes.

26 21 Q. I don't want to get into the specifics of individual
27 allegations of abuse. But I think it is fair to say
28 that the evidence is that punishment for bedwetting
29 seems to have been routine, as opposed to a once-off or

1 an occasional event? The punishment isn't described as
2 being particularly severe, it is a small number of
3 slaps and then there is an element with sheets and so
4 on, but it seems to have been routine that children
5 were punished for bedwetting; is that correct?

6 A. Certainly from the evidence that was taken from those
7 four, it would appear that that was the case and I
8 think I said it in my evidence originally.

9 22 Q. In your opening statement as well, I think you adverted
10 to that?

11 A. Yes.

12 23 Q. I am just wondering, having heard all of the evidence
13 given during Phase II and having spoken to the Sisters
14 who were there at the time, do you have any insight or
15 information you could give to the Commission as to how
16 it was that this was normal in St. Patrick's, because I
17 don't know if you are aware of this in many of the
18 other institutions it has been denied that this was
19 routine, it has been denied that people were punished
20 as a matter of policy for bedwetting, it has been said
21 that it may have happened occasionally and so on and so
22 forth, I am not sure if you are aware of that but it is
23 in the public domain? Do you have any insight as to
24 how it was that it seemed to happen on a routine basis
25 in St. Patrick's?

26 A. I am not sure I would agree with the word policy or
27 even routine. I mean, I am going on what the lads said
28 in their statements and from that it appeared that the
29 boys in those -- at that time who did wet the beds,

1 they were punished for it. There is no -- could you
2 just hold on for one second until I see if I can get
3 anything.

4 24 Q. Are you looking for the reference to it in your
5 statement?

6 A. I am looking for it in my statement. Yes.

7 25 Q. I think I have that.

8 A. Thank you. If I can just say, in my original
9 statement, the first statement before the transcript,
10 what I say there is that:

11 "In the early days any older child who
12 wet his bed had to bring down the wet
 sheets to the laundry in the morning".

13

14 26 Q. It is at page nine of your statement for the
15 benefit...(INTERJECTION)?

16 A. Okay.

17 27 Q. Then I think you say:

18 "A child might be left standing for
19 five to ten minutes beside his bed.
20 when the children lined up in the play
 hall before school those who wet their
 beds would be called out and slapped."

21

22

23 A. Yes.

24 28 Q. So that's why I didn't think it was a matter of any
25 controversy that the normal routine was to slap the
26 children for wetting their beds?

27 A. Yes, I don't have parameters on the time limits in
28 which that would have happened. Whether that went on
29 for a year, for six months, for ten years I don't know.

1 29 Q. Can I just ask you, did that not come up, because there
2 is a relatively small number of allegations made about
3 St. Patrick's and, as you pointed out, a lot of the
4 reports from the Department are very complimentary of
5 the school and obviously there are a lot of residents
6 who do have memories of the school, so I suppose
7 something like this looms larger maybe in St. Patrick's
8 than it would in the context of another institution
9 where there is a wide variety of allegations of abuse?

10 A. Sure, yes.

11 30 Q. Did that not come up during the course of your meetings
12 with the Sisters who were there at time that one of the
13 things that stood out was that there seemed to be a
14 routine whereby children were punished for wetting
15 their beds?

16 A. The information that I have in my evidence is
17 information that came from those Sisters, as well as
18 from -- from some of those Sisters. I would have to go
19 back and look at the notes now. As well as from the
20 allegations that the four witnesses made.

21 31 Q. The boys made. But I mean again, that's coming back, I
22 am just kind of slightly confused as to why you seem to
23 be sort of hesitant about this, I mean, it seems you
24 spoke to the Sisters, they said the routine was to slap
25 boys, boys who wet the bed gave evidence of being
26 punished for wetting the bed, so you said that you were
27 uncomfortable with the word, it was policy or routine,
28 I mean it does appear to have been routine as a policy
29 that children were slapped for wetting the bed; isn't

- 1 39 Q. **THE CHAIRPERSON:** In my simple way, that's
2 what I understood. Now, I
3 am understanding, Sister, that there is a retreat from
4 that, when you say "I don't know when it started and I
5 don't know when it finished but I know that it happened
6 on some occasion", the impression that I am getting is
7 that your position now is that it may have been there
8 for six months, at some time, but not generally. And
9 my understanding was entirely different before this.
10 Am I understanding that there is a change of position
11 here?
- 12 A. No, I don't intend to change position, no.
- 13 40 Q. **THE CHAIRPERSON:** Very good.
- 14 A. But maybe I am just too caught up on the words that are
15 being used.
- 16 41 Q. **THE CHAIRPERSON:** Presumably, when you spoke
17 to the Sisters, what
18 Mr. Dowling is saying in fairness there weren't many
19 complaints about them?
- 20 A. Sure.
- 21 42 Q. **THE CHAIRPERSON:** About St. Patrick's, but
22 this was one, so it must
23 have loomed fairly large in any consideration of the
24 place?
- 25 A. Yes.
- 26 43 Q. **THE CHAIRPERSON:** And he says as compared
27 with an institution where
28 you had a lot of people complaining and making a whole
29 variety of complaints?

