

Chapter 8

St Michael's Industrial School, Cappoquin, County Waterford (‘Cappoquin’), 1877–1999

Introduction

- 8.01** Cappoquin Industrial School is of special interest because it existed first in the form of a conventional Industrial School and subsequently as a group home, and in each of these manifestations it gave rise to major complaints of abuse. The story of the Institution highlights the need for proper management and supervision, whatever the structure of the care facility. In the early part of the history, there are examples of severe physical neglect, while the more recent period is dominated by other failures.
- 8.02** This chapter also deals with certain allegations made by former residents of St. Joseph's Industrial School for Boys, Passage West, County Cork, which was also under the management of the Sisters of Mercy. A sexual abuser moved from a School in Passage West to the School in Cappoquin therefore an account of his movements is relevant to the investigation of Cappoquin Industrial School as well as Passage West.
- 8.03** St Teresa's Convent of Mercy was established in 1850 in Cappoquin, County Waterford.
- 8.04** St Michael's Industrial School was built in the grounds of the convent and, in January 1877, it received 36 boys as its first residents. The Industrial School only admitted boys, as there was already an Industrial School for girls in Waterford City.
- 8.05** The accommodation limit of the School was increased from 51 to 65 in 1928, and from 65 to 75 in 1938. Until 1944, the State capitation grant was payable on only 51 of the children, as those under six did not qualify for a capitation grant; from 1944, it was extended to all 75 children.
- 8.06** In 1969, the School was given permission to keep boys past the age of 10 and, in 1970, was permitted to admit girls for the first time.
- 8.07** Until 1985, St Michael's Industrial School, Cappoquin was under the authority of the Sisters of Mercy, St Teresa's Convent, Cappoquin, County Waterford. Accordingly, until 1985 the Mother Superior of the local convent, St Teresa's held the highest level of responsibility for the Industrial School.
- 8.08** In 1973, a site was purchased from the Cistercian Monks on the Melleray Road in Cappoquin, and two group homes were opened in 1974. For the purposes of this report, we have called these homes 'Group Home A' and 'Group Home B'. A third group home (which is referred to in this report as 'Group Home C') was bought as a temporary measure in 1976. The original Industrial

School closed in 1977. All the children in care at that stage were resident in the three group homes.

- 8.09** The ownership and responsibility for the group homes were transferred to the South Eastern Health Board in 2005.
- 8.10** A total of 1,483 children were recorded in the admission register of St Michael's Industrial School over the entire period. For the period 1930 until 1983, the total number of children was recorded as being 582. In the period 1897 to 1960, it was understood that some 96 voluntary admissions were recorded for St Michael's.
- 8.11** When the boys reached the age of 10, they were transferred to other industrial schools around the country. Most of the children were committed through the courts in the early years and came from the counties of Tipperary, Waterford, Cork, Wexford, Limerick, Galway, Clare and Dublin.
- 8.12** The Mother Superior of the convent appointed the Resident Manager of the Industrial School and, during the period covered by the inquiry, there were seven Resident Managers, of whom four account for much the greater part.
- 8.13** The documents available to the Committee included:
- The reports of the General and Medical Inspections conducted by the Department's Medical Inspector, Dr Anna McCabe,¹ following her appointment in 1938;
 - Memoranda and correspondence between the Department's Inspectorate and the Resident Manager and Superior for St Michael's Industrial School following the Inspections;
 - Memoranda and correspondence between St Michael's School and the Department in relation to the financial viability of the School, the reduction in pupil numbers, capitation grants and such like, and the plans to move from an institutional model to that of group homes.

Neglect

Sisters and staff working in the Industrial School

- 8.14** The pool from which the Resident Manager and the Sisters were drawn to work in the Industrial School was confined to the Sisters in the local convent, St Teresa's. As there was no central organisation of the Sisters of Mercy at that time (this came much later), it was not possible to source Sisters from outside the Community of St Teresa's.
- 8.15** The number of Sisters resident in St Teresa's during the relevant period was approximately 28 from 1940 to 1960, and decreased to 20 in 1985.
- 8.16** Four Sisters worked full-time in the Industrial School; the remaining Sisters were engaged in other full-time activities such as primary and secondary teaching. There was a boarding school from 1963 and a commercial college. From time to time, a number of the other Sisters helped out in the Industrial School. The Sisters who worked full-time were assisted by a number of lay staff. It would appear from the records that in the region of four to five lay staff were engaged. Their numbers and roles varied from time to time, but usually included a matron, cook and various tradesmen.

¹ Dr Anna McCabe was the Department of Education Inspector for most of the relevant period.

8.17 One witness recalled:

I kind of have memories of one nun looking after about 90 kids in the yard, or in the School, in very small rooms.

8.18 Another witness said that:

The nuns had a supervisory capacity in the sense that they looked after the medical part of it and they looked after possibly the dormitories and things like that. But the lay staff had the day to day practical workings and they would get you in for your meals or they would get you ready for bed or they would get you for walks... generally the lay staff did that.

Approach of the Sisters of Mercy to allegations of neglect

8.19 In their Opening Statement, the Sisters of Mercy acknowledged that at times they failed the children in their care:

... Cappoquin industrial school went through particular periods of difficulty and there were undoubtedly times when children in our care suffered. We deeply regret the situation, as revealed by the Department records, regarding the diet and health of the children in the period 1944–5 ... We acknowledge that there were management difficulties in the 1980's, which must have impacted on the quality of care for the children ... As a Congregation, we are deeply sorry for our failings in the running of Cappoquin industrial school at these particular times and for the effect of this on the children in our care ... It is also true to say, however, that there were long periods of time when the school was viewed by the Department as being well run and the children well cared for.

Criticism of conditions during the 1940s

8.20 The early contemporaneous documents reveal a story of serious neglect of the children in Cappoquin. The Institution was overcrowded, and accommodated children in excess of its permitted certification number. The children were seriously undernourished and underfed.

8.21 The Institution was managed by the same Resident Manager from the late 1920s to the mid-1940s.

8.22 The first surviving record of a General Inspection of St Michael's is dated 1939. The School received a clean bill of health from Dr Anna McCabe, who described the children as well kept and well fed.

8.23 The next report was almost four and a half years later and dated 1943. Although this report refers to a previous inspection carried out the year before, there is no record of this inspection.

8.24 Dr McCabe found on this occasion the following:

- The School was overcrowded (91 children);
- The infirmary had been taken over as a dormitory;
- The food and diet was unsatisfactory, with a lack of butter, meat, bread and sugar. She carefully examined the amounts given to the children and considered they were all underfed and she gave the example of 7lbs of mince per day and 7lbs of butter per week being divided amongst 91 children.

8.25 Dr McCabe stated in her Inspection Report of 1943 that she had drawn the Resident Manager's attention to the size of the children on several occasions, and the response she received was that

the children were very active. She was sceptical about this explanation, and she reported the situation to her superiors in the Department and advised them to write to the Resident Manager.

8.26 In December 1943, the Chief Inspector of Industrial and Reformatory Schools Branch wrote, on behalf of the Minister for Education, to the Superior of the convent to express serious concern about the under-nourishment and weight loss of the children, the overcrowding, and the lack of fire escapes.

8.27 In a written response dated January 1944, the Superior said that the diet that had been approved by the School Medical Officer (a former Medical Inspector), and the advice of the present Medical Inspector had been adhered to. The lack of milk was explained by the difficulty in procuring milk and the proximity of two military stations. She robustly defended the Resident Manager, and described her as doing all in her power to keep the supply going, and expressed her satisfaction that there had been no neglect where the children were concerned. She acknowledged the overcrowding, and went on to say that steps would be taken to reduce the numbers to the accommodation limit. Notwithstanding the criticisms that had been made against her, however, she took the opportunity to request an increase of the limit to 80.

8.28 She agreed that the fire precautions were inadequate and intended to consult a qualified authority on the matter. She stated that financial constraints did not allow for the building of a recreation hall, and she requested the Department to give them a grant for a new classroom and dormitory, thereby releasing the old classroom for a recreation hall.

8.29 Dr McCabe did not accept the response of the Superior, and advised her Department that she could only go by her own observations – the children had not gained weight over a period, and the only conclusion that could be drawn was that they were not getting sufficient food.

8.30 The Department wrote to the Superior on 3rd February 1944 and requested her to get a report from her School Medical Officer as to why the children had not gained weight. This report was furnished to the Department by the Superior on 22nd February 1944. The School Medical Officer who wrote the report stated that he had agreed the children's diet in conjunction with Dr McCabe's predecessor, but had recommended that the diet be supplemented by cod liver oil. This was done for a short period, but discontinued during the 'emergency', and he suggested that the Department should now supply cod liver oil to the School. He also stated that all but one child in the School were 'abnormal', and this was why the children were small in stature. In her covering letter, the Superior stated that the Resident Manager found it impossible to supply the whole School with cod liver oil.

8.31 Dr McCabe disagreed with the opinion of the School Medical Officer, and suggested that properly fed children did not need to supplement their diet with cod liver oil. The Minister for Education was informed of the response of the Superior, and a decision was taken on 14th March 1944 to send a strong letter to the School. The terms of the letter sent two weeks later were that the Department did not accept any of the reasons given by the Superior or the Medical Officer, and directed the Superior to inform the Department of what action she intended to take as soon as possible.

8.32 The Superior responded that she had consulted with the Resident Manager and staff, and there had been no falling off in the diet of the children. She suggested that one explanation for the weight loss may be that there was too long a fast from the evening meal at 5pm to breakfast the next day. She proposed to introduce a 'slight collation' before bedtime. She wrote that she found:

... it was almost impossible to secure sufficient milk, to allow a pint per day to each child
... I may add that as far as our judgement goes – not to mention our good will – every precaution is taken to secure the health of the children – one of the few advantages that

will probably fall to their future lot ... Should it not be too great an intrusion the Resident Manager would feel grateful for the address of the firm which supplies Cod Liver Oil in bulk.

8.33 Clearly frustrated, Dr McCabe informed the Department that she felt the children needed to be properly fed, and wondered what the 'collation' would contain. On 13th April 1944, the Department once again, wrote formally to the Superior, telling her the children were simply not getting enough food:

... The position is, however, that the dietary seems, in any case, to have been inadequate all along as evidenced by the failure of the children to put on weight in the normal way. What is required is an all-round increase in the amount of food given to the children and the Minister will be glad to learn that you have made arrangements to have this done ... It is noted that you have arranged for the issue of a collation before bed-time and I am to enquire of what it consists.

8.34 By letter dated 20th April 1944, the Superior acknowledged the Department's letter and said:

... With regard to the dietary, which had been approved of, no change has been made, with the exception of butter being served to all the children, since Margarine has been unprocurable. Each child receives one pint of milk per day – more during the summer months – The Collation consists of bread and butter, which makes a fifth meal each day ... If dietary counts in the matter of health, the immunity of the children of this school from sickness, should be some proof, at least, of the suitability of the food supplied.

8.35 Dr McCabe held her ground, and told the Department that she was quite satisfied that the diet was inadequate, and added that, in her opinion, the Resident Manager was a domineering woman who resented criticism and challenged advice. The Department decided to let matters rest for a period, as some changes had been made to the diet. They could then monitor to see if the children gained weight. They instructed Dr McCabe to go to the School in September 1944 and weigh every child.

8.36 Dr McCabe visited the School on 21st August 1944 and, on the day in question, she reported receiving an excellent meal, and she stated:

The day I visited the school there was certainly an excellent meal given and I intend to re-visit this school within the next few months to check up again – however I feel if the children were always as well-fed as the day I was there that they should put on weight.

8.37 The children had not in fact put on weight and still looked undernourished. She suggested that a letter be sent to the Manager with the following recommendations:

- To increase butter from 7lbs to 30 lbs per week;
- To introduce chips fried in dripping several times per week;
- To give all children a cup of milk or soup at 11am.

8.38 In an internal Departmental report dated 9th September 1944, the opening sentence set the tone, and went on to describe the appalling state of affairs that continued to exist:

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. 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" – rivals 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 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. This was followed by a series of notes between [the] (Inspector of Reformatories and Industrial Schools) and Dr McCabe. [The Inspector] was reluctant to take such drastic action as recommended by the Chief Inspector especially as he felt stopping the funds might make it worse for the children. Dr McCabe felt the only way to bring about improvement was to hit the school through the purse strings as similar action in other schools had brought about change. A decision was taken to insist on the removal of the Resident Manager with a follow up special inspection in three months. If conditions had not improved by then the grant was to be suspended. A further suggestion was mooted, to approach the Bishop of the Diocese, if things did not improve under the new Resident Manager.

8.39 On 21st September 1944, a statutory request from the Minister to remove the Resident Manager was sent to the Superior of the convent. This was accompanied by a strongly worded letter, setting out in detail why the Department could not allow the present state of affairs to continue:

The Minister for Education has had before him the report of the Medical Inspector following on her recent visit to St. Michael's Industrial School, Cappoquin, and has learned with regret that the physical condition of the children continues to be most unsatisfactory. Only ten boys have reached the normal weight for their age. Sixty-one boys are below the normal weight by amounts ranging from 3lbs. to 21lbs.

I have already informed you that the Minister cannot allow this state of affairs to continue. Repeated representations to the Resident Manager having failed to bring about the desired improvement, I am directed by the Minister to inform you that he is satisfied that the Resident Manager has failed to discharge efficiently the duties of her position and that she is unsuitable to discharge those duties, and I enclose a statutory request to you to remove her from her position.

- 8.40** The letter went on to state that, if St Michael's was to continue as a certified industrial school, it would be necessary 'to effect a radical improvement in the feeding and care of the children'.
- 8.41** To achieve this end, a Resident Manager who would take 'an active and sympathetic interest' in the welfare of the children would have to be appointed, and she would have to comply with the suggestions and advice of the Medical Inspector.
- 8.42** The Superior responded with a letter dated 10th October 1944, and asked that the Resident Manager be allowed stay on and promised that things would improve.
- 8.43** The Minister, by letter dated 20th October 1944, refused to withdraw the statutory request. He again wrote on 6th and 7th November 1944, as he had not heard from the School about the new Resident Manager. On 11th November 1944, the Department received a telegram from the Superior to the effect that 'the suggested arrangements at St. Michael's School have been in effect since 21st ultimo'. The Department understood this to mean that a new Resident Manager had been appointed.
- 8.44** The Department then wrote to the Superior on 15th November 1944 and asked for the appropriate form to be completed with regard to the new Resident Manager. This elicited the following response from the Superior:
- Immediately on receiving a negative reply (22/10/44) to my request, that the then Resident Manager of St Michael's School, be allowed to hold the position provisionally, I appointed Sr. [Adriana]² to fill the post. I thought it well to defer notifying this waiting the Inspector's visit. The strong censure contained in your Communication came as no small surprise, as apart from the failure of the children to put on weight we had no reason to think that Dr. McCabe was not satisfied with the general status of the School.
- 8.45** The Superior wrote to Dr McCabe directly on 27th November 1944 and suggested they meet to discuss the situation.

A new Resident Manager

- 8.46** When the Department received the letter advising them of Sr Adriana's appointment, the Inspector of Industrial and Reformatory Schools sought Dr McCabe's views, particularly in the light of the fact that the appointment papers revealed that Sr Adriana was in her mid-60s. In a handwritten note, Dr McCabe described Sr Adriana as second in command to the previous Resident Manager:
- She is completely under the influence of the previous occupant of the post. She is a bit of a martinet and in my opinion unsympathetic to children. In short, she is unsuitable for the appointment.
- 8.47** On 22nd December 1944, the Inspector wrote to the Superior, setting out all the points that had led to the decision to request the removal of the Resident Manager. He also pointed out that the new Resident Manager was unsuitable by reason of her age and her identification with the previous unsatisfactory regime:
- The unsuitability of the appointment is emphasised by the special circumstances in St. Michael's. As I pointed out to you in the course of our long correspondence early this year, the Minister for Education is satisfied that the former Resident Manager persisted, in the face of repeated representations from the Medical Inspector and the Department, in maintaining an inadequate scale of diet for the children.
- 8.48** The letter went on to remind the Superior that the diet was to have been improved:

² This is a pseudonym.

Yet, when the Medical Inspector visited the school in August last, she found that the medical charts, far from showing the normal increase in weight which would inevitably have followed upon such an improvement in the diet, indicated that the weights generally were about the same as they had been on the occasion of her previous inspection in November, 1943. Generally speaking, there was no significant increase in weight at all.

8.49 The Inspector went on to say that because the Resident Manager had been:

identified so long with this unfortunate state of affairs and had shown herself so unwilling to take the advice or act upon the recommendations of the Medical Inspector or the Department that it was felt that no improvement could be hoped for while she continued to hold office.

