

Chapter 6

The Sisters of Mercy

Introduction

- 6.01** This chapter deals with topics that are of general application to the industrial schools run by the Sisters of Mercy. It begins with a brief history of the Congregation of the Sisters of Mercy, and then discusses various topics, including the organisational structure of the Congregation, the way in which their religious vows impacted on the nature and quality of the care they provided, and the response of the Congregation to allegations of abuse in their institutions.

Foundation and mission of the Sisters of Mercy

- 6.02** The Sisters of Mercy date their foundation as a Congregation to 12th December 1831, when Catherine McAuley and two companions made their religious professions at the Presentation Convent, George's Hill, Dublin and adopted and modified the rules of the Presentation Order as their Rule and Constitutions. In 1835, Pope Gregory XVI gave his approval and blessing to the Congregation for its dedication to the work of 'helping the poor, relieving the sick in every possible way, and safeguarding, by the exercise of charity, women who find themselves in circumstances dangerous to virtue'. The Holy See approved the Rule and Constitutions of the Congregation in 1841. Later that same year, Catherine McAuley died after 10 years of service as Superior of the Congregation. She founded 10 convents in Ireland and two in England. After her death, the Congregation spread to six continents, with communities in North America (1842), Australia (1846), South America (1856), Africa (1896), Asia (1953) and Europe. It was recognised as an Institute of Pontifical Right in 1926.
- 6.03** In their Submission to the Commission, the Sisters of Mercy described the system of organisation that developed as the Congregation expanded:
- While there was one original foundation at Baggot St., Dublin, each individual convent, as it was founded, was established as an autonomous unit with its own governance structure and its own responsibility for attracting new members. Any new foundation thus had a limited pool of Sisters at any given time. One might almost regard each group of Sisters in a local Convent as a self-contained small Congregation.
- 6.04** Thus, each convent was autonomous, and evolved through local, diocesan and provincial arrangements, but they all shared the common values set out by Catherine McAuley, and the Congregation says that these values 'must have influenced the way in which the schools were run'.
- 6.05** The mission of the Sisters is to provide for the relief, education and protection of the poor. This mission has been expressed in different language over the years. The 1926 edition of the Rule and Constitutions of the Sisters of Mercy, which was applicable for most of the relevant period of the Inquiry, sets it out as follows:

Of the Object of the Congregation

The Sisters admitted to this Religious Congregation, besides attending particularly to their own perfection, which is the principal end of all Religious Institutes, should also have in view what is the peculiar characteristic of this Congregation: i.e., the most assiduous application to the Education of poor Girls, the Visitation of the Sick and the Protection of poor Women of good character.

In undertaking this arduous but meritorious duty of instructing the Poor, the Sisters whom God has vouchsafed to call to this state of perfection should animate their zeal and fervour by the example of their Divine Master, Jesus Christ, who has testified on all occasions a tender love for the Poor, and has declared that he would consider as done to Himself whatever should be done unto them.

Organisation

6.06 Despite sharing a mission and Rule and Constitutions, the Sisters of Mercy continued to develop as separate units. They were not a unitary Congregation and did not have any central authority in the period from 1936 to 1994. Unlike the Christian Brothers and other Congregations, which were organised along provincial lines, with Provincial Councils and, above them, a unitary central Supreme Council with a Superior General, the Sisters of Mercy were organisationally a large number of separate Communities that were united only by their adherence to the same discipline and Rule.

6.07 Most of the Sisters of Mercy houses were individual Communities, usually consisting of a single convent, whose members worked in the local area operating a school or some other charitable function, but the Community could also consist of a small number of separate convents controlled by a Mother House. An exception to this arrangement occurred in Dublin, in which the Carysfort Community was the Mother House for all the separate convents in the Archdiocese. This included, for example, the Mater Hospital, many primary and secondary schools, the convent at Goldenbridge, whose members operated both the Industrial School and the national school, and also worked in the local community, and Rathdrum. Carysfort was the closest parallel to a provincial structure because it had a large number of satellite Communities. The more usual situation was for a convent to stand alone or to have just one or two offshoots. For example, in the case of Clifden, there was one such subsidiary house at Carna. In Cappoquin, the convent was self-contained and controlled the Industrial School, which later became group homes. It also operated a secondary school. It stood separate from the other convents in the Diocese of Waterford and Lismore. Newtownforbes and Dundalk were also separate entities and thus independent Communities.

6.08 During the Emergence hearings, Sr Breege O'Neill, then Congregation Leader of the Sisters of Mercy, outlined the organisational structure of the Congregation:

At that time [1831] she [Catherine McAuley] was very clear that for us to be able to be about that work it was important that we would be locally based, and that we would not be constrained by central Government ... It emerged within 20 years of her founding the first house of the Order in Baggot Street. There were convents established in each of the 26 diocese in Ireland ... In some there might have been eight or nine convents ... These convents were autonomous. They were totally, completely and entirely responsible for their own affairs really. There was little central or there was not a coordinating structure among the convents ... there was not a sort of a central Government that established these, but they were established in each locality according to the need of the locality at the time.

6.09 In his evidence, Dr Eoin O’Sullivan ascribed the popularity of the Sisters of Mercy with the bishops, and their pre-eminence in the industrial school system, to the organisational structure of the Congregation:

... Bishops throughout the country were looking to have industrial schools in their diocese. They had difficulties with some of the Congregations, particularly the Christian Brothers and the Irish Sisters of Charity on the basis that the Bishop did not have a rule over these Congregations, effectively they took their rule from their provincial leader which probably was based in Dublin. So the Christian Brothers, while they had a working relationship with the Bishop, they ultimately took their rule from their Provincial. Whereas, the Sisters of Mercy, to the best of my knowledge, took their rule from the local Bishop. Bishops far preferred Sisters of Mercy than other Congregations, they were easier to control.

6.10 All this changed following the Second Vatican Council, when the Sisters of Mercy agreed that there would be a central jurisdiction in each diocese, but there was still no hierarchy of power as between one diocesan central authority and another. The process of amalgamation into diocesan central organisations began in the 1960s, but was not completed in the State as a whole until the 1980s. During the period of this development, a further centralising process was undertaken whereby the Sisters now agreed to adopt a central organisation for all Sisters of Mercy members and institutions. This overall centralising movement was completed in 1994, and so the two processes were moving in parallel for a period of time. Sr Breege O’Neill described this process as follows:

... our structure changed over the years. In that while we had that autonomous sort of way in the beginning after Vatican Council there was a move to amalgamate the houses in each diocese. That really came out of the sort of the thinking of Vatican II. We set about that and for the next 20 years, from the 60s to the mid 80s that process of amalgamation happened in the 26 diocese. So by the mid 80s we were now diocesan based with a leadership structure in each diocese ... When we had that in place we decided that it would be good to bring the 26 individual units together in another amalgamation. That was because at that time in the mid 80s our numbers were declining. We had a huge spread of ministries throughout the country and we were looking at how could we rationalise, how could we pool our resources so that we could be more effective in the work we were doing ... So by 1994 we formed an amalgamation of those 26 units, together with the Congregation of the Sisters of Mercy in South Africa, because they had a connection with Ireland. That is our present structure, which has four provincial units in Ireland. In 1994 we were almost 4,000 people. At the moment in Ireland we have 2,620 Sisters residing in 392 local community houses throughout Ireland.

6.11 Prior to 1983, all Sisters of Mercy Communities, regardless of their size, were subject to the authority and jurisdiction of the local bishop. Under the 1926 Rule and Constitutions, he was the Principal Superior of the Congregation after the Holy See. All Sisters were instructed to ‘respect and obey him’. The bishop was given the power to nominate a priest to attend to the regulation and good order of the Community, both in terms of spiritual and worldly matters. The importance of this priest’s role in the running of individual convents was clear from the following provision:

He shall watch over the exact observance of the Constitutions, for the purpose of maintaining good order, peace and charity, and he shall assist the Mother Superior with his counsel and advice, in all important affairs. She shall not undertake any matter of importance relating to the Monastery or the Community, without the Bishop’s consent.

