

Chapter 15

St Conleth's Reformatory School, Daingean, County Offaly (‘Daingean’), 1940–1973

Introduction

- 15.01** St Conleth's Reformatory School in Daingean, County Offaly was different from all the other institutions inquired into by the Commission. It was a reformatory and, unlike the children in industrial schools, 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.

History of St Conleth's, Daingean

Background to the establishment of reformatory schools

- 15.02** The need for a secure institution for children under 16 emerged in the first half of the Victorian era, when there was a huge increase in the numbers of such children indicted for felonies, particularly in the rapidly growing cities. The prison population had risen dramatically, partly because crimes such as theft that had once incurred the death penalty had been made non-capital offences, and partly because poverty drove people to petty crime to survive. As more and more children were sent to adult prisons, there was a growing concern that these children, convicted mostly for petty crimes, were being corrupted, exploited and abused by the hardened criminals within the system.
- 15.03** As early as 1816, in London, the Committee for Investigating the Alarming Increases of Juvenile Crime published a report on the need for action to address the matter. Four of its seven findings became central to the policy reforms over the decades that followed. These were:
- the improper conduct of parents;
 - the want of education;
 - the want of suitable employment; and
 - the violation of the Sabbath (and lack of religion).
- 15.04** The Juvenile Offenders Act, 1847 began the process of treating children who were criminals in a different way from adults. This Act allowed children under 14 (this was raised in 1850 to 16) to be tried in a special juvenile court. However, the problem remained as to where they should be sent, and the solution to this problem became crucial because the practice of deporting juvenile criminals was shortly to come to an end. A committee was set up in the House of Lords to advise on the matter. The Scottish reformer, Dr Thomas Guthrie, who had been advocating establishing

boarding schools to educate children before they became criminals, and separate reformatory schools for children who had already committed crimes, helped to convince the committee to legislate for such schools.

15.05 In 1854, the Reformation of Youthful Offenders Act, set up such reformatory schools. They were to be run by voluntary bodies but, for the first time, they were to be funded out of public funds. It initially applied only to Scotland, but its provisions were extended to England and Wales in 1857.

15.06 Social reformers in Britain and Europe had already set up schools run by charity for such children, but many of their ideas went further than the government was prepared to go. Mary Carpenter, for example, who opened a 'ragged school' in a Bristol slum, advocated six main principles:

- (1) Treatment should be founded on the love of the child.
- (2) Change required the co-operation of the child.
- (3) Work was to be a means to an end and not an end in itself.
- (4) Recreation was as important as work.
- (5) Corporal punishment was to be reduced to a minimum. (In Switzerland, one of the men whose work inspired her, Johann Heinrich Pestalozzi (1746–1827), abolished flogging in his schools and astonished everyone by so doing.)
- (6) The approach should be educational, founded on Christian moral teaching.

15.07 These ideas clashed with the prevailing view that the criminal should be made to take responsibility for his deeds as illustrated by Parkhurst, on the Isle of Wight, which trained boys who were to be transported to the colonies.

15.08 Very rapidly, these kinds of school were established all over Britain. By 1888, there were 46 reformatories in England and 10 in Scotland.

15.09 Initially, attempts to introduce the system into Ireland were blocked by Roman Catholic members of the House of Commons as they feared Catholic children would be educated by Protestants but, on 2nd August 1858, an 'Act to Promote Reformatory Schools for Juvenile Offenders in Ireland', which made provision for the child's religion, was passed. In the four years following the passing of this Act, seven schools were founded and 754 children were committed to them. Within 12 years, there were 10 reformatories, five for each sex, throughout the island of Ireland.

15.10 The 1858 Act was repealed by another in 1868, and further amending Acts were passed, until the Children Act, 1908 came into force and endured as the overarching piece of legislation in this area for decades to come.

A brief history of the Oblates of Mary Immaculate (OMI)

15.11 Father Charles Joseph Eugène de Mazenod gathered round him a group of priests in Southern France to preach the Gospel to the poor workers of the region. They became known as 'Missionaries of Provence' and other priests, attracted by their work, joined the group. In 1826 they received the title of Missionary Oblates of Mary Immaculate (Oblates) and approbation as a Congregation under simple vows in a Brief of Leo XII dated 17th February 1826.

15.12 In 1854 the Founder was invited by several Irish Bishops to establish an Oblate Mission in Ireland. Archbishop Cullen met with Fr Robert Cooke, who was on a mission to Dublin. He was an Irishman who had studied theology in Marseilles, and had then been ordained by the now Bishop Mazenod. He agreed to set up a base to enable the Oblates to work with the poor people of Kilmainham and, in 1856, the Oblates bought a farm in Inchicore as their base. Just one year later, the Founder

was saying Mass in a church built on the site. Two years later, in 1858, the Oblates were asked to set up a reformatory school in Glencree.

- 15.13** The Oblates are a Congregation of priests and lay brothers, the latter being the temporal coadjutors, instructors, teachers and catechists within the missions. They have a regional structure of management. The areas in which they carry out their mission are divided into provinces and mission vicariates. Each of these has a local Superior and a team of assessors and bursar are appointed by him. These local houses or provinces report to a Superior General, who is elected for life by the General Chapter, and who has a team of four assistants and a bursar-general. The General Chapter, which meets every six years, comprises the Provincials, the Vicars of Mission, and delegates from each province.
- 15.14** Recruiting into the Oblates is done through Juniorates or Apostolic Schools, Novitiates, which are fed from the Juniorates and colleges, and Scholasticates, which receive novices who have been admitted to temporal vows at the end of a year's probation.

St Kevin's Reformatory in Glencree

- 15.15** Lord Powerscourt, who owned the land at Glencree, offered the Dublin Catholic Reformatory Committee the abandoned barracks at Glencree for use as a reformatory. They accepted the offer and approached the Oblates and asked them to run the School. The Oblates had no experience of such work, but were known to be concerned for the poor. Having taken on the responsibility of caring for juvenile offenders, the Oblates tried to educate themselves about the running of reformatories, and went to France and Belgium to study models for such a school. They looked at the penal settlement at Mettray, created in 1840 by Frédéric-Auguste Demetz, based upon Rousseau's concept that man could be improved through contact with the land. Boys there were in 'families', with each family having an adult head of household who imposed a regime of hard work and severe punishments for lapses in the boys. The Oblates decided this system of dividing the boys up into smaller groups could not be used because of the nature of the buildings at Glencree, which would not allow the small family unit approach. The old barracks, in short, determined the nature of the regime.
- 15.16** The Oblates moved into the barracks at Glencree in 1858. It was in need of much repair and its first Superior set about using the boys to reclaim and cultivate the land of more than 100 acres. The aim was to make the Institution self-sufficient. Its isolation, and the poor roads and transport, made this objective a pressing one. For years, supplies had to be brought in over the difficult mountain road that could become impassable in winter. In a very short space of time, it soon reached full capacity.
- 15.17** Just 12 years later the Oblates opened a second reformatory. It was certified on 22nd December 1870, and became known as Daingean.
- 15.18** The Oblates worked in St Kevin's, Glencree from 1857 until 1940, with a break between 1927 until 1934, and in St Conleth's, Daingean from 1870 until 1973, with a break between 1934 until 1940, when it was an Oblate Scholasticate. They worked at Scoil Ard Mhuire, Oberstown, which was opened after the closure of Daingean from 1973 until 1984. The Oblates withdrew from the management of the School in 1984.
- 15.19** Provincial Archivist, Fr Michael Hughes in his evidence to the Investigation Committee at Phase I stated:

The place where we parted company with the State in Scoil Ard Mhuire was that ultimately they would not—they were not prepared to sanction a sufficient number of staff members to cover all the responsibilities and we felt at that stage that we should withdraw.

15.20 The Department of Education appointed a Board of Management to run the School from that date onwards.

The philosophy of the reformatory school system as outlined by the Oblates of Mary Immaculate

15.21 The Oblates, in their General Statement given to the Investigation Committee, asserted that they had high ideals. They 'brought a vision of their own' to the work, 'arising from their long experience in this work and their nature as a religious order. The work was accepted as a mission: the Christian welfare of the boys, their rehabilitation in so far as they were wayward, and their preparation to earn their livelihood so far as possible. They developed a tradition going back to 1857'.