8.50 Because the new Resident Manager, Sr Adriana, had acted as assistant to the former Resident Manager, and because she was older than her predecessor, the Inspector regarded it as unreasonable to expect her to implement the 'fundamental changes and improvements' that were necessary.

8.51 He went on to address the Superior's surprise at the strong censure contained in his previous letter:

I would impress upon you that this Department could have no graver charge against any school than that the children are not properly fed. As you said in your letter of 5th April last, health is one of the few advantages that will probably fall to their future lot, and underfeeding in their tender formative years constitutes the gravest threat to their enjoyment of it.

The position of Resident Manager in a school like Cappoquin calls for a young, active, Sister who is sympathetic and kindly disposed towards children, and preferably one who has been trained as a nurse.

8.52 He concluded by arranging that Dr McCabe would visit the following month to discuss this and other outstanding matters, such as the accommodation limit, fire precautions etc, with the Superior.

8.53 The Department's reservations regarding the suitability of the new Resident Manager were not acted upon. Dr McCabe visited the School on 27th February 1945 and, in a detailed handwritten report dated 12th March 1945, she advised the Department that the food had improved and the children had gained weight. She was still not happy, however, as she found that children had dirty necks and ears and, when this was drawn to the Manager's attention, she said it was as a result of the boys playing about in the turf. Dr McCabe did not feel that this was from where the dirt had emanated.

8.54 She discussed the School in general with the Superior on this visit, and asked her to provide a young, active sympathetic nun with knowledge of nursing for the role of Resident Manager. She was told there were only a small number of nuns in the convent and, as they were not tied in with any other convent in the diocese, they did not have a place from which they could transfer a nun to become Resident Manager. The Novitiate of the Congregation was in Waterford but, when nuns came from the Novitiate to the convent in Cappoquin, they were not transferred from convent to convent but from the National School to the Industrial School, or vice versa. In view of these difficulties and the more favourable report from Dr McCabe, the Department decided to give Sr Adriana a probationary period of six months and then arrange a formal inspection. This decision was conveyed to the School in a formal letter dated 9th April 1945.

8.55 Six months later, on 29th October 1945, Dr McCabe inspected the School and reported that she was satisfied with the way things were going in the School under the new Resident Manager. The annual inspection reports for the next five years refer to the food and diet as no more than 'satisfactory', although the School generally was deemed to have improved all round.

8.56 The issue of inadequate diet arose in 1952, when Dr McCabe once again became concerned about the diet of the children. She reported that, although not ill, they were not too robust. There were a lot of children with runny noses, and she felt the diet could be more varied. She noted that the Resident Manager was keen to do her best. On her next visit on 21st October 1953, Dr McCabe noted a very big improvement in the food, clothing and school buildings.

8.57 Dr McCabe paid 11 more visits to the School during the tenure of Sr Adriana. The reports were less detailed, and on occasions she reported a number of visits on one report. Overall, she described continued improvements being carried out. She mentioned Sr Adriana in most reports as being an excellent Resident Manager, kind to the boys, if a little old-fashioned. In her opinion, it was a well-run school, with the children well cared for.

8.58 One witness, resident in the Institution for four years in the mid-1940s, recalled:

... Hunger, hunger was a big problem ... All the time ... I had a habit anyway and some of the other boys had a habit, if we got a crust for our supper or for our tea, we would divide the crust into small little pieces and keep it in our hand for the intervening period between the next meal and we would eat one of these things every few minutes. It was a small little crust. That's what kept us going.

Conclusions

- 8.59**
- **The children were severely underfed for a long period in the 1940s and 1950s.**
 - **On being told by the Medical Inspector that the children were seriously underfed the Superior's first priority was to defend the inadequate diet. The state of the children was not a concern for her.**
 - **The Superior was arrogant and dismissive of the Department's complaints.**
 - **The Manager was grossly incompetent but the Superior was determined to keep her in place.**
 - **The Department's contention that conditions in Cappoquin were mirrored in other industrial schools run by the Congregation was an indictment of the Sisters of Mercy generally in respect of their care of children, and disclosed widespread neglect.**
 - **The Department's assessment also represented an extraordinary admission of failure on its part in respect of its oversight of the system.**

Buildings and accommodation

8.60 Although Dr McCabe's early reports concentrated on dietary issues, she continued to comment on the need for improvement to the accommodation and sanitation facilities and, in particular, the lack of a recreation hall.

8.61 In a report of the mid-1940s, she stated:

I spoke again with the Manager about a Rec. Hall, – she discussed with me several plans she had for improvement in this school and added if she could receive an extra allowance she would carry these out – but of course without help financially she was powerless to make these desired improvements.

- 8.62** Again, two years later, Dr McCabe's report states:
a plan has been discussed to have a recreation hall built – but so far that is all.
- 8.63** In the late 1940s, the Inspector wrote to the Resident Manager expressing his pleasure with the overall improvement in the children's health and well being, but noted the serious need for the following to be carried out as soon as possible:
- improved sanitation facilities;
 - erection of a recreation hall;
 - provision of adequate fire escapes.
- 8.64** On receipt of this letter, the Sisters of Mercy informed the Bishop of Waterford and Lismore that the Department of Education had requested them to provide improvements, and sought his advice as to what they should do. He wrote to the Department and posed the question:
Is it likely there will continue in the near future to be a demand for such schools in view of the increasing State grants being made available for widows, orphans, etc.? As the Head of the Diocese, I honestly feel unable to reply to the request of the Cappoquin Convent for advice and I would be grateful to you for a helpful direction in this matter. The numbers in the school may decline and the overhanging debt would remain on the Community which would have, so far as I can see, no means of paying it off.
- 8.65** The Secretary of the Department responded to the Bishop, pointing out that he did not accept that the Sisters of Mercy could not afford to make the necessary improvements, as they had had an increase in capitation grants recently, some of which was given on the basis that works would be done. Some other industrial schools had already made improvements, and some had borrowed to do so. He pointed out that Cappoquin had rarely been anything other than full to capacity, and any improvements would only enhance the value of the building should it be closed and sold off.
- 8.66** The Sisters of Mercy also turned to a local TD, and the Department received a representation on behalf of the nuns, pleading that they needed assistance by way of a grant for the money needed to carry out the improvements. He was informed by the Department that there were no grants available and, when the capitation grants were increased in 1948, it was made clear that schools themselves would be responsible for the supply of equipment and building improvements.
- 8.67** In the early 1950s, the Department granted the appropriate licence to the Superior to authorise the necessary works to be carried out to construct a classroom, toilets and general repairs to the Industrial School in Cappoquin.
- 8.68** The new classrooms were built, and it appears that the works went ahead before the Department had finalised the paperwork necessary when schools were erected with State aid. The Sisters advised the Department that they had had to proceed because of the pressures from the Industrial School Section to provide recreational and sanitary facilities for the children. The old School had been condemned by both the Primary and Chief Industrial School Inspectors for a number of health and safety reasons. The Sisters had gone ahead with the building works and carried out a number of other renovations and extensions (e.g. new sanitary block and fire escape) for which they were not making a claim. They pointed out that the weekly allowance of 24s per head was entirely inadequate to feed, clothe and procure medical attention, as well as clear overhead expenses: wages of staff, matron, sub-matron, seamstress, laundress, nursemaids.
- 8.69** The following year, a report was prepared for the Department containing the background as to how the Sisters came about erecting the new School. It contained debate as to whether the children could have been sent to the convent school in Cappoquin instead. However, the author

submitted that this would have caused accommodation and integration problems in the local school, and he recommended that the Sisters should be given the grant.

8.70 This was followed up by a further report that same year, in which the case was considered and a recommendation was made to pay the grant.

8.71 Despite the recommendation to pay the grant, the Department was reluctant to apply to the Department of Finance for the funds, and had another inspection carried out by the Schools Inspector one year later. He also recommended that the grant be paid. He recognised that the parents in the local schools would not accept the industrial school children, and that there was no alternative but to educate them within the Industrial School. However, it was deemed inappropriate to remove the boys under six years of age from the external National School, because of the financial consequences for that school, and therefore, the Industrial School was only given two-thirds of the cost of the building, as that represented the actual needs of the School.

8.72 The Sisters had built a school large enough to accommodate 64 children, but the Department suggested that, as the proper size of the School would have been one to accommodate 48, the Department of Finance could base the grant on a pro-rata basis. In the early 1950s, the Department of Finance finally sanctioned a grant, which was two-thirds of the estimated cost of building the School for 48 pupils.

8.73 Although the Sisters had erected a school big enough to accommodate 64 pupils, a report by an Organising Inspector to the Department of Education 10 years later found, that despite there being just 37 children and well equipped classrooms, the School was not sufficiently used.

8.74 In the late 1960s, the Industrial Schools Branch of the Department of Education informed the Primary Branch that, in furtherance of the policy pursued for some years back of sending industrial school children to schools which cater for the local children, they proposed to amalgamate Cappoquin Industrial National School with the convent national school, and sought the views of the Primary Branch on the matter, asking them to state whether there would be any loss of income to the Industrial School as a result.

Conclusions

- 8.75**
- **Old unsuitable classrooms, poor sanitation and inadequate fire escapes were problems not addressed until the early 1950s.**
 - **The children were all under 10 years of age and needed facilities for play.**

The decline in numbers

8.76 Cappoquin, with an accommodation limit of 75, had never been a big industrial school and, because of the ages of the children, few of them were available to work on the farm or in trades that would have served the needs of the School. The School could not have been financially viable when numbers began to fall in the mid-1960s.

8.77 In the mid-1960s, the Resident Manager wrote to the Chief Inspector of Industrial Schools advising him that numbers were declining in the School and expressing her disappointment that he had not managed to visit the School despite his recent journeys south. She advised him that the Congregation did not feel inclined to expend money on the premises of the School if it was doomed to closure. She requested that the Department should allow Cappoquin to keep boys up to the age of 16 years, as had recently been agreed for Mount St Joseph's Industrial School, Passage West.

8.78 Three months later, the Department received a further letter from the Resident Manager in which she advised the Chief Inspector that the numbers had fallen to 46 boys, and that the declining numbers were a source of anxiety to the Congregation who had put a lot of money into improvements over the years. She repeated her request to retain boys until they were 16, and emphasised the suitability of the local secondary school in the area where the boys could get a secondary education.

8.79 Clearly frustrated by the lack of a visit from the Department, the Superior of the convent wrote to him again two weeks later, and impressed on him the urgency of the situation. She suggested that, if he could not come to them, they would come and meet him. Two months had passed since their request to hold on to boys until 16, and he had promised to visit within the week.

8.80 There is no record of whether this meeting took place but, two years later, no progress had been made, as evidenced by the letter written by the Superior to the Chief Inspector which pleaded with the Department to help keep the School open:

You must be aware that our numbers are exceedingly low now – before 1st July, they will be reduced to nineteen – a big drop from our original certified number which was seventy five! I heard that the Boys' Jr. School Kilkenny will soon be converted to one for the handicapped Children. [I wonder if you heard that we made a big effort to get this place recognised for the Retarded – but, failed, alas!] Now, you will appreciate the fact that it is a big disappointment to us, that this Institute here, will of necessity, come to an end, within twelve months from now. We spent thousands of pounds on renovations and improvements on it, in 1954–1955 – of which [an Inspector] & Dr McCabe can assure you.

In the light of all this, it would be a considerable help to us, and a favour we would deeply appreciate it, if you would be so kind as to send us the boys under 10 years from Kilkenny, when the time comes for their departure from there. We know that some of those children are from Co's Waterford and Wexford – is it too much to say that we would have a little claim on these?

I leave this matter to your kind consideration you have no idea of what it would mean to us to be able to keep this School opened for a few more years. Unfortunately, we are situated too close to three Boarding Schools, to be able to use this building for the same purpose.

8.81 In a handwritten note, the Chief Inspector wrote:

spoke to Sr. (Superior) and indicated that she was pushing an open door – that as many as possible consistent with the determining factors would be transferred to Cappoquin.

8.82 A month later, Dr Lysaght made a surprise inspection of the premises on behalf of the Department of Education. There were 32 boys there, all aged 10 or under. He recorded eight staff members, including the Resident Manager. He found the condition of the premises in good repair, and was informed that the Congregation had spent a lot of money on improvements and was most anxious about falling numbers. The Resident Manager feared they might have to close down. Dr Lysaght toured the building and was generally pleased with what he saw. He remarked on the good table manners displayed by the boys, and felt this was down to the efforts made by the Sisters with them. He thought the boys had a well-balanced and varied diet. He carried out a medical inspection, and raised a number of concerns about the arrangements in existence for dental treatment, which were not very satisfactory. The School in general had a happy and homely atmosphere.

8.83 In the late 1960s, the Superior again wrote to the Chief Inspector, and requested that they be allowed to take girls as well as boys, due to a decrease in numbers. She also requested that boys

be allowed to stay until 12 years of age, in order that they could go to the local national and technical school for further studies.

8.84 In a Department memorandum, the view was expressed that there seemed no reason why these requests should not be granted, provided accommodation arrangements were suitable. It was also felt that it would be better to have siblings together.

8.85 The Resident Manager raised again the following year the issue of allowing boys to remain until their sixteenth birthday, and the Department noted in an internal memorandum that this had been a success in Passage West. Accordingly, it recommended that St Michael's Cappoquin be approved for retention of boys until the age of 16. This was agreed by the Department some four years after the original request had been made by the Resident Manager.

8.86 In 1969, Sr Carina³ wrote to the Department, seeking permission to allow five senior boys to receive secondary education in a nearby secondary school. The Department did not accede to this request.

8.87 Later that year, the Resident Manager wrote to the Chief Inspector acceding to his request to take boys from Artane, which was about to close. She wanted boys as young as possible. In her original conversation with him, she had offered to take five, but now felt she could in fact take 10 and maybe, in time, more. A short time later, however, he received a letter from the Resident Manager in which she stated that, on mature and lengthy deliberation, the Reverend Mother and her Council:

... are of the opinion that we are not in a position at present, to admit pupils – boys or girls, nor to take any in future. This means that we must regretfully disappoint you in withdrawing our consent to take boys from Artane School.

8.88 This brought the Chief Inspector to Cappoquin within a fortnight. He persuaded the Superior to withdraw the application she had made to close the School.

8.89 In 1970, the Department certified St Michael's for the reception of girls and retention of boys until 17 years, with special permission.

8.90 In 1972, two years after the publication of the Kennedy Report, a decision was made by the Department of Education, the Sisters of Mercy and Waterford County Council to erect a model group home in the grounds of St Michael's Cappoquin for 15 children of mixed sexes, on a site offered to them by the School Manager. This plan was the implementation of one of the major recommendations of the Kennedy Report.

8.91 Later that year, a Department Inspector carried out a general inspection. It is worth noting that the previous inspection by Dr Lysaght was in 1966 – a period of six years had elapsed since the Department had carried out an inspection.

8.92 The Inspector found 67 children in care. He noted that, of all the schools he had visited so far, Cappoquin was most in need of an upgrade. He was encouraged by the fact that one of the Sisters had just completed the Kilkenny childcare course and was in England on a placement. He was informed that the plans for a group home were being drawn up, and the Resident Manager was most anxious to get this underway, as one of her main problems was overcrowding.

8.93 The Inspector noted that, although the plan was to move in the direction of group homes, no extra effort was being made to introduce any form of grouping. The Resident Manager, although active

³ This is a pseudonym.

and devoted, was too old and worn out, and the authorities were further handicapped by recurring staffing problems. The staff numbers at the time were two full-time Sisters, one temporary full-time Sister, one Sister in charge of the kitchen with a lay assistant, two part-time Sisters and four lay staff. A nurse called every few weeks.

8.94 A group of Departmental officials visited St Michael's Cappoquin in 1972 to further the group home scheme and select a suitable site. They agreed with the proposal from the Superior that they should buy a site from Mount Melleray Abbey, as it had the advantage of proximity to the convent.

8.95 The report, drawn up by one of the Department officials following this visit, made a number of observations regarding the difficulties facing St Michael's:

A factor in the unsatisfactory condition and management of the residential home in St. Michaels has been that it is looked upon as the poor relation by the Convent and has not been properly supported by it. Discreet hints were given to [Sr Clarice]⁴ that the residential home demands attention as good as can be given to any sector of the Convent's education Commitment ...

... At present there are 65 children in the residential home which is too many for the kind of set-up there. Apart from this, a small town like Cappoquin would not find it easy to absorb and integrate a community of children as large as the present.

Add to that the difficulty in getting the Convent to allocate suitable staff to St. Michaels in adequate numbers and the future might seem most appropriately to lie with two modern, well-staffed group homes accommodating a total of about 30 children between them.

