

The Commission to Inquire into Child Abuse

The Ryan Commission

The Commission was established on 23 May, 2000, pursuant to the “Commission to Inquire into Child Abuse Act 2000” and given three primary functions:

- to hear evidence of abuse from persons who allege they suffered abuse in childhood, in institutions, during the period from 1940 or earlier, to the present day;
- to conduct an inquiry into abuse of children in institutions during that period and, where satisfied that abuse occurred, to determine the causes, nature, circumstances and extent of such abuse; and
- to prepare and publish reports on the results of the inquiry and on its recommendations in relation to dealing with the effects of such abuse.

The extract below from Volume 4, Chapter 4, of the Commission's Report covers, inter alia, the involvement of Fr. Kenneth McCabe in the establishment of the **Committee of Enquiry into Reformatory and Industrial Schools' Systems**.

Chapter 4

Residential child welfare in Ireland, 1965-2008: an outline of policy, legislation and practice: a paper prepared for the Commission to Inquire into Child Abuse¹

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Extract

The establishment of the Committee of Enquiry into Reformatory and Industrial Schools' Systems

4.129 On 5th January 1967, Mr John Hurley wrote to the Minister for Education, Mr Donagh O'Malley about the consequences of institutional life on a named young person. He also enclosed two documents, both written by Fr Kenneth McCabe, one on juvenile delinquency, which was based on McCabe's studies of various institutions in the country, the second a descriptive account of St Patrick's Training School in Belfast. The first report argued that:

Our reformatory and industrial school system as it stands, is at best, only punitive. Reformatory and industrial schools are absolutely inadequately endowed. No institution could run on £3-10-0 per boy per week (This may not be an exact sum). The result is as one would expect. The food is bad. Boys are disgracefully dressed. In Daingean when I was there (Summer 1964) boys were not supplied with handkerchiefs. Spitting was a common habit. The boys got one shower per month (this at the height of summer). The school had only seven showers. Too much time, far too much, is spent in the school square; a large yard where the boys just hang around for hours at a time. There is no segregation of new boys from the rest. A relatively good boy is thrown in with the rest

and, within a month, he is as bad as all the others.

4.130He went on to claim that:

The system in all our reformatory and industrial schools is repressive. Given the facilities at the disposal of the schools it seems unlikely that it could be otherwise. Boys are taken out of the natural (if defective) atmosphere of their homes and placed in an institution. If the institution is to succeed it must be as like a home as is possible. It will have the added job of supplying the defects of the home which were probably the root causes of the delinquency. Perhaps the most obvious problem to begin with here is that of sex. Boys from 12 on are reaching the most difficult period of their emotional growth. Too often, even in reasonably good circumstances, the adolescent will turn to sex for an escape from the hardships of everyday life. Nowadays, even though it is largely neglected in Ireland, psychologists and educators insist on the need for positive sex instruction. The majority, if not all of, the boys in reformatory and industrial schools simply have no positive sex instruction. They are placed in a repressive system, at a time of intense emotional and sexual growth, with no instruction, and are expected to develop naturally. There is no need to go into the detail of how sex can 'go wrong' at this stage and how habits can be acquired that will cause endless unhappiness in later life. What can we say of boys in abnormal and repressive environments? We can certainly say that only a miracle could avoid an intensification of the usual sexual problems. I want to stress this point for one very important reason. In any boarding schools one must expect a certain degree of 'homosexual' activity. We must emphasize, however, that homosexual activity is not the same as homosexuality. Placed in unnatural circumstances (an all boys school) boys will inevitably engage in such activities. They must be checked but they are not serious. In an 'intenser' atmosphere, such as an industrial school, this will be magnified. Boys will look for an outlet from repression and unhappiness in physical pleasure, either alone or with others. I have evidence that this is, in fact, the case in all industrial schools. I also have definite evidence of serious incidents of homosexual practices in some schools. A circumstance that doesn't help matters here is the very unsuitable situation of most industrial schools. Daingean is situated in a place where almost all outside contact is impossible. Letterfrack and Upton are even worse. It seems completely wrong to send a Dublin boy to an environment so different from his home environment.