1 A. Yes.

2 44 Q. **THE CHAIRPERSON:** Bedwetting might be lower
3 in the scale of attention,
4 if you like, inevitably?

5 A. Yes.

6 45 Q. **THE CHAIRPERSON:** So, if the nuns said, "yes,
7 we punished for
8 bedwetting"?

9 A. Yes, I am agreeing with that, yes.

10 **THE CHAIRPERSON:** All right.

11 46 Q. **MR. DOWLING:** Just to come back to my
12 original question, we have
13 been on a bit of a detour there. Do you have any
14 insight now, after Phase II, as to what it was that
15 made that -- I mean, the word policy and routine are
16 just to reflect the fact it seemed to have happened all
17 the time but consistently?

18 **THE CHAIRPERSON:** Policy, I suppose, sounds
19 like something deliberately
20 decided upon, settled, formal.

21 A. Yes, written down.

22 **THE CHAIRPERSON:** Formal or informal. But
23 routine seems to
24 be...(INTERJECTION)?

25 47 Q. **MR. DOWLING:** Routine is more neutral and
26 I am
27 happy...(INTERJECTION)?

28 A. Fair enough, I accept that.

29 48 Q. Why was it, you think, a routine in St. Patrick's as

1 A. And the complainants are back in the 1950's.

2 54 Q. **THE CHAIRPERSON:** Yes.

3 A. So it is difficult in memory to have to

4 ... (INTERJECTION).

5 55 Q. **MR. DOWLING:** And in fairness, the

6 complainants whose evidence

7 I am referring to seem to be in the late 1940's, early

8 1950's?

9 A. Yes.

10 **THE CHAIRPERSON:** I understand, yes.

11 56 Q. **MR. DOWLING:** In relation to the practice

12 of punishing children for

13 wetting the beds, would you accept that that practice

14 was an unacceptable practice and was wrong?

15 A. I think anybody nowadays would say it was unacceptable

16 and it was wrong.

17 57 Q. Would you accept that it was wrong at the time, that it

18 wasn't the norm, for example, for children to be

19 routinely punished for wetting the beds in an

20 institution like this?

21 A. I couldn't answer that.

22 **MR. BUTLER:** She doesn't know what the

23 norm was.

24 **THE CHAIRPERSON:** Yes. I think she can't win

25 on that one.

26 **MR. DOWLING:** It is true, but she has, in

27 fairness, given

28 evidence... (INTERJECTION).

29 **THE CHAIRPERSON:** whatever the position is...

1 58 Q. MR. DOWLING: Except for the fact, I just
2 make this point again, this
3 is more in form of a submission than a question. I
4 think that has come up before. The Sister did give
5 evidence in Phase I about various things that happened
6 and she said they were explicable by the norm of the
7 time. So, it is a little bit of an -- I mean, again it
8 is comment and double standards to say "well, I am
9 prepared to excuse that behaviour by reason of
10 reference to the context of time but I am not going to
11 compare some other behaviour to the context of the
12 time." I accept it is more of a submission than a
13 question.

14
15 (To the witness) Just in relation to corporal
16 punishment generally in the institution, what have you
17 -- you heard evidence, presumably, in Phase II of
18 allegations of excessive punishment?

19 A. Sorry?

20 59 Q. Isn't it the case that there was evidence given during
21 Phase II of allegations of excessive corporal
22 punishment?

23 A. Yes.

24 60 Q. I am aware of a small number of such allegations?

25 A. Yes.

26 61 Q. Have you investigated what the policy was in relation
27 to corporal punishment in the institution, either
28 arising out of those allegations or otherwise?

29 A. I explicitly know that the Sisters whom I met in regard

1 to St. Patrick's, particularly at a one particular
2 meeting we held, they never saw a child being badly hit
3 or beaten. And I did ask specific questions, for
4 instance, there is one allegation from one of the men
5 in regard to what he saw a child being beaten with and
6 none of them ever remember that incident or seeing that
7 implement. So, the men describe the punishment and I
8 accept that that's what their memory is. The Sisters
9 who were there at the time have no memory of the
10 particular incidents which one particular man
11 describes.

