

Chapter 6

Conclusions

- 6.01** Physical and emotional abuse and neglect were features of the institutions. Sexual abuse occurred in many of them, particularly boys' institutions. Schools were run in a severe, regimented manner that imposed unreasonable and oppressive discipline on children and even on staff.
- 6.02** The system of large-scale institutionalisation was a response to a nineteenth century social problem, which was outdated and incapable of meeting the needs of individual children. The defects of the system were exacerbated by the way it was operated by the Congregations that owned and managed the schools. This failure led to the institutional abuse of children where their developmental, emotional and educational needs were not met.
- 6.03** The deferential and submissive attitude of the Department of Education towards the Congregations compromised its ability to carry out its statutory duty of inspection and monitoring of the schools. The Reformatory and Industrial Schools Section of the Department was accorded a low status within the Department and generally saw itself as facilitating the Congregations and the Resident Managers.
- 6.04** The capital and financial commitment made by the religious Congregations was a major factor in prolonging the system of institutional care of children in the State. From the mid 1920s in England, smaller more family-like settings were established and they were seen as providing a better standard of care for children in need. In Ireland, however, the Industrial School system thrived.
- 6.05** The system of funding through capitation grants led to demands by Managers for children to be committed to Industrial Schools for reasons of economic viability of the institutions.
- 6.06** The system of inspection by the Department of Education was fundamentally flawed and incapable of being effective.

The Inspector was not supported by a regulatory authority with the power to insist on changes being made.

There were no uniform, objective standards of care applicable to all institutions on which the inspections could be based.

The Inspector's position was compromised by lack of independence from the Department.

Inspections were limited to the standard of physical care of the children and did not extend to their emotional needs. The type of inspection carried out made it difficult to ascertain the emotional state of the children.

The statutory obligation to inspect more than 50 residential schools was too much for one person.

Inspections were not random or unannounced: School Managers were alerted in advance that an inspection was due. As a result, the Inspector did not get an accurate picture of conditions in the schools.

The Inspector did not ensure that punishment books were kept and made available for inspection even though they were required by the regulations.

The Inspector rarely spoke to the children in the institutions.

6.07 Many witnesses who complained of abuse nevertheless expressed some positive memories: small gestures of kindness were vividly recalled. A word of consideration or encouragement, or an act of sympathy or understanding had a profound effect. Adults in their sixties and seventies recalled seemingly insignificant events that had remained with them all their lives. Often the act of kindness recalled in such a positive light arose from the simple fact that the staff member had not given a beating when one was expected.

6.08 More kindness and humanity would have gone far to make up for poor standards of care.

Physical abuse

6.09 The Rules and Regulations governing the use of corporal punishment were disregarded with the knowledge of the Department of Education.

The legislation and the Department of Education guidelines were unambiguous in the restrictions placed on corporal punishment. These limits however, were not observed in any of the schools investigated. Complaints of physical abuse were frequent enough for the Department of Education to be aware that they referred to more than acts of sporadic violence by some individuals. The Department knew that violence and beatings were endemic within the system itself.

6.10 The Reformatory and Industrial Schools depended on rigid control by means of severe corporal punishment and the fear of such punishment.

The harshness of the regime was inculcated into the culture of the schools by successive generations of Brothers, priests and nuns. It was systemic and not the result of individual breaches by persons who operated outside lawful and acceptable boundaries. Excesses of punishment generated the fear that the school authorities believed to be essential for the maintenance of order. In many schools, staff considered themselves to be custodians rather than carers.

6.11 A climate of fear, created by pervasive, excessive and arbitrary punishment, permeated most of the institutions and all those run for boys. Children lived with the daily terror of not knowing where the next beating was coming from.

Seeing or hearing other children being beaten was a frightening experience that stayed with many complainants all their lives.

