
Administrative Expedience and the Avoidance of Scandal: Ireland's Industrial and Reformatory Schools and the Inter-Departmental Committee of 1962-3

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Abstract. This article utilises the surviving working papers of the Irish, Inter-Departmental Committee on the Prevention of Crime and Treatment of Offenders of 1962-3 (IDC) to critically evaluate its work on the industrial and reformatory schools. The industrial and reformatory schools were populated by vulnerable children, from largely poor backgrounds, who were not well regarded by Irish society. The work of the IDC in regard to adult prisoners is argued by academics and politicians to have been a turning point in Irish penal policy; representing the point at which a more enlightened approach to the treatment of offenders began to feed through into the penal system. This positive assessment of the IDC's impact on adult penal policy is demonstrated to stand in stark contrast to its actions in regard to the children detained in the industrial and reformatory schools. Children, against whose interests, the IDC and its political masters chose to place economic expediency and the perceived interests of departmental and religio-political sensibilities. The actions of the IDC left these children exposed to the worst excesses of abusive institutions despite clear evidence of their plight. It was not until the years after the publication of the Kennedy Report in 1970 that the Irish State took its first hesitant steps in reforming the rotten and abusive system.

Key Words. Inter-Departmental Committee, Education, Justice, Child Abuse, Church, Irish Industrial and Reformatory Schools.

Resumen. El artículo se sirve de los documentos existentes del Comité Interdepartamental irlandés para la Prevención del Delito y Tratamiento de Delincuentes de 1962-3 (IDC) para evaluar críticamente su labor en las escuelas industriales y reformatorios. Las escuelas industriales y reformatorios estaban llenos de niños vulnerables, provenientes principalmente de entornos pobres, a los que la sociedad irlandesa no veía con buenos ojos. En círculos académicos y políticos se considera que el trabajo del IDC en lo que respecta a los presos adultos supuso un punto de inflexión en la política penal de Irlanda en tanto que introdujo un enfoque más inteligente para el tratamiento de los delincuentes en el sistema penal. Esta evaluación positiva del impacto del IDC en la política penal de adultos contrasta vivamente con sus actuaciones en relación a los niños confinados en las escuelas industriales y reformatorios donde, en lugar de velar por los intereses de los reclusos, el IDC y sus dirigentes políticos priorizaban la conveniencia económica y supuestos intereses y sensibilidades político-religiosos. Las acciones del IDC dejaron a estos niños expuestos a los peores excesos de instituciones abusivas a pesar de la clara evidencia de su difícil situación. No fue hasta los años posteriores a la publicación del Informe de Kennedy en 1970 que el Estado irlandés tomó los primeros pasos vacilantes en la reforma del corrompido y vejatorio sistema.

Palabras clave. Comité interdepartamental, educación, justicia, abuso de menores, Iglesia, escuelas industriales y reformatorios.

The public understanding of the care of children in institutions funded and regulated by the Government in the Republic of Ireland (Ireland) has profoundly altered over the last two decades. This change of perception has occurred as a result of the public exposure, of what for some had been an open secret for decades, namely, the poor levels of care and the abuse of children living in institutions, run largely, though not exclusively, by religious orders of the Catholic Church.¹ The public outcry regarding this maltreatment and abuse has led to a substantial redrawing of the policy landscape in regard to child protection and welfare and Irish society's sense of itself and its history. The Office of the Minister for Children and Youth Affairs asserted in the preamble to a 99 point Implementation Plan that followed the publication of the *Ryan Report* in 2009;² The history of our country in the 20th century will be rewritten as a result of the Ryan Commission of Inquiry.... Institutions that we held to be beyond reproach have been challenged to their core. When the 1916 Proclamation of the Republic declared its resolve to cherish all of the children of the nation equally, it was not considered to be controversial and yet today it is clear that such idealism was misplaced (Office of the Minister for Children 2009: xiii).

The legitimacy of the concept of a 'misplaced idealism', which implies a level of ignorance of the realities of the conditions in the schools on the part of the State, fails under even under the most superficial scrutiny. There is a plethora of evidence that the appalling conditions in the schools, both in terms of the buildings themselves and the treatment of children held in them, was known to those in authority for over 60 years prior to the publication of the *Ryan Report* (Raftery & O'Sullivan 1999; Arnold 2008). However, in spite of this knowledge virtually nothing was done to improve conditions, whilst much was done to conceal the truth.

1. Hereafter referred to as 'the Church'.

2. *The Commission to Inquire into Child Abuse*, commonly known as the *Ryan Commission*, is one of a range of measures introduced by the Irish Government to investigate the extent and effects of abuse on children from 1936 onwards. It published its final report in the May of 2009.

This article will utilise the working papers of the Inter-Departmental Committee on the Prevention of Crime and the Treatment of Offenders 1962-3 (IDC)³ to explore its investigation and recommendations in regard to the industrial and reformatory schools. There will be a particular focus on four most notorious institutions, Artane (1870 -1969), Letterfrack (1887-1974), Daingean (1940-1973) and Marlborough House remand centre (1944-1972). It will be demonstrated that the IDC found evidence that something was very wrong in these schools, yet despite this politicians and administrators failed to act to protect children, a failure that constituted a dereliction of their duty of care.⁴ The IDC papers afford an insight into the political choreography between, and within, the institutions of Church and State, the dictates of which ensured that political expediency was placed before the protection of children.