12 62 Q. Okay. Sorry, and that I suppose is actually maybe
13 straying into an area about individual allegations that
14 I don't want to explore with you. What I am more
15 interested in is taking the allegations as a body,
16 presumably the Sister said, "we can't remember that
17 particular incident or that particular implement", but
18 did you ask them what the policy was in relation to
19 corporal punishment, like how were children punished in
20 the institution?

21 A. I think I dealt with that on page nine of my original
22 evidence, where I say that:

23 "Slapping was the form of punishment
24 used to discipline the children."

25 It is on page 46, I think, of the transcript.

26 63 Q. I understand that. But, in fairness, and again from
27 other evidence that's in the public domain, that's
28 quite a bald statement, slapping, was it a large number
29 of slaps, a small number of slaps, was it delivered on

1 the hands, on the backside as appeared to have been
2 alleged in some cases? Do you know anything about how
3 children were slapped? Was it recorded in the
4 Punishment Book? Did all of the Sisters have the
5 authority to slap or were certain people doing it? Do
6 you have any information in relation to the system of
7 corporal punishment?

8 A. I don't, no.

9 64 Q. Did you ask any of the Sisters?

10 A. Yes, we asked about this and their answer was the
11 answer I have given in my evidence.

12 65 Q. So they just said "we slapped children"?

13 A. They said they slapped and then later on, I think in my
14 evidence, they would have been deprived of certain
15 treats. They certainly were not isolated, the Sisters
16 were very sure of that, they were not sent to
17 dormitories as punishment, but they were deprived.
18 This would have been the 1960's then, when they would
19 have been getting some sort of pocket money or treats,
20 they would have been deprived of those, that would have
21 been the punishment used.

22 66 Q. So what you said in your statement was:

23 "Slapping was a form of punishment used
24 to discipline the children. It was
25 normally done on the palm of the hand,
a cane or ruler was sometime used."

26
27 A. Yes.

28 67 Q. Have you no additional information on how often the
29 boys were slapped? You say it was normally done on the

1 palm of the hand, was it sometimes done to other parts
2 of the body? were there particular types of offence
3 where you slapped other parts of the body? who gave
4 out the punishment? was there a certain amount of
5 punishment -- you may be aware that there has been
6 detailed evidence given obviously across the span of
7 the institutions about types of corporal punishment,
8 this seems like a very, very bland statement, it
9 doesn't give as much information about what actually
10 happened? Can you not advance it any further than
11 that?

12 A. Believe me, we have tried to get as much information as
13 possible in regard to what went on in St. Patrick's. I
14 have no additional information in regard to corporal
15 punishment in St. Patrick's.

16 68 Q. So the eight or nine people you spoke to, and I accept
17 what you said, that lots of them didn't have direct
18 contact with the children, they weren't able to give
19 you any information about the frequency of punishment,
20 the types of offences for which people would be
21 punished? was there a Punishment Book kept, for
22 example?

23 A. We have no Punishment Book for St. Patrick's.

24 69 Q. Do you know whether one was kept?

25 A. No. There is no evidence of one being kept, there is
26 no evidence of it not being kept. But it certainly is
27 not available. Nor is it in the memory of the Sisters
28 who were there.

29 70 Q. Sorry, I know I have probably asked this question, I

1 will just ask you one more time. It seems
2 extraordinary that from your discussions with the
3 Sisters, again to put it in context, that a small
4 number of allegations have been made, included in those
5 allegations are allegations of excessive corporal
6 punishment, it seems extraordinary that none of the
7 nine sisters were able to give you any insight beyond
8 the bald statement that...(INTERJECTION)?

9 **MR. BUTLER:** That's not a question,
10 first of all, Mr. Chairman.

11 **THE CHAIRPERSON:** Yes.

12 **MR. BUTLER:** It has already been dealt
13 with and addressed by the
14 witness.

15 **THE CHAIRPERSON:** That's fair enough,
16 Mr. Dowling.

17 71 Q. **MR. DOWLING:** Yes, okay. If I could just
18 move on to deal with the
19 issue of family contact. I want to apologise, we have
20 given you a small book of documents, which I don't
21 actually intend going into in further, but there are
22 two documents I would like to refer you to in relation
23 to this. You may be familiar with them, they are a
24 small number of documents.

25 A. They are in what you gave us yesterday.

26 72 Q. No, they are actually not. I want to apologise for
27 that. You are being handed copies of it there. (SAME
28 HANDED TO WITNESS) Are you familiar with those
29 documents? They are quite memorable in some ways. I

1 am going to put it up on the projector now for
2 everybody.

3
4 The first document is just a document from the
5 Department of Education, to a number of industrial
6 schools in relation to home leave.

7 A. Yes.

8 **MR. BUTLER:** I am sorry, to cut across
9 my friend. These are, at
10 least, two fairly lengthy letters. Perhaps Sr. O'Neill
11 could take a moment to read them first.