6.12 The bishop as Principal Superior, after the Holy See, was required to visit the convent at least once every three years. The Superior, or the priest he nominated, was in addition obliged to undertake an annual Visitation, during which he met with each Sister separately. If such Visitations

took place, they do not appear to have been recorded, because no records of them were discovered to the Commission.

6.13 Each Community had a similar organisation. The Mother Superior was elected for a term of three years by the Chapter and was eligible for re-election for a further term. The Chapter was composed of all Sisters who had a vote. The Mother Superior selected her assistants and proposed them for election. Where the convent did not contain a quorum, i.e. seven Sisters, the bishop nominated the Mother Superior.

6.14 The Congregation of the Sisters of Mercy of Dublin was the largest Community of Sisters of Mercy in Ireland. Its structure was set out in the Rule and Constitutions of the Congregation of the Sisters of Mercy of Dublin.¹ This document did not alter the position of the bishop as the Principal Superior, or his nominated priest, but it did change the way the Sisters governed themselves. Supreme authority was ordinarily vested in the Superior General and her Council, and extraordinarily vested in the General Chapter. The General Chapter elected the Superior General and her Council. The Superior General and her Council had the right to transfer Sisters from one house to another. The Council also appointed the local Superiors.

6.15 Isolation from other Sisters of Mercy institutions was not a necessary feature of life in Goldenbridge Industrial School, because it was part of the family of institutions under the central authority of Carysfort. The Superior General of Carysfort appointed the Resident Managers and selected the Sisters who were sent to Goldenbridge. Goldenbridge was under the direct control of Carysfort in all matters concerning finance and other related matters. This arrangement would have been expected to give rise to regular exchanges of personnel and a flow of communication, but the reality was otherwise. There are no records of meetings or correspondence or any other documentation between the Resident Manager of Goldenbridge and the Superior in Carysfort. In their Opening Statement of 15th March 2005, the Sisters of Mercy made the following remark in respect of the reporting structure that operated between the Mother House and the Goldenbridge branch house at that time:

Reporting relationships were not very formal and probably depended very much on the personalities and expectations of the Superior in Carysfort and the local superior or resident manager in Goldenbridge.

6.16 The result was that Goldenbridge was, for a different reason, left in much the same isolated situation as that which prevailed in smaller Communities of the Sisters of Mercy. The Community in Dundalk, for example, would not have expected any Visitation, inspection or supervision by any other Sister serving as a Sister of Mercy. A nun in Dundalk did not have any prospect or possibility of being transferred. By joining that Community, she became a member of a stand-alone Congregation and, unless she resigned or was dismissed, she would remain there during her entire lifetime. This immobility came about by necessity in smaller convents. Goldenbridge, despite its proximity to Carysfort and other houses, remained in relative isolation. Nuns there also served for very long terms in the one post and were left to carry on their work without outside interference or inspection.

6.17 A consequence of the autonomous convent system was that there was a smaller pool of Sisters available for work in an industrial school. Thus, Sr Margaret Casey, Provincial Leader of the Western Province, in her evidence at the Phase I hearing in respect of Newtownforbes, said:

The Sisters also would have been drawn from the small local pool of the Sisters in the convent there in Newtownforbes and there was no expert or back up service really available to them.

¹ 1954 (these Constitutions were revised in 1969, 1972, and 1985).

6.18 This limitation of choice was particularly significant in relation to the position of Resident Manager.

6.19 In 1953, the Resident Manager of Goldenbridge, Sr Bianca,² delivered a lecture to a conference on childcare management at Carysfort College, in which she spoke about the role of Resident Manager:

The efficient and satisfactory running of every Home depends largely on the person in charge. Experience shows that, where the person in charge is kind but firm; sympathetic but impartial; efficient without being over-bearing; determined but open to suggestion; approachable without being too free; the other members of the staff will take their cue from her, and the result will be content and harmony in the entire Home.

6.20 She stated that a successful Manager should have:

... sufficient skill and judgment to settle each difficulty as it arises; have a sympathetic interest in both children and staff; have a strong personality, without being overbearing or dictatorial, be enthusiastic and enterprising; and above all, she must be strictly impartial.

6.21 These observations echoed what the Cussen Commission had said in its report in 1936³ about the importance of the quality of the Manager to the proper care of the children in industrial schools.

6.22 The smaller the Congregation, the less easy it was to find a person with these necessary skills.

6.23 In addition, Sisters were less able to secure a change of employment. In her Statement of Intended Evidence to the Committee in respect of Dundalk, Sr Ann-Marie McQuaid, Provincial Leader of the Northern Province, noted:

The three Sisters who held these positions during the period under review remained in this position for most of their lives and right into old age.

6.24 The Mother Superior of the Community was generally the Resident Manager of the Industrial School, and so had complete control over the funding and administrative duties of the School, in particular its relationship with the Department of Education. However, she had little to do with the day-to-day running of the School, which was vested in the Sister in Charge who acted as de facto Manager. The rationale for this division of responsibility seems to lie in the hierarchical organisation of the Sisters. The Mother Superior was in charge of the convent and, in that capacity, she was in charge of every activity carried out by the nuns of her convent, including the Industrial School.

6.25 The number of Sisters available for work in an industrial school depended on the size of the Community. During the Emergence hearings, Sr Breege O'Neill discussed staffing levels:

I think that remained constant in the years between 1935 and 1965. In each of our industrial schools there would have been between 100 and 150 children in the schools. There would have been two or three Sisters, one of whom would have been the resident manager, and maybe another one who would have been working full-time in the school or in some other area. They may have had one or two lay staff ... The people with responsibility for the care of the children would have been four or five people. They would have been on duty seven days a week, 24 hours a day. I know of Sisters who told me of having six little cots around her bed at night of children who needed feeding during the night. That would have been a practice. So they were caring for the children over the whole course of the day.

² This is a pseudonym.

³ The Commission of Inquiry into the Reformatory and Industrial School System, which was required to report to the Minister for Education on the Reformatory and Industrial School System, began its work in 1934, and furnished a report to the Minister in 1936. It was under the Chairmanship of District Justice Cussen.

6.26 She was asked how the staffing level of four staff to about 120 residents evolved. She replied, *'My understanding was that that was probably informed by the understanding of the time'*.

6.27 Her comments were borne out by the evidence. In Goldenbridge, there were usually only two Sisters involved in the Industrial School: the Sister in Charge and the Assistant Sister. The other nuns from the convent would assist in particular activities, but did not play a large role in the day-to-day operation of the School. In Cappoquin, up to four Sisters worked full-time in the Industrial School and, in Newtownforbes, only two Sisters worked full-time in the School from the mid-1940s to the 1960s. In Dundalk, two Sisters worked full-time in the School and were assisted by a third Sister when numbers were high.

6.28 Industrial schools run by the Sisters of Mercy were heavily reliant on assistance from senior girls and lay staff. Former pupils of the Industrial School were retained after their periods of detention, and they carried out various supervisory duties, either in a paid or unpaid capacity. In Goldenbridge, some of these girls were offered employment in the School only because they were unable to work outside the convent.

6.29 The lack of formal training for Sisters working in industrial schools was a significant feature of the evidence of Sisters and former Sisters. In Goldenbridge, when asked whether she had received any training in childcare, Sr Alida⁴ said *'None whatsoever. I think you had to use your own head'*. She added:

Well I suppose doing my teacher training I did my share of child psychology. I wouldn't say that would have qualified me for the work I undertook in Goldenbridge. I had no idea that such a place as Goldenbridge existed when I was training up or when I was coming out to it either.