Notwithstanding, Raftery & O'Sullivan's work on the State's failure to act on its limited recommendations (Raftery & O'Sullivan 1999) and Arnold's observations relating to the Department of Education attempts to undermine key evidence (Arnold 2008), to date the work of the IDC, in regard to reformatory and industrial schools, has received little scholarly attention. There has, however, been a greater focus of the IDC's work on adult prisons. Rogan's 2011 study and Kilcommin et al's. 2004 work, have explored the IDC's impact on the treatment of adult prisoners and these studies have argued that the IDC was a manifestation of the progressive attitudes in the Department of Justice in the early 1960s that drove humanitarian reform in Ireland's prisons (Rogan 2011; Kilcommins 2004). Notwithstanding, this judgement of the work of the IDC,

3. The Department of Justice IDC files were viewed by the author at the Department of Justice, Dublin in 2001, prior to their release to the *Commission to Inquire into Child Abuse*. These consist of inspection reports, memos, internal discussions documents, transcripts of evidence of the Committee itself and subsequent communications in regard to its recommendations.

4. The Departments of Education and Justice had statutory responsibility for the schools under the 1908 Children and Young Persons Act and the Children Act, 1908, Adaption Order, 1928.

its pursuance of an open, progressive agenda, was not evident in its work on the Nation's reformatory and industrial schools. The failure of the IDC to have the same impact on the industrial and reformatory schools as it had on the adult prison population, was as a result of a complex and interrelated set of variables.

These found their roots in the realpolitik of Ireland in this period, which were themselves manifestations of the concomitant complexity of Ireland's sense of itself, Church and State relationships, economics and inter-departmental 'turf wars'. However, the potential for 'turf war' disputes over adult prisons was far less acute.

The Department of Justice controlled and directly ran adult custodial institutions, however, whilst the Church had a strong emphasis on moral leadership in regard to the prisons, it did not have the direct operational control or financial interest in the prisons that it had in the schools. Neither did the other significant player in this regard, the Department of Education. The Catholic Church and the Department of Education were both highly sensitive to any intrusion into the schools, particularly if it could lead to criticism and scandal, the avoidance of scandal long having driven the Church above its duty of care to those in its charge (*In Plain Sight; The Cloyne Report, The Ryan Report; The Ferns Report*).

The IDC was the product of an administrative and political culture that, whilst on the cusp of change, was still steeped in the logic and rhythms of post colonial Ireland. An Ireland that was conservative, devout and highly sensitive to criticism from within and outside of its borders (Garvin 2011). These features, having shaped the IDC's investigation, are therefore central to any understanding of its handling of the evidence it encountered, its subsequent limited recommendations and their failure to be implemented by politicians and administrators.

The Political, Cultural and Administrative Context of the IDC's Work

Since the establishment of the Irish State in 1922, a high social premium had been placed on homogeneity and social conformity. This was a feature of Irish life that persisted for much of the twentieth century, bolstered by economic and social policy and the rigid

application of censorship (Brown 2010). However, by the mid 20th century the post-revolutionary settlement was beginning to alter, hardly noticeable at first, but to alter nonetheless. The forces that drove these changes, political, economic, social and technological, gathered pace in the late 1950s and early 1960s when a deeply conservative and isolationist revolutionary generation of politicians retired from political life. They were replaced by a new generation who believed that Ireland's future was to be as part of the European mainstream. However, it would take another 40 years for the modernisation of Ireland's child protection services to achieve meaningful change.⁵ These developments have been in no small part driven by the overwhelming evidence of endemic child abuse both in Irish institutions and more generally in Irish society. A reality downplayed or denied for much of the State's existence as it did not fit wider cultural myths about the inherent virtues of Ireland's people (Smith 2007; Brennan 2013). Realities amply illustrated in a plethora of reports on this issue,⁶ all of which provide disturbing insights into the realities of the treatment of children by both Church and State. Poverty was the overwhelming cause of children being placed in reformatory and industrial schools. Poverty was an issue that Governments had continually failed to address, or indeed made worse for much of its early history through the pursuance of isolationist economic policy (Garvin 2005). The reality of childhoods lived in poverty was too thorny, too complex, too uncomfortable, to address, as the reality that the Nation was failing children did not chime with the 'acceptable' self-image of Ireland (Ferguson 2007). Therefore, it was convenient to focus on the shortcomings of the families and children within the schools, and in consequence they became the institutional manifestations of what O'Toole has described

5. There are still significant concerns regarding looked after children in Ireland today. The Report of the Independent Child Death Review Group, published in 2012, highlighting serious concerns related to the deaths of young people in contact with the State's child-protection services between 2000 and 2010.

6. *In Plain Sight, The Cloyne Report, The Ryan Report, The Murphy Report and The Ferns Report.*

as the “criminalisation of poverty” (Ferguson 2007: 127). It was far better, from the Government’s perspective, to focus on the moral turpitude and corruption of poor children and their families, the causation of which could be comfortably externalised to forces that had their origins beyond Ireland’s shores (Keating 2012) rather than Ireland facing its responsibility.