12 **MR. DOWLING:** Yes. And again I
13 apologise, they should have
14 been in the book. Maybe with that being done, I
15 just...(INTERJECTION).

16 **MR. BUTLER:** No, if she's to read them,
17 she should be allowed to
18 read them uninterrupted, without any distractions.

19 **MR. DOWLING:** That's right.

20 **THE CHAIRPERSON:** Do you want us to -- well
21 we will see how we go.

22 A. I have seen these before.

23 **THE CHAIRPERSON:** Just take a minute to
24 familiarise yourself. If
25 you need a bit of time, or if you are not comfortable,
26 sister, with dealing with them, we can go on to
27 something else and give you a chance. But if we can
28 deal with them.

29 A. Thank you, yes. Yes, I think I am all right those.

1 isn't that correct?

2 A. Yes, that's correct.

3 74 Q. In fact, it seems to have been such a problem that the
4 form of the letter is that there is actually a blank
5 space for the number of children who were allowed to go
6 home. So if you look at the last paragraph:

7 "It was with considerable surprise,
8 therefore, that the Minister learned
9 that only blank children out of the
10 blank in your school were sent home on
11 holidays."

12 A. Yes.

13 75 Q. I suppose it is a bit strange to say it was surprise in
14 all 35 cases or whatever, but that's the format in
15 which the letter is drafted. If I can just bring you
16 back up to the top of the letter, it says:

17 "I am directed by the Minister for
18 Education to refer to my circular
19 letters of 17th June, 8th July last in
20 which I informed you that the Minister
21 was most anxious that all children
22 would be sent home for the full holiday
23 period of 21 days, except in those
24 cases where you were satisfied that it
25 was in the children's own interests to
26 prevent association with their parent
27 or relations."

28 A. Yes.

29 76 Q. So there is obviously earlier circulars which haven't
30 been discovered but they may be available elsewhere?

31 A. Yes.

32 77 Q.

1 "There are admittedly parents of such
2 criminal habits that it would be better
3 to keep their children from all
4 association with them. Other parent
5 are so wretchedly poor and live in such
6 squalor that it would, on the whole, be
7 inadvisability to send children to them
8 on holiday.

9 There are also some children who have
10 no homes to go to.

11 Occasionally, too, there is a
12 contagious disease in the home during
13 the holiday period and children are
14 better kept in school away from the
15 danger of infection."

16 Then the letter goes on:

17 "In the great majority of cases,
18 however, these objections do not apply.
19 In only 17% of cases is parental
20 unsuitability cited as a reason for
21 committal for industrial schools.
22 About 60% of children are committed on
23 the grounds of parental poverty. 12%
24 for failure to attend school and 10%
25 for indictable offences.

26 In the majority of these cases, there
27 can be no objection to sending the
28 children home on holiday once a year.
29 This helps to preserve and maintain the
family ties which should not be
weakened or severed except for grave
reasons".

30 So that's the circular from the Department.

31 **THE CHAIRPERSON:** That's the 18th November.

32 78 Q. **MR. DOWLING:** It is 1944. Again, it
33 seems to be a very general
34 application and it just seems very strange that -- I am
35 unaware, the Committee may -- this is the response
36 which is dated 22nd November 1944, so it is quite
37 prompt is the first thing?

1 A. That's right.

2 79 Q. I think I would say to you that that seems -- obviously
3 the response was sent back quite quickly to the
4 Department?

5 A. Yes.

6 80 Q. There is just a few things I want to ask you about
7 this. The response says:

8 "with reference to your circular
9 letters of 17th June, 8th July and 18th
10 of this month, I beg to state that we
11 wholeheartedly agree with the Minister
12 who is most anxious that all children
13 should be sent home for the full
14 holiday period of 21 days.

15
16 Investigations have been made into the
17 circumstances of every child who was
18 under detention during the quarter end
19 of 30th December 1944 and give result
20 of investigations."

21

22 So we don't actually have the number of children who
23 weren't sent home but what is being said here is that
24 "we have done an analysis of everybody who was here
25 during the summer and this is the result of the
26 investigation"?

27 A. That's right.

28 81 Q. Then it is broken down into a number of different
29 categories:

30 "Number of children whose parents of
31 such criminal habits."

32

33 That's, if you like, ticking the box that is identified
34 in the letter for the Minister?

35 A. That's right, four children.

36 82 Q.

1 "Number who have no homes, 14, plus
2 four came in during that quarter."

3 That gives a total of 18, so there are 18 who have no
4 home to go to, they can't be sent anywhere.

5 "Number of whose parents are so
6 wretchedly poor that it would be
7 inadvisable to send children to them
8 for holidays".