8.96 A general inspection carried out in the mid-1970s recorded that 65 children were in care. It noted that only 12 of these were formally grouped (the 12 youngest), with a full-time lay worker and a Sister on a part-time basis as their staff. The two group homes were well under construction.

8.97 In 1976, the Department of Education appointed Graham Granville as a childcare advisor to the Department of Education and Inspector of Residential Children's Homes and Special Schools. This position was one of the recommendations made by the Kennedy Report in 1970.

8.98 The first general inspection report from Mr Granville is dated 2nd April 1976 and, by then, two group homes had been opened in the grounds of Cappoquin, with a number of children still accommodated in the old Industrial School.

8.99 He was disappointed with his visit and found an air of complacency in the old Institution and the new group homes. The Resident Manager and her assistant were very elderly and had only two very young staff to assist. The children in the old premises were divided into three ill-defined groups and:

I can only express my very grave concern at the extremely low standard of care that is available for the children. I believe that the present environment is damaging by the very nature of its institutional primitive appearance, it is lacking in warmth and consequently, I would question the quality of care being applied for the children.

8.100 The report continued in a critical vein: he noted that there were serious staffing problems for some time and, in fact, in the previous 12 months they had to dismiss a staff member following complaints from a parent to the medical officer in the area.

8.101 The two new group homes had a young nun in charge of each, who were trained social workers, and a very limited young, inexperienced staff:

⁴ This is a pseudonym.

The Sisters in charge at the New Group Homes have transferred some of ineffective child care practises into their Homes. I am most concerned about their attitudes and approach to the work, they are lacking any impetus and they are negative in a number of ways.

8.102 He decided to return to Cappoquin within a week and speak to the Reverend Mother in private about the situation. She agreed with his suggestion that the way forward was to phase out St Michael's over a five-year period and move towards group homes.

8.103 Later that month, in an internal memorandum, a senior Department official, having read Mr Granville's report, suggested that the root cause of the problems in Cappoquin was the lack of male staff in a school that had, until recently, been a home for boys. Mr Granville confirmed that, even with normal discharge, it would take several years to reduce the numbers in Cappoquin to the ideal of about 30, with 15 in each group home. There was general agreement with Mr Granville that the old building needed to be phased out as soon as possible.

8.104 In June 1976, Mr Granville furnished a confidential report to three senior officials in the Department of Education, following a visit to Cappoquin when he met with the Resident Manager, and a child psychiatrist who later joined their meeting.

8.105 His findings were so serious that it is necessary to quote the report extensively:

I visited Cappoquin, St Michael's Convent ... and observed the following points which I discussed with the Resident Manager, [Sr Carina] as I have done on previous visits of mine to Cappoquin. At the latter part of my visit [the child psychiatrist] arrived at St Michael's.

- (1) The old Convent is in a very serious situation as to the ability to continue to provide Residential Child Care.
- (2) There are neither in my opinion the resources nor the facilities to provide for the basic needs of children listed as per attached.
- (3) At present there is only one group of children, principally boys, but including two girls, who are nice children but are having bad experiences in the group.

That statement is a personal observation and staff confidential views.

- (4) The older boys who should have been discharged now are bullying the younger children, both physically and emotionally. I have consistently advised [Sr Carina] to discharge these boys and to the full nature of the problems that are happening within the precincts of the Convent. This has been confirmed to me by staff that "bullying" is taking place. There are also a cross-section of problems happening in the Town of Cappoquin that without doubt are the result of institutionalisation and negative Child Care attitudes.
- (5) Problems are now being encountered by younger boys who clearly wish to follow the patterns of their peers, and subsequently [Sr Carina] and [the child psychiatrist] wish to transfer these children ... The inappropriate transferring of children has to cease at Cappoquin from St Michael's.
- (6) There is a grave danger that the attitudes of the Nuns at St Michael's will perpetrate into the new Group Homes. In fact it has done so to some degree where I know that children are sent to bed for some problem by Lay Staff and ignored. Modern Child Care practice contains ample sanctions, if skilfully and professionally applied but the above practice is both detrimental and damaging to any child and there is absolutely no reason for the above practice.
- (7) There is a grave danger that this Residential Child Care Centre may be subjected to a Press campaign.

- (8) The Rev. Mother and myself have discussed these issues, she is extremely concerned.
- (9) Can we request that [Sr Carina] be relieved of her post and Sister [Isabella]⁵ who works at St Michael's.
- (10) [The child psychiatrist] has a tremendous influence at St Michael's. As he is no longer attached to the ... Health Board I suggest that St Michael's use the appropriate Psychiatrist on the Health Board.
- (11) Money is being mis-appropriated for the use of past pupils who do not make any contributions to their care and the Department of Education does not pay any Capitation, as they are over-age.
- (12) If the Group size was reduced drastically at St Michael's to 1 of 12 children plus 2 Lay Staff and 1 Nun as Resident Manager one should see a marked improvement in overall care attitudes.
- (13) I am going back on the 26th / 27th July to review the whole of the committed children at St Michael's and have staff meetings with all the Nuns and the Lay Staff together with the Rev. Mother.
- (14) We are in the area of malfunctioning and nearing neglect totally of the children's emotional needs, and we consequently have to scrutinise the future of St Michael's very closely or the Department could be seen to be colluding with St Michael's Child Care practice.

8.106 Following the June 1976 visit to Cappoquin, Mr Granville met the Resident Manager and expressed his concern about the presence of older boys who were former pupils and who should have been discharged. He was particularly concerned about two young girls among the children in the institution.

8.107 Mr Granville paid a two-day visit in July 1976, and the problem of the older boys had clearly not been addressed, although he got a commitment that they would be sent out to lodgings.

8.108 He noted that there were 29 children divided between two group homes, and the Resident Manager had 23 in the old building. She assured Mr Granville that she would make a sincere effort to create another separate unit to accommodate 12 younger children in the near future without support from the Department of Education. The 11 remaining children could then be housed more comfortably in the Institution with some re-arrangement of the existing rooms. Staff shortages, and one or two particularly difficult children, were stretching the capabilities of the staff. He met all the staff, including lay staff, and discussed the needs of the children on this visit.

8.109 In a follow-up letter, Mr Granville set out in clear terms the steps to be taken to improve the situation. These included the discharge of a number of children, regular reviews of the children's progress, regular staff meetings, and better contact with the social workers with regard to Health Board children, and he enclosed a number of Master Index Books for record keeping. He decided for the time being not to transfer some of the younger children out of Cappoquin, on the assurance from the Resident Manager that she would follow up the proposed new unit.

8.110 A bungalow was purchased by the Congregation in 1976, and the Department agreed to help with the cost.

8.111 By November 1976, the old building had been vacated and replaced by the two purpose-built group homes and the new bungalow.

⁵ This is a pseudonym.

8.112 This was when the Industrial School ceased. Letters and correspondence from then on appeared on notepaper headed St Michael's Childcare Centre.

Conclusions

- 8.113** • **Children were sent to Cappoquin not because it was suitable for their needs but to keep the Institution open.**
- **When falling numbers jeopardised the existence of the School, the nuns threatened to resign their certificate unless more children were assigned to Cappoquin, and the Department acceded to the request, notwithstanding the serious deficiencies of which it was aware.**
- **The Department's own files contained evidence of the troubled history, inadequate facilities and poor management in the Industrial School which should have led to serious concerns about the placement of more children there.**

The era of the group homes

8.114 For the period 1977 to 1990, the average number of children accommodated in the three new group homes was approximately 50. It appears from the documentation that the aim was to try to get this number reduced to an average of 30 between two group homes, Group Home A and Group Home B, with 15 in each.

8.115 In the late 1970s, the Resident Manager, Sr Rosetta,⁶ notified the Department that she had appointed Sr Callida,⁷ then House Parent in Group Home A, to be her deputy.

8.116 In May 1978, the three group homes had between them 48 children under the care of 10 full-time staff.

8.117 In 1978, Mr Graham Granville carried out a three-day general inspection and, overall, he was satisfied with the homes. He was not happy at the lack of social work support for the children, but commented favourably on other aspects of the facility. He thought the environment in the group homes was excellent, although he did highlight the need for refurbishment in the two original houses.

8.118 Mr Granville observed that there was a major problem on the educational front if the children were to be considered for technical/vocational schools. He also noted that no male staff had been employed because (a) no suitable candidate had applied, and (b) past experiences had caused problems of quality of personnel.

8.119 In a letter to Sr Rosetta, he outlined some of his observations and recommendations. He said that:

... overall there has been constructive valuable improvement in the residential child care policy that is showing results in the elements of human relations and child development.

8.120 He went on to praise the contributions of the three Sisters who had taken charge of the three group homes:

The influence of Sisters [Isabella], [Eloisa]⁸ and [Callida] is to be commended within the group homes. And consequently their direction and evidence of the care staff is meaningful.

⁶ This is a pseudonym.

⁷ This is a pseudonym.

⁸ This is a pseudonym.

- 8.121** He recommended that punishments should be recorded, and that the Manager maintain a record of major punishments that may be administered, noting the name of the child, date of punishment, reason for punishment and punishment administered.
- 8.122** No record of corporal punishment was kept.
- 8.123** Mr Granville made strong recommendations on what qualities a new Resident Manager should possess, stressing the importance of proper record-keeping and communication with the child's family and with social workers:
- That any future change in the Resident Manager's part should consider
- (a) that the Resident Manager has to adopt a major leadership role. To be representative of the Communities child care policy at all levels and to ensure that this policy is practiced by all the care staff in the group homes.
- 8.124** He recommended that the children should be allowed every opportunity to develop their individual personalities. They should also be encouraged to forge links with their homes. Because the group homes would afford a more normal experience of growing up, he thought that boarding-out of children for weekends and holidays would no longer be necessary.
- 8.125** Finally, he hoped that male staff could be employed in the future.
- 8.126** In a number of internal handwritten documents within the Department, efforts were made to try to expedite the re-furbishing programme and explore what the Department could do to improve the chances of the children attending secondary level schooling.
- 8.127** Later that year, Sr Rosetta formally advised Mr Granville that, owing to extreme pressure of work both at school and community level, she had to resign as Resident Manager, and appointed Sr Callida in her place and Ms Noonan⁹ as co-ordinator from that date.

Sr Callida

- 8.128** Sr Callida had been in charge of Group Home A since it was first set up in 1975, when she began with 17 children in care. She had no staff initially and was told to recruit her own team.
- 8.129** When she took over the role of Resident Manager, she said that her objectives were to give the children stability, consistency and continuity. She also hoped to concentrate on education, health and development. She moved into a room in one of the homes, Group Home A, and set up her administrative office there.
- 8.130** She continued as Resident Manager until the early 1990s, when she was removed following the resignation of two lay care workers and an investigation into complaints against her.
- 8.131** Mr Granville did not immediately appreciate the problems that were developing following Sr Callida's appointment. Sr Callida appeared to perform her duties as Resident Manager well and took a particular interest in the children's education.
- 8.132** Over the next two years, Mr Granville noted that the children seemed happy, although he was concerned at the lack of visits from social workers and the lack of contact with the children's families.
- 8.133** Mr Granville carried out a General Inspection in the early 1980s. He noted that there had been staff problems but he did not specify what they were. He said that he had discussed them with

⁹ This is a pseudonym.

the people concerned, and he attributed them to the inexperience of Sr Callida, the Resident Manager.

8.134 He concluded that Cappoquin was going through a 'slightly chequered period in their development' and saw no reason why 'the present turbulence cannot be overcome and a stable path be once more achieved'.

8.135 In a letter to the Reverend Mother of the Cappoquin Community, he suggested that she bring the three Sisters in charge of the group homes together to try to formulate a unified childcare policy. He suggested that:

the three religious Sisters meet weekly as a team to coordinate and cooperate in the child care practice. At the moment there are three distinct autonomous units in operation and it would be my opinion that "weak links" have been provided with an opportunity to grow, and that has not been in the interest of the child care practice.

8.136 He also recommended that a deputy be appointed to cover periods when Sr Callida was absent.

8.137 An abbreviated version of the same letter was sent to Sr Callida, Resident Manager, with a number of suggestions, including delegation of full responsibility to Sr Isabella during her absences and the holding of regular staff meetings to build up communication.

8.138 Other problems were emerging. The numbers of children in care were dropping and one of the houses was under-occupied and over-staffed, which had serious financial implications for the Congregation. In addition, the lack of any social work intervention, especially for the children committed by the Department of Health, who did not come under Mr Granville's remit, was causing serious concerns in the Department of Education.

8.139 At around this time, however, staff in Group Home A, the group home managed by Sr Callida, were becoming increasingly alarmed at how the house was being run.

Evidence of former care staff

8.140 Evidence was given by three lay staff members who worked in the homes under Sr Callida's management and two of whom made complaints at the time.

8.141 Ms Linehan¹⁰ worked in Group Home A from the early to late 1980s. She began work immediately after leaving school as a carer and, after a few years, was appointed as House Parent in Group Home A where Sr Callida was Resident Manager.

8.142 She said that, although the children in Group Home A were well provided for materially, and '*all their basic needs were met*', they were not cared for emotionally. She said they were afraid of Sr Callida, and that she herself had witnessed a child with marks on her leg as a result of a beating from Sr Callida: '*It was the first time I had seen marks on a child there. And it was a shock and it was a surprise to me*'.

8.143 Although that was the only time she had seen evidence of Sr Callida's treatment of the children, '*There was other times when kids said that she did hit but I was never there and I never heard*'.

8.144 Ms Linehan said that at the time she did not feel she was in a position to question the way Sr Callida managed the home. She said there was a regime in place that she could not question, although she would have disagreed with aspects of it: '*A lot of the time I would be afraid to speak out ... I was afraid to lose my job maybe*'.

¹⁰ This is a pseudonym.

8.145 Everyday issues were handled harshly:

I just felt it was too strict and just different things, every day things like that. You know, I mean when I look back on it it was again the time where – it was very, very strict being in care for kids, very, very hard.

8.146 Although she accepted that it was a different era and childcare practices were different, she believed the regime was unnecessarily hard:

Looking back on it. But I think sometimes Callida could have made it a little bit easier for the children to be in care, because being in care was hard enough, being there without your parents, and then having somebody sometimes so strict on you, I think was hard.

8.147 She felt unable to express disagreement with Sr Callida, and none of the other care staff were able to do so either. She described Sr Callida as ‘a very strong person and when she said something that was it, you had nowhere else to go’.

8.148 This ex-staff member was concerned about three specific issues in Group Home A:

- She did not think that it was appropriate for past pupils to stay in Group Home A with the children. She believed that some of them were a bad influence on the children. Past pupils were not allowed to stay in either of the other group homes – only Sr Callida allowed it. The Department had been concerned since 1976 about the practice of past pupils being allowed to stay over. They had been assured that the practice would cease and that lodgings would be found for the ex-pupils elsewhere. However, in Group Home A the situation was allowed to continue.
- Sr Callida went absent for days at a time, without giving any prior notice, and without leaving any contact address or number. The witness, who was in her 20s, was left in charge of up to 16 small children without any support from the Resident Manager or any other Sister in Cappoquin.
- Sr Callida regularly drank alcohol – usually whiskey – in the group home. She said that this occurred in the evening and was often in the sitting room in front of the older children. She said that Sr Callida would not be so drunk as to be ‘falling all over the place or anything, but I felt at the time it was drunk when she would slur a word’.

8.149 She did not believe that Sr Callida’s drinking affected the day-to-day running of the home, but it did affect her personality:

I suppose not as the running of the everyday stuff, because the staff, I think, would do a lot more of that, of the running of the house and the caring of the kids. But I just felt sometimes that it probably affected her personality, maybe the day after or something that she would be a little bit hung over. Maybe that affected her work.

8.150 Another ex-staff member who worked in Group Home A immediately after Ms Linehan left confirmed this witness’s account, although she was more critical of the impact of all the problems on the children.

8.151 Ms Tierney¹¹ started work in Group Home A in the late 1980s when she was aged 20 years. She had no experience in childcare, having worked in an office previously:

[Group Home A]. My first impressions were of all these dirty scruffy children. That is an awful thing to call them but that's what it was. It was just a chaotic house and there were just children everywhere. The first day I went there Callida was on her own and there were just small children all around the house, all over the place, and the house was very

¹¹ This is a pseudonym.

shabby as well ... At the time I started there, there were 10 to 12 children living in the house ... 6 months to 16 years.

It was just a very chaotic place to work. I didn't really understand the workings of the place or anything like that. As a staff team everyone seemed to be afraid of Callida. Any time I would answer the phone it was like "is she there?" That was the first reaction, "Is she there?"