6.12 Children who ran away were subjected to extremely severe punishment.

Absconders were severely beaten, at times publicly. Some had their heads shaved and were humiliated. Details were not reported to the Department, which did not insist on receiving information about the causes of absconding. Neither the Department nor the school management investigated the reasons why children absconded even when schools had a particularly high rate

of absconding. Cases of absconding associated with chronic sexual or physical abuse therefore remained undiscovered. In some instances all the children in a school were punished because a child ran away which meant that the child was then a target for mistreatment by other children as well as the staff.

6.13 Complaints by parents and others made to the Department were not properly investigated.

Punishments outside the permitted guidelines were ignored and even condoned by the Department of Education. The Department did not apply the standards in the rules and their own guidelines when investigating complaints but sought to protect and defend the religious Congregations and the schools.

6.14 The boys' schools investigated revealed a pervasive use of severe corporal punishment.

Corporal punishment was the option of first resort for breaches of discipline. Extreme punishment was a feature of the boys' schools. Prolonged, excessive beatings with implements intended to cause maximum pain occurred with the knowledge of staff management.

6.15 There was little variation in the use of physical beating from region to region, from decade to decade, or from Congregation to Congregation.

This would indicate a cultural understanding within the system that beating boys was acceptable and appropriate. Individual Brothers, priests or lay staff who were extreme in their punishments were tolerated by management and their behaviour was rarely challenged.

6.16 Corporal punishment in girls' schools was pervasive, severe, arbitrary and unpredictable and this led to a climate of fear amongst the children.

The regulations imposed greater restrictions on the use of corporal punishment for girls. Schools varied as to the level of corporal punishment that was tolerated on a day-to-day basis. In some schools a high level of ritualised beating was routine whilst in other schools lower levels of corporal punishment were used. The degree of reliance on corporal punishment depended on the Resident Manager, who could be a force for good or ill, but almost all institutions employed fear of punishment as a means of discipline. Some Managers administered excessive punishment themselves or permitted excesses by religious and lay staff. Girls were struck with implements designed to maximise pain and were struck on all parts of the body. The prohibition on corporal punishment for girls over 15 years was generally not observed.

6.17 Corporal punishment was often administered in a way calculated to increase anguish and humiliation for girls.

One way of doing this was for children to be left waiting for long periods to be beaten. Another was when it was accompanied by denigrating or humiliating language. Some beatings were more distressing when administered in front of other children and staff.

Sexual abuse

6.18 Sexual abuse was endemic in boys' institutions. The situation in girls' institutions was different. Although girls were subjected to predatory sexual abuse by male employees or visitors or in outside placements, sexual abuse was not systemic in girls' schools.

6.19 It is impossible to determine the full extent of sexual abuse committed in boys' schools. The schools investigated revealed a substantial level of sexual abuse of boys in care that

extended over a range from improper touching and fondling to rape with violence. Perpetrators of abuse were able to operate undetected for long periods at the core of institutions.

6.20 Cases of sexual abuse were managed with a view to minimising the risk of public disclosure and consequent damage to the institution and the Congregation. This policy resulted in the protection of the perpetrator. When lay people were discovered to have sexually abused, they were generally reported to the Gardai. When a member of a Congregation was found to be abusing, it was dealt with internally and was not reported to the Gardai.

The damage to the children affected and the danger to others were disregarded. The difference in treatment of lay and religious abusers points to an awareness on the part of Congregational authorities of the seriousness of the offence, yet there was a reluctance to confront religious who offended in this way. The desire to protect the reputation of the Congregation and institution was paramount. Congregations asserted that knowledge of sexual abuse was not available in society at the time and that it was seen as a moral failing on the part of the Brother or priest. This assertion, however, ignores the fact that sexual abuse of children was a criminal offence.

6.21 The recidivist nature of sexual abuse was known to religious authorities.

The documents revealed that sexual abusers were often long-term offenders who repeatedly abused children wherever they were working. Contrary to the Congregations' claims that the recidivist nature of sexual offending was not understood, it is clear from the documented cases that they were aware of the propensity for abusers to re-abuse. The risk, however, was seen by the Congregations in terms of the potential for scandal and bad publicity should the abuse be disclosed. The danger to children was not taken into account.