9 Now, again this is, if you like, not one of the
10 exceptions that is identified in the Minister's letter,
11 in fact, it is identified in the Department's letter
12 that in the group of children who should be sent home
13 60% of those are children who were committed on the
14 grounds of parental poverty and that's before it says:

15 "In the majority of those cases there
16 could be no objection to sending the
17 children home on holiday once a year".

18 Obviously the author of this letter has identified
19 that, "even though you said that children who had been
20 committed because their parents were poor, some of them
21 are just so poor you can't send them home", that seems
22 to be what the author of the letter is saying; isn't
23 that correct?

24 A. Yes.

25 83 Q. Then the next one says:

26 "Number of children whose fathers are
27 labourers and whose mothers are dead or
28 dying, the father is living alone or in
lodgings or with relatives who do not
want children".

29 Then there is a total of 40 who fall into that

1 category. I am just a little bit confused about that,
2 do you know whether, for example, any effort would have
3 been made to contact those fathers, say, who were
4 living on their own, to find out whether or not they
5 could take their children for the summer?

6 A. I have no evidence of what contact was made or was not
7 made with the families.

8 84 Q. Okay. But this letter is written after the event in
9 any event, I think that's clear?

10 A. Yes.

11 85 Q. The next one says:

12 "Parents with no fixed abode to take
13 children to."

14 This is the one that I wanted to ask you about. The
15 biggest group that aren't sent home are:

16 "illegitimate children, 79 plus three
17 admitted during quarter, minus two who
18 went to foster parents."

19 so there is 80 illegitimate children who don't get sent
20 home.

21 A. Yes.

22 86 Q. I just wanted to ask you about that. That really
23 struck me because doesn't actually appear as one of the
24 exceptions identified by the Minister and it is the
25 biggest group that the school had decided shouldn't go
26 home. Do you know anything about the reason why a view
27 would be taken that illegitimate children couldn't be
28 sent home?

29 A. I presume they wouldn't have had homes to go to, they

1 would have been handed over, possibly, by their poor
2 mothers because they were illegitimate at that time.
3 So more than likely they didn't have homes to go to.
4 I'm only presuming that that would be the case.

5 87 Q. That's what I wanted to ask you about. St. Patrick's
6 Kilkenny was an industrial school; isn't that correct?

7 A. It is. It was.

8 88 Q. Children were committed to St. Patrick's Kilkenny on
9 foot of orders made by the District Court; isn't that
10 correct?

11 A. That is right, yes.

12 89 Q. And the District Court didn't make an Order under the
13 1908 Act, "given up by the mother", you know,
14 "illegitimate child", there were reasons given.
15 Obviously, in many cases the fact that a child was
16 legitimate might have been a reason why the parents
17 were not able to look after the child, but it wasn't
18 one of the grounds for committal, that a child was
19 illegitimate; isn't that correct?

20 A. It could be subsumed under that heading though because
21 we have 435 children in the years we are referring to
22 whose parent does not exercise proper guardianship.
23 Some of those were catch phrases, it appears to me, for
24 a whole lot of different reasons why children were
25 there.

26 90 Q. Absolutely, I understand that. But when I asked you
27 why the illegitimate children were sent home you gave
28 the response that their mother's would have given them
29 up. But isn't it actually the case that in many cases

1 illegitimate children were committed because they had
2 single parent families, if you like, whose parents were
3 found not to be able to look after them?

4 A. Yes, I suppose that's it.

5 91 Q. I just suggest to you that the view seems to have been
6 taken that if the children were illegitimate they
7 couldn't go home to their parents without any
8 investigation as to whether or not there was a parent
9 who could take the child?

10 A. I think that's a presumption.

11 **MR. BUTLER:** Chairman, I am sorry to
12 interrupt yet again but,
13 firstly, this question has been asked and the answer
14 was something where she said she could only presume.
15 In other words, she doesn't know.

16 **THE CHAIRPERSON:** Yes. There is a limit to
17 what Sr. Una O'Neill can
18 say about this, Mr. Dowling. I mean it is manifestly
19 an important document and it is manifestly of interest,
20 as you say, not alone the response but the circulars
21 from the Department. The implications are, obviously,
22 matters that have to be looked into. Again, not just
23 in respect of this. It is more a general discussion
24 really. What Sr. O'Neill has said really is 'look,
25 there is a limit to what I can say about this'. But be
26 under no misapprehension that we ignore it or don't
27 appreciate its importance, I quite agree with that.

28 92 Q. **MR. DOWLING:** I will just ask
29 her one

1 A. Yes.

2 95 Q. I think you just said it there, they didn't know what
3 the background of the children was?

4 A. That's right.

5 96 Q. You say here:

6 "I find it difficult myself in this day
7 and age to comprehend how a child could
8 be received into an institution and the
9 staff not to know what the child had
suffered before he or she came."