15.22 The Oblate General Statement described the characteristics of this tradition as it was put into practice in Daingean:

- A substantial staff, mostly religious brothers and priests, but lay staff too
- A well-established administrative structure
- A remedial education programme
- Vocational training in various trades and occupations
- A routine of instruction and work
- The assignment of the boys to a Brother in a school/training group whose task it was to integrate the newcomer into the life of the School
- The separation of juniors from seniors
- A sacramental religious framework
- An insistence on discipline
- Encouragement of sporting activities, and other leisure activities such as drama and music
- Many external contacts
- Help in finding a job
- An aftercare programme.

The re-establishment of Daingean

15.23 The conditions that led to the re-establishment of Daingean was not a decision that was taken without considerable debate, since the move involved taking some 200 boys under Garda escort to a new residence nearly 60 miles away, and much further from the boys' own homes.

15.24 Glencree was in a state of disrepair from the beginning. An internal memorandum written by Mr Derrig,¹ the Minister for Education, dated 10th July 1939 began:

I visited this place recently and was very disappointed to find it in such a bad state of repair. I have come to the conclusion that it is very doubtful whether, even with large expenditure, the present buildings can be brought up to a satisfactory standard.

15.25 Within the same memorandum he suggested that substantial reforms needed to be made in the area of teacher training, provision of practical training and the setting up of a visiting committee.

¹ This is the English version of Tomás O Deirg.

- 15.26** A subsequent memorandum elaborated on this theme. Mr Derrig asserted:
- the basis of the present system is defective and possibly will continue so, so long as maintenance and improvements as well as payments to staff have to be made out of the capitation payment. ... My personal view is that if we are going to make a change from Glencree we shall have to face up to the question of providing a new institution properly equipped, and we may also have to provide special aid for staffing.
- 15.27** At this time the thinking within the Department of Education was for drastic change, with the need for such measures an urgent priority. The Minister for Education, Mr Derrig, had paid a visit to Glencree and had 'formed the opinion that it would be difficult to make the buildings suitable for their purpose'. Moreover, the memorandum added, 'The management did not impress the Minister as being efficient or satisfactory'.
- 15.28** The Department had gone so far as to consult the Presentation Brothers about the matter, but the urgent need for economy forced the Department to 'defer consideration of the proposal to change the Reformatory to new accommodation and management, and to try to get the premises at Glencree improved as much as possible'.
- 15.29** The outbreak of war in 1939 meant all plans had to be suspended. The Resident Manager of Glencree wrote to the Department, acknowledging the appalling conditions there and the debts owed by the School to the parishes and to the Oblate Congregation totalling over £3,200.
- 15.30** These appalling conditions were confirmed by an inspection carried out for the Department, which made it quite clear that remaining at Glencree was not an option, and that it would be more economical in the long run to provide suitable accommodation elsewhere: roofs, staircases and floors required replacing; the roofs of the workshops leaked and one section of the first floor was too dangerous to be in use; walls were falling outwards and would have to be rebuilt; the bake house was 'dark, dirty, and thoroughly unhygienic'; washbasins had only cold water supplied 'from a small hole in the water pipe placed above the basins'; the only plunge bath was an old iron one in the corner of the building; the whole 'ablution system' was obsolete, unhygienic and a danger to health; and the lavatory accommodation was described as 'appalling'.
- 15.31** With the necessity of finding a replacement for Glencree, various options were investigated and, finally, a meeting was held on 17th November 1939, attended by the Taoiseach, Eamon De Valera (who was also the Minister for Education), the Provincial of the Oblates, the Manager of Glencree and the Assistant Secretary of the Department of Education. Fr Giancarlo,² the Resident Manager of Glencree, put a temporary solution forward that was to become a permanent one, which was that accommodation might be found at Daingean, if other provision could be made for the students there at present. Daingean was held by the Oblates on a 99-year lease from the Government. The surrounding farm was owned outright by the Congregation. Fr Giancarlo explained that the buildings at Daingean had been considerably improved and the former dormitory accommodation remained. Since the premises at present housed about 170 students and staff, he thought that should be sufficient for the Reformatory for a time.
- 15.32** The question of accommodating the Reformatory permanently at Daingean was considered and a number of difficulties were discussed, such as the distance from Dublin and the complications that arose because additional buildings would need to be erected by the Government on land that it did not own.
- 15.33** As regards the objection of the distance from Dublin and the difficulty for parents visiting the boys, Fr Giancarlo contended that this would have the advantage of preventing undesirable visits (from

² This is a pseudonym.

boys' former companions) which took place at present at Glencree. He also asserted that parents would not mind travelling by bus to Daingean occasionally, and suggested that a system of permits might be arranged which would possibly entitle them to reduced bus fares. There is no evidence that such a system was ever established.

15.34 Additional buildings were necessary for the permanent accommodation of the Reformatory at Daingean. There was a problem for the Government in erecting these, because they did not own the farm, and the Provincial suggested that his Congregation might dispose of the farm to the Government in order to overcome this. The other difficulty mentioned involved the provision of alternative accommodation for the Oblate students at present at Daingean, and the Provincial undertook to make enquiries and consult his Council to see what could be done.

15.35 Mr Eamon de Valera, who was both An Taoiseach and Minister for Education from September 1939 to June 1940, visited the buildings in November 1939, and the decision to move from Glencree to Daingean was made.

15.36 On Tuesday 6th August 1940, Garda Transport Authorities transported 205 boys from Glencree to Daingean. The Garda escort was in civilian clothes. The mattresses and bedclothes were transported in a large open truck on the same day. Fr Giancarlo had sought tarpaulin covers from the Gardaí to cover the trucks but this could not be provided. We are not told if the sun shone down on this unusual convoy.

15.37 Far from being what the Department of Education wanted, 'a new institution, properly equipped', offering '... better accommodation and under different management', the Reformatory moved from one old barracks that was always in need of extensive repairs to another old barracks in need of extensive building and upkeep, and under the same management.

The financial arrangements

15.38 Daingean had a different financial arrangement from other residential institutions. The summary of this arrangement was as follows:

1. The Government was to purchase from the Oblate Fathers the farm and its buildings for £4,500.
2. The Government would pay the Oblate Fathers for the additions and improvements they had made while Daingean was in use as a college. The sum agreed was £6,000.
3. The managers of the Reformatory would pay an annual rent for the farm and premises of £350.
4. The Government would make a special grant of £2,500 towards the debts incurred by the Reformatory at Glencree.

15.39 The most novel aspect of these proposals was the fact that the Department was now responsible for new buildings and for repairs, with day-to-day maintenance the responsibility of the Congregation. Because they no longer owned the premises the Oblates did not have to find the money themselves for capital expenses but could submit estimates for the work needed, and the State would pay provided it was done within budget. The rent agreed, at point three above, took this fact into account, 'since the present grants to Reformatories are intended to defray the full cost of maintenance,' this rent was to return to Government coffers some of the additional maintenance costs agreed. It also had 'regard to the fact that it [the farm] will represent a substantial contribution towards the maintenance of the inmates and staff of the institution'.

15.40 When the terms of this agreement were put to the Department of Finance, strong objections were raised. The letter sent by Mr J. E. Hanna, Assistant Secretary at the Department of Finance, is worth quoting in full:

Dear O'Dubhthaigh,

I have read your letter of the 25th ultimo regarding the question of new accommodation for the Boys' Reformatory School. The information contained therein raises a number of points which, I think, it would be well to have clarified before even tentative approval is given to the proposals outlined in your letter.