- 8.152** There was no proper routine, no timetables and new staff just 'fell in' with the household duties and minding the children:

We were basically there to mind the kids, a house full of children, and very young children. At one stage there was seven of them under five. You would be on your own with them. At the time there seemed to be really a lack of staff there. For a space of two months or three months there was two of us working on our own, back to back. We did a 14 day stint, back to back twelve hour shifts, with no support from anyone. I was often there on my own with 12 children ... I was on my own a lot there. You would have to get up and get a load of them out to school, get their breakfast and get them all out to school and then you had four or five toddlers at home all day. And you had to clean the house as well. It was very hard.

- 8.153** She found communication between management and staff was non-existent. It was a frightening place to be for staff and children, and she did not feel safe. The two group homes were pitted against each other. The children in Group Home A looked down on the children in Group Home B. Toys and clothes were in better supply in Group Home A. There was no support from social workers. Ex-residents frequently arrived at the home and were allowed to sleep over. One particular ex-resident was an older man with a history of alcohol and drug abuse. The children were terrified of him. She witnessed the Resident Manager's abuse of alcohol on numerous occasions, both inside and outside the group home.

- 8.154** Ms Tierney said that Sr Serena,¹² the Superior of the convent often stayed overnight in Group Home A with Sr Callida. This Sister did not interact with the staff at all but, she said, had a particular child whom she singled out for attention and whom she would keep with her during her visits to Group Home A:

She just was around all the time. She was around all the time ... Every day after work she would come and she would call into our place most days after work. It was a regular occurrence. She would stay and wander around and she would be down to Callida. She had a little pet that was her little pet, one of the kids that was there, and she would come in and she would make a big fuss over this child and hold her hand and wander around and really make the rest of the kids feel very inferior to this one particular child.

- 8.155** Sr Serena and Sr Callida went up to the convent at about 6pm for prayers, and then they would return to the Home for the evening.

- 8.156** They went away together quite often without giving notice. Sr Callida had a little girl who slept with her at night, and she would sometimes take that child or other children with her on her excursions:

Also, the fact that the kids slept in the bedroom, and she nearly always had a young child sleeping in the bedroom with her. It just became a habit over the years. Some of the staff used to try and get the child not to go in there but the child just always went in and she always brought her in. When she would go down to bed at night she would bring her with her.

¹² This is a pseudonym.

- 8.157** When Sr Callida went away:
She used bring her with her most of the time. Most of the time they would bring some of the younger kids away with them.
- 8.158** She was not told where the children were or how long they would be gone:
No. We might be told, maybe, to pack a bag for someone an hour before they went, but that was about it. We just weren't important, we weren't told anything. We weren't told anything.
- 8.159** Ms Tierney recalled one occasion when a man walked into the Home accompanied by two other men and took his children away. Sr Callida left within half an hour and did not return for two days. In the meantime, this young care-worker did not know where the children were or whether the Gardaí had been informed about their removal. She said she was very traumatised by the incident and was frightened that the father would come back in the night.
- 8.160** She described Sr Callida's drinking:
She was well noted for it in the town ... Any time I met her out, if I was in an occasion to meet her in the pub, she would be very drunk.
- 8.161** She recalled on one occasion that Sr Callida was so drunk that she fell into the playpen on top of one of the children.
- 8.162** She said it was a regular occurrence for Sr Callida to be drunk in Group Home A:
That was a regular occurrence, very regular occurrence. There was no big secret about it, everyone knew, everyone knew she drank. That's what I found very hard to understand how everyone in the community knew what she was like and fellows knew that she was pissed going around the town and she would be out at nightclubs and different things.
- 8.163** In addition to the drinking, Sr Callida also entertained past pupils in Group Home A at night and allowed them to stay there:
The night that I remember Mr Owens¹³ being there, there were five men in the house that night stayed overnight that night. Two of them were ex-residents and two of them were total strangers. But she would leave the house then.
- 8.164** Ms Tierney was uneasy caring for the children in the house on her own:
You would have them coming and going during the days. At the weekend, you wouldn't know who – you just never knew who was going to turn up at the place or what was going to happen. It was just chaos.
- 8.165** She described how she and the children were frightened by one of these visitors:
They were scared that night that Mr Owens was going around the house ... we went down to the bedroom and I had a couple of teenagers in the room with me and we all stayed there that night because we were all frightened of him. I am sure there was times when they were frightened.
- 8.166** Matters came to a head in the early 1990s. She realised that the children needed better support and it was not forthcoming. Having spoken with her family, she decided that she should report her concerns to the Reverend Mother of the Diocese and that she would then hand in her notice. Within two weeks, the Reverend Mother came to the home and interviewed staff.

¹³ This is a pseudonym.

- 8.167** Another witness, Ms Waters,¹⁴ was House Mother in Group Home B, the second group home at Cappelquin from the 1980s, and she gave evidence about her serious concerns at the way Group Home A was run and the impact this had on the children there.
- 8.168** Ms Waters started work on a part-time basis in Cappelquin in the mid-1970s, shortly before it closed as an industrial school. She did not have any formal childcare training, apart from completing a correspondence course in the early 1980s. Eventually, she became House Mother of Group Home B in the mid-1980s.
- 8.169** She spoke of her earliest recollections of Cappelquin:
- My recollection was, you know, to bring up kids – being a mother myself and to bring up kids in a home I found it always very sad for kids, you know, and I could identify with them, the sadness they were going through ... I came from a loving home myself.*
- 8.170** She commented on the lack of love shown to the children:
- I found the set-up, there was a lot of children ... there was plenty of food, but giving them a hot meal and giving it to them with love, you know, and things like that, I found that was a bit lacking, you know ... and kids coming from different background and sadness, you know, it was – I felt kind of shocked because I hadn't experienced that kind of thing.*
- 8.171** From the time that Sr Callida became Resident Manager of the two group homes in the early 1980s, management problems arose almost immediately, as had been identified by Mr Granville in his General Inspection Report of this time.
- 8.172** Ms Waters gave evidence of a system that was incapable of delivering a proper level of childcare. One of her main problems was the lack of respect shown to the care staff by Sr Callida that led to unhappiness amongst the staff. They were not consulted about anything and were not even given notice of their work schedule, which was often delivered a day in advance on the back of an envelope. There was no regular timetable for rostering of staff, which made family life for the care workers very difficult.
- 8.173** In addition, she identified differences in the way the two homes were run. Group Home A, which was managed directly by Sr Callida, received preferential treatment in terms of finance and facilities, which impacted on the children in Group Home B.
- 8.174** There was very little communication between the two homes. Although she reported directly to Sr Callida, she rarely saw her. There was no formal system for staff meetings or meetings to review the children's progress. She tried to talk to Sr Callida about the problems but she was not willing to listen. She also recalled that, during this time, there was no support from social workers for the staff and children.
- 8.175** She was also aware that children were experimenting with each other sexually and reported this to Sr Callida. She felt there was a need to give the children some education in the facts of life, to make them more aware, and she communicated this to the Resident Manager, but this did not happen.
- 8.176** Ms Waters gave an example of one incident where three children from the home – two boys and a girl – were alone in the fields adjoining the home:
- I remember ringing Sr Callida and, you know, my worries about the girl being down with the boys and she just kind of – it came up in the conversation I said, "what about if the*

¹⁴ This is a pseudonym.

girl gets pregnant?" And she kind of laughed at me and said, "it wouldn't be you that made her pregnant." I wasn't getting anywhere ... I went down through to the fields ... it was a very wet evening, and I had difficulty in walking through the wet – the grass was very high, it was all wet. I went down and I brought her up and the two lads went off, you know. But it was with great difficulty, she was rude and nasty to me now, but she did come up with me.

8.177 Although she spoke of her concerns to the girl's social worker, she received no help or support from her and was left to handle the situation herself.

8.178 She said she was aware that there was a lot of drinking going on in Group Home A. Parties were held in the home, and former residents and student priests came and stayed overnight. This practice was not allowed in the home in which she was in charge, as she simply did not allow it to happen. In her opinion, the children in Group Home A were not being adequately supervised and the staff were very young:

Well there was a lot of, there was a lot of drink going on, you know ... You know, I was never in the parties, but the gossip went on that they would be drinking in the house and there would be people coming visiting and there was drinking. Not in Group Home B but in Group Home A.

I witnessed Sr Callida coming ... into Group Home B at one stage and she had drink ... Her voice was slurred, you know, and things like that.

8.179 She described an occasion soon after the appointment of Sr Serena as Reverend Mother to Cappoquin:

I remember that day, Sr Serena had just started, she was just made Reverend Mother and she had visited Group Home B that evening, we arranged that she come and have tea with the kids and staff and Sr Callida came in that evening. The kids had just left the table and she came in and she was clearly under the influence of drink when she came in.

8.180 She did not discuss Sr Callida's obvious intoxication with Sr Serena at the time. It was not an isolated incident, because she had witnessed Sr Callida's intoxication on other occasions. She said that the staff and children discussed Sr Callida's drinking with her and amongst themselves, and that it was a problem throughout Sr Callida's time there, '*No, I don't ever remember a time when it wasn't a problem*'.

8.181 The problems continued, and both staff and children were unhappy. She described how it had an impact on the children at the time:

Kids, they could get high and you know, you felt you had no control. Because everybody was kind of – everybody was upset and there wasn't consistency from management down, you hadn't the consistency. The staff were young and they were going to college and doing exams ... and things like that.

8.182 Eventually, in the late 1980s, Ms Waters wrote a long and detailed letter to Sr Callida, raising a number of points regarding the care of the children, staff communications, timetables and rostering, and general management issues:

I had to do something and I knew the right way to go through it first, I couldn't do anything, without sending a letter to Sr Callida, she wasn't willing to listen to me. The next thing was to send her a letter. I put an awful lot – I thought about maybe there was 12 months thinking about that, you know. I put an awful lot of thought into it.

- 8.183** She requested a meeting to discuss the matters raised in her letter. She did not get a response to her letter, and no meeting was forthcoming. Sr Callida appeared insulted that she would make such a request, and her relationship with Sr Callida deteriorated further.
- 8.184** She then contacted the Reverend Mother, Sr Serena, in the convent, and again raised the issues she had highlighted in her letter to Sr Callida. She told the Committee:
- eventually I got a meeting. I went to Sr Serena and we met, Sr Serena, Sr Callida and I, we met in the office in Group Home B. But it wasn't a successful meeting, because Sr Callida, she did a lot of crying and she was going to open the door and a few times Sr Serena said to her, "Callida, come back and sit down". It came to nothing, we got nowhere.*
- 8.185** Sr Serena then held a staff meeting, where some of the staff members who had been complaining did not support Ms Waters and so, according to Ms Waters, Sr Serena felt she could not take the matter any further.
- 8.186** Ms Waters said, '*I just couldn't stick it any longer, I couldn't cope any longer*' so she went directly to Sr Viola¹⁵ who was the Provincial and the person to whom Sr Serena was ultimately accountable. She raised the contents of the letter she had written to Sr Callida with Sr Viola. Sr Viola came to Group Home B a month later and interviewed all the staff who, this time, were prepared to confide in her. Her findings resulted in the dismissal of Sr Callida.
- 8.187** The only conclusion that can be drawn from the picture painted by these witnesses is one of a complete breakdown of communication between management and staff. Management structures, timetables and proper rostering were simply not in place. This had a detrimental effect on the daily lives of the children.
- 8.188** This disorganisation was confirmed by the evidence of Mr Lloyd,¹⁶ Resident Manager from the early 1990s. He described what confronted him when he arrived to replace Sr Callida. He found the buildings were very run down. Lots of very young children were in the Centre. Few, if any, records were kept of the children. The financial records were in disarray. The previous Resident Manager had allowed children to sleep in her bedroom. This practice was absolutely inappropriate, and he considered there were no circumstances in which a young person should ever stay in a staff member's room. Children and staff told him that children had been slapped regularly and inappropriately. When he first arrived he witnessed a staff member slapping a child and immediately banned the practice. The centre was chaotic; there were staff shortages, impossible rosters and very low morale. Relatives would turn up drunk. There were no boundaries for the children and they had no structure in their daily lives. He set about dealing with the problems.
- 8.189** Mr Lloyd brought a new perspective to childcare in Cappoquin. He was concerned at the number of children who remained in care all their lives and for whom no alternative was looked for or provided:
- Fostering or looking at the extended family or what would have been done. Even for long periods of time, you know, okay, children have to come into care but they don't have to stay in care. Young people and young children came into Cappoquin to care and spent their lives there until they were sixteen.*
- 8.190** He found that Sr Callida had a close friendship with the senior social worker, who, together with Sr Callida, impeded Mr Lloyd's efforts to effect change.

¹⁵ This is a pseudonym.

¹⁶ This is a pseudonym.

8.191 The problems were compounded by Sr Callida's reluctance to disengage from the Institution and the children in it:

At first it was she would kind of meet the children coming home from school, just down the road and be speaking to them as they were coming up. She would just sit on the wall. Some of the young people would have felt uncomfortable about that. Another young person, a five year old girl, was being taken out by another nun, Sr Serena. At first what I was aware of, like, she had befriended this young person and would take her for a spin maybe once a week or once a fortnight, down ... to her family home. I subsequently found out that she was picking up Sr Callida on the way, they were meeting. So I had to put a stop to that as well, that access.

8.192 He also observed that some of the children were psychologically damaged by the manner in which the previous Resident Manager selected a number of favourites.

8.193 Mr Lloyd set about introducing changes. New staff rosters were developed, pocket money for the children was introduced, and the children were allowed out for proper and constructive reasons. He set about getting the younger children fostered out to befriending families. Proper contact between children and their families was introduced and encouraged. He found that some of the children had been in care for far too long. No real attempt had been made to consider when they would leave care. He held meetings with social workers to build up a profile and history of the children, some of whom had no idea why they were in care in the first place.

8.194 There was no aftercare system in place. He introduced a system, whereby a staff member was allocated to each child. They worked their normal roster, but had specific responsibility for a particular child's homework, dental visits etc. They then submitted a quarterly report for the Resident Manager on the progress of each child. He moved the office from Group Home A to Group Home B, in an effort to redress the feeling amongst the staff and children that one house was more favoured than the other.

8.195 He encountered huge resistance from the senior social worker to his efforts to review children properly and to the introduction of fostering. He also encountered interference from the former Resident Manager, as outlined above.

8.196 Ms Linehan and Ms Waters subsequently worked under Mr Lloyd. They described the contrast between him and Sr Lucilla. The changes brought about by the new manager resulted in proper structures being put in place; training for staff improved; regular staff meetings were held; and the children were much happier, safe and more settled.

8.197 The Congregation's submission that this witness had a tendency to overstate the degree of his own contribution was unfounded. Mr Lloyd was an enlightened and progressive Manager, who transformed the working conditions for staff in the group homes and created a secure environment for the children.

Evidence of the Sisters of Mercy

8.198 Sr Callida was appointed as Resident Manager to Group Home A in the late 1970s, and the problems identified by the former staff members who gave evidence to the Committee were apparent almost immediately. In particular, Sr Callida's drinking became known to the Community in the convent in the year following her appointment, but nothing was done to ensure the safety and protection of the children in her care.

8.199 Sr Rosetta was Resident Manager of Cappoquin for two years in the 1970s, and she appointed Sr Callida as her successor. Sr Callida was a young Sister who had worked in the group home for some years prior to her appointment. She had completed the childcare course in Kilkenny in

the mid-1970s, and was a secondary school teacher by profession. She was, in short, an ideal candidate to take up the position of Resident Manager, and appeared to have all the attributes necessary to make a success of the job. However, there were fundamental flaws to her character that caused major problems in the School: she was not a good manager/administrator, and she had very poor communication skills. These flaws were exacerbated by her relationships with two members of the Community that prevented proper monitoring of her behaviour and a long-standing problem of alcohol dependency.

8.200 The problems caused by Sr Callida's personality were obvious to any observer of the group homes, and yet the Sisters in the Community in Cappoquin failed, for over a decade, to act to protect the children in her care, who were traumatised and neglected as a result.

8.201 Sr Rosetta identified Sr Callida's drinking problem as dating to an incident in which one of her residents was killed in an accident on his first day at work. He was 16 years old at the time, and his death had a severe impact on Sr Callida. Other Sisters who gave evidence to the Committee have also traced her alcohol dependency to this event that occurred in the late 1970s:

It was the first of drinking that I heard was that the older boys who came back and knew him in St Michael's and stayed in the group home, I heard there was drink flowing, but I couldn't do much about it at that sensitive time. Seemingly it must have gone on from there, that was [the late 1970s], I don't know which. I think that made an awful change in her life. Maybe I didn't give her enough attention to help her over that or whatever. It was only looking back on it maybe I should have. The drink story went on from there.