4.131The following day, on 6th January 1967, the Taoiseach, Mr Lynch, wrote to Mr O'Malley noting that:

During the course of being interviewed as the 'Person in Question' on R.T.E. on Thursday (5th) evening, Very Reverend Brother M.C. Normoyle, Vicar General of the Irish Christian Brothers, mentioned the 'difficulty in getting Government policy in regard to industrial schools' and seemed to imply that this was a factor in closing some of them. This may be true but if it is not, much as I admire the Brothers, I would not wish to let the matter go without some comment. On the other hand, if there is something in what Brother Normoyle has said you might look into it.¹⁵⁷

4.132The response from Mr O'Malley to Mr Lynch on 19th January reiterated the point made by successive Ministers for Education, that the primary problem with the schools was the inadequacy of the capitation grant. For Mr O'Malley,

The only difficulty in regard to Government policy which these school managers have ever brought to the Department's notice is that of the small size of grants and matters stemming from that. It is a constant cry with them that the grant is only about one-third that given in the six counties. There is of course something in this. It is not so easy for them to provide a building, maintain it, provide staffing, clothe and feed the pupils, take them on annual holiday, provide medical and other care for

them, and so at £2.7s.6d per head per week. In fact, while the forty or so industrial schools generally are run very well, there are some marked deficiencies especially in relation to the provision for the psychiatric treatment of children.¹⁵⁸

4.133Mr O'Malley went on to dismiss Br Normoyle's comments, claiming:

I don't know exactly therefore what Br. Normoyle was getting at and I have a shrewd idea that he wouldn't know either. It was probably his first appearance on television and his instinct was to fob off from the Order any blame that might be going on. On the whole I would be inclined to let the matter go at that. He is not a man who normally opens his mouth much.¹⁵⁹

4.134Mr O'Malley went on to express some minor reservations he himself had about the operation of the schools or, more importantly in his view, the public image of the schools, as he believed that:

One of the troubles in that regard is that Daingean reformatory, which is really suffering from very poor accommodation, understaffing and under-everything practically, is confused with the forty industrial schools of which the vast majority cater very well indeed for their children.¹⁶⁰

4.135He then went on to say that he had a 'notion of setting up an ad-hoc committee' to report to him on this matter, as 'if it were to do nothing else, it might at least have the effect of allaying public unease.'¹⁶¹ Mr O'Malley proposed this to the Association of Resident Managers of Reformatory and Industrial Schools who responded positively 'that a representative number of the schools visited by a group of persons, appointed by you, who would furnish you with a report on the position as they would see it.' The Resident Managers in their reply on 1st April 1967 stated that they would:

co-operate with you in whatever steps you may take to improve the system and dissipate the public image which is detrimental to the pupils of these schools and frequently embarrassing to the managers and staffs. They also request that the visiting committee be appointed as soon as possible and that the report should be confidential and confined to yourself, the members of the committee and the managers.

4.136On 10th May 1967, Mr O'Malley received a deputation from the Dublin Junior Chamber of Commerce Mr DL Lennon, Mr J Freeley and Miss M McGivern. At the meeting the delegation outlined their interest in the work of the Artane Industrial School, particularly the extension of vocational educational classes in the school. From a note of the meeting, it appears that Mr O'Malley stated:

he was concerned about the public image of Reformatory and Industrial Schools and aware of a lot of vague public criticism of the system. He felt the time had come when a small lay independent committee should be set up to examine and report to him on the whole question in order to allay public disquiet.

4.137The matter was discussed with the delegation and the note of the meeting records:

it was agreed that a committee of about seven would be ideal. The Minister thought the proposed committee should, before commencing investigation, be as conversant as possible with similar problems in other countries. He also thought its inquiries might be extended to other associate fields, such as Magdalen Homes and that it should consider establishing liaison with other interested Departments, Health, Social Welfare, Justice and Labour. The Runai Cunta (D. O'Laoghaire) stated that the full co-operation of the schools could be counted on in any such investigation. The deputation assured the Minister that, if requested, one or two of their members would be willing to serve on the proposed Committee. Finally the Minister said he planned to get the Committee formed in the near future with a view to commencing its inquiries in the Autumn. Terms of reference would be prepared, followed by a thorough briefing of the Committee and he

would hope to have their report in six to nine month's time.