1. As you are aware, the Daingean premises are State property but the Oblate Order were given a 99-year lease of them, with the option to determine the lease at 7-year intervals. If the Daingean premises are to be used for the purposes of a reformatory, will it be necessary to determine the existing lease? That lease provides that any improvements effected during the term of the lease will enure to the State on the surrender of the lease. In the circumstances, there would seem to be a case for not making any grant to the Order in respect of improvements effected since 1932. Apart from this question, the responsibility of the Order in regard to maintenance, improvement, etc., of the premises in the future would have to be clearly defined. When the Reformatory was situated previously at Daingean the Oblate Order were responsible for repairs, maintenance, etc. I assume that a similar responsibility will devolve upon them in the future, if Daingean is again used as a boys' reformatory. If not, it may be necessary to consider a reduction of the State grants.
2. I cannot say that I can see any convincing reason for the proposal that the State should purchase the Oblates' farm. It may be that you contemplate that, in the event of the lease of the buildings being surrendered so as to allow their reversion to the State, the State should assume ownership of the farm as well, the Oblate Order standing in the position of agents of the Minister for Education in regard to the conduct of the Reformatory. If that should be the position and the State should purchase the farm, it would seem reasonable that any profit arising on the farm should accrue to the State. In this connection I note that, in 1927, £567 was realised from the sale of farm produce, after the needs of the Institution had been met. Unless the annual surplus on the farm were to accrue to the State it would seem that the State would be paying twice over for the farm. As the grants should enable the Reformatory to be conducted in a satisfactory manner, the profits on the farm should not be diverted to the Order.
3. As regards the debts on Glencree, it is possibly the case that they have mainly arisen in consequence of the inadequacy of the State and local grants in the past. To the extent, however, that they may be due to improvements at Glencree, the benefit of which will accrue to the Order, I think it only fair that the State should be relieved of that portion of the debt.
4. Have you considered what the position of the State in relation to the Reformatory premises, etc., will be in the event of the Order deciding at any time in the future to discontinue the work? I assume that, if such a contingency should arise, the buildings, with the furniture, equipment, etc., which have been bought from State Funds would revert to the State, free of all claim by the Order.
5. It seems to me that the Oblate Order see considerable advantage to themselves in the transfer of their Novitiate to Kilkenny. I assume that the proposal that Daingean should be used as a reformatory in the future came from the Order.
6. In furnishing these observations, I am at the disadvantage that I do not know what you intend should be the position of the State vis a vis the Order in regard to the Reformatory premises, and the farm. The position does not seem to be quite clear, and my observations are directed mainly with the object of anticipating difficulties in the matter, which may arise at a later stage. I shall be glad to hear further from you at your convenience.

Yours sincerely,

J.E. Hanna

15.41 In fact, many of Mr Hanna's assumptions had been negotiated away. The Oblates were no longer to be responsible for anything other than day-to-day upkeep and maintenance, as they had been when the Reformatory was situated previously at Daingean, and the State was going to buy the farm but was going to get an annual rent in return, which at £350 was considerably less than the profit made from the sale of farm produce in 1927. He was accurate in his conclusion that 'the Oblate Order see considerable advantage to themselves in the transfer of their Novitiate to Kilkenny', and was also correct in his assumption '... that the proposal that Daingean should be used as a reformatory in the future came from the Order'. By the time this letter was written, however, matters had progressed too far. The need to get the new Daingean up and running as soon as possible meant that many of his concerns had to be shelved.

15.42 The need expressed earlier, for new methods and a change of management for the reformatory schools system, also seems to have been shelved. A memorandum dated 25th July 1940 contained a note of resignation about how things were going. The Department official wrote:

... Father Ricardo³ informs us that his Provincial Council has decided to appoint Father Neron⁴ as Manager of the Reformatory at Daingean, and it is necessary to consider what reply should be sent to this. We do not know if Father Neron has any experience of the work of a Reformatory or similar institution, or what special qualifications he has for the position. At the same time, I fear it might merely annoy the Oblate Authorities to raise any questions regarding the appointment they have made, and I suggest that we merely say in reply that the appointment is noted.

15.43 Mr O'Dubhthaigh simply wrote underneath, 'Agreed'.

The premises

15.44 The original buildings at Daingean were built as a military barracks in the middle of the eighteenth century. For a while, it served as a training ground for the Irish Constabulary and then became a prison for adult criminals. From 1871 to 1934, it became a reformatory school run by the Oblates.

15.45 Fr Luca,⁵ who was Resident Manager of Daingean from the mid-1960s to the early 1970s, in a memoir about his time in Daingean described the former barracks as 'pretty stark', apart from a few very nice rooms that might have been officers' quarters. Behind this old building was the building erected in the 1940s that housed the two large dormitories, one for seniors and the other for the juniors. Underneath were the woodwork and metalwork classrooms. On the opposite side of the yard was the large recreation hall, and across from that were the washrooms, again separate ones for senior and junior boys. There were also classrooms, a piggery and a poultry house, and the scullery and storerooms. Only the dormitory block had any form of heating. The boys and the staff had to wash in cold water.

15.46 In 1940, however, only the buildings of the old barracks were there, so the boys had to be housed in the wings of the barracks, and the staff used the old gaol and a building near the entrance.

³ This is a pseudonym.

⁴ This is a pseudonym.

⁵ This is a pseudonym.

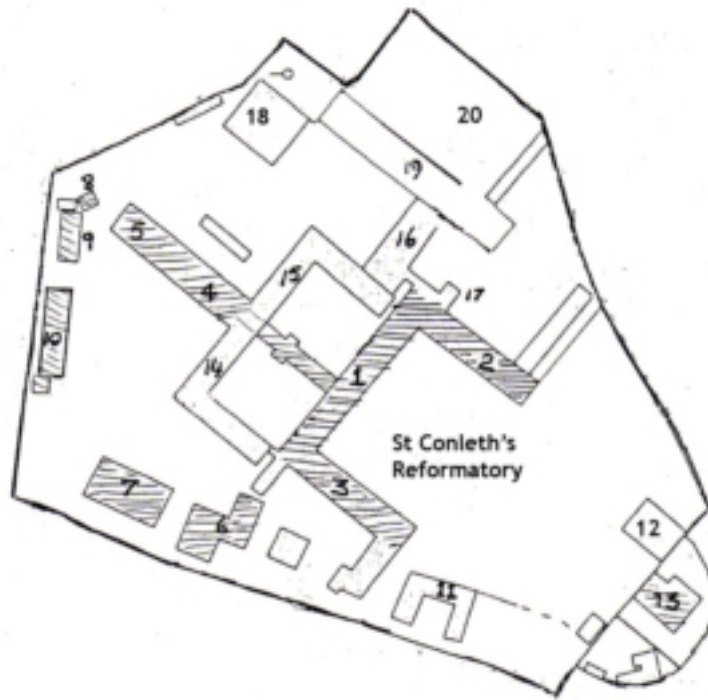


Figure 1: St. Conleth's Reformatory, Daingean
(Shaded areas were part of original barracks)

Legend:

1. Main block, formerly officers' quarters
2. Main block East Wing, used as boys' dormitory until 1951/2
3. Main block West Wing, used as boys' dormitory until 1948/9
4. Chapel
5. Printing and tailoring shop
6. Kitchen, scullery and stores
7. Laundry
8. Slaughterhouse
9. Poultry
10. Piggery
11. Stores (Potatoes and grain)
12. New residence for Brothers, built 1957
13. Old residence for Brothers/convent housing nuns in later years
14. New block West Wing, built 1948/9
15. New block East Wing, built 1951/2
16. Sanitary Annexe, built 1940/1
17. Sanitary Annexe
18. New ball alleys
19. Shop and play hall/theatre built 1944



The buildings in the early years

Source: Martin Reynolds

The School staff

- 15.47** In July 1945, Mr Ó Síochfhradha,⁶ the Department of Education Inspector, listed the staff at the School:

The school staff consists of the Manager together with the Chaplain, 16 Brothers, 2 lay teachers, 1 tailor, 1 shoemaker, 3 farm workers, 1 teacher of Physical Education (part-time). Each Brother has his own responsibility – one in the kitchen, one in the shoemaker room, one in the woodwork room, two in the bog, one in charge of the cattle, two or three on the farm and so on, each in charge of a group of boys.

- 15.48** There were 126 boys in the School at the time.

- 15.49** In their Opening Statement, the Oblates stated that, by the 1960s, many of the staff were 'growing old and falling sick'. In January 1966, in a report for the General Chapter, the Provincial noted

⁶ This is the Irish version of Sugrue.

that only nine active members of staff were expected to cater at all times, from 7:00 in the morning until 10:30 at night, seven days a week. The average age of these men was over 40, and the strain was evident by the fact that six Brothers in five years had suffered nervous breakdowns.

The population of Daingean

15.50 In their Opening Statement, the Oblates set out the categories of boy who came to be sent to Daingean. The overwhelming majority of the pupils were 'young offenders', whose ages ranged from 12 to 18 years.