10 A. That's right.

11 97 Q. What struck me, and I will ask you if you could comment
12 on this, by the looks of this document the management
13 of the school did know about the background of the
14 children, because this document isn't broken down into
15 these are the bear reasons for admission as given by
16 the District Court, this document actually identified
17 the family circumstances of the children who were
18 admitted?

19 A. That's true. Could I just say that it seems to me that
20 a number of the headings would have been what would
21 have been written in the court documents, a number of
22 them. That illegitimate one obviously wasn't.

23 98 Q. And because there were specifics about the labourers.

24 A. Yes.

25 99 Q. For example they know exactly 35.

26 A. The mothers are dead or dying, yeah.

27 100 Q. So doesn't that tend to contradict -- I mean I am not
28 saying -- obviously, that's the evidence you have and
29 there clearly wasn't sufficient focus on it.

1 A. Sure.

2 101 Q. But doesn't this tend to suggest that in fact the
3 institution was aware going back to the 1940's about
4 the particular family circumstances of the children, as
5 opposed to just the box under the Children's Act into
6 which they fell?

7 A. I would say the additional knowledge was very, very
8 little, as is evidenced here.

9 102 Q. I understand. But it does suggest
10 that...(INTERJECTION)

11 A. That they had some more evidence than what we put on
12 the reasons for admissions.

13 MR. DOWLING: Yes. I have no
14 further
15 questions. Thank you very
16 much.

17 A. Thank you.

18

19 END OF EXAMINATION OF SR. O'NEILL BY MR. DOWLING

20

21 SR. UNA O'NEILL WAS FURTHER QUESTIONED, AS FOLLOWS, BY
22 THE COMMISSION

23

24 103 Q. MS. MCGOLDRICK: I have just a few
25 questions. First of all,
26 we heard evidence yesterday in relation to St. Joseph's
27 that many of the Sisters, I think up to 40 Sisters
28 would have attended training courses in the UK.

29 THE CHAIRPERSON: That seems the more

1 explanation I can offer you, and again it is a
2 presumption, is that the care of the older children,
3 for instance in St. Joseph's of the teenagers and such,
4 would have been considered, perhaps, more difficult,
5 more important in some way. It is not more important
6 in terms of raising the child. But the trained
7 personnel would have been sent to other of our
8 institutions rather than St. Patrick's, which only had
9 little lads under ten and who would have been, I
10 suppose, more easily cared for. In the technical sense
11 of that word.

12 106 Q. In relation to the, I think Mr. Dowling dealt with
13 this, the sense of the separation of children from
14 their families and the impact that had, and I think in
15 Phase II that was quite apparent from hearing.

16 A. It was.

17 107 Q. That there was a sense of loss that many of the former
18 residents felt. I am just wondering can you help in
19 relation to the rationale behind the segregation by
20 gender of small boys and small girls who might have
21 been from the same family?

22 A. They were sent where they were directed, obviously,
23 from the Court and we have evidence that numbers of our
24 children who had siblings in both places were in the
25 two different institutions. Now, St. Joseph's didn't
26 take boys before 1966 and St. Patrick's didn't take
27 girls before -- or didn't ever take girls. That would
28 have been a cut off immediately. That would have been
29 the only reason, I presume. Because you find from 1966

1 onwards that any of the boys -- any of the girls who
2 were committed to St. Joseph's the boys went with them.
3 And that was the reason why other boys came into
4 St. Joseph's after 1966 other than those who had been
5 transferred there from St. Patrick's. So there were
6 efforts after '66 to keep them together. The reason
7 they were separated prior to that, in terms of our
8 institutions, was that one was for boys and one was for
9 girls.

10 108 Q. The Sisters of Charity operated some residential homes
11 in the United Kingdom I think as well?

12 A. They did, in Walthamstowe.

13 109 Q. Do you know in relation the those homes were young
14 children segregated?

15 A. No, I think families would have been taken into
16 Walthamstowe. They wouldn't have been separated. That
17 would have been to do with the Court Orders, obviously.

18 110 Q. But the homes in the United Kingdom catered for --

19 A. Now, Walthamstowe did, they catered for families, for
20 boys, for girls to my knowledge.

21 111 Q. Was that from an early time do you know?

22 A. I don't know. But I could find that out.

23 112 Q. Just one further matter in relation to that. I think
24 at Phase I, at page 37 of your transcript, I think
25 Mr. McGovern asked you were you aware of the number of
26 children or what percentage of children in
27 St. Patrick's might have had sisters in St. Joseph's?