8.202 Sr Rosetta confirmed that other members of the Community shared her concerns at Sr Callida's drinking. Members of the public also voiced their concern: 'Yes. Well, there was other people outside told us too about it'.

8.203 Until the early 1980s, Sr Rosetta continued as Superior in the convent in Cappoquin and did nothing to address the issue of Sr Callida's behaviour, other than, in the late 1970s, to appoint a fellow Sister, Sr Melita,¹⁷ as a 'companion' to encourage her to interact more fully with the Community in the convent. Unfortunately, Sr Melita's ability to alert her superiors as to the seriousness of Sr Callida's mismanagement of Group Home A was compromised when they developed a close intimate relationship. Sr Melita remained in Cappoquin until the mid-1980s, when she was transferred.

8.204 Sr Rosetta was then replaced by Sr Leola,¹⁸ who let matters deteriorate even further.

8.205 In the mid-1980s, the six Sisters of Mercy convents in the Diocese of Waterford and Lismore came together under the overall control and direction of the Provincial Superior of the Diocese, who was Sr Viola. This Sister thereby assumed ultimate responsibility for the Sisters' undertakings in Cappoquin.

8.206 Sr Viola was aware of Sr Callida's drinking before her appointment in the mid-1980s. She had been approached by a member of the public in the early 1980s, who expressed concern about what was happening in Cappoquin. She suggested that the complaint should be communicated to the Superior in Cappoquin, but she herself did not follow it up.

8.207 In addition, she heard reports within the Community:

So I would have picked up a little bit from the leader in Cappoquin that there was some – a little concern around the possibility of drink in the childcare home.

¹⁷ This is a pseudonym.

¹⁸ This is a pseudonym.

8.208 When asked whether she had any concerns about the impact of Sr Callida's behaviour on her ability to carry out her work, she said:

Had I any concern? I suppose the answer to that is that I didn't – because I had never seen it personally and I had never seen the effects of it and everything I was hearing, if you like, or seeing myself didn't support the fact that it was affecting management or the home. So, I didn't address that part of it then.

8.209 She did not take immediate action, but instead set about building trust with Sr Callida:

my memory, would have been that if this is a concern then we need to build trust, to build a relationship, to come to some understanding of childcare, so that we can address the issue when we have more concrete evidence. So that was a deliberate decision that we took.

8.210 Sr Viola said that this process of building up trust involved calling over to the group home and having tea with Sr Callida on a few occasions during the year, as well as attending in-service days with her.

8.211 The emphasis, however, was all on Sr Callida and, by her own admission, Sr Viola did not talk to the staff or to the children during these visits. She did not identify the chronic problems that were causing such difficulties for the children and the staff there:

I certainly would have felt that the place looked okay. The children looked okay. To me, I wouldn't have had any immediate concerns at the time.

8.212 This was a missed opportunity, and it allowed Sr Callida to continue behaviour that was, by any standards, inappropriate and dangerous.

8.213 Sr Viola appointed Sr Serena as Superior to the convent in Cappoquin, and gave her instructions to keep an eye on Sr Callida and report back on her behaviour. At the same time, Sr Callida's previous confidante, Sr Melita, was transferred from Cappoquin and appointed as Superior in another school. This was regarded by Sr Callida as a great loss, both to her personally and to the group home, and she and a number of the children rang Sr Viola to express their dismay at Sr Melita's departure.

8.214 Sr Viola gave evidence that she had briefed Sr Serena on Sr Callida's alcohol problem when she appointed her to Cappoquin, and had asked her to monitor the situation for her. Her evidence in this regard was vague, however:

I would be very surprised if I didn't. Because it was the thing that we had seriously tried to build. Liliana¹⁹ and myself had seen that as a concern and it was like please observe, please support, please build the relationship and keep in touch with us.

8.215 Sr Serena in her evidence was quite clear that she was only told to integrate Sr Callida into the Community in the convent, and was not asked to monitor her drinking.

8.216 Sr Serena found the move to Cappoquin difficult. When asked by Sr Viola to go there as local leader, 'very, very, very reluctantly I said yes'.

8.217 Sr Serena did not see her remit as extending to the children in the group homes. She stated that she was the leader of the Community in Cappoquin, and also had teaching duties in the local secondary school, but did not regard the running of the homes as something she was concerned with. She visited Group Home A very regularly, as her friendship with Sr Callida grew, and even

¹⁹ This is a pseudonym.

helped out with homework occasionally, but she never saw her role as any more than that of a visitor.

8.218 At first, Sr Serena felt she was resented by the children and by Sr Callida, who were still feeling the loss of Sr Melita. By degrees, however, she built a close relationship with Sr Callida:

Yeah, the friendship between us developed. Yes, it took almost a year, I think, before – well, it took her a long time to warm to me, as well, because I think Sr Melita was a good friend of hers and I felt Callida probably missed her a lot. And it would have taken Callida a long time to get to know me as well. So, it didn't happen overnight, it was a process over really the first year, I think. The first year.

8.219 After that first year, she began to spend more and more time with Sr Callida:

Sometimes I went down – this is later on now when I got to know her quite well and we became quite friendly. We would go down and we would go out socialising, the two of us, away from Cappoquin. We would go out and have a drink or two. I would have a drink and so would she.

8.220 They would both return to the group home after a night out, and Sr Serena stayed with Sr Callida overnight.

8.221 Sr Serena confirmed that the children were left under the care of a lay worker during these excursions.

8.222 The two Sisters also went away for holiday weekends together:

There were some weekends. With Sr Callida, yeah, there were some weekends that we went away. I remember – and I remember some of the children coming with us. Two or three weekends through the time that I was there. But not all of the children. There would be three or four children with us ... Well, the place I remember is [Kerry] ... [The hotel] had special – at least I was told they had special bargains, or whatever. So it was generally, as far as I remember it was [a] hotel in [Kerry], yeah. There were good weekends I thought. I thought they were good weekends.

8.223 Sr Serena conceded that it was unusual for a Sister in a Community to go away for the weekend with another Sister, 'Well, you know, I know it wasn't right. It wasn't'.

8.224 As her relationship with Sr Callida developed, she became more compromised:

As I got to know Sr Callida a bit better it began to interfere with my job as local leader. Because I felt within myself a great discomfort that I was not doing what I should have done. I felt sometimes as time went on, that I was living a lie and that made me extremely unhappy within myself. That is one of the huge difficulties, looking back on my time in Cappoquin, that is one of my great sorrows, that is why I asked the Community, especially on one occasion, when Cappoquin was closing down; I asked for their forgiveness, I felt I let them down. In fact, I felt I let everyone down, including Sr Callida and Viola.

8.225 Her ability to do her job was affected:

Well, I suppose, I felt I compromised myself and therefore I didn't have the freedom, maybe, to – let me think about that now. I sort of lost my independence and my right to be independent and, therefore, I really I felt I had no voice anymore and no authority over anything really, including the community. The community were extremely kind and very – I don't know what they understood, I never asked them, but they were extremely accepting and forgiving, I suppose, and kind. But I was deeply unhappy within myself for a long time

towards the end. For a long time. And I suppose, yeah, I was. That has lived with me ever since.

- 8.226** When asked what the sleeping arrangements were for the children that accompanied them on these weekends, she said that they all shared a family room:

Well there were small double beds, so there would have been – if there were three or four of them they would have been two by two, two by two in the beds and Sr Callida and I would have shared the main bed. So we would have all been in the same room.

- 8.227** Sr Serena was remorseful for letting down her Community and Sr Viola and Sr Callida. She was asked whether she felt she had let the children down, 'I suppose I didn't – I wouldn't have seen it like that'.

- 8.228** She admitted that her relationship with Sr Callida prevented her from seeing how bad things were in Group Home A, and it also lost her the trust of the staff there:

I thought initially that I got on well with the staff, because we used to chat and talk around the table and obviously they lost any confidence – they knew I didn't have a role there but at the same time they lost any confidence I think or any trust they had in me, which was absolutely understandable. That was quite significant because when we did have a meeting eventually it really went nowhere because they had lost trust in me. And I accept that.

- 8.229** Throughout the first three years of her time in Cappelquin, Sr Serena was in almost daily contact with her immediate Superior, Sr Viola, who taught in the same school:

That's another place where I reneged my responsibility because I was torn between loyalty to Viola and the Congregation and loyalty to Callida. So because I was carrying so much self-blame and shame and guilt and all sorts of things around my role – or myself, I tended to shy away from talking about things like that to Viola. So that's why I said a minute ago that I failed Viola as well.

- 8.230** The result of this conflict of loyalties was that, when Ms Waters, the House Mother of Group Home B, came to her with serious complaints about Sr Callida in the late 1980s, she did not tell Sr Viola but tried to deal with the matter herself. She failed dismally, and Ms Waters went over her head to Sr Viola, who came and interviewed staff and removed Sr Callida from her position as Resident Manager.

- 8.231** Sr Callida's removal came as a shock to Sr Serena, who claimed that she had no idea that things had deteriorated as badly as they had by the early 1990s. However, she knew of the problems that caused so much distress to the staff. She was aware that some ex-pupils regularly stayed overnight in Group Home A, and she was also aware that these men were sometimes drunk and would be dangerous around young children. She was also aware that Sr Callida absented herself from the home for long periods and that she regularly drank, sometimes in the company of Sr Serena. What was clear from Sr Serena's evidence was that she never considered the safety or welfare of the children in Group Home A. She professed herself as shocked at the evidence of the care workers who described conditions as dirty and neglectful. In her own evidence, she said that she considered the children were 'spoiled':

If I had seen anything, if ever I had seen anything in relation to the children in Cappelquin that worried me or upset me, because I was a teacher and because I had care for children, I would have been very – I would have done something about it. But I didn't see anything. I didn't see anything that really concerned me in relation to the staff treating the children, or anyone treating the children badly.

8.232 Sr Serena conceded that she did not really know what her responsibilities were in Cappoquin:

I see what you are saying, I suppose really now that we are talking this is probably the first time ever that I have had to sit down and really think about my role, because it has been put to me the way you have been. I suppose it was all laissez faire. It was all a bit nebulous, it was, because it only now really, as you ask those questions now, I know what you are saying, I have to say I wouldn't have seen that connection. It was all a bit nebulous, yes it was, everything was a bit nebulous, really.

8.233 She said that, although she was seriously compromised in the carrying out of her duties in Cappoquin, none of the other 10 Sisters who were resident there ever said anything to her or to Sr Viola:

They probably noticed that I was spending more time down there than I should have. I tried – I think I would say I tried not to neglect my duties above. I loved them dearly and I spent a lot of time with them and I tried to do my work there as well as I could.

8.234 Sr Callida's removal as Resident Manager did not end the problems caused by her time in charge there. She bitterly resented her removal and defended her record in Group Home A vehemently. She continued living in the convent for two years after her removal, and interfered with the committee that had been put in place by Sr Viola to run the homes pending the appointment of a new Resident Manager. This interference continued intermittently until she eventually left the Congregation in the mid-1990s.

8.235 Sr Clarice was a retired teacher in the primary school who had a 'fair' degree of contact with the children in the group homes. She recalled that, in the early 1990s, Sr Viola asked her to help out the staff in the group homes and to 'be there to help them'. She was already aware that the staff were having difficulties with Sr Callida at the time and, although she says she did not know the specifics, 'I think they were getting contradictory messages about the children who were in the home and they were stressed'.

8.236 Sr Callida persisted in making contact with some of the children, by meeting them outside the home. She was particularly obstructive when attempts were made to unite one girl with her mother. This was a child with whom Sr Callida had had a close bond, which was a matter of concern to the management committee.

Sr Callida's evidence

8.237 Sr Callida accepted that there were times when she drank a lot, but did not agree with the witnesses who testified as to the extent of her drinking: 'I don't accept – what's the word I am looking for? The bigness of it'.

8.238 She denied that her drinking was problematic: 'There was never a time when I was out of order or didn't know my place or was falling all over the place. I dispute that'.

8.239 Sr Callida was asked to comment on the appropriateness of conducting intimate relationships with two of the Sisters in the presence of the children. She did not accept that she had a relationship with one of the Sisters and stated:

The one I acknowledge had nothing to do with the house. In my room there were two beds and we had a bed each and that was that. But there was an occasion or two outside of the home when it wasn't appropriate.

8.240 She denied that she had favourites amongst the children, or that she favoured Group Home A over Group Home B. She believed that she had a good relationship with staff members, apart from Ms Waters who she described as 'kind of aloof'. She did not accept the evidence of Ms

Waters that staff were frustrated, and that staff and children were unhappy. She believed at the time that Ms Waters was making these allegations and complaints out of spite.

8.241 Although she accepted that some people stayed overnight in the homes from time to time, *'I don't accept that they were allowed roam around'*. She said that the only people who stayed over were past pupils and her own brother. She did not accept evidence from the staff members that one past pupil in particular was a regular visitor and was often drunk:

No, I never saw Mr Owens drunk. But ... his co-ordination was so poor that he fumbled and stumbled. ... Mr Owens stayed twice.

8.242 She did not accept the belief, held by members of staff and some members of the Community, that she had a domineering and intimidating management style and that people feared her, nor did she accept the evidence that, following her removal, she was insubordinate and interfered with the new management in the group homes.

8.243 Even at this remove, Sr Callida was unable to explain to the Committee what went wrong in Cappoquin during her tenure: *'I don't know what went wrong. I just don't know ... Because we had great times and good times and happy times.'*

8.244 It was clear from her evidence to the Investigation Committee that Sr Callida did not have any real insight into how she was perceived by other people. She believed she was a good manager, that the children and staff were happy, and that staff problems stemmed from the personality of one member of staff who was spiteful towards her.

8.245 One of the Sisters who gave evidence gave a description of Sr Callida's personality as one of great power that seemed to work towards negating the power of others. She was intimidating and forceful. This evidence was challenged, and it was suggested that the Congregation was taking a one-sided view of her relationships with people. There was, however, evidence from staff members as to the difficulties they had in communicating with her. She had a divisive style of management and was not well disposed to any criticism or suggestions.

8.246 Following her removal in the early 1990s, Sr Callida was told to stay away from the group home and children, in order to avoid confusion for the children. The Congregation had great difficulty in getting Sr Callida to comply with its wishes. Initially, she continued to come to work every day, and later she tended to stay around the grounds of Cappoquin, waiting for the children on their way to and from school. Sr Callida remained defiant, and it took almost a year to resolve these problems.

The role of the Departments of Education and Health

8.247 The children were let down by poor supervision and monitoring from the Departments of Education and Health. Mr Granville, the Inspector, identified staff problems in 1981. He thought that the Resident Manager was young and inexperienced. Right up to his last report, he continued to have concerns about staff rostering and the erosion of continuity with the children due to staff changes. Mr Granville had no responsibility for the Health Board children who were coming and going in the home, with little or no contact or support from social workers.

8.248 Responsibility for Cappoquin was transferred from the Department of Education to the Department of Health from 1st January 1984, but until 1991 inspections were not carried out because of lack of staff.

8.249 The South Eastern Health Board was aware of rumours, in the mid-1980s, that the Resident Manager was absenting herself from the Centre and was drinking heavily. There was no formal inspection system. An official paid a surprise visit to the Centre, when he found the Resident

Manager present. He was satisfied with what he saw and did not take any action. He did not speak to any of the children or to the staff or to the nuns in the Community. The Resident Manager was removed in the early 1990s for the very concerns that were being spoken about.

What the Congregation says

8.250 In its Submission to the Investigation Committee, the Congregation pointed out that suspicions of child abuse did not form any part of the reason for the dismissal of the Resident Manager by the Superior in the early 1990s. It submitted that all the evidence and contemporaneous documents were consistent with the reason for her dismissal being her inappropriate drinking and major staff communication problems, with the obvious knock-on effect these had for the children in the home.

8.251 The Congregation submits that discreet steps were taken in response to concerns expressed by members of the Community and by people outside. One sister was asked to be a companion to Sr Callida in the hope that she would be a good influence because she did not drink. However, that did not happen. Instead, as the Congregation submission put it, the two nuns:

developed a relationship with each other. This may have had an impact on [Sr Melita's] capacity to observe [Sr Callida's] behaviour in an objective manner. It was one of several unusual aspects to the Cappoquin story involving [Sr Callida] as to the manner in which (informal) human arrangements for monitoring her ran into the sand. In the event, [Sr Melita] did not transmit any concerns about [Sr Callida] to anyone in leadership.