15.51 Daingean was also used as a place of remand but there were only 12 remand places at any time. Unlike industrial schools, Daingean had insignificant numbers of 'voluntary' pupils admitted who were not supported by the State. The Oblates provided statistics relating to the pupils in the School and the following figures for the age spread and numbers of pupils in the School in Daingean:

Period	Total presences at end of school year	Average per annum
1941–1949 = 9 years	1,947	216.3
1950–1959 = 10 years	1,589	158.9
1960–1969 = 10 years	1,550	155.0
1970–1973 = 4 years	189	47.2
Total = 33 years	5,275	159.8

15.52 Age spread in a sample year in the 1960s was:

%	Age
6%	13 years +
11%	14 years +
31%	15 years +
35%	16 years +
15%	17 years +
2%	18 years +

15.53 The following Table is based on Department of Education Records and shows the offences committed by a total of 87 pupils, which led to their detention in Daingean in 1955–1956:

Grounds for committal	Number committed
Larceny and receiving	28
Shop/House breaking	49
Arson	1
Indecent assault	2
Burglary	2
Common assault	2
Others	3

- 15.54** The Oblates stated that the typical social class of the pupil in their school was urban working class. The boys were mainly from the larger Irish cities of Dublin, Cork and Limerick. The levels of literacy among the boys committed were significantly lower in a sample of boys compared with a normal national school. Of the complainants who gave evidence to the Committee, many ended up in Daingean for trivial offences that owed more to poverty than criminality, particularly those admitted under the first two categories set out above.

The urban-rural divide

- 15.55** In an article entitled 'The Juvenile Offender' written in 1963 the author, James O'Connor, wrote:

The offences which merit committal to Daingean vary from court to court, but more particularly from city to country. In Dublin a boy might have eight or nine previous convictions before he receives a reformatory sentence, whereas in the country he may have committed his first offence.

- 15.56** Fr Luca also wrote about the urban-rural divide in the School and the differences and difficulties this presented to the school authorities. Most of the boys in the School came from an urban background. Fr Luca stated that the rural boys were more difficult to deal with than even the toughest boy from the city. He stated that, for a rural boy to be sent to Daingean, he must have done something 'very radically wrong':

A boy or girl who seriously offended would be regarded as sort of social outcasts, they would be marked as people not fit to be in that area.

- 15.57** He also stated, somewhat contradictorily, that the District Justices in the country wanted to stamp out crime problems in their area and therefore if a country boy offended he was sent straight to Daingean immediately. The city court Judges tended to avail of the Probation Act more often and gave the offenders numerous chances.

- 15.58** Daingean did not receive boys who were guilty of non-attendance at school.

The special needs pupils

- 15.59** In their Opening Statement the Oblates referred to a particular issue, which they considered especially relevant to this inquiry. The issue was how the system failed to meet the special needs of some of the pupils.

- 15.60** The Oblates identified two types of pupils: those who '... were in no frame of mind to respond to its programme for whatever reasons. These had needs that were not compatible with the School's ethos', and those who 'should not have been sent to the school because their capacity to respond was limited through psychological or educational difficulties that called for a specialist approach that the school did not have'.

- 15.61** The Oblates, in other words, acknowledged that the Institution failed to provide for the special needs of the vast majority of its pupils.

- 15.62** The Resident Manager in the 1960s explicitly referred to the situation he was faced with as 'unjust' to the pupils, but it was clear that the regime in Daingean was incapable of responding to individual needs.

- 15.63** Severely psychiatrically disturbed children also ended up in Daingean, and these children could not have been properly looked after by the reformatory system. The Oblates were correct in stating that these children were let down by the State, which failed to provide specialist facilities.

- 15.64** The Oblates maintained that they acted responsibly, and drew attention to these problems without succeeding in having them addressed until very late in the day.

Conclusions

- 15.65**
- From its re-establishment as a Reformatory in 1940, Daingean was a poor solution to a problem that had been allowed to escalate to crisis proportions. The interests of the boys were not prioritised in the discussions leading up to the opening of Daingean.
 - Daingean's isolation, clearly identified as a problem by Government officials, was regarded as an advantage by the Congregation. Isolating boys from family and friends was part of the ethos of the Institution.
 - The lack of clarity with regard to responsibility for maintenance of the buildings in Daingean, identified in the Department of Finance letter, proved to be an on-going problem which contributed to the appalling living conditions of the boys.
 - The complainants who gave evidence mainly came from backgrounds of poverty and neglect. Although they all came through the court system, very few of them were hardened criminals. Daingean did not address the special needs and disadvantages of these boys.

Investigation

- 15.66** Fr Murphy, Provincial of the Oblate Congregation, presented evidence to the Investigation Committee at the Emergence hearing on 23rd July 2004. Fr Michael Hughes, the Provincial Archivist, gave evidence at the Phase I public hearing into Daingean on 9th May 2005. Complainant and respondent witnesses were heard in private between 10th May and 2nd June 2005 at the Commission's offices. Finally, a public hearing in Phase III was held on 6th June 2006, and evidence was again given by Fr Hughes.

- 15.67** In the private hearings, 25 complainant witnesses testified out of a total of 34. A further 44 attended for interview, out of a total of 86 who were invited to attend for interview. Two respondent witnesses gave evidence.

- 15.68** In addition to oral evidence, the Investigation Committee considered documents received from the Oblates, the Department of Education and Science, An Garda Síochána, the Department of Justice, the Director of Public Prosecutions and the Bishop of Kildare and Leighlin.

Physical abuse

Corporal punishment

- 15.69** In the Emergence hearing into Daingean, the Oblate Congregation did not apologise for any excessive corporal punishment, but they did refer to the press statement which was issued after the broadcast of 'States of Fear' in 1999 in which they stated:

We would firstly say that the abuse of young people is always abhorrent and abuse of young people in confinement is doubly so. The Oblates of Mary Immaculate deeply regret that any young man was mistreated while in their care and offer sincerest apologies.

- 15.70** In response to a question from the Investigation Committee, the Oblates stated that that press statement:

was in the nature of an expression of concern after the TV documentary 'States of Fear' in which one of the reformatories was mentioned. It was thought that such a statement was required in view of the public interest in the programme. In their statement the Oblates

also indicated that further research was needed. No further statements of this kind have been made ...

15.71 In their Opening Statement the Oblates submitted the following:

Allegations of physical abuse have also been made. The Oblate Management file shows two complaints of excessive corporal punishment in the lifetime of the school. The school files show five complaints in the lifetime of the school of pupils being struck by staff members: two of these are also found in the DES discovery documents. The Oblates do not seek to defend the use of excessive corporal punishment. However the use of corporal punishment in the period must be judged in the context of a society where it was acceptable in itself and in the context of an institution where

- numbers were large,
- facilities were very limited,
- and there was little or no psychological assessment to exclude violent or unmanageable boys or any resources to deal with them.

As a result it was a very difficult task to maintain order in the reformatory and eliminate violence among the boys themselves. It should be mentioned that evidence of support from parents can also be found in the files, and also letters from boys which reveal a good relationship between pupils and staff.

15.72 In their Submission, the Oblates summarised their position and acknowledged that the corporal punishment described by some of the complainants was ‘unreasonably severe’. They also acknowledged that ‘the punishment for certain infringements such as absconding and attempting to escape was in itself ‘over severe’. They conceded that such punishment had serious consequences for the boys, and they apologised unreservedly for that, but they denied that it was abusive or administered randomly.

15.73 They asked the Commission to examine the issue in the context of the times and the type of institution that operated in Daingean. They also suggested that the question to be examined by the Commission was summed up by the Chairman when he pointed out that the issue was not simply whether boys were beaten in institutions but whether they were abused by being beaten.

How corporal punishment was used in Daingean

15.74 From the evidence, it emerged that corporal punishment was administered in three different ways, all of which breached the rules and regulations for corporal punishment in residential schools. These were:

1. The form of punishment known as a flogging.
2. Punches, slaps, kicks or blows with an available implement such as a hurley, a stick or, in the case of one particular Brother, a garden hose and a spade. These blows were given as immediate chastisement for aberrant behaviour or for disobedience and minor insolence. Some staff members were singled out as resorting to such punishment more frequently and harshly than others.
3. Blows with a strap for behaviour warranting less serious punishment.

Flogging

15.75 At a conference held in the Department of Education on 30th June 1952, with Fr Pedro,⁷ the Resident Manager of Daingean, District Justice McCarthy and the Minister for Education and his

⁷ This is a pseudonym.

officials present, issues relating to Daingean and Marlborough House were discussed. The minutes at one point revealed the following:

Justice MacCarthy asked whether corporal punishment had often to be inflicted. Father Pedro said no. Occasionally a caning on the hand, but no more.

15.76 The policy of administering an occasional caning on the hand and no more did not conform to the reality of corporal punishment in Daingean. More than the other institutions, Daingean had a system of administering corporal punishment in a formal, almost ritualised way. It meant more than just being beaten with a strap or cane. If a boy was put 'on report' by a Brother for breach of discipline, the Disciplinarian would administer corporal punishment in a way known as a 'flogging'.