On the foundation of the modern Irish State the responsibility for reformatory and industrial schools was placed with the Department of Local Government, a responsibility it kept up until 1924 when it transferred briefly to a reluctant Department of Justice. However, later in 1924 responsibility for the reformatory and industrial schools was transferred to the Department of Education, a responsibility and cost which the Department of Education did not want. The Department of Education saw itself as the vanguard department in the crusade to instil ‘true’ Irish culture and nationality in Ireland (Frehan 2011), a mission that delinquency or the perceived moral degeneracy, manifest in the very existence of the industrial and reformatory schools had no part. Notwithstanding this transfer, the Department of Justice retained the authority to inspect the reformatory schools, something it carefully avoided exercising.

When it came to the care of children in reformatory and industrial schools, the default position of the Irish Government was an adherence to the status quo, premised on a belief in the power of the Catholic Church to affect some good, even amongst the most ‘contaminated’ of souls. This mindset was doubtless influenced by what McLoone-Richards has described as a “culture of honour towards the Church and its agents” (McLoone-Richards 2012). Furthermore, effective action would require co-ordination between Government departments, extra expenditure, and an admission that things were far from right, by both Church and State.

Ireland’s economy had been relatively weak from the foundation of the State until the economic modernisation of the 1960s and the childcare services provided by the Church was nothing if not cheap. Therefore, any substantive development of the school’s inspection regime and regulation, or upgrading of conditions and protection, would have required an investment

of funds the Government simply did not feel it could afford (Keating 2002). The result was large institutions that warehoused children in large numbers; institutions too often run by unqualified, overstretched staff who were not subject to appropriate selection, vetting or supervision and consequently too often kept control through the frequent brutal application of violence. Much of the institutional architecture of the schools was inherited from the British; however, post-independence, the level of investment in, and inspection of the schools had been substantially eroded as a result of difficult economic conditions.

The low status of the children cared for in the schools was reflected in the personnel employed to care for them, as those members of religious orders who worked, in what Coldrey has referred to as, the “orphans’ circuit”, were regarded as having low status within their orders (Coldrey 2000). The schools were staffed largely by individuals drawn from lay members of the order, members of the community who had not received the same educational and training opportunities as ‘teaching Brothers’ and ‘choir Sisters’. Furthermore, members of religious orders with a drink or mental health problem, or those with a propensity to cause difficulty in some other way, could be placed in an industrial school to keep them out of ‘harm’s way’ (O’Sullivan 1978; Keating 2002).

However, it is important to remember that not all the staff, religious and non-religious, which ran these schools, were abusive or incompetent; many were committed to the care of the children in their charge. Some, sadly, were embittered as a result of their experiences and became brutalised, whilst a number were sexually and physically abusive prior to working in the schools, as in any walk of life. It should not be forgotten that Irish child rearing practices in the 1950s and 60s relied heavily on corporal punishment. Indeed, when in 1955, Senator Sheehy Skeffington raised concerns in Seanad Éireann, the Irish Parliament’s Upper House, regarding the use of corporal punishment in mainstream Irish Schools, Skeffington was attacked by the Minister for Education, Richard Mulcahy, who accused him of “pushing for a non-Irish, alien system of discipline and child rearing” (Garvin 2011). Given there was then little sympathy at ministerial

level for the plight of children in mainstream Irish schools, it is not surprising that politicians and officials had little sympathy for the children in the reformatory and industrial schools, children seen as in some ways to blame for their own plight.

The Church was similarly impervious to any suggestions regarding changes in its practices within the schools, including its disciplinary regimes. It was ideologically antagonistic to any form of encroachment by the State in what it viewed as areas of policy that properly belonged in its bailiwick (Whyte 2008), in particular those of education and family related policy. This antagonism is manifest in the Church's opposition to the legalisation of adoption (Keating 2003), Noel Browne's Mother and Child Scheme (Horgan 2000), and Donagh O'Malley's Free Education policy (Walsh 2009). Furthermore, the Church's moral strictures, particularly in relation to sexual morality, caused the ascendancy of a form of moral Puritanism that ensured the persistence of Victorian values and precepts of behaviour, not least impacting on the way that the children who populated the reformatory and industrial schools were viewed by the public. Ferguson has argued that these children were labelled as carrying a contagion resulting from their abuse, neglect or illegitimacy, which had "polluted and contaminated the child with 'impure' adult knowledge..." leading, he argues powerfully, to these children to be viewed as "moral dirt" by large swathes of Irish society (Ferguson 2007).

The Establishment of the IDC and its Terms of Reference.

The Minister for Justice, Charles, J. Haughey, in the September of 1962, established the IDC, its brief being to investigate: a) juvenile delinquency b) the probation system and c) the institutional treatment of offenders and their aftercare (Department of Justice files (DJ), 93/182). The members of the Committee, Chaired by Peter Berry, Secretary of the Department of Justice, included representatives from the Departments of Justice, Education, Health and Industry and Commerce. As with all inter-departmental committees, the diverse interests of its constituent members lead to a certain amount of jockeying for position and posturing in pursuance of departmental interests over the primary considerations of the

tasks. In the case of reformatory and industrial schools, it was primarily the departments of Education and Justice that experienced the greatest level of inter-departmental tension on this issue.