6.22 When confronted with evidence of sexual abuse, the response of the religious authorities was to transfer the offender to another location where, in many instances, he was free to abuse again. Permitting an offender to obtain dispensation from vows often enabled him to continue working as a lay teacher.

Men who were discovered to be sexual abusers were allowed to take dispensation rather than incur the opprobrium of dismissal from the Order. There was evidence that such men took up teaching positions sometimes within days of receiving dispensations because of serious allegations or admissions of sexual abuse. The safety of children in general was not a consideration.

6.23 Sexual abuse was known to religious authorities to be a persistent problem in male religious organisations throughout the relevant period.

Nevertheless, each instance of sexual abuse was treated in isolation and in secrecy by the authorities and there was no attempt to address the underlying systemic nature of the problem. There were no protocols or guidelines put in place that would have protected children from predatory behaviour. The management did not listen to or believe children when they complained of the activities of some of the men who had responsibility for their care. At best, the abusers were moved, but nothing was done about the harm done to the child. At worst, the child was blamed and seen as corrupted by the sexual activity, and was punished severely.

6.24 In the exceptional circumstances where opportunities for disclosing abuse arose, the number of sexual abusers identified increased significantly.

For a brief period in the 1940s, boys felt able to speak about sexual abuse in confidence at a sodality that met in one school. Brothers were identified by the boys as sexual abusers and were removed as a result. The sodality was discontinued. In another school, one Brother embarked on a campaign to uncover sexual activity in the school and identified a number of religious who were sexual abusers. This indicated that the level of sexual abuse in boys' institutions was much higher than was revealed by the records or could be discovered by this investigation. Authoritarian management systems prevented disclosures by staff and served to perpetuate abuse.

6.25 The Congregational authorities did not listen to or believe people who complained of sexual abuse that occurred in the past, notwithstanding the extensive evidence that emerged from Garda investigations, criminal convictions and witness accounts.

Some Congregations remained defensive and disbelieving of much of the evidence heard by the Investigation Committee in respect of sexual abuse in institutions, even in cases where men had been convicted in court and admitted to such behaviour at the hearings.

6.26 In general, male religious Congregations were not prepared to accept their responsibility for the sexual abuse that their members perpetrated.

Congregational loyalty enjoyed priority over other considerations including safety and protection of children.

6.27 Older boys sexually abused younger boys and the system did not offer protection from bullying of this kind.

There was evidence that boys who were victims of sexual abuse were physically punished as severely as the perpetrator when the abuse was reported or discovered. Inevitably, boys learned to suffer in silence rather than report the abuse and face punishment.

6.28 Sexual abuse of girls was generally taken seriously by the Sisters in charge and lay staff were dismissed when their activities were discovered. However, nuns' attitudes and mores made it difficult for them to deal with such cases candidly and openly and victims of sexual assault felt shame and fear of reporting sexual abuse.

Girls who were abused reported that it happened most often when they were sent to host families for weekend, work or holiday placements. They did not feel able to report abusive behaviour to the Sisters in charge of the schools for fear of disbelief and punishment if they did.

6.29 Sexual abuse by members of religious Orders was seldom brought to the attention of the Department of Education by religious authorities because of a culture of silence about the issue.

When religious staff abused, the matter tended to be dealt with using internal disciplinary procedures and Canon Law. The Gardaí were not informed. On the rare occasions when the Department was informed, it colluded in the silence. There was a lack of transparency in how the matter of sexual abuse was dealt with between the Congregations, dioceses and the Department. Men with histories of sexual abuse when they were members of religious Orders continued their teaching careers as lay teachers in State schools.

6.30 The Department of Education dealt inadequately with complaints about sexual abuse. These complaints were generally dismissed or ignored. A full investigation of the extent of the abuse should have been carried out in all cases.