15.77 Just a year later, in 1953, Fr Pedro explained in a letter to the Inspector of Reformatory and Industrial Schools exactly what a 'flogging' meant in Daingean:

"Flogging" means that a boy is put on his knees receiving a few (5 or 6) light strokes of a light strap on the back. This is not done except for serious offences such as a) insubordination (b) deliberate destruction of property (c) public immoral conduct (d) inciting others to riotous conduct (e) absconding. Absconding must be regarded as a serious offence otherwise it would be impossible to keep those type of boys in the School. The usual punishment for ordinary breaches of rule is a few slaps on the hand or deprivation of re-creation for 15 or 20 minutes.

15.78 The use of the strap on the hand as permitted by the rules was not a 'flogging'. According to the Resident Manager, who had the responsibility for enforcing the rules, a flogging was specifically the administration of blows to the back of a boy who was made to kneel at the time.

15.79 In the same year, Dr McCabe, the Department of Education's Medical Inspector, wrote about the use of flogging in Daingean:

"Flogging" ... consists in taking the offender into a small room, removing his pants and administering 5 or 6 strokes on the bare posterior with a leather strap which is quite flexible about 1" wide and 1 yard long (It resembles a strap used to put around a suitcase) The punishment is administered by the disciplinarian ... who is a very understanding patient man and always offers an excuse in defence of a boy if at all possible.

15.80 Br Abran,⁸ who was himself identified as harsh and cruel by complainants and who gave evidence before the Committee, described a flogging that he had been asked to witness in the 1960s. He recalled standing 15 feet away from the boy on the stairs on the ground floor. The boy had his hands on the steps and his nightshirt was lifted up.

15.81 He described how the boy, who received around six strokes, was screaming and shouting: '*... he was only a small chap. I was horrified myself*'. He recalled that there was another Brother present with the Prefect. He was asked by the Superior to witness the beating. He said '*... I don't know the circumstances, possibly rumours of a type of cruelty was in vogue and I was there to – acting as a witness or just to be there ...*'.

15.82 When questioned further, he added:

I said that the boy in question was a small boy who should not have been punished in that certain way anywhere, firstly ... I had never seen such an incident like that before. It was the first and last time.

⁸ This is a pseudonym.

15.83 He later explained that normally such a punishment took place in the office but, on that occasion, the Superior had requested that he be present as a witness:

I think there was some kind of trouble, you had boys up in the roof and some trying to abscond. It was a weak era during that period apparently and because of that I was asked to attend this particular one, to ensure that things were sort of semi-okay ...

15.84 This Brother was a valuable independent witness, because he gave an account of a flogging separate from the version given by the boys and by the records. His account was not in conflict with the written descriptions in the discovered documents as outlined above. Both agreed on the following:

- (1) Blows were with a leather strap on the bare back or buttocks.
- (2) The boy would be kneeling.
- (3) The disciplinarian would administer the blows.
- (4) On some occasions, at least two Brothers were present.
- (5) The office, or a small room, or the stairs by the dormitory were used.
- (6) The procedure engendered fear. Although this Brother had been in Daingean 'a few years', he found the sight of the boy being flogged an experience that 'horried' him.

15.85 Fr Luca, who was Resident Manager from the mid-1960s to the early 1970s, added to this picture. He wrote in his Statement to the Committee:

I know you have heard it said at times that they were stripped, well there weren't stripped but they might have to let down their pants and get it on the backside ...

... I would have to say I don't know how many slaps they had. I never saw the boys being punished while I was there. I didn't regard it as part of my duty to supervise that. I know that the boys were punished and I know it was left to the prefect to decide what the punishment would be for the particular, well I don't like to call it crime, misdemeanour.

It was generally at the end of the day, there would always have to be two there, never one. I suppose, there would have to be a person available. It seemed to be the tradition which was never questioned. It was never done during the day as far as I know. Nobody ever punished any boy except the prefect ...

The place wasn't in view. As far as I know, the punishment was always performed in the washroom. The stairs went from the washroom up to the dormitory. Now, I am sure they could hear the boys, they would know anyway, they knew what the score was.

15.86 He added:

I was never present, but my understanding was that they had to let down their pants, lean over the form they sat on in the wash-up room and it was administered there.

15.87 He further stated:

On the corporal punishment, I don't think it was excessive. But any corporal punishment, I think, I would regard it as an excess. It was something which I don't think it was achieving the purpose for which it was intended, to be a control and an aid to discipline. Because it was degrading ... you were attacking a boy's human dignity.

15.88 In effect, Fr Luca confirmed all the other testimony: the Prefect with another Brother present administered corporal punishment, and it was administered at the end of the day in the washroom, near the dormitory, and could be heard by the other boys.

The strap

- 15.89** The Investigation Committee was shown the strap used by the Prefect in Daingean. It was about three feet long, with a narrower section at one end for use as a handle. It was half an inch thick and about two inches wide. It was not as flexible as a belt described by Dr McCabe, or 'light' as described by Fr Pedro, but heavy and stiff and bendable and, when administered with force by an adult on a child, it caused extreme pain.

Evidence on floggings given by complainants

- 15.90** The Investigation Committee heard testimony from several complainant witnesses about their experience of floggings.

- 15.91** One witness, who was there in the early 1940s, gave the following graphic account:

this Br [Jaime⁹] was the man that did the flogging. He had a title of a prefect or something ... What flogged meant was that you got down – you took off your trousers and you got down on your knees and you went forward on the front and he flogged you on the bare buttocks.

- 15.92** He remembered that this happened to him on four occasions 'in a room near the toilet and near the dormitory'. He also said that '*... on two occasions I was taken from the dormitory and on two occasions I was taken from the yard to be flogged in this same room ...*'.

- 15.93** He went on:

I was flogged four times and the first time was when I was three or four months there and a chap ... tried to bully me. I hit back, it was only about two punches. I was reported and got flogged.

- 15.94** This witness recalled another occasion when he received a flogging because he removed his trousers before getting into bed, which he was not supposed to do as it was associated with '*being immodest*'. He took his trousers off before getting into bed as they '*were always dirty with either cement and the blankets weren't changed only every two or three months anyway or the sheets*'. He added that '*there wasn't any kind of display*', and for that he got four lashes of the strap.

- 15.95** He spoke of another flogging:

at the table there was some kind of a clothly thing on the table, not a tablecloth, you would scrape it off with your knife onto the plate, you would scrape the knife and my knife broke, it was that type of knife that the handle would fall off it. I was flogged for that. That could happen to anybody. That wasn't a terrible thing, that wasn't going to upset the run of the school or anything like that.

- 15.96** He recalled the fourth time he was flogged:

the man that I was labouring to, he was spreading hard wall plaster and we were supplying him with the plaster. We weren't very good builders labourers, we weren't good at mixing the plaster ... it would get hard and he threw the thing down on top of me. There was a bit of blood from my head. I called him a name, he reported me and I got flogged for that.

- 15.97** This witness was complaining not only about the ferocity of the beatings, but also about their unfairness in his case. The description of the offences for which he was flogged could hardly be categorised as serious offences. His description of the flogging given in the 1940s is exactly like those described in the 1950s and 1960s.

⁹ This is a pseudonym.

15.98 Another witness, there in the late 1960s, gave the following account:

[The Brothers], they had me on the steps, I got into a fight or something, they had this belt which was about a metre long ... You would go to bed and then you were called out of bed, you wore of flimsy sort of nighty which was down to your ankles. You weren't allowed to wear anything else underneath that. You were brought to the bottom of the stairs where the dormitory was, marble stairs. You would kneel on the stairs. There was me and another fellow ... I remember him wetting on the floor because he was – there were three of us actually ... While they were doing this other guy, you would stand and watch them doing the guy in front of you. He would be on all fours. [One Brother] would stand on your hands and you would be kneeling down and as flimsy as the cotton night thing was that was lifted ... Up to your waist ... Then you would get – I think I had about six on that occasion ... I am almost sure after you had been done, you came back, (to bed) it was like a rota, like a line. I remember [...] wetting himself on the floor next to me, I can remember it, it was steamy and smelly, I was concentrating more on that, I don't know why. These things stick in your mind when you are a kid.