4.138Mr Ó Laoghaire wrote to Mr Ó Raifeartaigh on 23rd May 1967 outlining the outcome of the meeting with the deputation from the Junior Chamber of Commerce and noted that sanction had been obtained from the Department of Finance for payment of a travel and subsistence allowance for members of the committee and that the resident managers had agreed to co-operate with the inquiry. Mr Ó Raifeartaigh replied on 20th June stating that:

I think the terms of reference should be broad in scope and suggest the following:-

(1)to make a survey of the active reformatory and industrial school system and to report thereon to the Minister, making such recommendations and suggestions as they think might be helpful to him in considering the modification or improvement thereof, and

(2)to visit the schools and to furnish a separate report to the Minister on each of them with such comments or recommendations as they deem appropriate. The above suggested terms of reference do not include the Place of Detention, Glasnevin as it has already been decided to replace that institution and to frame fresh legislation which would considerably enlarge its functions and purpose.

4.139The following day, 21st June 1967, Fr Kenneth McCabe wrote to Mr O'Malley from St Anthony's Presbytery in Middlesex, stating:

For many years I have been interested in the prevention and treatment of delinquents in Ireland. One aspect that interests me particularly just now is the 'fate' of so many reformatory and industrial school boys who find their way to Britain, and, almost inevitably, to trouble. I am just recently ordained but I can see possibilities and would like to begin as soon as possible to get something done for these boys. If anything is to be done, however, some change in policy at home would be essential. This would mainly entail an effort to keep track of where boys go in the months or year after they leave the schools, and, if they do come to Britain, to let us know. All this sounds elementary. From what I know of our present reformatory system, it would demand a radical reform of the whole approach to after-care. However, I won't bore you with ideas. What I have in mind could only be adequately discussed in an interview. Should you be interested in doing something about the problem, I should be very glad to meet you when I am home in Dublin in early August. Do please let me know and I can put a tentative programme on paper. Just for the moment I would be grateful if you would please keep this letter confidential. I would ask in particular that you do not communicate it to the industrial school section of your department. If and when we meet I will let you know why I prefer to keep my suggestions separate from department level.¹⁶²

4.140On 24th June, Mr Ó Laoghaire wrote to the Assistant Secretary, Mr Mac Gearailt, outlining the terms for the proposed committee. He stated:

(a)The terms of reference should be as precise as possible as follows: To survey the Industrial and Reformatory School System and to make a report and recommendations to the Minister

(b)care must be taken to represent the opinion of the Secretary of the Managers Committee The report should be confidential and confined to yourself and to members of the Managers Committee – letter of 1/4/67. The members of the Committee should be instructed beforehand to be as discreet as possible and the question of what to do with the report should be left until the report is completed.

(c)Regarding the composition of the Committee, there are two proposed from the Junior Chamber of Commerce together with Declan Costello. I think two more from the country districts should be sufficient.

4.141Mr Ó Laoghaire further communicated with Mr MacGearailt on 30th June, stating:

As a result of our discussions with the Minister on 30/6/67, it was agreed

1.that the Managers would be approached and requested not to insist on the confidential clause

2.that the terms of reference would be at 'A' above

3.that the following would be members of the Committee: John Hurley, Chairman, Declan Lennon, Margaret McGivern, Sr. Kevin. A person to be nominated by Declan Costello T.D. I think it would be best if the Secretary spoke to Br. O'Raghallaigh about 1. and to Declan Costello about 3. We thought that a woman would result from 3 but on second thoughts maybe a man would suit better i.e. 3 men & 2 women instead of 2 men & 3 women.

4.142On 6th July 1967, Mr Ó Raifeartaigh wrote to Mr Declan Costello TD. In the letter he stated:

Further to our recent telephone conversation, please excuse my delay in letting you have the names of four people the Minister has in mind for the Committee on Industrial and Reformatory Schools which he proposes to set up. They are: -Mr. John Hurley, Chairman, Mr. Declan Lennon, Miss Margaret McGivern, Sr. Kevin. Mr. Hurley is Chairman of the Allied Cinemas group. Mr. Lennon was last year's Chairman of Dublin Junior Chamber of Commerce. (He is also in the insurance business). Miss McGivern is also a member of Dublin Junior Chamber of Commerce. Sister Kevin is an expert in Social Science. I should explain that the Dublin Junior Chamber of Commerce has had for some time been especially interesting itself in the Artane Industrial School for Boys. The terms of reference of the Committee would be on the lines of: 'To survey the Industrial and Reformatory School system and to make a report and recommendations to the Minister'. The Minister would be happy to have from you a suggestion for a fifth member.