Haughey suggested that the IDC split into sub-groups, one of which was charged with the exploration of juvenile crime and the treatment of young offenders and it was this group that decided to investigate the Nation's reformatory and industrial schools. The IDC was to have the "services of experts", academics, practitioner, lay and religious.⁷ These schools were largely run by religious orders and were funded and regulated by the Department of Education, a department that had long resented the fact that it had the responsibility for these schools. Schools that Education felt that would be more appropriately managed by the Department of Justice, something the Department of Justice had long avoided.

In addition to the Departments of State sitting on the IDC there was another institution influencing its work, albeit one that hadn't any formal representation on the Committee; namely, the Church. Notwithstanding the fact that Ireland was not a theocracy, deep ties of faith and friendship between Ireland's political and Church elites, and the loyalty of the vast majority of Ireland's population, afforded the Church a significant amount of power and influence, particularly in relation to education and family policy (Whyte 1984). Therefore, the Church was a constant influence in all Irish Governmental deliberations in this period, especially in areas of social policy (Fahey 2007), a reality personified in the person of John Charles McQuaid, Archbishop of Dublin, who was dubbed, "the grey eminence behind the Government", by the *Irish Times* in 1950. No Irish policy maker or politician could effectively make decisions, plan or review without consulting or having cognisance of the views of the Catholic Hierarchy,⁸ a Hierarchy

7. 'Experts' included the Jesuit, Father Sweetman, a psychiatrist, Dr McLoughlin, Father Moore, Chaplain to Artane Industrial School and assorted managers of various industrial and reformatory schools and Department of Education inspectors.

8. For the purpose of this essay 'Hierarchy' refers to the Primate, Bishops, and Provincials of Religious Orders of the Roman Catholic Church in Ireland, -/-

that was as quick to act to preserve its financial interests and the avoidance of scandal, one of its great preoccupations, as it was to act on doctrinal concerns.

The IDC's Investigation

Soon after beginning its deliberations, the IDC was to receive evidence that conditions in the industrial and reformatory school sector⁹ were far from well. The IDC despatched inspectors to several industrial and reformatory schools, including the most notorious, Artane, Daingean, Letterfrack and the remand centre Marlborough House.¹⁰ The reports of these visits had to be acceptable to both the Departments of Justice and Education representatives on the Committee. What may be described as 'turf wars' are evident in the working papers of the IDC, explored below. The politics involved account for the nondescript reports of the visits in relation to criticisms of the institutions, the use of guarded language and the positive spin relating to the negative aspects of what they found.

Artane

One of the first people to give evidence to the IDC was Father Moore, a diocesan priest and chaplain to Artane Industrial School, an institution managed and staffed by members of the Christian Brothers,¹¹ a religious order with significant power and influence in matters of education in Ireland. Moore had been commissioned to write a report on Artane by

./- their administrative organisations and agents.

9. The reformatory schools were established to deal primarily with offenders and the industrial schools for those in moral danger that may lead them to offending. That said, there was a great deal of mixed use of the sector.

10. The IDC also sent inspectors to St Anne's Reformatory School, Kilmacud and St Mary's Lakelands Girl's Industrial School, Sandymount. No concerns were raised in regard to either of these schools, both of which they lauded with praise.

11. The Congregation of Christian Brothers is a worldwide religious community within the Catholic Church, founded in Waterford, Ireland by Edmund Rice. The Christian Brothers, as they are commonly known, chiefly work for the evangelization and education of youth. Their first school was opened in Waterford, Ireland, in 1802.

John Charles McQuaid, Archbishop of Dublin, and having submitted his report to McQuaid in the July of 1962 Moore, with McQuaid's blessing, gave evidence to the IDC in the December of 1962. Moore gave broad-based evidence which included concerns over the stigmatization of children living in Industrial School, the institutionalisation of boys from babyhood and the problems this caused them in later life. Moore criticised the manager of Artane as being an "unwilling captain, and too conservative in his approach." He also raised concerns regarding the educational programme, staff numbers and training. In addition, he asserted that the funding of the institution was so poor that the boys clothing, footwear, bedding, nutrition and medical needs, were all appallingly below standard (DJ. 93/182/8). In addition Moore noted the physical brutality of the regime at Artane, which he argued led to long term psychological damage to the boys that made it difficult for them to "establish ordinary human relationships" (*Murphy Report*).

Moore's evidence clearly ruffled T.R. Ó Raifeartaigh, Secretary of the Department of Education,¹² and an IDC member, who interrupted Moore angrily on a number of occasions, clearly troubled by Moore's portrayal of life in Artane. Ó Raifeartaigh objections to Moore's evidence were doubtless driven by concerns to limit reputational damage to both the Christian Brothers and his own Department. The poor conditions in the school should not have come as a surprise to him. Ó Raifeartaigh had visited Daingean Reformatory in 1955 and observed that "the cows were better fed than the boys" (Arnold 2008: 58). Additionally, in 1957 he had received a report from the Office of Public Works, the Government agency responsible for the upkeep of public buildings, warning that Marlborough House remand centre was so dilapidated that it presented "a grave risk of loss of life" (Ibid), yet he chose to do nothing to remedy either situation. Following Moore's evidence Ó Raifeartaigh, eventually, but reluctantly, despatched inspectors to Artane to assess Moore's claims. However, the Christian Brothers

12. The post of 'Secretary' is the Department's senior civil servant.

were given advance notice of the inspection and unsurprisingly the inspectors returned from Artane with positive reports that contradicted Moore's evidence and denigrated Moore's character (DJ.93/182/8).