28 A. That's right. I think we sent that information into
29 the Commission. It was quite a substantial number.

- 1 From 1934 to 1964 you had 76 families who had boys in
2 St. Patrick's and girls in St. Joseph's. We have the
3 names of the boys and we have the names of the girls
4 and I think we sent that in. Did we? I am almost sure
5 we sent that in. Yes. We were asked for it. But it
6 is a significant number. And maybe, I don't know, it
7 is a number. 76, anyway, children from '34 to '64 were
8 both boys and girls in St. Joseph's and St. Patrick's.
- 9 113 Q. I think in Phase I you were examined about the efforts
10 made to keep the children in St. Patrick's and
11 St. Joseph's together?
- 12 A. I was, indeed.
- 13 114 Q. In relation to aftercare, the contact maintained with
14 children who had been residents in your homes.
- 15 A. Yes.
- 16 115 Q. And I know, in relation to St. Joseph's again, that
17 extensive efforts were made to look after the children
18 after they left and an aftercare hostel was set up to
19 ease their transition into work life.
- 20 A. Yes.
- 21 116 Q. In relation to the children who were in St. Patrick's,
22 we heard evidence in Phase II generally in relation to
23 the children that went on the senior schools, that they
24 had lost contact at that stage with the sisters in
25 St. Patrick's?
- 26 A. Yes.
- 27 117 Q. Do we know anything about any efforts that might have
28 been made by the sisters to stay in contact with small
29 children who had left to go to the likes of Artane or

1 Upton or Ferryhouse?

2 A. I am not aware of any evidence to that effect during
3 the time when the children were in those second
4 schools, when they went on to senior schools. But I do
5 know that quite a number of the men are in contact with
6 particularly one sister, but were in contact with the
7 sisters before they died. And we have had a number of
8 the boys come back to visit and we have received them.
9 But there would be nothing like the kind of contact we
10 would have had with the past residents in St. Joseph's.

11 118 Q. Just one further question, sister. If I could ask you
12 to look at page 68 of the transcript of evidence of
13 your Phase I hearing.

14 A. Yes.

15 119 Q. Do you have that?

16 A. I have.

17 120 Q. The second last paragraph there reads as follows:

18 "The harshness of punishment would
19 probably have varied depending on the
20 personality of the staff and the
21 Sisters. I am sure that some of the
22 punishment must have been experienced
23 by the children as harsh and humiliated
24 and unmerited."

23 A. Yes.

24 121 Q. I just want to explore with you for a moment, sister,
25 what you mean by that?

26 A. To go back to the question that I was asked over here,
27 in some of the institutions that again, and you
28 referred to them generally, the kind of regime of
29 punishment, there were systems in place I understand

1 whereby if a child did something wrong he was sent to
2 somebody who had authority to give discipline. We
3 don't seem to have had that in any of our childcare
4 homes, which meant that the disciplining of the
5 children seemed to fall largely to the person who was
6 in charge of the particular group. That's the first
7 thing I would say.

8
9 The second thing I would say is that with the numbers
10 of children who were in St. Patrick's, and they were
11 significantly high, that the effort -- and remember now
12 we are talking now about the 30's, 40's, 50's really --
13 the importance of order and keeping discipline within
14 the institution would have been a priority at that
15 time, rather than dealing with, you know, the emotional
16 and the overall growth of the children. So that for
17 the -- you see, if you put yourself back and try to put
18 yourself in their shoes, they are coming into an
19 institution, it is very ordered, it is very regulated,
20 it is very easy for them to break a rule, I suppose, or
21 to fall out of line. They have come from situations
22 where they have -- and I agree with whichever of you
23 said it to me that listening to the evidence of the men
24 was heartbreaking in some ways, listening to the
25 situations from which they came first and foremost.
26 Some of them were quite traumatised so they would have
27 experienced the discipline, I suspect, as extremely
28 restrictive on them. In some instances I would presume
29 again that depending on the person who was in charge of

1 the group they would have varying degrees of harshness
2 or, indeed, of lightness in their approach to
3 children's disciplining.

4 122 Q. That's what I want to ask you, Sister. When I read
5 that, when you say that:

6 "I am sure that some of the
7 punishment must have been experienced
8 by the children as harsh and
humiliating..."

9 That's something different to saying that the
10 punishment was harsh and humiliating. Is that a
11 distinction that you are drawing?

12 A. I am saying both I suppose in one sense. I am saying
13 that sometimes, because of the situation in which the
14 children found themselves, that they would have
15 experienced it emotionally as very harsh. Whereas the
16 intention would never have been to humiliate them. Or
17 maybe it was, but it mightn't always have been that
18 way.

19 123 Q. But even Sister...(INTERJECTION)

20 A. But the other part of it was that I am certain that the
21 slapping was harsh at times, or whatever.

22 MS. MCGOLDRICK: Thank you Sister.

23

24 END OF FURTHER QUESTIONING OF SR. UNA O'NEILL BY THE
25 COMMISSION

26

27 THE CHAIRPERSON: Now Mr. Butler.

28

29

1 is unlikely that they would have come from
2 St. Patrick's with the intention of bringing them back
3 to St. Patrick's?