4.143Mr Costello replied on 12th July and suggested the Rev Kenneth McCabe as a member. He outlined that:

I have known Father McCabe for a number of years. He was educated in Dublin and joined the Jesuit order here and was a member of that order until last year. He was most anxious to do social work (particularly in the field of juvenile delinquency) and with the permission of his authorities he left the order and went to a diocese in England. He was ordained a priest here in Dublin in the month of June but is now as indicated by his address working in an English diocese. I understand that he anticipates that he will be able to get permission from his Bishop to act on the Minister's committee if it is thought fit to appoint him to it and that he will be able to travel to Dublin for the meetings of the Committee. Fr. McCabe has been intimately acquainted with problems of juvenile delinquency and also industrial schools for many years. I know that in addition to great personal interest in the problem, he now has a very wide knowledge of them. He has spent some time in the Daingean Reformatory and also, during his holidays, has studied the problem in Northern Ireland. He is a young man (in his early thirties) and is very intelligent and would make, I believe, a good committee member. He is a discreet person, but he has decided and firmly held views on how improvements in the present situation could be brought about and he would not, I believe, be in any way inhibited in expressing his views to the committee.

4.144On 4th August 1967, the Department of Education submitted a memo to Government proposing to establish a Committee to inquire into Reformatory and Industrial Schools. The terms of reference for the Committee were to 'to survey the Reformatory and Industrial Schools systems and to make a report and recommendations to the Minister for Education' and the rationale was that:

Representations have been made from time to time by various groups....that the conditions in reformatory and industrial schools are in urgent need of improvement. References have been made to this matter in the public press on many occasions. With a view to subjecting the problem to outside objective appraisal the Minister for Education proposes to appoint a committee to report and

make recommendations to him in relation to it.¹⁶³

4.145The initial proposed membership of the committee were:

Chairman, Mr. John Hurley, Cinema manager – has wide social interests

Mr Declan Lennon and Miss Margaret McGivern – members of the Dublin Junior Chamber of Commerce which has interested itself in seeking improvements in the facilities and amenities provided in Artane Industrial School.

The Rev. Kenneth McCabe, S.J. Middlesex, England. He has done a great deal of work in the field of juvenile delinquency and neglected children. Specially recommended by Mr. Declan Costello, T.D., who for many years has interested himself in the problems of children suffering from physical or mental handicap.

An tSuir Caoimhin O’Caoimh – Little Sisters of the Assumption, Corbally, Limerick. Prominent social worker attached to Limerick Social Service Centre.

Br. Francis O’Reilly, Resident Manager Artane. Sec. Association of Resident Managers of Reformatory and Industrial Schools.

Dr. John Ryan, Medical Director, St. John of God’s Services for the Mentally Handicapped.’¹⁶⁴

4.146This proposal was submitted to Cabinet and was approved on 5th October 1967 subject to a number of changes on the proposed membership of the committee. These changes were:

- (1)The deletion of Rev K. McCabe;
- (2)John Hurley to be an ordinary member – not chairman;
- (3)DJ Miss Eileen Kennedy¹⁶⁵ to be chairman; and
- (4)the addition to the membership of the committee of a nominee each from the Ministers for Education, Justice and Health.¹⁶⁶

4.147On 12th September 1967, Mr Barry Early,¹⁶⁷ a member of Dublin City Council, was also appointed to the Committee and two days later, on 14th September 1967, the Department of Justice wrote to the Department of Education informing them that ‘the Minister’s nominee for membership of the committee is Mr Ristead Mac Conchradha, a higher executive officer, of the prisons division in this Department’. The other Departmental nominees were Dr JG O’Hagan, Senior Medical officer, Department of Health and Mr Antoin Ó Gormain, Psychologist, Department of Education. At the inaugural meeting of the Committee on 20th October 1967, O’Malley stated that his reason for establishing the Committee was that ‘various individuals and groups interested in sociological activities, had from time to time represented that the provision being made in our reformatory and industrial schools is in urgent need of improvement’. He further stated that the Committee ‘should not feel that limits are being placed on their investigations’.¹⁶⁸