The inspection was conducted by three Department of Education representatives on the 20th and 21st of December 1962 and drew a very different picture to that painted by Moore. The inspectors' report, when combined with the knowledge now in the public domain about Artane, (Ryan Report) illustrates the collusive and apologist nature of the inspection in operation at the time. The inspectors concluded that the boys in Artane were "well fed, warmly clothed, comfortably bedded and treated with kindness by the Christian Brothers in an atmosphere conducive to their physical and spiritual development". The section of the inspectors' report that addresses the boys' clothing is of particular interest as it demonstrates how Department of Education officials sought to put a positive spin on their department's inadequate childcare provision. The inspector asserted:

Before turning to other premises visited, I think it is proper to comment at this stage on the clothing of the boys, the outward show by which the uninformed public must, perforce, judge the work of the school. Canons of criticism inevitably change once the criticised is the ward of the State and/or in the control of the religious. The cherry nosed ruddy-faced boy playing coatless in a muddy street on a winter's day will at once be the happy despair of his mother for his appearance and his father's pride for his rude health. Place the same child in the gates of an industrial school and he immediately earns the label 'neglected and exploited' (DJ.93/182/11).

The inspectors also commented on the discipline applied in the school, and again the preconceived attitudes of the inspectors are evident in the preamble, which states: "Complaints about the treatment of children in industrial schools are not infrequent but from experience I would say the majority are exaggerated and some even untrue" (DJ.93/182/11)". It is worth noting here that it was the Department for Education's standard practice in this period to run down the character of parents or carers who registered complaints against the schools (Keating 2002).

The inspectors reported that whilst the Dean of

Discipline had "occasionally" to use the strap that he "fills this demanding position with sincerity and firmness but without harshness" (DJ.93/182/11). The inspectors interviewed the Dean of Discipline without the presence of the Manager or other senior managers, a privilege not afforded to the children as the Manager was present at all times. The fact that the Manager's continual presence may have had some bearing on the interactions between the inspectors and the boys seem to have escaped the inspection team. Their report concluded, "not a single boy had any complaint to make except the one about the breakfast sausage" (DJ.93/182/11). The inspector did however recommend that the Dean of Discipline would "benefit from a course in psychology at UCD [University College Dublin]". This section of the report was the only area the IDC touched upon regarding the issue of training or the quantity or quality of staff that worked in the sector.

Notwithstanding the Department of Education inspectors report, Peter Berry, Chairperson of the IDC, felt that Moore's evidence had credibility (Arnold 2008). However, in the interest of interdepartmental politics he ensured that the discomfort for the Department of Education produced by Moore's evidence was smoothed over. The reaction to, and management of, Moore's evidence by the IDC illustrates as much about intra-Church politics as it does about Church-State relations, or the conditions in Artane. McQuaid viewed Artane as the "Plague Spot" (Arnold 2008: 276) in his Dioceses and was keen to have it closed down. However, the power of the Christian Brothers, an independent Order beyond diocesan authority, was enough to ensure that Moore's report was shelved¹⁴ despite its potential utility to McQuaid's ambition.

Moore was convicted of sexual abuse in the 1990s, a fact used by the Christian Brothers to undermine his evidence against them in recent years. Notwithstanding Moore's subsequent crime his report regarding Artane is respected for its veracity and there is no indication that his career as an abuser had begun during his period in Artane (*The Ryan Report; Arnold 2008*).

13. Moore's evidence was not released until the mid 2000s.

Daingean

The IDC's Report on Daingean¹⁴ begins with the assertion that the buildings gave an impression of "old fashioned homeliness." However, it goes on to say, "Nevertheless the efforts of the community can accomplish only so much, and the place remains a relic of the penal days." The Committee noted "evidence of advanced timber decay" that the better buildings on the campus were "grey and depressing" (DJ.93/182/17). The "grey and depressing...penal days" nature of Daingean would hardly have been surprising to the IDC given the low base from which the institution had started. Representatives of the General Prisons Board in 1926 were sent to assess the suitability of Daingean as a borstal, concluded that it was entirely unsuited, reminding the inspectors of prison hulks from the Georgian era¹⁵ (DJ.16/205).

Whilst the IDC concluded that Daingean was not suitable for use as a borstal institution it was not closed until 1974. The IDC was unable to comment on the mood of the young people in Daingean, asserting that:

There was not any worth-while opportunity in the course of the visit to judge of the state of personal relations between the boys and the members of the community. Father Mahon, [the manager] however, appeared to be humane, sensible, personally modest and concerned for the moral welfare of the boys.