The submission refers to another nun, Sr Serena, who was 'specifically asked to report to the diocesan leadership about whether or not there was any substance to the rumours about 'Sr Callida's drinking'. The Diocesan Leader was reassured that there was not but the submission admits that the system for monitoring Sr Callida failed 'for unusual and unexpected reasons.'

This unusual matter was the development of a relationship between [Sr Callida] and [Sr Serena], which compromised [Sr Serena] and prevented the reporting system devised by [Sr Viola] from working effectively.

The result was that no information of a drink problem or of any other problems reached the ears of the leadership from internal congregation sources.

8.252 There was a conflict of evidence between Sr Viola, the senior diocesan nun, and Sr Serena, the local head, as to the latter's role in monitoring Sr Lucilla. Sr Serena testified that the only brief she had was to befriend Sr Callida and encourage her to become closer to the Community. She denied that she was ever asked to report specifically to the Diocesan Leadership about whether or not there was any substance to the rumours about the drinking. The Congregation has submitted that there was a system for monitoring Sr Callida but, for unusual and unexpected reasons, the system failed.

8.253 The problems that faced Mr Lloyd, when he arrived in Cappoquin in the early 1990s, clearly did not arise overnight. The problems were long standing and had deteriorated steadily over the years. It was well known amongst staff and members of the Congregation that the Resident Manager was drinking heavily. A number of Sisters believed that the drinking began after the death of a pupil in the late 1970s. She had been spoken to a number of times about the matter. The Resident Manager was in denial and, when one particular lay staff member complained to her about alcohol consumption on the premises, she was dismissed. Certainly, by the mid-1980s the leaders of the Community had expressed concern to the Superior of the convent about the Resident Manager's drinking, but it took the resignation of two young lay staff members in the early 1990s to force them to address the issue properly.

The mid-1990s

- 8.254** The Superior General of the Sisters of Mercy, kept a detailed diary of the events that unfolded over this period and recorded allegations, complaints and concerns about Sr Callida.
- 8.255** In the early 1990s, Sr Callida told the Superior General that she had obtained a position with the Health Board in a project involving the care of a young man. The Superior General informed the Health Board of her concern about Sr Callida's suitability for the post because of the complaints that had come to her notice, including information from Mr Lloyd. In the course of the resulting Health Board investigation, it emerged that one of the Board's own senior social workers had given Sr Callida a glowing reference, even though he knew that she had been dismissed from her job in Cappoquin.
- 8.256** The Health Board did not look beyond the social worker's reference and offered Sr Callida the job. This happened, despite the fact that the Chief Executive Officer of the Health Board had been informed in the early 1990s of Sr Callida's dismissal, and she herself had been in communication with the Health Board disputing her removal. The social worker should not have given the reference and was seriously at fault in doing so. The Health Board should have been able, from its records, to notice the discrepancy between the favourable reference and the fact that the candidate had been dismissed from her previous post.
- 8.257** Sr Callida left the Congregation in the mid 1990s. Shortly after that, the Superior General was asked for a reference for the former Sr Callida, and she recorded her response in her diary:
- Phone call from XXX in Dublin looking for a reference for [Callida]. Asked the nature of work – laundry for hospitals. Told her she had been a member of the congregation. She asked what was my connection with her – diocesan superior. I said that I believed she was a hard worker when in hospital for the elderly. She said I seemed hesitant. Told her I did not really know [Callida].
- 8.258** In the late 1990s, the matron of another institution contacted the Sisters of Mercy to complain at the failure of the Congregation to inform her fully of Callida's background. A senior member of the Congregation testified that the overall policy with regard to references was that of being honest and upright.

Conclusions

- 8.259**
- **Sr Callida was an incompetent manager who exhibited a lack of basic management skills including rostering, proper record keeping, communicating with staff and children, consistency and avoiding favouritism. Each of these deficiencies would have represented a serious flaw in a Resident Manager but, taken together, they constituted a disastrous mixture.**
 - **She consumed alcohol in front of the children to excess and she was drunk and incapable on occasion.**
 - **Her behaviour was unpredictable and irrational; she bullied the staff and occasionally beat the children.**
 - **Sr Callida exposed children to additional risk by going away unannounced leaving the children in the charge of junior staff who had no way of contacting her and also by permitting male outsiders to have access to the home and to stay overnight even when she was not there.**
 - **It was wrong for the Resident Manager to have children sleeping in her bedroom and for her and the Sister with whom she was conducting a relationship to take children away for weekends to hotels to stay in 'family rooms'.**

- Congregation witnesses admitted to some knowledge of Sr Callida's behaviour, but did not feel they could do anything about it, and the situation drifted on over 12 years until it developed into a crisis.
- There was no proper supervision of the Manager.
- The Community did not have the interests of the children as their priority. Any action taken by the Congregation focussed exclusively on the Resident Manager. The children were not considered.
- The Health Board neglected its supervisory function in respect of children for whom it was responsible. One of its senior Health Board officials permitted his friendship with the Resident Manager, to cloud his judgment, and he failed to recognise gross failures of management as a result. No proper reviews were carried out by the Board's social workers.
- The children in Cappoquin were let down and endangered by each of the institutions and agencies in whose care they were placed, by the persons in positions of authority over them, and by persons in supervisory roles. They were fortunate to have care workers who were more dedicated to their tasks and more committed to the interest of the children than their superiors.

Physical abuse

Position of the Sisters of Mercy

8.260 In their Submission to the Investigation Committee, the Sisters of Mercy stated that the Committee was not in a position to reach firm conclusions on allegations of physical abuse 'as distinct from the reasonable use of corporal punishment' where the events alleged arose over 35 years ago. They accepted that corporal punishment was used in Cappoquin and 'regret its use and its impact on the children'.

8.261 From the total of nine ex-residents who appeared before the Committee, the majority described one or more incidents of physical punishment.

8.262 A witness, who was admitted to Cappoquin as a baby in the early 1950s, described how a particularly severe beating by one of the Sisters destroyed his trust in the adults who were looking after him. He was in bed and was naked because he had been treated with ointment. One of the lay staff gave him a painting set, which he used to colour two religious statues in the room. He recalled a nun (Sr Adriana he thought) coming into the room and:

... she kind of lost reasoning and, I suppose, from her point of view I was desecrating something very religious but from my point of view I was just painting, you know. She just kept hitting and hitting and wouldn't stop. So, I ran for the door ... I was running in the dark, I just wanted to get away, I was just running in panic. She just kept hitting, and coming after me down the stairs ... and I kept banging on the door and banging and banging until somebody actually came out and she just kept hitting and hitting until somebody came out and stopped her ... Up to then I would have to say while I got a clout every now and again for not doing something or you got a slap, but it wasn't with viciousness, not in the same way with viciousness, this was just temper let loose. I don't know if that person, to me, even if they said sorry, I wouldn't have understood it, I really wouldn't have.

8.263 The Sister beat him with an ordinary, classroom cane, but it was much worse than punishment in school:

It was a cane. About two or three feet long, made of bamboo, with a kind of bend on it like that (indicating) ... they used to use them in the classroom for striking the boards or tables or hitting somebody. But when you have a naked child and you stand back at two or three feet and let fly as an adult the cane doesn't stop when it hits the flesh, it cuts, you know.

8.264 Although this witness was only six or seven when this incident occurred, he was able to distinguish this beating from the ordinary corporal punishment he received from time to time in the School. He had been slapped with the cane before, although it had not been a common occurrence. The beating had a lasting effect:

After that I would say that the trust had gone out, the trust had gone out of it. You never, ever would allow people get that close to you and you were always looking for a way out. If somebody raised their voice or anything you would instantly go into fear because I didn't understand, I didn't understand the power behind it. I am trying to explain that as a child when somebody does that to you it is the sheer power and the frightenedness of it that kind of haunts you, it comes back to you and when any other adult raises their voice the next you expect is the assault coming behind it ...

8.265 His recollection of Cappoquin was that younger nuns could not challenge older nuns, even if they saw something wrong:

It gave that person then the power ... There is no system, nobody said stop if an older person done something. That's the way it was, they seemed to rule it, you know.

8.266 He described the nun who beat him as being 'very domineering', and said that the person who stopped the beating had not challenged her for what she was doing.

8.267 He said another nun who was there, Sr Mariella,²⁰ 'was a very standoffish person, very authoritarian ... She would be more than likely to hit you twice as fast as anybody else'.

8.268 Although the younger nuns or novices were able to relate to the children, the older members of the staff were more inclined to punish, '[They] believed in punishment for the sake of punishment and that if we punish you enough as a child it will make you a better person, you know'.

8.269 He went to Artane when he was 10 years old, and notwithstanding his experiences in Cappoquin still believed that the Sisters there did their best and, in contrast with Artane, genuinely tried to care for the children.

8.270 Another ex-resident who was in Cappoquin in the 1970s described the nuns there as 'unreal':

As far as abuse was concerned. They had the bamboo sticks as long as the handle of a brush ... They would actually beat you wherever they would want to beat you. There is no such thing as put out your hands, they would hit you on the legs, they would hit you on the back. I actually seen one incident where there was actually a chap poked in the eye with it and they had the cheek to turn around and go down to the chapel after it. What they went to the chapel for, I don't know.

8.271 He named two nuns, Sr Carina and Sr Lorenza,²¹ who he said were particularly severe. In the case of Sr Lorenza, he said that, although she could be nice:

²⁰ This is a pseudonym.

²¹ This is a pseudonym. Sr Lorenza later worked in St. Joseph's Industrial School, Kilkenny. See St Joseph's Industrial School, Kilkenny chapter.

... she could get very contrary. She could be a nice nun. I suppose she could be an understanding nun, we'll say. But yet if she lost the cool she lost the cool, she wouldn't spare you any more than Sr Carina would spare you.

- 8.272** A witness, who was admitted to Cappelquin at four years of age in the late 1950s, described a severe beating he received from the Resident Manager.²² He had been called into her office and handed a letter sent to him by his mother. Sr Carina asked him to read it, but he could not read:

I remember then I got a beating over that. I remember she beat me so much I ended up down at the wall, at the end of the wall, she had beat me that much. Then at the end of it all she just got the letter and she said "seen as you can't read the letter it is no good to you" and she tore it up.

- 8.273** He recalled another nun, Sr Mariella, giving him a severe beating because he did not hear a bell ringing. He had just come out of hospital after an operation on his ears and had bandages on, which affected his hearing:

... but I couldn't hear nothing and all I could see was everybody running. So, I didn't run. Next thing Sr Mariella started belting me with the cane, all over and she hit me in the ear and I ended up back in there again, back in the hospital.

- 8.274** The witness remembered one nun in Cappelquin with particular fondness:

The reason I have always loved Sr Adriana is one particular incident involving again Sr Carina, the time when we went to the toilet, you went to the toilet at certain times, right ... So you were lined up and you were told when to go into the toilet, when it was your turn, in you go, the nun would tell you. It came to me anyway and I didn't want to go, I didn't want to, you know what I mean. So with that I was brought back into the office. I must have been about eight, nine at the time, eight at the time. I was brought back into the office. Again I got beaten. I was stripped and put on the, what do you call it, the office desk, she used have a big desk she used have all her things on it. I got put on that, and I was beaten.

But when I woke up on that I didn't wake up on the desk, I woke up in the bed. The first thing I see when I woke up was Sr Adriana. She had one hand on my forehead and she was holding her beads with the other hand. That's a picture I never forgot and I never will. Because that brought home to me, in later years as I got older, the difference. That there was good and bad. And that's why I have never blamed the nuns or anyone else for what happened to me. I have never even blamed the Christian Brothers, because that particular incident always stayed in my mind.

- 8.275** Another complainant spoke about a particular incident with Sr Carina:

I remember Sr Carina bringing me in between – down on the nun's side of the School, like, and when I looked at this woman I could see fire in her eyes, like, and I knew what I was expecting from her and I couldn't prevent it and she caught me and she put me over her knee and she literally whipped the backside off me with her whole hand. She said to me, "I am going to leather you ... until I put blisters on your backside", and she meant it what she said, like. I remember after that I couldn't sit down. I looked at her hand and her hand was sore red from swinging it. The ring that she was wearing you could see the white of the band, that will just tell you how red her hand was from lashing me, like. She was a good woman herself with the cane, like, you know ... Once or twice that happened to me.

²² Mother Carina.

Bed-wetting

8.276 Given the ages of the children in Cappelou, it was inevitable that bed-wetting was a major problem. The Sisters of Mercy accepted that there may have been occasions when children 'were punished and consequently humiliated for bedwetting, and, recognising the deep hurt and trauma this must have caused to the children, apologise sincerely for this'.

8.277 One complainant said fear was the cause of bed-wetting, as far as he was concerned:

Normally if I destroyed the bed it was because of the person present, I would be afraid to go to the toilet, and if I didn't go to the toilet and I got to bed I would be afraid afterwards that I would be chastised.

8.278 He said that the consequence of wetting the bed depended on who was on duty. Some of the staff just cleaned it up, others would slap the child.

8.279 Another complainant, who had a problem with wetting the bed, said that the nuns would hit children for this:

The boys that wet the bed, they'd have to take off the sheet, their face could be dipped in it first, their face could be shoved down into it and they would get a few clouts and clatters.

8.280 The punishment appeared to get more severe when one lay person, Ms Lambert,²³ was employed to supervise the dormitories.

8.281 A witness recalled the fear he felt at night, knowing that he would be beaten by this staff member the next day if he wet himself:

... I had a habit of wetting the bed and she Ms Lambert would come in in the morning and ask anyone that wet the bed to stay in your bed, which I did stay in the bed ... If you went back to your bed, you had to go back into it and sit there and wait for your turn ... She came around, hit all the other young kids, you are sitting there and you are waiting and you are watching her, waiting for my turn, to lie over the bed and a big cane before you went to school, before you had breakfast ... That went on all the time I wet the bed and I wet the bed for a long time, for years. That was my torture for that. Sometimes I used to stay awake, try and stay awake, I couldn't, I was young. Try to keep my friend awake beside me. I used to have nightmares ... Yeah, I know that's what I was frightened of, going to sleep. If you wet it a second time you get more, you know what I mean. It might be five of the best and then ten of the best.

8.282 Another witness had a similar experience of this staff member:

Ms Lambert would come up in the mornings and if we wet our bed we had to lie in our own bed. Often the case I ended up lying in my own urine and excretion at times and she would hit us over the legs, the buttocks and on the back. She was quite cruel, Ms Lambert ... It went on for a long period of time ... there was a little red dimmer light with Jesus on it in the cross, in the bottom, and I remember I used to look up at it and I used to say to God, "Please, do not let me wet the bed tonight, do not let me excrete." I used to be awake.

Lay staff

8.283 Some witnesses described the lay staff as being more abusive than the Sisters. One witness recalled being lined up after returning from a family holiday and being beaten by the staff member identified in the bed-wetting section above, Ms Lambert:

²³ This is a pseudonym.

I remember when we came back from holiday with my mother and father and that, and we were all lined up and she just started hammering us with the stick, she did ... She done it on many occasions, you know.

8.284 Another witness who was there in the 1940s and 1950s recalled that the day-to-day running of the Institution was left to lay staff and that the Sisters had more of a supervisory role. He had no problems with any of the nuns, but he said the lay workers could be cruel. He found bath-time particularly difficult:

... they would hit me and hit my hands if I am holding the bath on the side, you know when you are very small and you are trying to hold the bath and I was fearfully afraid of water, and they would hit your hands away and catch your head like that and push you down underneath and try to get the soap off you. Sometimes they would be laughing while they are doing this and they would take a great bit of fun in doing – ducking you under the water and making you feel like you are going to drown.

8.285 Although this witness believed that the Sisters in charge knew that the lay staff were cruel to the children but did not interfere, he still associated whatever happy memories he had of Cappoquin with the Sisters.

8.286 Another lay member of staff was mentioned by one complainant, who described her using the handle of a brush to beat him:

... she swung at me, I ducked from her and got under the table, but she used the handle of a brush and beat me wherever she could hit me.

8.287 Although Sr Isabella treated him in the infirmary for the injuries he had received from this beating, she would not believe that they had been inflicted by a staff member.

8.288 Physical punishment in Cappoquin continued after the Industrial School had been closed and the group homes were established. One care worker in Group Home A described seeing a child with marks on her legs as a result of a beating by Sr Callida.

8.289 Mr Lloyd, who succeeded Sr Callida as Resident Manager, reported that children had told him of beatings and punishments that were completely inappropriate and severe.

8.290 Sr Callida was asked whether she had ever beaten any of the children, and she said that there were three episodes that stood out in her mind. She was Resident Manager during the 1980s, when there was almost universal opposition to physical punishment of children.