6.30 Other Sisters who worked in the School expressed similar sentiments. Sr Gianna⁵ said that she had received no training whatsoever, although she thought that her previous work with children in the Girl Guides might have been a factor in her being sent to Goldenbridge. In her evidence at the Phase I hearing in the Newtownforbes investigation, Sr Margaret Casey stated:

The Sisters themselves would not, as I said earlier, have had any kind of formal training in childcare, actually such training didn't exist until the 70s. So most of the Sisters there would have had a background in secondary education before they entered. Subsequently they would have received some training, some of them, obviously the primary school teachers would have qualified as primary school teachers. Some of the Sisters working in the Industrial School did diplomas and certificates to Ceidi and Lough Gill and home economics and housewifery, that area. I know that one of the Sisters in 1953 attended an institutional management course that was run in Carysfort. She subsequently was full-time working in the Industrial School. One Sister also trained as a children's nurse.

6.31 In the Clifden hearings, Sr Olivia⁶ told the Committee that the only training that she ever received was *'in 1974, 1975. We did an in service course in Dublin and we would go up every Friday evening and come down Saturday evening'*.

6.32 The Congregation identified lack of training as one of the features of the industrial school system which contributed to the suffering of children in their care, but attempted to mitigate this by pointing out that there was no course in childcare training in Ireland until the 1970s. They also noted that most of the individual Sisters of Mercy who worked in the industrial schools run by the

⁴ This is a pseudonym.

⁵ This is a pseudonym.

⁶ This is a pseudonym.

Congregation had a secondary school education, and others went on to train as nurses, primary school teachers or secondary school teachers.

6.33 In the Phase I hearing into Goldenbridge, Sr Helena O'Donoghue, Provincial Leader of the South Central Province, said:

Each of the five Sisters who acted as Sisters in charge and involved in the Industrial School were professionally trained teachers at Carysfort Training College, which was a significant feature in the Dublin Mercy Community. Sr Bianca also had qualifications and certifications in domestic economy, cookery, needlework and household management. These Sisters also were supported by other Sisters as I have said, but who might not necessarily have any had particular training. Those who worked in the kitchen were qualified cooks and others would have taken short courses in household management.

6.34 In her 1953 lecture on childcare management mentioned above, the Resident Manager of Goldenbridge, Sr Bianca, made important points about the needs of children in care. She said that children coming from underprivileged backgrounds should be met with sympathy and gentleness. 'Drastic remedies' for head lice, such as cutting off hair, should not be necessary, particularly when there were remedies on the market at a very reasonable price. Children should be divided into small groups, including at meal times, to promote an intimate family atmosphere. She added that 'formal marshalling and regimentation must be avoided'. Whilst there should be an emphasis on domestic training, there was no reason why girls should not follow a commercial or other career path if they had the necessary talent.

6.35 She proposed that every child should help with small jobs and chores about the home. They should be encouraged to be creative, and arts and crafts teachers deployed. Dressing the children uniformly should be discouraged. There was no reason why they could not be sensibly and attractively dressed.

6.36 She advised that children should be allowed a considerable amount of supervised freedom. They should be allowed to go to the local shop, and older girls permitted to go into town on the bus to run errands.

6.37 In addition, she considered that a large playground and hall were a necessity. A field for sports should be made available. Senior girls should have their own sitting room. She felt that music should be encouraged, both playing instruments and singing as well as listening to music on the radio. Dancing should be also encouraged. Caring for pets was another useful occupation for children.

6.38 Sr Bianca also felt that the Manager should possess skill and judgement, 'have a strong personality, without being overbearing or dictatorial ... and above all, she must be strictly impartial'. Furthermore, those charged with the care of such children should have a keen interest in their work and possess the requisite experience and knowledge of psychology.

6.39 The fact that Sr Bianca was asked to deliver the lecture is evidence that she was highly regarded as a childcare expert, and the lecture expressed an enlightened and progressive view of childcare in the 1950s. Sr Bianca knew how a good institution should be run, and her lecture provides a standard against which Goldenbridge and other Sisters of Mercy industrial schools may be judged. Moreover, these progressive views demonstrated the principles that could have been inculcated in generations of carers, if training had been provided, with potentially dramatic consequences for children in care.

Impact of vows on institutional care

- 6.40** In May 2006, the Sisters of Mercy submitted a document entitled ‘The Influence of Religious Values and/or Religious Life of the Sisters of Mercy on the Management of Industrial Schools and on Aspects of the Care of the Children’. In this document, the Sisters explored the ways in which their religious vows affected the care they gave to children in their institutions, and it arose out of testimony at the oral hearings, particularly relating to the way in which individual Sisters interacted with the hierarchy in the Congregation and with the children in care.
- 6.41** The Congregation accepted that these religious values and ways of life ‘must have influenced the way in which the schools were run’.
- 6.42** Sisters of Mercy take the three vows common to most religious communities – of poverty, chastity and obedience – and they also take a fourth: to serve the poor, sick, and uneducated. In addition to these formal obligations, other aspects of religious life that were highly valued included prayer, routine, simplicity, silence and work. The Congregation gave examples of how these religious values might have had a negative impact on the way industrial schools were run:
- The strict routine of prayer followed by Sisters meant that during regular identifiable periods, the children were exclusively in the care of lay staff and it also had the consequence of a regime of strict religious observance being imposed on the children. The importance of routine also manifested itself in everyday activities with Sisters following a strict daily routine. ‘The daily routine of adherence to times for prayer, meals, work or recreation was sacrosanct’. Sisters would have expected the children to follow the same routine, with early rising, Mass, chores, special times for meals and recreation and the Congregation accepted that this ‘could have been experienced as harsh and demanding’.
 - The emphasis on silence as a means of focusing attention on ‘God and the things of God’ had a significant impact on the manner in which individual Sisters interacted with each other and with the children. This could have had the effect of reducing the communication of information about children between Sisters, or Sisters and staff, to a ‘strictly “need to know” basis’.
 - Work played a large role in religious observance:
Working hard was viewed as generous, obedient and self-giving. The underpinning theology of the time held that grace would supply for what nature failed to offer. It was not expected or customary that a Sister would complain in any way about the task to which she had been assigned. To do so would be seen as not merely a sign of personal failing, but of inability to cope with the challenges of religious life.
- 6.43** The Congregation stated:
The negative aspect was, perhaps, that leisure activities were circumscribed and everyone was caught up in a system where rest, unstructured relaxation and variety were seen as luxuries rather than necessities.
- 6.44** It also said that ‘A life of simplicity and sometimes frugality was valued as an outward expression of the vow of Poverty’. All Sisters pooled their salaries, and they were ‘directed in the main towards the works of mercy engaged in by the Sisters’.
- 6.45** Many Sisters spoke in evidence about the expectation that they would not show affection to the children in care. The Congregation said:
The question of the reluctance to show any physical affection for the children found its roots in a positive understanding of caring for all children equally and of not favouring one child over the other.

6.46 This desire to treat all equally might have led to children seeing the Sisters as aloof or uncaring, but it would be:

... a grave distortion to see the absence of the overt expression of physical affection for the children as some kind of innate personal failing on the part of each Sister, related in some obscure way, to her choice of a life of celibacy rather than a choice of marriage and motherhood.

6.47 Many Sisters spoke about the impact of the vow of obedience.

6.48 Chapter VII of the 1926 edition of the Rule and Constitutions dealt with the vow of obedience. It provided:

28. The Sisters are always to bear in mind, that by the Vow of Obedience they have forever renounced their own will, and resigned it to the direction of their Superiors. They are to obey the Mother Superior, as holding her authority from God, rather through love than from servile fear. They shall love and respect her as their mother. Without her permission they shall not perform public penances.