Letterfrack

The Committee noted similar physical conditions in Letterfrack Industrial School to those it had found in Artane. However, the IDC did comment more favourably on the staff/ boy relations, stating, "The boys seemed happy, not at all cowed and there appeared to be a very good relationship between them and the brothers. The Manager seemed a sensible, humane

man. He has made a number of improvements in the institution and is taking steps to make more." Given what is now known about Letterfrack at this time and after; an institution known for its brutality, as described in various publications (Raftery & O'Sullivan 1999; Tyrrell and Whelan 2006), this view seems at best naïve and based on a rather superficial enquiry, deluded, or at worst, deliberately dishonest.

The IDC had a particular interest in the use of the education and psychological services in penal institutions and they asked the Manager of Letterfrack how many of the inmates had below average intelligence. His reply seems to have astonished them; he asserted only 2 out of 114 residents were of below average intelligence, something the IDC members felt the manager was incorrect (DJ.16/205). The assumption made by the IDC members regarding high rates of below average intelligence amongst reformatory school populations reflects the 'progressive' values of the Department for Justice members of the Committee identified by Rogan (Rogan 2011). The progressive orthodoxy of the day, at least from a psychological perspective, was that much crime had psycho-pathology at its root and that identifying this pathology would facilitate the 'treatment' of offenders (Raynor 2009; Hollin 2013). Similarly, a growing body of research had identified, what is now referred to as a learning disability, as a significant factor amongst offender populations, in particular young offenders (Hall 2000).

Marlborough House

The facility that most clearly illustrated the tensions between the departments of Education and Justice is Marlborough House (Keating 2004). Marlborough House as a remand centre, seemed to be more anomalous than the other schools, being neither a reformatory nor industrial school. In addition it was the only part of the Department of Education's remit for the industrial and reformatory schools not managed by a religious order. The Department of Education's direct management of Marlborough House provides graphic evidence of the disdain it held for the children detained in Ireland's reformatory and industrial schools. The conditions and brutality experienced in Marlborough House were as in many of th

14. St Conleth's Reformatory School, Daingean, County Offaly. Most of those in a reformatory had been convicted by the courts of criminal offences that would in the case of adults have been punishable by imprisonment or penal servitude. At the time of conviction, boys were aged between 12 and 17, and were committed for between two and four years, but the period of detention could not extend beyond their 19th birthday.

15. 1714-1830.

worst institution managed by the religious, yet it was directly managed by the Department of Education. Indeed, it was so appallingly run and maintained that John Charles McQuaid consistently turned down requests by the State that it be taken over by the religious (Keating 2004). There can be no question in the case of Marlborough House that the State's responsibility for the appalling conditions in the school was in some way once removed, a result of placing too much trust in the good offices of the Church.¹⁶ Marlborough House illustrates the universality of disdain for children of the poor, detained in Ireland's reformatory and industrial schools by both Church and State.

The IDC visited Marlborough House in January 1963; its records comment on the physical structure of the institution, which was appalling. Indeed, the Office of Public Works, having issued its warning in 1957, again pronounced the building to be in danger of imminent collapse shortly after the IDC's visit (DJ.96/195). However, as bad as it was, it was not the physical structure of Marlborough House which was its most shocking aspect. Marlborough House had the dubious distinction of being the site of the first conviction of a staff member for institutional sexual abuse of children. In January 1951 an attendant, one Isaac O'Sullivan, was sentenced to twelve months custody for sexually assaulting two boys detained in the institution (DJ.93/122).

In 2012, the author interviewed one of the two boys assaulted by O'Sullivan, referred to here as 'George'.¹⁷ Now a man in his 70s, he recounted a brutal regime at Marlborough House, recalling the physical brutality of staff, violent punishment being the norm, which included the beating of boys with the leg of a chair, insanitary living conditions and appalling food. 'George' also recounted the use of a wire cage placed in an isolated section of the building, referred to by the boys as "the crow's

nest", a place where the boys were held in solitary confinement if they attempted to abscond. It was at this location that 'George' and the other boy were "raped" by O'Sullivan. Whilst it has not been possible to independently verify 'George's' description regarding the use of the chair leg or the cage, there is wider evidence to verify the appalling physical conditions and poor diet in Marlborough House (Keating 2004; *Ryan Report*) There is also clear evidence of the regular use of physical brutality as part of its disciplinary regime (DJ.93/195) and of a litany of denials and manipulation of evidence, by the Department of Education, in order to cover up the truth, when complaints were raised by children or their families (Raftery & O'Sullivan 1999). Features of life which were still very much part of the *modus operandi* of Marlborough House at the time of the IDC's visit, but went unremarked upon on in its report.

By the time the IDC inspected Marlborough House in 1962, plans were in place to replace it with a new facility in Finglas in the north of Dublin. Much of the IDC's time was taken up with the Department of Education's attempts to transfer management of the new centre to the Department of Justice, whilst for their part Justice Officials attempted to force Education to increase the number of beds Education would provide for detention purposes (DJ.93/182/12). The Finglas Centre, which had been in the planning since the late 1950s, did not open until 1971 and even then only as a consequence of the complete collapse of order in Marlborough House, caused in no small part by its staffing difficulties. The reality was that the majority of staff employed at Marlborough House were predominantly unqualified, poorly educated individuals who worked long hours for poor pay in an understaffed, overcrowded, dilapidated building, operating a punitive regime that was sanctioned by the Government. Whilst brutality was not officially sanctioned, it was a near-inevitable outcome of an abusive regime which used solitary confinement, cages and beatings to keep order (Keating 2004; Interview with 'George' 4.7.2012).