15.99 He described how the punishment was administered:

[One Brother] would stand on your hands and [the other Brother] – it was peculiar the way he used to bring the strap in that he would bring it this way (indicating), under his left arm ... he would bring it underneath (indicating) and it would come right around like a golf club and he would bring it that way ... It was peculiar how he would always get at least one into your balls.

15.100 He also described the physical effects on him:

Difficulty walking for a while and the marks would stay for months ... It was a thing like you would get guys, "Give us a look. Let's have a look at your strap marks". It was like a badge of honour ...

15.101 He said that the boys in the dormitory 'could hear what was going on' but they 'couldn't see it'.

15.102 Another witness said:

They used to slap at the end of the stairs in the evening, you would be in the dormitory, if you were to be punished that's where they punished you, they bring you down to the stairs and the echo of the screams would be for the benefit of everybody in the dormitories.

15.103 He later added:

You just had a fear. You were going down to the office, you were called down, you knew what was going to happen to you. It was the whole ritual of it ... You were so scared before you even got a slap ...

15.104 Another witness, there in the early 1950s, described getting a 'flogging', or 'stripes on your arse'. He told the Committee the Brother would get the boy to drop his pants and bend over the bed to be punished:

The first time it happened to me he had to show you sometimes to put your hand over your penis, your private – just in case the strap did go around you it would hurt you, it would catch you there.

15.105 One complainant was able to distinguish between the ordinary corporal punishment he received at home from that administered in Daingean:

My dad sometimes smacked us, gave us a clout of a belt, a whack across the arse. What I got [in Daingean] was I got a searing pain, I will never forget it in all my life, never. The first of it was the shock. It was shock first of all. Then the second one I got and it wasn't across my buttocks, it wasn't across my buttocks, it was right between my buttocks with this strap. I don't know where they got these straps from but it was specially designed for this, it wasn't a belt. When they say you got a strap, it wasn't a like a trouser strap, it was a specially made strap. It was very thick and it was about that length (indicating) and it was shaped for gripping with the hand for hitting you with. The way they used to hit you was they used to hit you between the buttocks and pull it up (indicating). The reason he had the other Brother there was to stop you going forward. He used to put his foot on the back of your shoulder, on the back of your neck and your shoulders. He would put his foot there and hold you so that when you got hit with the strap you couldn't jump forward with the belt. That strap sometimes, they were expert with it, if he wanted that could come around and hit you in the testicles. If ever you got hit in the testicles, that gives you cramp in your stomach, you double up, you couldn't even move. I passed out.

15.106 He went on to say that it happened to him on a number of occasions and that he also recalled it happening to other boys.

15.107 Witnesses said that the traumatic effect of flogging stayed with them. One said:

It was shame more than anything. Being a teenager, like you say, especially with Christian Brothers. When I was in Artane, I was younger, I didn't understand. But in Daingean I was practically a teenager. I wasn't very big or anything like that but I was streetwise. Put it this way, if someone had done that to me outside the thing I probably would have ended up killing them or they would have killed me, one or the other. Being in Daingean, I accepted it. That's all I would say.

15.108 Floggings were mainly but not exclusively administered at night-time in the washroom. A witness described the impact of being beaten in the yard in front of the other boys:

When you are being beaten and you are feeling pain your torment is excruciating. "I will get you, you F- ing so and so, I will come back for you"; that's the train of thought. And then it stays with you for months at a time. It will haunt you.

15.109 The description given by these witnesses confirmed the account given by the documents and other testimony of the way a flogging was administered. It differed, however in two ways. First, a wider range of offences was punished by flogging. The Oblates had listed the following five offences as warranting the severe punishment:

- (a) insubordination;
- (b) deliberate destruction of property;
- (c) public immoral conduct;
- (d) inciting others to riotous conduct; and
- (e) absconding.

15.110 In the light of the evidence heard, it is clear that floggings were also administered for many other misbehaviours. It was also clear that the way in which staff interpreted what amounted to insubordination or deliberate destruction of property was so wide, that minor offences and even accidents could result in the most severe punishment.

15.111 Second, the degree of fear engendered by these floggings was not apparent from the unemotional official description. Several of the complainants described the screams they heard as horrifying and fear inducing. One witness conveyed the effect that such screams had on him: *'I remember*

one chap that ran away'. He said, 'I remember hearing him screaming ... I said it to him afterwards that it was terrible. He said to me, "Sure, I heard you screaming as well"'.

- 15.112** The evidence of the dreadful effect of these screams was most graphically brought home to the Committee by the evidence of Fr Luca himself. He was the penultimate Resident Manager of Daingean. He told the Committee:

we had an oratory which was just on the other side of the square from – the square was a small one, maybe not much wider than this room, and I was there saying my office in the evening and I heard the leather being used on some boy at that time. I thought it was a most revolting thing and said here am I inside to praise God and Christ himself is being punished now right beside me. It sunk into me as a kind of a horror, that it was such a contradiction to all that we were working about.

- 15.113** He was asked if this had left a big impression on him and he said 'To this day it still does. When I hear of anybody being beaten up, we say in the north it annoys me, but it is much deeper than annoyance'. He added:

it shook me. It confirmed my determination as soon as possible and when possible I would try to get rid of it ... It seemed to me to be an awful contradiction to what my life was about and what our life as religious was about to have this thing happening within this house ... In my mind any punishment is brutal as far as the recipient is concerned. I would have a feeling for the recipient of the punishment. I certainly wouldn't advocate it at all.

- 15.114** He also said:

I was never in favour of it because I always had an abhorrence of that kind people using this kind of domination over another person by beating them ...

- 15.115** He was asked, 'Would it be fair to say that you delegated the role of punishment and thereafter you didn't really know exactly what was happening, you left it to the people who were your delegates to get on with it, is that fair or not?'

- 15.116** Fr Luca replied:

That's fair. When I went in there the School was in action, as it were, there was movement. I acquainted myself with what each person's function was within the School. I didn't change them from the different jobs or that, I took it that they knew what they were about ... I didn't involve myself in it, I think only twice I asked the Brother to punish a boy.

- 15.117** He added:

when I moved in there in 1964 the School had been going for over 100 years at that stage. There were things, there was a certain structure in place. What would need to be changed I gradually tried to change it. There were certain things I had to accept when I went in there because I had no previous experience of running the School.

- 15.118** Despite his assertion that the practice revolted him, Fr Luca did nothing to stop the ritualistic flogging of boys in Daingean. This punishment was stopped in Daingean, after vigorous intervention by a Department of Justice official, and not because of any initiative on the part of the management. The banning of all corporal punishment followed in 1970. A full account of events at that time is given later in this chapter.

- 15.119** • **The open and frank discussion between the Oblates and the Department of Education throughout the 1940s and 1950s, on the way in which flogging was administered, revealed indifference by the Department to a flagrant breach of the rules.**

- Flogging was administered in Daingean in a cruel, sadistic and excessive manner designed to maximise the terror of all the boys.
- It was used in Daingean for a wide range of offences, including those which even at the time would have been considered trivial.
- The pain caused by the punishment was intense, and victims graphically described to the Committee the physical impact on their bodies. Bruising and scars remained long after the beating was administered.
- Fr Luca's stated revulsion to the practice of flogging was contradictory. It was within his power as Manager to put a stop to it and he chose not to do so.
- The Oblates did not condemn the practice of flogging in their Submission to the Investigation Committee. They contended that it was used only for a breach of the school rules and was administered by the Prefect. They did, however, acknowledge that punishment for absconding was 'over severe' but not abusive.

Informal corporal punishment

Unfair blows

- 15.120** One complainant gave an account of his first day in Daingean, when he got 'clattered' unfairly:

The first day I got there we were saying the rosary ... when you are brought up to the dormitory, you put on your nightshirt, you stand at your bed, the whole dormitory stands by their beds and [Brother] would stay down in the middle. It was an L shaped dormitory ... he said the rosary and you answered the rosary to him. You kneel at your bed. I fell asleep, I dozed off. I was woke up with a clatter on the back of the head ... He made me stand for a long time after the lads went to bed for falling asleep at the rosary. That was the first day I was actually down there.

- 15.121** When asked why he fell asleep, he explained:

I was just tired. I was anxious. I know that I was anxious because I was in Marlborough House, I was in court the first day. Then I got sentenced, then I was brought back to Marlborough House. Then I was waiting on the police to come to collect me to bring me down to Daingean. It is a fairly long journey in them days, it's not far now. I was kind of tired and I was anxious. It was all kind of new, I remember it quite clear, the day that I went there. The two years, the sentence I got looked like a lifetime to me, that was all on top of me.