29. They are to execute, without hesitation, all the directions of the Mother Superior; whether in matters of great or little moment, agreeable or disagreeable. They shall never murmur, but with humility and spiritual joy carry the sweet yoke of Jesus Christ. They shall not absent themselves from the Common Exercises without her leave, except in a case of pressing urgency and if they cannot then have access to her, they shall make known to her the reason of their absence at the earliest opportunity. They shall obey the call of the bell as the voice of God.

6.49 Sr Margaret Casey discussed the operation of the vow of Obedience during the Phase III hearing into Newtownforbes:

I suppose back in those years the Sister would have been assigned to a job under obedience and that obviously would have impacted on the Institution and her role in it, because sometimes then it meant, and this would have been borne out in the Industrial School, that they could have ended up in a particular Ministry as, say, some of the Resident Managers, that they were there for quite a long time, 30 years and more. But it would have been true, as well, that out of the obedience that it wouldn't have been the accepted or the norm for somebody to complain to the person in authority about how the place was being run, because to do so would have been seen not merely as a kind of personal failing but it would also have shown that in some way that their inability to cope with the challenges of religious life.

6.50 One Sister expressed her dissatisfaction with the hierarchical nature of Newtownforbes. She said that the junior Sisters had no say in the Community. *'It was ruled, it was governed from the top, just a select few, that's all,* and the junior Sisters were required to follow *'blindly and dumbly'*. She was unhappy with this situation because the people who were governing the Industrial School, the Mother Superior, the Mother Assistant, the Bursar and the Novice Mistress, had little to do with the Industrial School. *'They were the elite. You had the elite and you had the everyday folk'*. This management structure inhibited her ability to speak out about the deficiencies she saw around her.

The Cussen Report

6.51 When the Cussen Report was published in 1936, the Sisters of Mercy had responsibility for 26 industrial schools, 22 of them for girls, three for junior boys, and one was a mixed school for junior boys and girls. The leading position held by the Congregation in the Irish industrial school system is illustrated by comparison with the Christian Brothers, who had six industrial schools, the Sisters

of the Good Shepherd and the Sisters of Charity who each had five schools, the Presentation Sisters who had two schools, and the Sisters of Our Lady of Charity of Refuge and the Sisters of St Louis who had one each.

6.52 Despite their importance in the industrial school system, the Sisters of Mercy were not consulted by the Cussen Commission in the course of its work. Unlike the Christian Brothers or the Oblate Fathers, they were not issued a special invitation by the Commission to give evidence; and the absence of any member of the Congregation from the list of witnesses at Appendix A of the Report implies that they did not respond to the advertisement of the Commission requesting assistance in its work.

6.53 It is not known why such a large and influential body in this area did not make a submission to the Cussen Commission. Although there was no overall authority for the Congregation at that time, the Sisters of Mercy had in Carysfort a teacher training college that was attended by Sisters of Mercy from all over Ireland. The Sisters of Mercy could, accordingly, have made a contribution to the work of the Commission.

Impact of Medical Inspector

6.54 The Cussen Report made a number of important recommendations, one of which was the appointment of a Medical and General Inspector for Industrial Schools by the Department of Education. Dr Anna McCabe was appointed in 1936, and was extremely critical of the conditions she found in the Sisters of Mercy schools.

6.55 A 1944 Department of Education memorandum commented on Dr McCabe's report on Cappoquin Industrial School, and condemned the conditions in the nuns' schools generally:

This is another school run by the Sisters of Mercy which has a long record of semi-starvation. Dr. McCabe's report following her inspection last November disclosed such an appalling state of affairs that we went over the head of the resident manager and issued an ultimatum to the Manager. Dr. McCabe's latest report shows how far we have got. Out of 75 boys, 61 are under the normal weight for their age-height groups by from 3 lbs. to 21 lbs. The butter ration is exactly the same as it was in November, 1943 – 7 lbs. (At 6 ozs. per head it should be 28 lbs.) The boys continue to look pinched, wizened and wretched and look lamentably different from normal children.

It is abundantly clear that the only hope of the required improvement lies in drastic action. The first and most obvious step is the removal of the present resident manager. She is 63 and 5/12 years of age and has held office uninterruptedly since June, 1927. Dr. McCabe informs me that she is a ruthless domineering person who resents any criticism and challenges advice. Her explanation of the children's failure to gain weight – their "activity" – rival Marie Antoinette's "why don't they eat cake?" She has bedded down long since into a groove out of which she cannot be shifted by some annual criticism, and it seems clear that she holds the manager in the hollow of her hand. I can see no hope of improvement while she continues in office.

The state of affairs existing in this school is so deplorable and indefensible that I think further strong action is required. I suggest that payment of the state grant be suspended for three months and, that the manager be informed that there will be a special inspection say, early next December. If that inspection shows that the underfeeding has ceased and that the weights generally are on the increase and tending towards normality, payment will be resumed. If not, consideration must be given to the withdrawal of the certificate.

I might mention that Dr. McCabe's account of the nuns' schools generally is most alarming. Underfeeding is widespread. In fact, she tells me that in only one school – Kinsale – is she completely satisfied with the diet. The general rule is what she describes

as a bare "maintenance diet" – sufficient to keep children from losing weight but not enough to enable them to put on weight at anything approaching the normal rate. A third junior boys' school run by the Sisters of Mercy – Passage West – is in the same category as Rathdrum and Cappoquin, and she proposes to visit it again shortly. She is strongly of opinion that we must hit the schools in their purses by threatening to stop grants – and stopping them if necessary in one or two of the worst cases – If we are to effect an improvement.

6.56 Dr McCabe made some severe criticisms of individual schools. For example, in relation to Dundalk in 1946, she stated:

... if these people are going to have a school they must look after the children – otherwise I will have to recommend that they are not fit to look after children and have them transferred elsewhere.

6.57 Similarly, in respect of Newtownforbes, she was highly critical of the management of the School. In 1940, she had noticed that there was bruising on many of the bodies of the girls in the infirmary. In her letter of 12th February 1940, to the Reverend Mother of the School, she stated:

... I was not satisfied in finding so many of the girls in the Infirmary suffering from bruises on their bodies.

I wish particularly to draw attention to the latter as under no circumstances can the Department tolerate treatment of this nature and you being responsible for the care of these children will have some difficulty in avoiding censure.

6.58 She was also highly critical of the general conditions in the School.

6.59 Although not directly alluded to by Dr McCabe, the situation in Goldenbridge was so bad that the School had to be closed down for two weeks in 1942.

6.60 What emerged was a situation of serious neglect which had been allowed to develop in the late 1930s and into the 1940s. Dr McCabe's comments in the Departmental memorandum quoted above would indicate that this was much more widespread than the schools looked at in detail by the Investigation Committee. Dr McCabe brought about considerable changes to those schools run by the Sisters of Mercy, and often in the face of opposition and obduracy on the part of the Sisters.

6.61 The Sisters have acknowledged the criticisms of individual schools, but have not addressed the question of why these schools were so uniformly bad in the standard of physical care provided. Although the Sisters have accepted that the religious vows they took had an impact on the way in which they cared for children in institutions, they do not explain the level of neglect that was found in the 1940s.

Possibility of change

6.62 The Congregation's Submission dealt with their overall role in residential childcare. They stated:

In conjunction with major changes in Religious Life heralded by Vatican II, in the later 1960's the Kennedy Report ushered in a new era of child-care. The new model of child-care was the group home. It is, we submit, important to recognise that the Sisters of Mercy were also at the heart of this transition from institutional care to group home. It would be an unfair caricature to depict the Sisters as only being involved in the deposed regime of institutional child-care, and absent from the regime of group homes. On the contrary, the Sisters of Mercy were at the heart of this process of change.