Despite the IDC being aware of Marlborough House's inadequate number and poor quality of staff, its evident structural failings and the reliance on physical brutality to keep order, it offered no constructive suggestions. The IDC's

16. A tactic deployed by the Irish Government which at once accepts responsibility whilst minimising its own blame (Keating 2004; Arnold 2008).

17. A man, now in his 70s, his anonymity is protected by the author. He reports a life that has been blighted by violence, repeated suicide attempts and relationship dysfunction, all of which he believes resulted from his abuse in Irish institutions.

only recommendation was that to alleviate boredom that “wood chopping” should be introduced as an activity “as it would be better than nothing” (DJ.93/182/11). This recommendation is hardly indicative of the imaginative thinking associated with the IDC’s identified ‘progressive role’ in the modernisation of the prison system. The Departments of both Education and Justice held responsibilities for Marlborough House. Education ran and funded whilst Justice certified the beds, and therefore had the right to inspect the premises and remove its certification if it found it fell below approved standards. However, had the Department of Justice acted in pursuance of its responsibility, Marlborough House would have closed and Justice may have been forced to provide alternative accommodation for remand beds however, despite the evidence the Department of Justice chose to do nothing in order to preserve the status quo.¹⁸

The IDC Recommendations

Following four meetings, the IDC made a number of recommendations on matters relating to the reformatory and industrial schools, the recommendations were tame. The IDC’s most radical recommendation was to appoint independent visiting committees for each of the schools, in order to improve the standard and frequency of inspection. Additionally, it recommended, that a matron or nurse be appointed to each school and that boys from urban centres should not be placed in rural schools, the immediate implementation of formal aftercare programmes, the abolition of the term ‘industrial school’ and the provision of adequate clothing, bedding and footwear. All of which were to be prescribed through the introduction of minimum standards. Outside of these recommendations, the focus was upon the

18. The Department of Justice was eventually forced to briefly run Marlborough House following riots in 1972. Prison officers were deployed from Dublin’s Mountjoy Prison to impose order. On arrival at Marlborough House they found a unit devoid of the bare essentials, children who had been brutalised by staff, poorly fed and clothed. Conditions were so unsanitary prison officers were reported as vomiting as they attempted to clean the premises (Keating 2004).

educational and physical development of the schools, at no stage did the IDC call for the closure of the worst of the schools, or acknowledge the brutality and degradation so evident in the lived experience of children in these schools. This reality, if acknowledged and pressed home, would have served to add urgency in addressing the disciplinary, architectural and structural inadequacies in the system; if for nothing else, from the State’s perspective, in the interest of avoiding scandal which could compromise the Minister. With this impetus lacking the political imperative required to bring about meaningful change was absent.

On receipt of the IDC’s recommendations for the reformatory and industrial schools the Minister for Justice, Charles J. Haughey, wrote to the Minister for Education, Dr. Patrick Hillery, in October of 1963 commending the recommendations to him. Particularly Haughey urged Hillery to establish visiting committees, something to which Haughey felt that the managers of the schools would not object (DJ.93/182/16). A civil servant, on a draft copy of the same letter, placed a handwritten note urging Haughey to put pressure on the Department of Education, he wrote, “Minister. Unless somebody prods the Department of Education, the Committee’s work will go for naught to a large extent (DJ.182/16). Hillery replied to Haughey in a less enthusiastic tone stating that he was less than “sanguine as to the managers attitude to the idea of Visiting Committees,” suggesting that the best course was to “...once more approach the Resident Managers’ Association with the present suggestions...” (DJ.93/182). The Resident Managers’ Association was in reality an arm of the Catholic Church, the one institution, above all, that the Department of Education did not want to confront.

It seems inconceivable to the modern reader that the managers of child care facilities would have the power to reject visits arranged by their funding and regulatory Government department. There was no legal basis for them to refuse this under the 1908 Childcare Act or its subsequent amendments but yet the Minister of Education would not challenge the authority of vested Church interests. The reticence on the part of politicians and officials to challenge the

resident managers is telling, demonstrating either a powerful example of the deference of the political class to the authority of the religious or the deployment of feigned deference for political ends. The Department of Justice failed to apply any pressure on Education to implement even the limited proposals recommended in the IDC report, if Justice had pushed too hard, it might have led to a reopening of the debate regarding where management responsibility for the schools resided, thereby ensuring that the status quo remained unaltered, and the issue remained obfuscated until the publication of the *Report of the Committee on Reformatory and Industrial Schools*, commonly referred to as *The Kennedy Report*.