4 A. I agree.

5 132 Q. **THE CHAIRPERSON:** That didn't happen?

6 A. That did not happen, no, you are quite right.

7 133 Q. **THE CHAIRPERSON:** But people in St. Patrick's
8 did do the short course
9 over in England?

10 A. Yes.

11 134 Q. **THE CHAIRPERSON:** It might happen that having
12 done the long course and
13 being sent somewhere else somebody might in the course
14 of her career end up in St. Patrick's. But the general
15 point was people tended to be the short course people
16 if they did a course.

17 A. That's right. And I don't know if any of them did end
18 up in St. Patrick's eventually, the long term people.

19 **MR. BUTLER:** I have no other questions.

20 **THE CHAIRPERSON:** That's fine. Thank you
21 very much. Sorry, I am
22 forgetting. Sorry, Mr. Lowe.

23

24 SR. UNA O'NEILL WAS FURTHER QUESTIONED, AS FOLLOWS, BY
25 THE COMMISSION

26

27 **MR. LOWE:** I just wanted to ask you
28 about something which seems
29 different about St. Patrick's. It is on page 37 of the

1 Lavelle Coleman book. You begin with a series of very
2 complimentary reports.

3 "22nd September, 1955. Alterations are
4 now in progress to introduce family
5 systems. Refectory divided into three
6 sections. Recreation units are being
acquired where children of different
ages can play.

7 1956: She's having a storey put over
8 the recreation room and another
9 dormitory with sanitary annex. When it
is finished there will be five
sections.

10 1957: School has had an amount of
11 decoration done. Practically all
12 finished. Five sections are now in
use."

13 A. Yes.

14 135 Q. **MR. LOWE:** Other industrial schools
15 have told us there was no
16 money to make any alterations. How was this achieved?

17 A. Well, I mean, in the whole area of funding it would
18 appear that most of the money was -- it certainly
19 didn't come out of the capitation grant for the
20 children. They did do some fund raising and there is
21 evidence of an appeal that the Bishop allowed them to
22 make through the diocese at one particular stage. They
23 did have a farm and they sold the cattle, as far as we
24 can gather but we have no evidence of it. So they
25 might have had a little more money in terms of the way
26 in which they were operating.

27 136 Q. **MR. LOWE:** It seems more than a little
28 more.

29 A. Yes.

- 1 137 Q. **MR. LOWE:** I mean there was a
2 veritable building industry
3 going on compared to the other institutions.
- 4 A. Yes. Can I just for a moment see if I have anything
5 about that. Yes. In the appendix to my own original
6 report the costs are all there actually. But I have no
7 idea really of where that money would have come from.
8 Some of it would have come from central funds, because
9 that was true too in St. Joseph's, appeals were made to
10 the central funds. Because we were centrally located
11 money did go out. Like, it didn't go on diocesan
12 Congregations.
- 13 138 Q. **MR. LOWE:** When was the decision made
14 to give up the certificate
15 and move into mental handicap? I know it was May '66
16 the Department acknowledged formal notification, but
17 when was that decision made to move from being an
18 industrial school?
- 19 A. I think it was just at that time. If my understanding
20 is correct, it was in the spring of that time that the
21 suggestion was made.
- 22 139 Q. **MR. LOWE:** Do you know why it was
23 made?
- 24 A. I think I did know why. Can I get back to you about
25 that?
- 26 140 Q. **MR. LOWE:** Do, because it does seem to
27 me that there was this host
28 of building going on, planning for change, bringing in
29 group home and then suddenly it is all given up and you

1 move into a different area.

2 A. Now, if I am correct again, a request was made to
3 St. Patrick's, I think, by the Department of, was it
4 Health, that we would set up the place for the
5 moderately handicapped. So that request came, I think,
6 from the Department. I can look this up. Now, can I
7 just say to you we hadn't moved on group homes or
8 anything like that in St. Patrick's, all of the change
9 was internal.

10 141 Q. MR. LOWE: I appreciate that.

11 A. So that there wouldn't have been -- in '66 and
12 immediately prior to it there is no evidence that we
13 had plans to do anything substantial, the way we had
14 moved in St. Joseph's.

15 MR. LOWE: Thank you.

16

17 END OF FURTHER QUESTIONING OF SR. O'NEILL BY THE
18 COMMISSION

19

20 MS. SHANLEY: I have no questions. Thank
21 you.

22 THE CHAIRPERSON: Thank you very much indeed.

23

24 THE HEARING THEN CONCLUDED AT 11:30 A.M.

25

26

27

28

29

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