6.63 The Congregation went on to say:

It is unlikely that the problems posed by extreme poverty and family dysfunction can ever be addressed in a manner that avoids any pain to the child involved. But there is no doubt that the institutional form of child-care caused a great deal of pain to the children involved. The Sisters of Mercy were at the heart of that system and fully recognise their responsibility. However, it is also fair to say that the Sisters of Mercy were among the first to embrace the transition to the new system of group homes.

6.64 By the time of the Kennedy Report in 1970, numbers in the institutions had reduced to such an extent that the old system based on capitation was unworkable. Schools had either to close down or adapt. Change came slowly, and it was not until the mid-1980s that the old institutional care system was fully replaced by the Sisters of Mercy with group homes.

6.65 In contrast, the Sisters of Charity, who were also engaged in the institutional care of children, recognised the need for change, and attended childcare courses in England in the late 1940s. These courses changed the way the Sisters looked at institutional childcare in Ireland. They recognised that the existing nature of institutional care could not provide for the psychological or emotional needs of vulnerable children. They introduced the group home system to St Joseph's, Kilkenny between 1951 and 1954. The success of this innovation was recognised almost immediately by Dr Anna McCabe, who saw that the children were happier in the new system.

6.66 Had the Sisters of Mercy seen the fundamental flaws in the system of childcare operated by them in the late 1940s, and introduced change accordingly, much of the abuse recounted to the Investigation Committee might not have taken place. As the Sisters have stated:

It is significant that there have been few complaints about the group homes run by the Sisters of Mercy.

6.67 The extent of the Congregation's involvement in residential care was reflected in the number of complaints received by the Investigation Committee from former residents of their institutions. The Investigation Committee conducted full investigative hearings into five of the largest institutions, namely Goldenbridge, Newtownforbes, Clifden, Cappoquin and Dundalk. Every witness who wished to participate in the investigation into these industrial schools was invited to do so. In respect of other schools, each complainant was invited for interview.

Name	Open	Certification	Original number of complainants	Invited for hearing	Attended hearing
St Vincent's, Goldenbridge	1880–1983	185	77	52	43
Lady of Succour, Newtownforbes	1869–1969	145	6	6	5
St Joseph's, Clifden	1872–1983	140	33	20	10
St Michael's, Cappoquin	1877–1999	75	26	17	9
St Joseph's, Dundalk	1881–1983	100	21	10	3

Response to allegations of abuse

6.68 During the Investigation Committee's Emergence hearings, Sr Breege O'Neill, then Congregation Leader of the Sisters of Mercy, outlined the response of the Congregation to the issue of child abuse in Ireland.

6.69 The emergence of widespread allegations of abuse in the early 1990s coincided with the centralisation or amalgamation of the Congregation. The Congregation had just formed at national level in 1994, and the intermediate provincial structures had not yet been established. This made it difficult, she said, for the Congregation to determine precisely what had happened. Sr O'Neill stated:

I suppose one of the reasons I outlined our structure in the beginning was because when the allegations that concerned our congregation became known to us in the mid 90s we did not have central archives. We had just amalgamated at national level in 1994 and our intermediate structures, which were the provincial structures, were not in place. So one of the difficulties for us in responding to the allegations at the beginning was that the information we needed to get the picture ourselves of just what happened in the institutions and what was known of life there, that information was spread around the country.

6.70 The records of institutions that had closed in the 1960s had been transferred to local convents, some of which were autonomous and others were branch houses of larger convents. Some records had been transferred to the mother house of the newly formed Diocesan Congregations. In 1996, the Sisters decided to collect what records there were and assemble them in a central archive. To that end, they employed a professional archivist and established the archive at the Congregation's premises in Baggot Street. The records which had survived the closure of some of the schools and convents, and the process of amalgamation, were in some areas quite sparse. This made it difficult for the Leadership to develop an awareness of what had happened or to respond to the increasing number of requests for information from former residents of institutions run by the Congregation. Sr O'Neill stated that the records were:

as complete as we have been able to find of record of any institution for which we were responsible as far as back as we have been able to find records for. So everything from attics to whatever little pieces of paper were available, we have done an immense trawl of every house to ensure that in some way the whole picture is contained in one place.

6.71 The records consist of:

Any records that were kept in any industrial school and I think they cover things like admission registers – I have to make a note of these so I will remember them - discharge books, books of incidental returns, manager's diaries, medical officer reports, punishment books, maintenance books. Any correspondence that has survived from the institutions. Medical history forms, general case notes, birth certificates, detention orders. They vary. I am not saying that we have all of that information for any one institution, but the archives comprise all of that information in relation to at least some of the institutions and in varying degrees in relation to them all ... Depending on when the industrial school in a particular locality closed and what happened to the building, or even what happened to the convent building in the subsequent years to the 90s also determined what information has survived.

6.72 The Sisters of Mercy became aware of allegations of abuse in the late 1980s and early 1990s. Sr O'Neill stated:

It was at that time that we became aware of the pain that some people who had been in our institutions were still carrying in their adult life as a result of their time there. That we

became aware of mainly through the public domain. Through books that had been published. I refer to the book "The God Squad" in the late 80s and "You May Talk Now" by Mary Phil Drennan. They were people whose stories related to institutions that were run by our Congregation.

- 6.73** Ms Christine Buckley had made serious allegations of abuse arising out of her time in Goldenbridge on the Gay Byrne radio programme on 8th November 1992, but it was the 'Dear Daughter' programme in February 1996 that represented a turning point for the Congregation. Although earlier books had been published and interviews broadcast, they were relevant only to particular convents or Diocesan Congregations, whereas the 'Dear Daughter' programme was the first to confront the Congregation as a whole:

It actually was the 'Dear Daughter' programme in 1996. Because earlier those two books would have probably come to the attention of the particular convent connected to the orphanage in which their experiences were recounted but in 1996 we had come together as a Congregation and the impact of the 'Dear Daughter' programme on us is hard to describe really because the impact of the story and of the coverage in the media following that, it was like a tidal wave that came over us for which we were not prepared either structurally or in terms of how we understood the past at that time.

- 6.74** The programme had an enormous impact on the way that the Congregation viewed itself:

The impact was enormous on the Congregation. One of the reasons was because we had held a particular picture ourselves of our involvement in the care of children and that particular programme certainly shattered all of that. We had within the Congregation many, many Sisters who had no experience of industrial schools. They wouldn't have ever been attached to a convent where there was an industrial school. They were never involved in them themselves. They wouldn't have them in their memory. Suddenly there were all of these allegations coming to us and we really didn't know how to deal with them at the time. I think we went through the shock and denial and that whole sense of could this be true ... We didn't have a base of knowledge ourselves to check it out against. So our initial response was that kind of dismay. Huge hurt within the Congregation for the people who were coming forward with their stories. All of that had a huge impact on the morale of the Congregation. I say that because it was in an effort to try to create some understanding of that, that we engaged in the process I spoke about earlier, that kind of self-reflection process around how could this have happened? How did we contribute to creating situations where this could have happened? It was a very painful time. Then we had Sisters within the Congregation who were extremely pained by somehow now seeing their life's work being cast in a totally different light. These would be the very elderly Sisters. That was very difficult for them.

- 6.75** Sr O'Neill stated that there was enormous pressure on the Leadership Team at the time:

... it was the tension of holding all of those pieces and trying to support everybody involved at that time. I am talking particularly in the years '96, '97, '98.

- 6.76** The Sisters of Mercy were aware of 'Dear Daughter' before it was aired. When it was being made, the Congregation commissioned Mr Gerard Crowley, a childcare specialist, to carry out an investigation into Goldenbridge Industrial School, in an effort to provide the Congregation with an independent view of what happened there, and to give the Congregation some assistance in deciding how to respond to the allegations that were being made. Mr Crowley's report is considered in detail in the chapter on Goldenbridge: for present purposes, it is sufficient to note that it reached a preliminary view that the allegations were broadly credible. In her evidence to the Investigation Committee in the Phase I hearing into Goldenbridge, Sr Helena O'Donoghue stated:

The approach gave us, if you like, some understanding initially of how we might view our situation at the time and we out of that made our apology. We took the main conclusions from it that the regime was harsh and insensitive to the needs of children, that it was inadequate and did not meet their basic needs.