The Kennedy Report was the first report relating to the Nation's detained children that received public scrutiny. It was published at a juncture when a human rights based discourse was beginning to enter Irish public consciousness, during the period that marked the nascent liberalisation of Irish society (Ferriter 2013), which would see old prejudices start to erode. It highlighted, in cautious and measured terms, a failing system in need of a substantial overhaul, with a number of its recommendations mirroring those made by the IDC eight years earlier. Additionally, in common with the IDC, the *Kennedy Report* sought to minimise any potential damage to Church and State, editing out of its published report those more damaging aspects that could inflict real reputational damage to either. Issues that included, the provision of insanitary, threadbare clothing, bought second hand from England, concerns regarding the beating of children, which sometimes included their stripping and humiliation, and the provision of poor quality, inadequate rations leading to malnourishment. (Keating 2014). It did, however, call for the immediate closure of the worst of the schools and several members of the Committee ensured that the worst excesses were addressed prior to agreeing to sign the watered-down Report. Notwithstanding its less than candid content, the *Kennedy Report* did fuel a public discussion on the plight of the children living in the schools; however, real change was to remain elusive as *The Kennedy Report* enjoyed limited success in policy terms.

In addition, it is interesting to note that notwithstanding the fact that the Kennedy Committee included representatives from the Departments of Education and Justice that it had no access to the papers of the IDC during its deliberations (Arnold 2008), an indication of how thoroughly the work of the IDC had been quarantined by the authorities.

Conclusions

Whilst the neglect and brutality of Ireland's industrial and reformatory schools has been well documented elsewhere, this study illustrates the administrative mechanics which operated and maintained an abusive system. It was a system in which political, economic, inter-departmental and socio-religious sensitivities held sway over the needs of vulnerable children. In offering any form of meaningful analysis of what went wrong in Ireland's reformatory and industrial schools it is necessary to recognise a complex causative chain of mutually reinforcing variables, including individual pathology, vulnerability, isolation, societal neglect and disdain for the children detained in the schools. These variables were compounded by an inspectorial compliance by the State with the managers of the schools, a collusiveness born partly out of deference to religious authority, but one which also suited the Irish Government economically and ideologically. It should not be forgotten that the Department of Education directly ran Marlborough House every bit as abusively as the worst of the Church run institutions, a fact indicative of the widespread disregard for the children who lived in the schools. Church and State were the co-dependent parents of an abusive system in which children, as always, paid the price for its continuance.

The IDC found evidence of a sector punctuated by poor management, brutality and neglect. A sector in which, many children were treated appallingly. They were held in dilapidated buildings, poorly clothed, fed and educated, in institutions run by untrained, unmanaged, and all too often, brutal staff. The IDC, rather than acting to improve conditions in the schools, sought to minimise criticism and the potential for scandal with its inspection team acting as apologists, downplaying or simply ignored the evidence.

However, those commentators who have studied the work of the IDC in regard to Ireland's prisons have been largely positive in regard to its contribution as a turning point in Irish penal reform. Reforms, driven by politicians and administrators convinced of the need of a more progressive and enlightened penal policy in regard to adult offenders. However, notwithstanding its impact for the good on adult prisoners, the IDC failed in its responsibilities to the children resident in the nation's industrial and reformatory schools. The explanation for the differing responses and impact of the IDC regarding the prison population and the schools, lie in the combination of the composition of the IDC, with its various departmental interests seeking to further their own aims and in the Church's concern to safeguard its own reputational and financial interest; factors that did not apply to the reform agenda relating to the provision of prison places. Consequently the recommendations made by the IDC subgroup on the reformatory and industrial schools proposed a few low level, low-cost recommendations, and even these failed to be acted upon due to objections by the Resident Managers' Association.

Whilst in its terms of reference, the IDC had no official remit for the industrial and reformatory schools, the fact remains that it did inspect a number of the schools and therefore, it could, indeed should, have acted to rectify the wrongs. A moral imperative given even greater weight as two of IDC's constituent departments, Justice and Education, had regulatory and, or managerial responsibility for the schools. However, political and economic expediency, deference towards the religious establishment and inter-departmental politics, proved too compelling a motivator when compared with the needs of the children, for which Ireland neither wanted nor cared.

Powerful forces were at work to ensure that the conditions within the schools were misreported, minimised, ignored and in some cases, covered up and neither the Departments of Education nor the Department of Justice wanted anything that affected the availability of beds. Officials in the Department of Education were at pains to ensure that their perceived value for money option, of cheap child care, in large scale religious run institutions, continued. The provision of these beds by religious orders provided the added value of being low maintenance in terms of departmental involvement in their daily running. They were in many cases hidden and protected from public scrutiny and potential scandal by the bureaucracy and moral authority of the Catholic Church in what was still a deeply religious country.

The loss of this opportunity left Irish children to suffer the worst excesses of a system that the State left substantially unaltered for decades following the work of the IDC. It was not until the public concern generated by *The Kennedy Report* in 1970, that the long road to a slow improvement of the system, was to begin. Improvements that were slow and foot-dragging until the revelations concerning the institutional abuse of children began to reach public consciousness in the 1990s, reforms that are still incomplete. In essence, the children of Ireland's industrial and reformatory schools were to suffer as a result of the intransigence of the Catholic Church to accept the need for change. The intransigence of the religious was endorsed by the silence and collusion of the IDC and its political masters, who, in regard to the Nation's looked after children, simply did not want to rock Ireland's sense of itself, the inter-departmental balance of responsibility or the religious establishment that provided the majority of the beds.

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