- 15.122** A witness described how his name was put down to play Gaelic football but, because he could not play it, he never went out: 'About a half an hour later the Brother came into the playground and he had a hurling stick and he beat me with he hurling stick ... On my head'. He also indicated that he was hit on the lip with the hurling stick and he '... carried the scar for nearly 50 years'.

- 15.123** The same man described another occasion when he was talking in the washroom, '... and from nowhere he came behind me and gave me the flat of his hand right across my ear ... It was full force ... I was just thrown across ... a few feet'. This left him with a buzzing or ringing in his ear to this day.

- 15.124** Another complainant made light of many of the blows he had received by saying, 'I got smacks on the hand and things like that, nothing to cry about ... It was probably something I deserved ...'. He described one beating that he felt was very unfair. He explained:

I was having a friendly argument with [Brother], we would always contradict him about football and various things. We were arguing one afternoon ... about soccer. We just contradicted one another. Before I knew it ... [another Brother] ... grabbed me by the

shoulders, back of the hair and turned me round and gave me one or two unmerciful thumps in the stomach. I was doubled over. I was sick for a week afterwards or more. [Brother] explained to him about what happened, we were only arguing about football and said "apologise to the man" but he said something under his breath and walked out the same way he came in. That was it.

Excessively violent blows

- 15.125** One complainant gave an account of being kneed in the groin by a Brother:

It was just before we said the Angelus. We were in our ranks ready to go to the refectory ... It was about the beginning of the prayers and I was speaking to someone else next to me and then he come up and got me talking. He got so angry and just kneed me ... He just came up with his knee ... There was a couple of fellows held me up ... I was in pain ... I couldn't eat or couldn't drink or anything. Shortly after that I was taken away in a car.

- 15.126** Records show that the complainant was admitted to Tullamore Hospital for two weeks, and was operated on for a hernia. He said: 'I never got a visit'. He added. 'I was just left there on my own for two weeks and my parents weren't told about it'.

- 15.127** Another witness recounted an incident by the handball alley: 'I was playing handball one day in the alley and the ball got caught in the wire'. He said he had to jump up onto a shed to 'hit the ball down'. A Brother saw him getting down off the shed and told him that he should have sought permission. The witness said that the Brother then 'started punching me in the face' which resulted in him receiving a black eye and a split lip.

- 15.128** A further witness told of another incident which took place in the yard where he '... and another chap were going to box over a game of handball'. The Brother on duty in the yard that day punched him on the side of the head. He said 'I hit the ground and then he started kicking me and he said, "In future don't start any trouble here". I was made facing the wall for the rest of the period of the time that we were out on recreation'.

- 15.129** A boy who was suspected of stealing was dealt with summarily by a Brother when he was brought to Daingean by two Gardaí:

I was met as I walked on the front lawn right near the office doors, I was met by a Prefect ... He looked a very religious, sincere man and a crucifix in his cassock down here and he had his hands behind his back ... I said, "Hello Father". He said, "They are a nice pair of boots you are wearing, they must have cost a lot of money". I said, "About three pounds 10 shillings". I remember getting a clout to the side of my head, a punch to the side of my head ... It knocked me. It wasn't a slap, it was a punch. My ear was turned blue for a couple of days after, maybe a week after. The two Gardaí was there standing watching. They were within six feet of him when he done this and I was knocked to the ground, I was knocked quite a distance away with the punch he hit me in the side of the head.

- 15.130** The Brother thought he was telling lies and told him to take the boots off, which he did, and the Brother then handed them to the Gardaí and said: 'He took them from Marlborough House'.

- 15.131** Another boy described being questioned about some stolen car keys:

It was in the spud shed. The spud shed was actually at the back of the kitchen, at the back of the boot shop ... I had stolen some keys from a technical teacher in an attempt to abscond in his Volkswagen Beetle car and [the Brother] was told that I was the one who had the keys or had stolen the keys ... He was asking me where the keys were and I said I didn't have them. He just choked me unconscious, he got me on the pile of

potatoes and I thought this is it ... He got both his hands around my throat ... I was gone, I thought I was dead. I felt myself go.

15.132 He recalled that when he regained consciousness he was cold, and he remembered ‘waking up shaking, maybe it was from fear, I don’t know ...’.

15.133 Another complainant told of a beating he received after an accident:

there is one occasion where I was painting up a ladder. Now, I had to carry the paint in one hand, and the brush in my other hand and climb the ladder. I think I was about twelve foot high when I missed my footing and fell off the ladder ... I got an unmerciful beating for that ... there was no rhyme or reason to beat me for that.

15.134 He added:

Now, how can you hit somebody if they fall off a ladder? The first normal reaction of anybody would be to go to their side and say “are you all right” not go and knock hell out of them.

15.135 Br Abran who appeared before the Committee talked about this policy of hitting children. He said that there were times when staff would have to administer punishment on an ad hoc basis:

if there was a fight going on or some weapons being used or if somebody got head butted ... In many cases the boys preferred to be punished in those circumstances rather than be sent to the disciplinarian because they would be deprived of films which was more important in their life than ordinary things. I know that sounds weird, that was their mentality.

15.136 He explained he used a strap, which was made in the boot shop and was issued to him, until a boy stole it from him and threw it down the toilet. He didn’t bother to get another in case it happened again, and also because he was no longer on duty in the square. From then on, he said, ‘If such a situation did arise I might have given a slap or something like that for whatever serious infringement would be involved’.

15.137 Under questioning he added:

I might have used the hands occasionally sometimes it might be instead of using a fist, it would be on the shoulders, never on the face ... The occasion demanded immediate action at that point in time.

15.138 When asked if he denied punching a boy in the face he said:

I could say – I could deny that, normally it would be an open hander or a back hander ... it was purely on the shoulders or chest. If I had to, that would only happen twice a year or three times a year, never frequently.

15.139 He was again pressed if he was talking about fists. He replied, ‘Yes’.

15.140 This Brother was named by a number of complainants as being excessively harsh and violent. He denied some of the specific allegations, such as giving an uppercut that led to a boy’s nose pumping blood, or that he had boxed and kicked a boy in the handball alley, but he nonetheless confirmed the policy of ad hoc punishments giving slaps or punches, believing that boys preferred to be dealt with in this way rather than being put on report.

15.141 The Oblates referred to this practice of ‘on-the-spot’ punishments and asserted that it was no more than that which occurred in schools around the country. Complainants, however, made a

clear distinction between what could be described as 'normal' corporal punishment and the ill-tempered and violent outbursts described above.

15.142 The Oblates went further. They stated:

In the context of a reformatory where fights and altercations did break out, it was sometimes the only efficient means of keeping control on unruly boys.

15.143 In each of the incidents described above, none of which would come within the description of a fight or altercation, the violence was an inappropriate and unnecessary response.

- 15.144**
- **Corporal punishment was a first response by many of the staff in Daingean for even minor transgressions. It was often violent and black eyes, split lips and bruising were reported by complainants.**
 - **Violence was not the 'only efficient means of keeping control on unruly boys' but, because management was inept and staffing inadequate, it was undoubtedly convenient.**

The extent of the problem

15.145 Several complainants, in the evidence they gave to the Committee, were careful to make it clear that not all of the staff were brutal or excessively violent.

15.146 Witnesses drew the distinction between a Brother who punished fairly and another who did not:

He was more humane about it ... He didn't beat you until you submitted ... you got six of the best on the hand or backside ... And that was it. He didn't lose it and start kicking you from one end of the office to the other.

15.147 Some witnesses singled out particular men as 'nice', but stressed that there were also a few people who did terrible things: *'There was a ring of them, there was a handful of them and they done what they liked'*. The consistent complaint was that these 'nice' men on the staff did nothing to curb the activities of the men who were harsh and excessive. These men could not protect them from the others.

15.148 As one witness said:

There was no recourse. There was no safe haven. There was no hole you could climb into. There was nobody you could talk to. You were on your own.

15.149 The Brothers who were more violent created the pervasive atmosphere of threat: *'Inside the institution I had to keep my head down because I didn't want to be beaten,'* said one witness.

The punishment book

15.150 In his report of July 1945, Mr Ó Siochfhradha, the Department of Education Inspector, wrote:

I looked at the corporal punishment book. There was no entry from the beginning of this year because for the past half-year the stick has been dispensed with as a means of punishment and in its place is a system of allocating marks for good behaviour and marks for bad behaviour and the bestowing or withdrawing of little privileges as a result. The Resident Manager is very happy that this method is much more efficient in getting across to the boys that they should practice the good and avoid the evil.