- 6.77** Following 'Dear Daughter', the Sisters announced the setting-up of a helpline and a counselling service. Also, in an effort to build up its level of understanding, the Leadership met with every Sister in Ireland who had worked in childcare. It also met with every Community which had had an industrial school attached to it in the past:

We learnt a number of things. We learnt that their understanding of their time spent in childcare in these industrial schools, their understanding was that they had done well under very difficult circumstances ... They would acknowledge that the atmosphere in those institutions was certainly not conducive or helpful to addressing the emotional needs of children. They talked about the lack of funding. They talked about the lack of resources in terms of help. They talked about an ... institutional sort of daily set up that wasn't conducive to either attending to children's individual emotional needs ... Or to developing to the degree that they would now want with the individuality of children. They would recognise there was harshness ... But they wouldn't accept the more serious allegations that have been made against them.

- 6.78** Sr Breege O'Neill stated that the relationship that individual Sisters had with former residents might have clouded their view or led to a 'rose-tinted' picture of what life was like in the industrial schools:

... what complicates the whole piece for us is that those Sisters continued to have ongoing contact and friendly relationships with many who were in our institutions and who to this day come back and they visit. They stay for weekends in the summertime in those Communities. So in some way that sort of tradition maybe informed our picture of what we thought the relationship was. People would attend weddings and christenings of children and all of that, and letters would be exchanged. I suppose one of the things we learnt from going around talking to the Sisters was the huge affection they have for those who were children in the institutions and with whom they have that ongoing contact. We try to hold that side by side with the huge pain that many people who were in our institutions speak about. That has been a real dilemma and tension point for us as a Congregation.

- 6.79** In addition to these interviews, the Congregation:

... engaged ... in a very intense process of reflection throughout the whole Congregation. Just trying to understand what structures of ours brought about a situation where the stories that were emerging in the 90s could have happened. We have enlisted the help of historians and psychologist, theologians to help us with that reflection. To try to understand the context of the time, but also our own structures and anything within those that might have led to that.

- 6.80** After the broadcast of 'Dear Daughter', the Sisters of Mercy issued their first public apology, in February 1996. This stated:

In the light of recent revelations regarding the mistreatment of children in our institutions we the Mercy Sisters wish to take this opportunity to sincerely and unreservedly express our deep regret to those men and women who at any time or place in our care were hurt or harshly treated. The fact that most complaints relate to many years ago is not offered as an excuse. As a Congregation we fully acknowledge our failures and ask for forgiveness.

Aware of the painful and lasting effect of such experiences we would like to hear from those who have suffered and we are putting in place an independent and confidential help line. This help line will be staffed by competent and professional counsellors who will

listen sympathetically and who will be in the position to offer further help if required. In this way we would hope to redress the pain insofar as that is possible so that those who have suffered might experience some peace, healing and dignity.

Life in Ireland in the 40s and 50s was in general harsh for many people. This was reflected in orphanages, which were under funded, under staffed and under resourced. It was in this climate that many Sisters gave years of generous service to the education and care of children. However, we made mistakes and irrespective of the passage of time as a Congregation we now openly acknowledge our failures and ask for forgiveness.

Regretfully we cannot change the past. As we continue our work of caring and education today we will constantly review and monitor our procedures, our personnel and our facilities. Working in close cooperation with other voluntary and statutory agencies we are committed to doing all in our power to ensure that people in our care have a protective and supportive environment.

We were founded to alleviate pain, want and misery. We have tried to do this through our work in health care, education, child care, social and pastoral work. Despite our evident failures which we deeply regret we are committed to continuing that work in partnership with many others in the years ahead.

6.81 Sr O'Neill described the Congregation's thinking and objective in publishing that apology as follows:

Our hope was that it would ease the pain and trauma of the many people who had been former residents in our institutions, and that it might help to restore the relationship between them and the congregation. Because at that early stage the breaking of that relationship was hugely painful for the Sisters who worked in the industrial schools and for the wider Congregation. We thought that if people could hear that we were truly sorry that might help to restore the relationship. That was the intention at the time.

6.82 However, the Sisters concluded that the apology was not successful:

I don't think it was successful. Because as time went on we learnt that people heard that apology as conditional. They heard it as incomplete. It didn't seem to have the intent that we had thought it would. Or what we had hoped would happen didn't happen at that time as a result of that apology. In some ways I think people who heard it as conditional were more hurt by that sense that we were not listening to them in the present.

6.83 The Sisters considered that the initiation of legal proceedings against the Congregation altered the way that they sought to engage with former residents:

Shortly after that began the issuing of litigation. Many litigation cases against us as a Congregation by former residents. That sort of changed the relationship and put its own sort of limitations on our ability to continue to try to connect with our former residents. We respected the right of people to take court proceedings against us and we did not want to influence them in any way in doing that.

6.84 The Congregation also highlighted other tensions:

One tension has been, the one I mentioned earlier, where we have Sisters who would acknowledge some but not all of the allegations against them, and who because of the way the Commission was set up would be or could be named as abusers at its conclusion we had a responsibility to provide those Sisters with all of the legal and other supports they needed, and to have testimonies tested. That was also a tension for us, because all of those processes in some way were creating more of a wedge in the relationship between us and them. That is how it was for us.

6.85 The Congregation decided to publish a second apology, which it did on 5th May 2004. Sr O'Neill informed the Committee why it decided to do this:

When Justice Laffoy resigned and the Commission went into abeyance for some time and we began to think that the Commission was going to probably go on for a number of years, and certainly the High Court litigation cases would go on for years and we just at that point said we have got to do something to try in the short term to reach out to the people whose lives were still damaged by their experiences and see if there was any way we could begin to build a process of reconciliation. That was the reason we issued the second apology. Because we began with one to one contact with individual former residents or with representatives of former residents groups and the feedback was that apology was just so unhelpful to them, that original one. They would have told us that their ability to get on with their lives was in some way blocked by our inability to hear them.

When that awareness became clear to us we decided to one more time and this time to try to find the words that would reflect our desire to indicate that that apology was unconditional and unreserved. That was the second apology we issued with that intent.

6.86 The second apology was as follows:

On behalf of the Congregation of the Sisters of Mercy we the central leadership team wish to say to all those who as children lived in our orphanages and industrial schools we accept unreservedly that many of you who spent your childhoods in orphanages and industrial schools run by our congregation were hurt and damaged while in our care. We believe that you suffered physical and emotional trauma.

We have in the past publicly apologised to you. We know that you heard our apology then as conditional and less than complete. Now without reservation we apologise unconditionally to each one of you for the suffering we have caused. We express our heartfelt sorrow and ask your forgiveness. We ask forgiveness for our failure to care for you and to protect you in the past, and for our failure to hear you in the present.

We are distressed by our failures. We have been earnestly searching to find a way to bring about healing and we need your help to do this. We recognise that this statement may be considered too little too late. We make it in the hope that it will be a further step in the long process of healing the pain that we as a Congregation have caused.

Finally, we failed those Sisters in our Congregation whom we put in the situation of caring for you without adequate supports or resources. For that too we apologise and take responsibility.