All such complaints should have been directed to the Gardai for investigation.

The Department, however, gave the impression that it had a function in relation to investigating allegations of abuse but actually failed to do so and delayed the involvement of the proper authority. The Department neglected to advise parents and complainants appropriately of the limitations of their role in respect of these complaints.

Neglect

6.31 Poor standards of physical care were reported by most male and female complainants.

Schools varied as to the standard of physical care provided to the children and while there was evidence from many complainants that conditions improved in the late 1960s, in general no school provided an adequate standard of care across all the categories.

6.32 Children were frequently hungry and food was inadequate, inedible and badly prepared in many schools.

Witnesses spoke of scavenging for food from waste bins and animal feed.

In boys' schools there was so little supervision at meal times that bullying was widespread and smaller, weaker boys were often deprived of food.

The Inspector found that malnourishment was a serious problem in schools run by nuns in the 1940s and, although improvements were made, the food provided in many of these schools continued to be meagre and basic.

6.33 Witnesses recalled being cold because of inadequate clothing, particularly when engaged in outdoor activities.

Clothing was a particular problem in boys' schools where children often worked for long hours outdoors on farms. In addition, boys were often left in their soiled and wet work clothes throughout the day and wore them for long periods.

Clothing was better in girls' schools and some individual Resident Managers made particular efforts in this regard but in general girls were obliged to wear inadequate ill-fitting clothes that were often threadbare and worn.

In all schools up until the 1960s clothes stigmatised the children as Industrial School residents.

6.34 Accommodation was cold, spartan and bleak. Sanitary provision was primitive in most boys' schools and general hygiene facilities were poor.

Children slept in large unheated dormitories with inadequate bedding, which was a particular problem for children with enuresis.

Sanitary protection for menstruation was generally inadequate for girls.

6.35 The Cussen Report recommended in 1936 that Industrial School children should be integrated into the community and be educated in outside national schools. Until the late 1960s, this was not done in any of the boys' schools investigated and in only in a small number of girls' schools.

6.36 Where Industrial School children were educated in internal national schools, the standard was consistently poorer than that in outside schools.

National school education was available to all children in the State and those in Industrial Schools were entitled to at least the same standard as that available in the country generally. Internal national schools were funded by a national school grant and teachers were paid in the same way as in ordinary national schools. The evidence was however that the standard of education in these schools was poor.

There was evidence particularly in girls' schools that children were removed from their classes in order to perform domestic chores or work in the institution during the school day. In general, Industrial School children did not receive the same standard of national school education as would have been available to them in the local community. This lack of educational opportunity condemned many of them to a life of low-paying jobs and was a commonly expressed loss among witnesses.

6.37 Academic education was not seen as a priority for industrial school children.

When discharged, boys were generally placed in manual or unskilled jobs and girls in positions as domestic servants. There were exceptions, and particularly in girls' schools in the later years, some girls received the opportunity of a secretarial or nursing qualification. Education usually ceased in 6th class, after which children were involved in industrial trades, farming and domestic work with very limited education thereafter. Even where religious Congregations operated secondary schools beside industrial schools, children from the Industrial Schools were very rarely given the opportunity of pursuing secondary school education.

6.38 Industrial Schools were intended to provide basic industrial training to young people to enable them to take up positions of employment as young adults. In reality, the industrial training afforded by all schools was of a nature that served the needs of the institution rather than the needs of the child.

This was a problem that had been pointed out by the Cussen Commission in 1936 and continued to be a feature of industrial training in these schools throughout the relevant period. Child labour on farms and in workshops was used to reduce the costs of running the Industrial Schools and in many cases to produce a profit. Clothing and footwear were often made on the premises and bakeries and laundries provided facilities to the school and in some cases to the general public. The cleaning and upkeep of girls' Industrial Schools was largely done by the girls themselves. Some of these chores were heavy and arduous and exacting standards were imposed that were difficult for young children to meet. In girls' schools also, older residents were expected to care for young children and babies on a 24-hour basis. Large nurseries were supervised and staffed by older residents with only minimal supervision by adults.