Peer abuse

8.291 One complainant described an incident that occurred in the evening when all the boys were in one room watching television. He alleged that he was being sexually abused by two older boys, and this aspect of the story is told below. These older boys had been transferred from Artane and they were put in charge of all the boys in the evening, when the lay staff and the nuns were off duty. They had canes and used them on the boys:

my brother was being belted with this bamboo stick by the other man ... he was crying and I heard my brother crying and I was sitting down looking at the television ... I just turned around and as he had it over his shoulder like that I caught it and I said to him, "if you don't stop now I am going tell what you are doing to me."

8.292 The sexual abuse stopped after that incident.

8.293 He said that boys could receive beatings from these older boys for minor things:

He could have told him "pick up that piece of paper on the ground there" and we would keep looking at the television and that would rise him, so he would just go to him and pull him out of the chair.

- 8.294** He said the beatings could be 'Across the legs, across the backside and the hands'.
- 8.295** A number of older boys exercised this kind of unsupervised authority over the children during the evening. They instilled fear into the younger boys by beating them with canes.
- 8.296** He thought that the management of the School must have known about this:
They must have known it. Yeah, they must have known. I believe they did know it ... Them boys didn't take it upon themselves to say, "come on ... we will get the sticks and we'll look after these boys." They obviously got authority from someone to do it and they didn't get it from us.
- 8.297** The Sisters have submitted that, as only one witness gave evidence that older boys were given power over the younger boys and none of the staff or Sisters involved at the time are in a position to give evidence to the contrary, the evidence is so tenuous that no conclusions adverse to the Sisters could reasonably be supported. However, the abuser in this case gave a statement to the Gardaí, admitting the sexual abuse and acknowledging that he was left in charge of the younger boys in the evening.

Positive evidence

- 8.298** Although all of the complainants from Cappoquin described physical punishment or abuse, many recalled particular nuns who were good or kind to them.
- 8.299** One nun who came in for special praise was Sr Isabella. When asked what it was about Sr Isabella that singled her out, one witness said:
... What was it that made Sr [Isabella] the best of them? I never actually seen her being violent with anyone. I never seen her being violent with myself. To me, she was a good caring kind of a woman. But done her job. If someone needed chastising – if someone needed chastising she would shout, point her finger. I never actually seen her hitting anyone, or she never hit me.

- 8.300** Another witness said of Sr Isabella:
... there is one nun that I still write to ... Sr Isabella, who was outstanding, and I would have to say that of all the nuns there, she was the one that – she ran the infirmary, I think, if my memory serves me right. But she would have been one that probably exhibited what should have been rather than what was ...

- 8.301** Another complainant, who made allegations against a man he was fostered out to from Cappoquin, went even further:
You know, if you wanted to find good people Sr Isabella, Sr Carina and Sr Serafina²⁴ were three walking saints. It is just the staff I didn't like.

Conclusions

- 8.302** 1. **The incidents of physical punishment described by complainants went beyond what was permitted. The children were very young, and such severe punishment was uncalled for.**

²⁴ This is a pseudonym.

2. Caning very young children was unnecessary and abusive by the standards of the time.
3. Untrained lay staff were unsupervised and given too much control over the children, and this resulted in cruelty.
4. Allowing older boys to discipline smaller children using corporal punishment was reckless and dangerous.

Sexual abuse

Sexual abuse by Mr Restin²⁵ in Cappoquin and Passage West

- 8.303** Mr Restin was a childcare worker in Cappoquin in the late 1970s. He had previously been employed by the Sisters of Mercy in another of their industrial schools in Passage West, County Cork, during the mid-1970s.
- 8.304** In the mid-1990s, Mr Restin was arrested in England and charged with three offences of indecent assault on a boy under 16 and with possession of indecent photographs of children. He was sentenced to 18 months imprisonment, of which he served nine months. Following his prison sentence, he spent a period of four months in a psychiatric hospital because of depression and then lived in a probation hostel for a further six months. He returned to Dublin in the late 1990s.
- 8.305** An ex-resident of Cappoquin disclosed to his psychiatrist that he had been sexually and physically abused by a number of named individuals, including Mr Restin, whilst in the Institution. He was advised to report the abuse and, in 2000, he made a full statement to the Gardaí.
- 8.306** Mr Restin was interviewed by the Gardaí the following year, and admitted sexually abusing boys in Passage West and Cappoquin. Two years later, he was sentenced to 10 years' imprisonment: six years for possession of pornographic material, and two sentences of two years each for indecently assaulting a boy in Cappoquin and a boy in Passage West.
- 8.307** Mr Restin told the Committee that he did not know the identity of the two boys in respect of whom he had pleaded guilty:
- I am doing two years for a victim in Passage West and I am doing two years for a victim in Cappoquin and I do not know who either of those victims are, at this point ... I pleaded guilty ... I am convinced that whoever they are I ... did abuse them or I wouldn't have said I did.*
- 8.308** Three witnesses gave evidence that Mr Restin sexually abused them in the Industrial School in Cappoquin, and a further two witnesses described being sexually and physically abused by him in Passage West.
- 8.309** Mr Restin was placed with the nuns in Cappoquin at three months of age, where he remained until he was nine and a half years old. He was then transferred to St Patrick's Industrial School, Upton and was discharged on the day before his sixteenth birthday.
- 8.310** Mr Restin gave evidence that he was subjected to serious sexual abuse whilst in Upton by a Priest and by a Brother.
- 8.311** During his time as a child in Cappoquin and Upton, he was aware of sexual activity among other boys and he also became involved. He said it was not widespread but it went on.

²⁵ This is a pseudonym.

- 8.312** He became a nurse because he realised he had a problem forming relationships with adults, and thought he might be able to resolve these difficulties through his nursing vocation.
- 8.313** After four years' training, he qualified as a nurse and, on one occasion, was sent on special duty to attend a patient who needed treatment in hospital in Cork. At that time, a young resident of Passage West Industrial School was in the hospital where he spent approximately one month. Mr Restin befriended the boy and got to meet the Resident Manager of Passage West, Sr Vita,²⁶ who regularly visited the hospital. When the boy left hospital and returned to Passage West, Mr Restin began to visit Passage West at weekends, when he would spend time there, play ball with the children and occasionally have a meal with the nuns in their dining room. He said that the Resident Manager was aware of his medical training and that she also knew he was an ex-Cappoquin resident.
- 8.314** After some months, the Sisters in Passage West offered him a job, at first mainly as a driver. He said the job was better paid than nursing, the hours were more flexible and he was provided with accommodation.
- 8.315** He unsuccessfully applied for leave of absence from his nursing job, so continued to be employed as a nurse whilst also working in Passage West.
- 8.316** Mr Restin agreed with the suggestion that the moves to Passage West and subsequently to Cappoquin might have been deliberate, to gain access to young boys. He admitted that he sexually abused a number of boys – he recalled around five in Passage West, but he denied ever forcing any boys to engage in oral sex, as had been alleged. He described how he had a routine, and that oral sex was not part of it. He also denied that he had ever raped boys, and he told the Committee the reason:
- I suppose the fact that I was raped myself, it was something that I found extremely offensive and it is something I have never done.*
- 8.317** Mr Restin admitted abusing one of the complainants who gave evidence about abuse in Passage West.
- 8.318** The complainant was admitted to Passage West in the early 1970s. When his mother died in the late 1960s, he became involved in petty crime and he was committed by the District Court to Passage West until he was aged 16.
- 8.319** Soon after he arrived in Passage West, he came across Mr Restin. Initially, he thought he was friendly. The sexual abuse started soon after meeting him and continued until Mr Restin left the Institution. He was forced to engage in mutual masturbation and, after his first experience, he initially tried to avoid contact with Mr Restin by trying to keep a low profile and staying out of his way. This did not work and the abuse continued on a regular basis in a variety of locations in the Institution. He always felt under threat of a beating or punishment if he did not co-operate with Mr Restin. He then began absconding from Passage West. On one occasion, one of the nuns and Mr Restin came to the Garda Station to bring him back to the School and, when they got back, they gave him a severe beating with a stick. Another time, when he was on a visit home, his father noticed marks on his body from a beating. He told his father that Mr Restin had beaten him, and his father planned to confront Mr Restin when he called to collect him after the weekend to bring him back to Passage West. Some form of altercation took place, and it required the intervention of the Resident Manager and her assistant, before his father agreed to allow him to return to the School. He did not tell his family about the sexual abuse at the time.

²⁶ This is a pseudonym.

8.320 Some time later, he realised that Mr Restin was abusing others. He began to notice signs as boys emerged eating sweets, having spent some time with Mr Restin. He and two other boys went to the Resident Manager, Sr Vita, in her room and told her what Mr Restin was doing. She seemed sympathetic and asked them to name the boys who were being abused. He named about 12 to 15 boys, and the other boys named a few. He was called to her room later that evening, where the boys he had named were lined up. The Manager asked them in turn if Mr Restin was 'doing stuff' to them, and all the boys except for one denied it. The witness and the other boy who confirmed the abuse were taken to the hall and given beatings, which were so severe that the other boy was injured and required stitches. The witness absconded a few days later with two other boys. He thought that he was not caught for about two and half weeks and did not recall being punished, which he felt was because the Resident Manager was well aware of why he ran away. Mr Restin did not bother him after that, and he could not remember when Mr Restin left Passage West.

8.321 Mr Restin had to engage in protracted correspondence with his employers as he sought leave from the hospital where he worked to attend the childcare course in Kilkenny. This leave was finally granted in the early 1970s, but he did not attend the course either in the year the leave was granted or the following year.

8.322 The records show that in one particular academic year 19 persons attended the Kilkenny childcare course instead of the usual 20, and Mr Restin was not one of them. It appears that his application was blocked as a result of an unfavourable response given by Sr Vita to a query made by a Department of Education official in reference to Mr Restin's suitability for the post.

Complainant evidence from Passage West

8.323 Another complainant who gave evidence recalled the arrival of Mr Restin. His memory was that one of the pupils was not well and went to hospital. On his return, Mr Restin was with him. He understood he was a nurse and was there to attend to medical issues. He fell off a bicycle and hurt his testicles and sustained a number of bruises in that area. He went to see Mr Restin who brought him into his cubicle off the dormitory. He applied cream to the affected area. Mr Restin then undressed and told the complainant to masturbate him, which he did. Mr Restin then gave him sweets and told him to keep quiet. The witness said that he had to masturbate Mr Restin in this way on several occasions.

8.324 He said that Mr Restin raped him on three occasions. The first time, it happened in a field to which Mr Restin had driven him. The second was in Mr Restin's cubicle in the dormitory, and the third in an old disused train carriage in the school grounds. He said Mr Restin punched and beat him on the back during one rape. After the last occasion, he did everything in his power to avoid Mr Restin, by staying close to the other boys and his brothers. He said he then built up courage to go to the head nun in the convent, which was separate from the School. He said he told her at the front entrance to the convent that Mr Restin was sexually abusing him. She told him to go back to the School and she would speak to somebody about it. Some time later, Sr Vita called him and accused him of spreading wicked lies and gave him a severe beating. Soon after this, Mr Restin left.

8.325 Sr Vita worked in Mount St Joseph's Industrial School in Passage West from the early 1940s to the early 1980s, and was Resident Manager from the early 1970s until she left. She was a qualified nurse. She is now deceased. Her evidence was taken on commission at a nursing home in Cork. Sr Vita's recollection was that the first complainant above told her about Mr Restin, who had threatened to do something to him and to a number of younger boys. She said that she asked him whether Mr Restin had threatened to beat him, to which he replied that he had not. She did not pursue the matter further '*in my innocence and ignorance I suppose*' and said she did not know what the boy could have meant, although she did believe that he had been threatened by

Mr Restin. She sent for Mr Restin, but he had left the Institution by then. She never saw him again. She said that she phoned Cappoquin looking for him but he was not there. In a statement made to the Gardaí she said:

After [the complainant] had told me about [Mr Restin] I tried to contact him in Cappoquin. I wanted to talk with him to find out if it was true or false what [the complainant] had said. I did not get to speak with him, I left a message for him to contact me, but he did not.

8.326 In the Garda statement she added:

I sent word to Cappoquin Orphanage through a nun here that I felt that [Mr Restin] was not a suitable person to be with children.

The story of Mr Restin resumes in Cappoquin

8.327 Mr Restin's evidence was that he did not believe he was asked to leave Passage West, nor did he think Sr Vita knew he had abused boys there. He arranged to move to Cappoquin while he was still working in Passage West. He was vague in his evidence as to how the job arose. He believed that he met Sr Isabella from Cappoquin while he was doing an interview for the childcare course at Waterford Regional Technical College. Cappoquin was nearer to Waterford than Passage West, and would be more convenient if he was doing the course. He believed that he might have told Sr Isabella he was thinking of doing the course, and thought that she suggested that he contact Cappoquin.

8.328 The job he got in Cappoquin involved general childcare duties, and teaching a remedial class of boys who had reading difficulties. He said that he assumed he would have sought a reference from Sr Vita for the course and for his move to Cappoquin, but there was no record of any such request or reference on file in either Cappoquin or Passage West. The records show that, while Mr Restin was in Passage West, he was also spending time in Cappoquin Industrial School. In the early 1970s, an official from the Department of Education carried out a general inspection of Cappoquin Industrial School and reported that:

A ... nurse ... visits the school every few weeks to lend assistance in placements (he helps out similarly in the Passage West School in Cork).

8.329 Mr Restin thought that he abused three boys in Cappoquin. He described the method he used to get to know the child. He said he never used threats and just became friendly with them and then *'they would literally do what you want'*. He gave rewards such as sweets but rarely gave money. He said he would stop if the boys wanted him to and denied that he ever forced them.

8.330 A former resident said that Mr Restin began to abuse him when he was aged 10. The abuse started when Mr Restin came into his dormitory one night, woke him and brought him to his bedroom. Mr Restin fondled his genitals and made the boy do the same to him. On another occasion, when Mr Restin was giving injections, he again molested the boy. He told the boy that, if he did not tell anyone, he would get a pair of roller skates. Mr Restin continued to abuse the boy in this way until his sudden departure from the School.

8.331 Another witness said he was sexually abused by Mr Restin in the same way on one occasion. He remembered being called into Mr Restin's office and told to take down his trousers, whereupon Mr Restin fondled his genitals. He was under the impression that Mr Restin was a doctor in Cappoquin. He thought he was aged around six or seven when this occurred.

8.332 A further witness recalled that the children were told one Saturday they were going to receive an injection. They were told to go to the old school (St Ita's) and line up in the hallway. Mr Restin had a small room off one of the classrooms. The boy was brought in and told to drop his underwear. Mr

Restin and Sr Lorenza were present, and Sr Lorenza began to feel his testicles and she told him they were normal. He then remembered getting an injection in the buttocks.

8.333 One other witness gave evidence that, although he himself was not abused by Mr Restin, he remembered him. There was a lot of talk amongst the boys about his giving injections, touching bottoms and things like that, but he never touched him. He was close to one of the Sisters and thought Mr Restin would have been afraid he would talk. He never spoke to the Sisters about what he heard.

8.334 Sr Viviana worked in Cappoquin at the same time as Mr Restin. He was a nurse and, to her recollection, had a lot to do with the boys. He drove a bus and brought children to the swimming pool. She said that, as a nurse, he would have taken care of their health. She did not recall him giving injections, but there was a room in Cappoquin that was called the surgery, and she often met him coming in and out of there. She said she was always uneasy about Mr Restin, although was not specific as to why: *'There was something about the man that I didn't tune in to'*.

8.335 Another nun, Sr Clarice, described the circumstances of Mr Restin's departure. At the time, she was the teaching principal of the girls' primary school in Cappoquin and a former Superior of the convent. She had contact with the Industrial School because some of the children attended the primary school and she also helped out at weekends and holiday periods. She remembered Mr Restin as a kind of supervisor in the institution. He was an assistant leader in the Scouts. One day a scout leader warned her about him saying 'Sr Clarice, go home to Sr Carina and tell her to try and get rid of Mr Restin and do that soon'.

8.336 She went straight to the convent and told the Superior; together, they went to see the Resident Manager, who listened attentively. The manager said that Mr Restin was due to bring the children for an outing the following day and she would put a stop to that. She got rid of him soon after that. The scout leader explained that, while sexual abuse was not spelled out to her by the local man, she sensed the meaning and urgency of the message he was conveying. She said in evidence that she never discussed Mr Restin's previous work history with anybody. She did become aware afterwards that he had worked in Passage West in the industrial school, because there was a Sister in Cappoquin who had a sibling, also a Sister, in Passage West:

and I think she wrote to her, but it was only just – I never read the letter and I never knew anything, but it was really on the urgency of [the local man], that's how I went to the Superior and that's how we went to (the Resident Manager).