6.87 In her evidence on behalf of the Congregation at the commencement of the hearings into Goldenbridge, Sr Helena O'Donoghue discussed the negative aspects of the industrial school system and of Goldenbridge in particular. She stated:

The most basic features of the industrial school illustrate how children almost inevitably suffered in this system. The large size of the Institution and the number of children contained in it compared with small group units that we have today. Goldenbridge housed up to 185 children at any one time during the period under review. The size gave little prospect that the replication of love and nurture of family could occur within its walls. Nowadays, children taken into residential care live in homes of groups of six to eight at the maximum.

A second basic feature was really the ratio of staff to children within the Institution and as far as we can ascertain there appears to have been approximately one member of staff, and I include that to be either a teacher or a carer, one member of staff to about 30 or more children around the clock.

Thirdly, the absence of training for sisters and lay staff in the sense of what now would be called childcare training. Some Sisters, particularly those in charge, were trained as teachers; however, no formal childcare training had existed in Ireland until the late 60s and early 70s. Then the capitation system of funding, together with the level of funding, led to difficult financial constraints and choices.

6.88 She also accepted that the institutional nature of the residential setting led, in turn, to other undesirable conditions of daily life. She described these as follows:

The regimental nature of the Institution where there was restriction on freedom of movement well beyond school hours, where the lack of privacy inherent in institutional life was something, particularly in the early years, which would have been unhappy. The emphasis on conformity rather than on creativity and choice, and the very limited opportunities of forming personal one to one adult/child relationships, and I suppose in particular the reliance on corporal punishment as a feature in the maintenance of discipline and good order.

6.89 She also mentioned:

A failure to properly understand the level of trauma being suffered by each children as a result of being placed in the School and separated from family, sometimes in circumstances where this placement followed a death of a parent.

A failure to properly respond to the individual emotional needs of the children in a school, including how lonely and frightened they must have been in being taken from family and placed in a large institution with children of all ages.

A failure to recognise the special emotional and educational needs of children who had come from troubled backgrounds.

A failure to keep children informed about their families and family events, such as births, marriages, and deaths.

A failure to assess the individual needs of each child, either on admission or on an ongoing basis.

A failure to meet the comprehensive educational needs of children and the very inadequacy of the educational process itself relative to their needs.

6.90 She pointed out that these failures were common to all industrial schools, but accepted that:

It does raise, if you like, a deep question for us as a Congregation and Sisters of Mercy just that we as agents of the State worked through this system and perhaps were not alert to the ways in which the failures contributed to the very real pain that has been experienced by children who were in industrial schools.

6.91 These further concessions as to the negative aspects of institutional life are relevant in the investigations into the different schools, not only those run by the Sisters of Mercy. They are also material to the assessment of the system as a whole. The question has to be considered whether, and to what extent, detention in an industrial school meant that a child was doomed to suffer ill-treatment or neglect amounting to abuse of some kind. Whatever the answers to those questions, it does seem that Sr Bianca's lecture in 1953 touched on many of the issues identified by the Sisters in their list of negative features, and contained advice on how to remedy them. At least some of the negative features mentioned could have been dealt with by the approach proposed by Sr Bianca, which stressed the need for individual care and sympathetic treatment. The same can be said about the comments and recommendations made by the Cussen Commission.

6.92 Speaking for the Congregation on the more specific issue of whether abuse occurred in their schools, Sr Breege O'Neill in her evidence during the Emergence hearings said that individual Sisters 'wouldn't accept the more serious allegations that have been made against them'.

6.93 Sr Breege stated that the records available to the Congregation did not provide any evidence of 'ongoing systematic physical ... abuse of children'.

6.94 In her evidence at the commencement of the Goldenbridge investigation (Phase I), Sr Helena O'Donoghue was asked what her position was in relation to allegations of physical abuse. She stated:

It will be a matter for the Commission to really in some way examine elements of that nature which at this distance we are not in a position to be able to say definitively that they happened or didn't happen. What we will be saying is that corporal punishment which was of the very severe and very cruel nature is denied by the Sisters who are accused of it ... Severe beatings are a matter that we would be having a different view on than is shared by many of the complainants and we would be looking to the Commission to determine on something which is very, very difficult to determine, but those who are alive and who are present at the time vehemently deny that they ever used punishment to the degree that was cruel and excessively abusive.

6.95 In their Submissions to the Investigation Committee at the conclusion of the private hearings into Goldenbridge, the Sisters of Mercy stated that:

Corporal punishment was routine ... But ... we say that there has not been established that there was:—

(a) Serious or extreme violence, whether leading to children's deaths or not;

(b) Daily unjustified physical abuse; ...

6.96 During her evidence to the Committee at the Phase III hearing into Goldenbridge, Sr O'Donoghue stated:

At the Phase I hearing I said very clearly that we were not in a position to accept as factually correct the allegations of serious physical abuse or injury to any child. And that would cover those points.

6.97 She continued that, having attended all of the private hearings, she would be of the same view:

Yes, we would, following the hearings we would be of the same view.

6.98 Having given that evidence, Sr O'Donoghue was asked why the Sisters had apologised. She replied:

I think that, perhaps, an examination of the apology, both apologies, may be revealing in some way. I think that we have always acknowledged that we recognise that children suffered pain and hurt while in our institutions. We know that those institutions, as any other institutions, were systems. We regret deeply that suffering continued for the children through the years that they were there. We deeply do feel that and want in some way to both acknowledge and to work, as I have already said, for some kind of recovery.

Where specific allegations of a serious nature have been made, the apology couldn't, until these matters would be completed, specify what the outcome of specific allegations were. In relation to Goldenbridge, our conviction is that, like anywhere else, children would have suffered in Goldenbridge pain and hurt one way or another that was not adverted to. At the same time we have seen and believe that there is ample evidence to say that the Institution was a reasonably effective and caring institution, according to the standards of the time.

6.99 Sr O'Donoghue was referred to the portion of the apology which dealt with hurt and damage, and she was asked what caused the children hurt or damage. She replied:

I believe that I couldn't summarise that in a sentence, it is a very complex situation. But there were large numbers, there was lack of understanding, there was a regimental way of life, there was corporal punishment, and factors like that which would have been unfriendly, to put it at its mildest, to the needs of children who were hurt already and who had experienced loss.

6.100 Later she stated:

We certainly accept that corporal punishment was part and parcel of the life and was routine. We don't know and can't be definite about it, but that it may not have been reserved to the Manager only. But we do not accept that there was punishment that would have led to any kind of serious, or that was serious and caused injury.

6.101 During the Phase I hearing into Dundalk, Sr Ann-Marie McQuaid was asked to comment generally on the complaints, by former residents of the School, that certain lay members of staff and some nuns did treat them harshly. She stated:

I suppose knowing human nature and knowing the length of the period of time and the number of children I think it would be unrealistic to say that there weren't times when a child could have been treated harshly. We deeply regret it if we caused it and we deeply regret it if we didn't notice it.

6.102 She described the Congregation's general attitude to the issue of corporal punishment as follows:

In hindsight we regret that and that's what I would have had said. We deeply regret it, particularly with children who were vulnerable and who were carrying so much inner pain themselves, it made life more difficult for them.

6.103 During the Phase I hearing into Clifden, Sr Margaret Casey stated:

Again I would wish to say that corporal punishment as a practice is something that we would deeply regret and the individual Sisters who administered it would have deep regrets because we do realise and recognise that these children were vulnerable children and in that particular setting it was particularly hard on them because of their vulnerability.

6.104 At the Phase III hearing into Clifden, Sr Casey stated:

I am aware that there is again a direct conflict of evidence in the whole area of corporal punishment and in due course the Commission will no doubt adjudicate on that. I do acknowledge and have acknowledged that corporal punishment was a feature in the school life, as it was in most primary schools in the 1960s, and that slapping was the primary form of punishment and I did acknowledge and apologise if children were hurt or damaged by excessive use of corporal punishment while in Clifden.