Emotional abuse

6.39 A disturbing element of the evidence before the Commission was the level of emotional abuse that disadvantaged, neglected and abandoned children were subjected to generally by religious and lay staff in institutions.

Witnesses spoke of being belittled and ridiculed on a daily basis. Humiliating practices such as underwear inspections and displaying soiled or wet sheets were conducted throughout the Industrial School system. Private matters such as bodily functions and personal hygiene were used as opportunities for degradation and humiliation. Personal and family denigration was widespread, particularly in girls' schools. There was constant criticism and verbal abuse and

children were told they were worthless. The pervasiveness of emotional abuse of children in care throughout the relevant period points to damaging cultural attitudes of many who taught in and operated these schools.

6.40 The system as managed by the Congregations made it difficult for individual religious who tried to respond to the emotional needs of the children in their care.

Witnesses from the religious Congregations described the conflict they experienced in fulfilling their religious vows, whilst at the same time providing care and affection to children. Authoritarian management in all schools meant that staff members were afraid to question the practices of managers and disciplinarians.

6.41 Witnessing abuse of co-residents, including seeing other children being beaten or hearing their cries, witnessing the humiliation of siblings and others and being forced to participate in beatings, had a powerful and distressing impact.

Many witnesses spoke of being constantly fearful or terrified, which impeded their emotional development and impacted on every aspect of their life in the institution. The psychological damage caused by these experiences continued into adulthood for many witnesses.

6.42 Separating siblings and restrictions on family contact were profoundly damaging for family relationships. Some children lost their sense of identity and kinship, which was never recovered.

Sending children to isolated locations increased the sense of loss and made it almost impossible for family contact to be maintained. Management did not recognise the rights of children to have contact with family members and failed to acknowledge the value of family relationships.

6.43 The Confidential Committee heard evidence in relation to 161 settings other than Industrial and Reformatory Schools, including primary and second-level schools, Children's Homes, foster care, hospitals and services for children with special needs, hostels, and other residential settings. The majority of witnesses reported abuse and neglect, in some instances up to the year 2000. Many common features emerged about failures of care and protection of children in all of these institutions and services.

Witnesses reported severe physical abuse in primary schools, foster care, Children's Homes and other residential settings where those responsible neglected their duty of care to children.

The predatory nature of sexual abuse including the selection and grooming of socially disadvantaged and vulnerable children was a feature of the witness reports in relation to special needs services, Children's homes, hospitals and primary and second-level schools. Children with impairments of sight, hearing and learning were particularly vulnerable to sexual abuse.

Witnesses reported neglect of their education, health and aftercare in all residential settings and foster care. No priority was given to the special care needs of children who were placed away from their families.

Children in isolated foster care placements were abused in the absence of supervision by external authorities. They were placed with foster parents who had no training, support or supervision. The suitability of those selected as foster parents was repeatedly questioned by witnesses who were physically and sexually abused.

Many witnesses described losing their sense of family and identity when placed in out-of-home care, they reported that separation from siblings and deprivation of family contact was abusive and contributed to difficulties reintegrating with their family of origin when they left care. Witnesses reported emotional abuse in institutions, foster care and schools when they were deprived of affection, secure relationships and were exposed to personal denigration, fear and threats of harm.

When witnesses left care the failure to provide them with personal and family records contributed to disadvantage in later life. Many witnesses spent years searching for information to establish their identity.

The failure of authorities to inspect and supervise the care provided to children in hospitals and special needs services was noted as contributing to abuse which occurred in those facilities. The absence of structures for making complaints or investigating abuse allowed abuse to continue.

When opportunities were provided for children to disclose abuse they did so.

Witnesses reported that the power of the abuser, the culture of secrecy, isolation and the fear of physical punishment inhibited them in disclosing abuse.

