

xxviii/1160/3

COPY/

AN ROINN OIDEAGHAIS,
BAILE ATHA CLIATH.

12 Feabhra, 1942.

I.R. 38/1942.

Rúnai,
Roinn Dlíghidh agus Cirt.

I am directed by the Minister for Education to state that this Department has at present under consideration the question of making suitable provision for dealing with cases of young girls (age 12-17) who are brought before the Courts and convicted on charges involving immorality. Recently, in Limerick, there appeared before the District Court two girls aged 12 years 9 months, and 13 years 5 months, who were charged and found guilty of "being common prostitutes, loitering and importuning for purposes of prostitution" and in connection with which case prosecutions were brought against a number of males who were alleged to have been guilty of complicity in immoral offences with these girls.

The girls were committed under the Children Act, 1908, to the Reformatory School for girls in Limerick (the only school of this kind for girls) on the 6th December last. The Manager of the school agreed to accept them, believing that, because of their immature years, they might not have realised the gravity of their conduct and would be amenable to reform under her care. It has transpired, however, to quote the Manager's statement, that they are "only too well versed in immorality" and are of such a type that, in justice to the other inmates of the school, mostly convicted on charges of larceny and petty theft, the Manager considered their immediate removal from the school to be imperative. Arrangements have consequently been made to have the girls sent on licence to the care of Managers of Penitentiary Homes conducted by the same Order as manages the Reformatory School (one to a Home in Cork, the other to a Home in Waterford).

This method of dealing with cases of the kind, while effective as a means of keeping the girls away from their former surroundings and associates - the only alternative to which would be their unconditional discharge - has obvious defects from the points of view that in the Penitentiaries to which they are being sent the girls must necessarily associate with adults whose presence there is also due to immorality, and that the Managers of the Penitentiaries may not be in a position to give the attention which would be desirable to the general education of girls of immature years. There is also the consideration, important from the point of view of these Managers, that as their Institutions cannot be certified as "schools" under the provisions of the Children Acts, no State Grants can be paid towards the maintenance of girls who are sent there in circumstances such as have arisen in the Limerick case. This present procedure is simply a fortuitous arrangement made possible by the goodwill and charitable disposition of the Members of the Religious Order concerned.

While it is true that the number of cases of this kind that come to the notice of this Department (i.e. after conviction and committal by the Courts) is very small, that in itself is not sufficient to justify a conclusion that moral aberration amongst girls between the ages of, say, 12 and 17, in the country generally is a thing of rare occurrence. It may well be that in the absence of special provision for dealing with such cases and the unwillingness of the Managers of the existing Reformatory

/ School

School to accept such cases (an attitude which is quite understandable, as in the present instance) Justices may adopt the course of applying probation or discharging, in which case no record would reach this Department.

The Minister is, therefore, considering, tentatively at the present stage, the general question of making suitable provision for girls of the ages specified, who may be guilty of offences connected with immorality. One solution that suggests itself is to certify a second Reformatory School for girls to which only persons found guilty of such offences would be sent and which would be under the management of a Religious Body specially competent to deal with this type of case.

The immediate problem is to ascertain, if possible, the extent to which this type of offence exists, with a view to determining whether the foundation of such a Reformatory School would prove to be an economic and workable proposition for the Managing Body concerned, who would, of course, be aided by State and Local Grants in the same way as the existing Reformatory in Limerick.

It is on this point that the Minister for Education seeks the assistance and advice of the Minister for Justice, and he therefore directs me to request that the Minister for Justice will be good enough to have enquiries made, through District Justices and the Garda Authorities, as to the actual position regarding the prevalence amongst young girls of offences of the nature indicated, throughout the country generally, and the desirability of taking steps of the nature now tentatively suggested for devoting proper care and attention to the welfare of such girls after conviction and committal by the Courts.

It is requested that the necessary investigations will be made at your Department's earliest convenience.

(Sd.) Práinnsais Ó Dubhthaigh.

Leas Rúnaí.