6.105 During the Phase III hearing into Newtownforbes, Sr Casey stated:

I can't say that the children were slapped every morning for bed-wetting because I don't know that, I wasn't there at the time, I did inquire and the Sister who was there is in her 90's and wasn't able to furnish me with any information to help me in an understanding of how often is the punishment or how severe, so I honestly don't know. All I know is that – and they would have acknowledged that in the School, that there was punishment for bed-wetting but the extent of it, the regularity of it, the severity of it, I don't know.

Corporal punishment

Rules and regulations governing corporal punishment

6.106 The extent to which corporal punishment crossed the line into abuse is examined in the chapters dealing with each individual school. What is clear, however, is that the punishment administered in all schools examined by the Committee often exceeded that permitted by the 1933 Rules and Regulations for the Certified Industrial Schools in Ireland. These rules imposed limits on the use of corporal punishment. These limits were more restrictive for girls, particularly those over the age of 15. The issue of discipline was dealt with in Regulation 12:

DISCIPLINE.

The Manager or his Deputy shall be authorised to punish the Children detained in the School in case of misconduct. All serious misconduct, and the Punishments inflicted for it, shall be entered in a book to be kept for that purpose, which shall be laid before the Inspector when he visits. The Manager must, however, remember that the more closely the School is modelled on a principle of judicious family government the more salutary will be its discipline, and the fewer occasions will arise for resort to punishment.

6.107 Regulation 13 stated that the punishments should consist of:

- (a) Forfeiture of awards and privileges, or degradation from rank, previously obtained by good conduct.
- (b) Moderate childish punishment with the hand.
- (c) Chastisement with the cane, strap, or birch.

6.108 The Regulation went on:

Referring to (c) personal chastisement may be inflicted by the Manager, or, in his presence, by an Officer specially authorised by him, and in no case may it be inflicted upon girls over 15 years of age. In the case of girls under 15, it shall not be inflicted except in cases of urgent necessity, each of which must be at once fully reported to the Inspector. Caning on the hand is forbidden. No punishment not mentioned above shall be inflicted.

6.109 The 1946 Rules and Regulations for National Schools applied to the internal national school within the industrial schools:

Instructions in regard to the infliction of Corporal Punishment in National Schools.

96. (1) Corporal Punishment should be administered only for grave transgression. In no circumstances should corporal punishment be administered for mere failure at lessons.

(2) Only the principal teacher, or such other member of the staff as may be duly authorised by the manager for the purpose, should inflict corporal punishment.

(3) Only a light cane or rod may be used for the purpose of corporal punishment which should be inflicted only on the open hand. The boxing of children's ears, the pulling of their hair or similar ill-treatment is absolutely forbidden and will be visited with severe penalties.

(4) No teacher should carry about a cane or other instrument of punishment.

(5) Frequent recourse to corporal punishment will be considered by the Minister as indicating bad tone and ineffective discipline.

6.110 This rule did not permit the use of the leather strap in the classroom.

6.111 In addition, the Department of Education issued many circulars and guidelines to Industrial School Managers, indicating that corporal punishment must always be kept within the bounds set down by the Regulations and must never be used excessively. Circular 11/1946 stated:

Corporal punishment should be resorted to only where other forms of punishment have been found unsuccessful as a means of correction. It should be administered only for grave transgressions, and in no circumstances for mere failure at school lessons or industrial training.

6.112 The Circular went on to state that punishment should be confined to slapping on the hand with a light cane or strap, and that this should only be administered by the Resident Manager or by a member of staff specifically authorised by him. It added that ‘any form of corporal punishment not in accordance with the terms of this circular is strictly prohibited’.

Punishment book

6.113 Only one punishment book from the Sisters of Mercy schools under investigation has been seen by the Committee.

6.114 The Sisters of Mercy say that the general prevalence of corporal punishment in schools during this period is a factor which should be taken into account when determining whether corporal punishment was excessive or abusive. To an extent they are correct, but the Regulations quoted above were drawn up at a time when corporal punishment was even more prevalent, and yet the authorities recognised the necessity of treating children in residential schools with particular care. The Regulations recognise that children in industrial schools are not only in their school but also in their home, and the standard that is applied is not that of the average national school but that of the average home. The reminder to Managers in the Rules and Regulations that ‘the more closely the School is modelled on a principle of judicious family government the more salutary will be its discipline, and the fewer occasions will arise for resort to punishment’ is central to the way a residential school should be judged.

Sexual abuse

6.115 The issue of sexual abuse did not feature as prominently in the evidence in relation to schools run by the Sisters of Mercy as it did in relation to schools run by other religious communities. There were, however, some very serious incidents of sexual abuse perpetrated by lay staff in some schools, which are dealt with in the individual chapters. During the Emergence hearings, Sr Breege O’Neill stated that the Congregation became aware of a small number of complaints from the Leadership’s discussions with Sisters who were involved in the industrial schools. She stated:

I am aware of, I think, three, if not four ... Let me mention that there were three instances where the Resident Manager in a particular institution became aware of a concern that sexual abuse might have occurred in relation to a child. I am talking about an instance in 1960, one in the mid 60s and one in 1969. They were instances where that came to the attention of the Resident Manager and the individual Manager took action herself in relation to each of those three cases that we are aware of. One was in relation to somebody who was visiting the Institution and she barred that person. She mentioned it subsequently to a Department official. The other one was in relation to somebody who was working in a maintenance capacity. Again the Sister had that man removed. The third one was a volunteer coming in and when the Sister heard the complaint she sent for him but he never came back to the Institution. That would be from the recollection of the Sisters themselves ... Some of that, the dismissal, we have found some records that substantiate that.

6.116 She informed the Committee that she was not aware that there was anything specific done to help any of those children deal with the trauma of sexual abuse:

The picture I get is that this was at a time when sexual abuse was not talked about. It came to somebody's attention, they dealt with it. Whether they would have been aware of the impact on the child or whether they would have known how to deal with it I am not sure. But I am not aware that any action was taken.

6.117 During the Phase I hearing into Goldenbridge, Sr Helena O'Donoghue provided some detail on the allegations of sexual abuse in that Institution:

A small number of complaints have been made of sexual abuse associated with Goldenbridge. However, the only definite knowledge that we have about sexual abuse in the School relates to 1962. At that time a pupil accused a male caretaker or groundsman of assaulting her and she reported the matter to the Resident Manager, Sr Alida, who went to the Gardaí immediately. The offender was prosecuted and dismissed from employment in the School.

6.118 During the Phase III hearing into Goldenbridge, Sr Helena O'Donoghue stated that she was unable to comment as to whether any steps were taken to avoid any indecent touching of children, or improper approaches from individuals visiting the School:

I am not in a position to comment. I, myself, was not ever there, but I would believe that would be something that is in the mists of time, that we are not in a position to be clear on.

6.119 She also accepted that there was no system of vetting outsiders who took children at the weekends and during the holidays:

There certainly wasn't a vetting process that you might expect today, but mostly the families who took children from Goldenbridge were families known to the Sisters, either through having come maybe for entertainment times or for various activities, mostly. Because at one stage I think they did advertise for some people to take them.

6.120 The discussion of these topics, by way of introduction to the detailed investigations into abuse in the Sisters of Mercy institutions, is largely based on documents, submissions and evidence of the Sisters of Mercy which were presented by them without being challenged or contradicted.

6.121 The system of discrete Congregations created some difficulties and exacerbated others, and generally made the task of each Community more demanding. The Sisters' vows and religious obligations contributed to the experience of harshness, distance and other deficiencies of care in the institutions.

6.122 It is, however, noteworthy that one senior member of the Dublin Community made no reference to these obstacles in 1953, when addressing the needs of good management. Any such impairment of the capacity of the Sisters in their temporal work by reason of spiritual commitments called into question the fitness of the Congregation to undertake work requiring sensitivity and understanding of the needs of others.