8.337 Mr Restin left Cappoquin suddenly. He did not now remember the circumstances and he thought someone may have said something to the nuns about him abusing boys.

8.338 There is very little information about where Mr Restin was between the time he left Cappoquin in the mid-1970s and his departure for England in the late 1970s. He said that after Cappoquin he went to work in Cork before he left for England. Initially, he worked in a bar and then returned to nursing.

Conclusions

- 8.339**
- **Mr Restin's unsuitability for work with children was clear from his time in Passage West, but that information was not effectively communicated to Cappoquin.**
 - **Although his unsuitability to take part in a childcare course was known to the management of Passage West and to the Department Inspector, he was able to remain in his position in Cappoquin.**
 - **If proper inquiries had been made, he should not have been employed in Cappoquin.**

- Children had complained about Mr Restin’s abuse, but action was only taken when an adult raised the alarm. Children were not listened to or believed when they spoke about what was happening to them, and this allowed abuse to continue.

Visits to Mount Melleray

- 8.340** Witnesses from Cappoquin gave evidence about visits by boys to the Cistercian Abbey at Mount Melleray. One former resident alleged that he had been sexually abused there in the course of a weekend visit.
- 8.341** Mount Melleray Abbey is situated about four miles from Cappoquin and is run by the Cistercian Order. There was no formal relationship between Mount Melleray Abbey and St. Michael’s Cappoquin. Informally, however, it would appear that eggs were delivered weekly to the industrial school from the poultry farm and twice a year surplus apples were delivered. Some minor plumbing work was carried out by a monk on occasions and a priest monk from the Abbey went weekly to hear the nuns confessions and to say Mass when the local priest was on holidays. The Sisters also negotiated the transfer of a site from the Abbey farm to accommodate their group homes in or around 1972.
- 8.342** Br Cosimo²⁷ was professed in 1957. He attended the oral hearings of the Committee and he said that he acted as the general handyman at the Abbey. It was traditional that once or twice a year he collected excess apples harvested at the nearby Glencairn Abbey and delivered them to St. Michael’s Industrial School. He got to know the children and the Sisters and it occurred to him during these visits that the boys would benefit from spending occasional weekends in Mount Melleray where they could enjoy fresh air, gardens and the grounds of the Abbey. He said he had also observed that the industrial school was cramped and there were very few recreational facilities available for the children.
- 8.343** Sr Violetta²⁸ or Sr Carina selected the boys who were to spend the weekend. Typically, they would be picked up at the School by one of the guests staying in the Abbey, as Br Cosimo did not drive at the time. They would have their tea, play table tennis or board games, and then retire to bed at around 8.30pm. The boys usually came in the winter months, when the guesthouse was less busy. Br Cosimo would take them for long walks, and he acquired toys and a bicycle for them. None of the other monks had any involvement with the children, as it was considered to be his project and therefore was his responsibility.
- 8.344** It appears that from the beginning other members of the Community were unhappy with the presence of young, boisterous and sometimes raucous boys roaming around the Abbey, unsettling the quiet, monastic atmosphere. Br Cosimo had a bedroom in the guesthouse. He said that he sometimes slept on a mattress on the floor of the bedroom where the boys slept if they were unsettled. He also agreed that he would lie on their beds to talk to them and settle them down at night. As far as he could remember it was always on the outside of the covers. If the boys were making noise or messing he would sometimes have to come from his own bedroom to settle them down and he would be dressed in either his habit or his pyjamas. He never touched them inappropriately and any touching was inadvertent and had no sexual element. He was aware that some of the boys who visited were emotionally disturbed and craved attention. It would have been usual for him to give the children a cuddle or a kiss on the cheek or forehead when they arrived in Melleray and when they left. He had no sense of awareness at the time that any of his actions were inappropriate or open to misinterpretation by the boys.

²⁷ This is a pseudonym.

²⁸ This is a pseudonym.

8.345 Some of the members of the Community complained to the Abbot Visitor during a Canonical Visitation to the Abbey, and the visits were discontinued in early 1975.

8.346 Sr Viviana was in charge of the group home known as Group Home B and said that she had had no concerns about Br Cosimo and the children until the issue was raised in public in 1996. In 1995 she had been interviewed by Sr Isabella in relation to the recollections of her time in Cappoquin. Sr Isabella kept notes of her interview and in those notes a suggestion was made that Sr Viviana had in fact some concerns about Br Cosimo at the time, enough concern to warrant her interviewing the boys and visiting Melleray Abbey to speak with a senior member of the community with whom she was friendly. When she was reminded about this she gave a vague account of what transpired. It appears that some time in 1974, one or more of the lay staff in the group home mentioned to her that the children were spending a bit of time with Br Cosimo and wondered if this was okay. She was satisfied that Sr Violetta and Sr Carina were happy but she agreed that the lay staff were uneasy about the boys going out. She said that when the concerns of the lay staff were expressed she had no sense of this having anything to do with sex. She interviewed the boys and talked about it and she said she personally felt there was nothing in it. The senior member of the community was a friend of hers and she used to talk to him. She remembered going to see him and expressing a concern that Br Cosimo was taking the boys and asked him what did he think. He told her that Br Cosimo was a 'man's man' and she read nothing more into that other than that he was not very friendly with women. She said she thought no more about it. She does not recall when in 1974 this happened and had no recollection if there was any connection between her conversation and the visits of the boys being brought to an end in February 1975.

Conclusions

- 8.347**
- **There was no proper assessment of Mount Melleray as an appropriate place to send children in care for weekend breaks.**
 - **Staff in the institution were uneasy and expressed concerns about the visits.**
 - **The way that Sr Viviana dealt with the staff unease about the visits showed her awareness of risk to the boys. The information that Br Cosimo was a 'man's man' should not have given any reassurance. In the result, although she carried out some investigation by interviewing the boys and speaking to the Abbot, she did not properly assess the situation and remove the risk to the children that had clearly been identified.**
 - **Sleeping arrangements were wholly unacceptable.**

A recorded case of sexual abuse

8.348 In the mid-1980s, a young boy, David,²⁹ who was in care in Cappoquin, was placed in part-time employment in a local hotel. He suffered from an intellectual disability, but was able to perform odd jobs there and he returned to the group home at night.

8.349 In the course of this employment, he was subjected to sexual assault by a chef working in the hotel.

8.350 The first person to discover the abuse was the boy's mother, who reported it to his social worker. Around the same time, his house parent in Cappoquin became suspicious and spoke to the boy.

8.351 The social worker in her evidence did not recall being contacted by a member of the boy's family, even though she had made a contemporaneous note of this contact. She did recall being

²⁹ This is a pseudonym.

contacted by the House Parent, who told her that a named boy was being sexually abused by a member of staff in a hotel where he was employed for work experience. She then informed the senior social worker, and a meeting was arranged with the Health Board's solicitor to see what to do.

8.352 The Resident Manager, Sr Callida, and the house parent also attended this meeting. The witness said that part of the reason for the meeting was that the local Gardaí had been approached, but the boy was not willing to make a statement. The advice at the meeting was to contact the Garda Superintendent in the event of the boy not making a complaint. She did not speak to the boy about this matter, even though she was his social worker. She left that to his care worker, the House Parent, because she felt that only one person should speak to a child regarding matters like this.

8.353 They waited for the Gardaí to tell them how to proceed but she said that, in the meantime, the man involved had left the hotel employment. It appears from the documentation, however, that the employee did not leave the hotel until some time later, and was recorded as being an employee throughout this time. The boy also continued his employment in the same hotel during this time.

8.354 The social worker had known about the allegation of abuse earlier, from David's mother. It appears from her records that she initially discounted the allegation, without checking either with Cappoquin or with David. She did not believe what she was being told about the abuse, as the relationship between the family members was difficult. She telephoned Sr Callida about it, who told her she would check it out but thought it was untrue. She herself did not speak to the child, nor did she speak to the care worker involved.

8.355 The House Parent, Ms Faughnan³⁰ suspected at first that David was beginning to smoke and drink, but he denied it when confronted by her. She decided to keep a close eye on him. When she was cleaning his room, she discovered money, more than he should have had. He told her he got it from an employee of the hotel and it transpired, when she further questioned him, that he was being sexually abused in return for money.

8.356 The Resident Manager, Sr Callida, was away for the weekend when the boy revealed this to her. Ms Faughnan went straight to the Gardaí but they would not formally take a statement in the absence of the Resident Manager, who was David's legal guardian. The House Parent then went to the hotel and confronted the employee, who admitted the abuse. She told him that she had spoken to the Gardaí and that he should leave his job, as she did not feel that the boy should have to leave because of his actions. She then contacted David's social worker from the South Eastern Health Board and attended a meeting with the Health Board later. At that meeting, she was told that, as she had no witness to her conversation with the employee, nothing could be done. She did not feel she got any support from her superiors, and got the sense that she had overstepped her boundaries by the action she had taken. The following day, she observed that David was not at work and she was relieved that he had been kept at home. He approached her and said that he was not going to take the matter any further and was not pursuing it with the Gardaí. She questioned him as to why, and he told her he just did not want to. She noticed that he had a new radio. He told her that Sr Callida had given him a new radio and a new bicycle.

8.357 A second record of this allegation of abuse was contained in a memorandum written by a senior member of the Health Board:

I visited the group home ... and learnt from the staff that David has been sexually abused by a fellow employee at his place of work.

³⁰ This is a pseudonym.

This has been reported to the local Garda, the staff in the home and myself, we are making further enquiries.

8.358 The memorandum does not advise of the previous allegation made by the family member to the social worker a month earlier.

8.359 No documentation has been discovered as to how the author of the memorandum handled the matter or how, a week later, the meeting came to be arranged at the offices of the Health Board solicitors which was attended by a senior official from the Health Board, the social worker, the House Parent of the boy who was the centre of the allegation and Sr Callida. The Health Board was concerned to establish if:

(a) A complaint could be made leading to criminal prosecution;

(b) What are the Boards obligations in relation to [the boy] in its voluntary guardianship capacity.

8.360 The possibility of a complaint being made on the boy's behalf was left open. The Health Board was anxious that the boy would continue in the work placement. The advice given, as recorded in the solicitor's note, was that:

... the knowledge of these occurrences would be extremely embarrassing for the Board's Staff if there were to be a recurrence of these incidents and a complaint made by the parent or other parties at a later date.

... If there was any further risk to [David] of any nature then they would have to weigh this against the value of the placement to him and preferably withdraw him from the placement.

I stressed to them that it was of utmost concern that they do not expose themselves to the risk of a potential complaint in relation to the care given to [David]. It would only take one incident, and a complaint arising out of same to call into question the actions of the Boards staff ...

8.361 They were advised against approaching the hotel and told instead to contact the Gardaí.

8.362 There is no record of any contact being made by either the Health Board official or the social worker with the Gardaí in this regard. However, the Health Board solicitor advised the social worker in a letter that he had spoken to the Superintendent of the Gardaí in Cappoquin who told him they had 'taken the matter up' with the alleged abuser prior to Christmas and this person, while unlikely to disclose anything, would:

... be in fear of the consequences of a Garda investigation and we can only hope that this will ensure his co-operation ... I think you would have to be reasonably certain that there is still a problem there before bringing serious consequences to bear on [him].

8.363 The Health Board official who attended the meeting in the solicitor's office also gave evidence to the Investigation Committee. He commended the House Parent for personally confronting the alleged abuser and for the initiative she showed in dealing with the information she had received from the child. He was not happy in relation to the lack of support she received from Sr Callida in the follow-up to the case. He sensed that there was an active encouragement of David not to make anything more of his complaint, because of the consequences it might have for the Centre. He did not want to go as far as to say that there was a feeling that the Resident Manager had prevented a prosecution, but rather that '*there would have been frustration that rather than an intervention being assisted it had been in some way derailed*'.

8.364 He also noted that Sr Callida, although present, did not participate at the meeting in the solicitor's office.

8.365 Sr Callida gave her version of events to the Investigation Committee. She explained that the reason why she did not get involved at the Health Board meeting was because the House Parent had looked after it from the beginning and was the liaison with the boy. When it was suggested to her that, as Resident Manager of the Centre, this was a serious matter of a sexual assault on a child in her care who had an intellectual disability, she said she did not see it as her function to deal with it or report it to the Gardaí. She left it to the House Parent to deal with it as the boy had reported to her. Sr Callida said in evidence that it was purely coincidental that the boy got a new bicycle around this time. She suggested that it might have been for his birthday and he needed a bike to get to work. She did not keep a record of this incident.

8.366 Sr Callida's behaviour in giving the boy the bicycle made her junior colleague suspicious that she was discouraging him from pursuing a complaint or prosecution. There is no evidence that that was her motivation but, at a sensitive time in a serious case of sexual abuse, what she did was an example of extremely bad management and of irresponsibility.

Conclusions

- 8.367**
- **This complaint of sexual abuse was made in the late 1980s, and the House Parent had no hesitation in informing the Gardaí and the Health Board. She noticed the boy behaving unusually, investigated and discovered that he was being sexually abused. The way she discovered the abuse, followed it up and reported it were examples of proper care, which placed the boy's interest first.**
 - **The other parties involved failed in their duties. Sr Callida conveyed mixed signals as to her attitude to the issue.**
 - **The Health Board failed to establish the facts, including interviewing the boy; failed to supervise the social work contacts with the boy and his family; and failed generally to act in the best interests of the boy.**
 - **The actions of the Resident Manager and the Health Board suggest that damage limitation was their primary consideration.**

Testimony regarding befriending/foster families

8.368 Cappoquin, like most other industrial schools, operated a system whereby children were sent to 'befriending/foster families' during holiday periods. Two of the witnesses described very different experiences. One was sent with his brother to a wonderful family. He loved going there so much that he wanted the family to adopt him. The other witness described staying with a befriending family for a few months, during which time he met an older man who worked in a local youth centre. This man showed him a lot of affection, so he requested his house mother in Cappoquin to allow him to move in with him. Permission was given and he moved in. The man repeatedly sexually abused him.

8.369 The witness said that the experience had a lasting effect on his sexuality, and that he encountered many difficulties in life forming relationships. The Sisters submitted that, as regards this alleged abuse carried out by a third party outside the School, it is difficult to see how the Sisters could have any case to answer in terms of the inability to foresee the abuse.

8.370 There appears to have been no system for vetting families or of aftercare and, the children themselves were ill-prepared to deal with abuse or exploitation when they left the convent.

Peer sexual abuse

8.371 A Garda investigation into Cappoquin uncovered serious sexual abuse of younger boys by some older boys. One of the perpetrators admitted sexually abusing boys there. He said that he himself had been abused whilst in care and that, when he was moved to Cappoquin, he knew no better. In his statement, he admitted abusing a pupil whilst there, and this pupil gave evidence to the Investigation Committee, where he described how he had been subjected to sexual assault, including rape, by older boys in Cappoquin. When one of these boys beat his brother badly, he stopped the beating by threatening to tell the Resident Manager what was happening. The sexual abuse stopped after he threatened to tell. This witness also told the Investigation Committee that he observed older boys taking younger boys into their beds at night and he suspected what was going on.

8.372 Another witness described how he saw *'the lads having sex with each other inside in the home'*.

Conclusion

- 8.373**
- Children were left in the care of older boys in the evening, and this practice allowed physical and sexual abuse to occur. The failure to protect children from such abuse was a reckless and negligent breach of duty on the part of the Sisters of Mercy.

General conclusions

- 8.374**
1. Many of the faults of the Institution were caused by inept management at local level in the group homes and in the Cappoquin Community. The structure of the Sisters of Mercy, which limited the pool of Sisters who could be appointed as Resident Manager, was a contributory factor, but there was a fundamental failure by the Institution and the Community to give priority to the interests of the children in their care.
 2. Sisters who gave evidence lacked understanding of the nature and extent of the malfunction of the Institution and the impact on the children. Even at this remove, some expressed concern for their fellow Sisters but did not feel that, as a Congregation, they let the children down. Lay staff confirmed that most of the Sisters in Cappoquin were cold and unfeeling towards the children, although one or two Sisters were mentioned by complainants as being kind and caring.
 3. Organisations providing care for the needy and vulnerable must have procedures for monitoring the service, but this was not the case in this Institution. The Community in Cappoquin was inward-looking and motivated by loyalty to its own members, to the detriment of the children in care.
 4. The Department of Education complained about the neglect in the School in the 1940s, but it was unable to effect any change for far too long.
 5. The Department was negligent in inspecting the institution from the mid 1960s onwards and failed to identify the dysfunction in the group homes in the 1980s.
 6. The Department of Health did not provide regular supervision of the children whom it placed in Cappoquin and did not carry out proper inspections. The children were let down by those who purported to look after and protect them.