15.151 This paragraph confirms there was a punishment book that has since been lost. It asserts that corporal punishment was no longer in use, when it is now known it was still in use over 20 years later. It also shows an awareness of techniques to control behaviour that did not become

widespread until decades later. In fact, corporal punishment remained in use as the main system of discipline until 1970, when the Resident Manager was told to stop using it.

15.152 Fr Hughes said in the Phase I hearing that he was sure a punishment book would have been used but that, when he asked ex-staff members, there were *'always very vague responses'*.

- 15.153**
- **In a regime that was admittedly heavily dependent on corporal punishment, the need for a proper system of administering it was fundamental, and keeping the record was part of a proper regime, as well as being required by law.**
 - **The information given to the Department Inspector in 1945 about the punishment regime in Daingean was entirely misleading.**

Complaints about corporal punishment in the discovered documents

15.154 Contemporary complaints about excessive use of corporal punishment revealed how complaints were dealt with by both the Department of Education and the management of Daingean, and the kinds of investigation carried out once a complaint was made.

15.155 The standard procedure followed was that, once the Department of Education received a complaint, the Resident Manager was contacted for his comments and observations on the substance of the complaint. If the allegation was of physical abuse or neglect, the Department would often send in its Medical Inspector, who would then report back on the matter.

1953 complaint

15.156 In 1953, a father wrote a letter of complaint to the Department of Education, in which he complained that his son was flogged several times in the School.

15.157 The Resident Manager responded to the query raised by the Department. The issue of 'flogging' was dealt with by describing the procedure. He said that 'flogging' meant that a boy was 'put on his knees receiving a few (5 or 6) light strokes of a light strap on the back'. This was not done 'except for serious offences such as (a) insubordination (b) deliberate destruction of property (c) public immoral conduct (d) inciting others to riotous conduct (e) absconding'.

15.158 The Medical Inspector, Dr McCabe, was sent in to investigate. She described the 'flogging' process as stated earlier in this chapter:

"Flogging" ... consists in taking the offender into a small room, removing his pants and administering 5 or 6 strokes on the bare posterior with a leather strap which is quite flexible, about 1" wide and 1 yard long (It resembles a strap used to put around a suitcase) The punishment is administered by the disciplinarian who is a very understanding patient man and always offers an excuse in defence of the boy if at all possible.

15.159 She then described her examination of the boys. 'At the Medical Examination', she wrote:

I failed to find a single mark on any boy's body that indicated he had been punished. When I questioned the boys about the so-called "flogging" each and every one admitted that if they had been punished they had deserved it. I cannot see how discipline can be kept in this Reformatory unless the Manager has some deterrent.

15.160 She went on to state:

the type of boy now being sent in is much tougher than in former years – housebreakers, stealers of large sums of money, car stealing and crashing.

15.161 She then asserted:

It is the opinion of all that these boys are sent in far too late for the Manager and his Staff to make much impression on them.

15.162 With regard to one boy she examined, he ‘... admitted running away several times and on the last occasion arrived home. He is an unpleasant type of boy and very prone to lying’.

15.163 Having received her report, Mr Ó Síochfhradha, the Department Inspector, submitted his own memorandum on the complaints. He wrote:

Dr. McCabe is satisfied, and I agree with her, that the punishment inflicted in these extreme cases is not excessive and is resorted to only when absolutely necessary. This form of punishment was administered when necessary during [Fr. Neron’s] period of office as Resident Manager (1940s). As a matter of interest the salutary effect of the leather strap when applied on the proper place is referred to in an Article (Page 80) in the June 1953 issue of the “Approved Schools Gazette” – copy attached to file cover.

15.164 This is in marked contrast to the circular prepared by Mr Ó Síochfhradha in 1946, in which he gave more detailed guidelines as to the permissible administration of corporal punishment in residential schools. In this circular he impressed on the Resident Managers that corporal punishment should only be used as a last resort and ‘only for grave transgressions’.

15.165 Given the tone of the 1946 circular, the response by him and Dr McCabe is puzzling. It is even more absurd that Mr Ó Síochfhradha should then write to the Minister recommending ‘... the salutary effect of the leather strap when applied on the proper place’, when he himself had ruled the only proper place was on the hand.

15.166 The Department of Education referred to this matter in its Submission to the Investigation Committee:

While the punishment of boys in this instance appeared to contravene Department regulations, the Inspector is not recorded as having challenged the Resident Manager and it is possible that Dr. McCabe considered reformatories requiring a different approach in regard to discipline and the use of corporal punishment. There is no evidence that she offered advice on how the troublesome boys could have been treated differently; the 1946 circular stated that principals could draw on the advice of the Department’s Medical Inspector “regarding any children who are specially troublesome or difficult to control”.

15.167 This statement itself revealed the problem. The Inspectors were the only persons who could, through their regular visits, ensure that the rules for corporal punishment were being followed. If Dr McCabe believed that the rules and regulations relating to corporal punishment did not apply to reformatories, this was a fact that should have been recorded in the Department records. It is a measure of the inadequacy of the Department’s supervision that it did not know what standards its own Inspector applied. In this case, the Inspector reported back and received Departmental approval for her approach.

- 15.168**
- **Dr McCabe’s acceptance of the blatant breach of the rules and regulations governing corporal punishment is significant. No attempt was made to disguise the regime in operation. The Department of Education knew its rules were being breached in a fundamental way and condoned it.**
 - **As a result, management in Daingean could and did operate a system of punishment in breach of the rules laid down by the Department, in the knowledge that the Department would not interfere.**

1964 complaint

- 15.169** The Department received another complaint, in 1964, contained in a letter from a solicitor on behalf of the parents of a boy, in which it was alleged that the boy had sustained injuries on his first day in Daingean in November 1963. His mother complained that, when she visited him in February 1964, she saw that his face was injured and her son told her that he had 'received violence' from one of the Brothers in the School. The solicitors requested that the Department investigate the matter, as the parents had not been informed by the School of their son's injuries.
- 15.170** There was a short, handwritten note on the letter by a Department official, 'please send copy to Mgr and ask him for his observations'.
- 15.171** The next letter on file is a letter from the Department of Education to the solicitors:
- I am directed to inform you that the allegations made by the parents of the boy have been investigated by the Manager of the school. He is satisfied that the allegations made by the parents are without foundation and that none of the Brothers in St. Conleth's treated the boy with violence of any kind.
- I am to add that the boy's mother visited him [in June, 1964] and is reported as having expressed her pleasure at her son's progress and well-being.
- 15.172** There is no record of what investigations the Resident Manager made and no written record of what he told the Department.

June 1969 complaint

- 15.173** During a visit to Daingean in early June, a father noticed that his son had a black eye. The boy's explanation was that he had been kneed in the face by a Brother, who took bread from him. Another boy gave him a slice of his bread, and that boy in turn was beaten.
- 15.174** On 13th June 1969, the boy's mother called to the Department of Education to apply for the discharge of her son, and had a conversation with an official who recorded what she said. She complained that he had been ill-treated in Daingean. She alleged that he had a black eye inflicted by one of the Brothers, and she also recounted the incident with the bread, which she claimed took place in the presence of another Brother, whom she named. The note of the meeting prepared by the Department official stated that this Brother denied having seen the incident. She was also annoyed that she had not received any letters from her son, as promised by the School.
- 15.175** After this visit to the Department, the mother wrote to the authorities in Daingean, informing them in an undated letter that she had lodged a complaint with the Department against the Brother who had injured her son. She was worried that he would be further injured for having spoken about his ill-treatment to his father, '... probably his arms and legs are broken for tell his Daddy as you don't like squealers'. She also complained that her son was bullied and terrorised by other boys in the School, and she asked that her complaints be investigated.
- 15.176** The Department official was sufficiently concerned by what he heard that he phoned Fr Luca the same day, requesting a school report as soon as possible. Fr Luca said he would investigate the matter but assured the Department official that boys were not prevented from writing home, quite the contrary.
- 15.177** The boy absconded from Daingean in January 1970 and, as there were no further records relating to him, it would appear that he was never brought back and that he remained at large. Neither was there any account of the investigation of the complaint.

15.178 The discovered documents reveal an unexplained anomaly. The Department's system for processing requests for early discharge was to send a standard communication form, requesting the Manager to indicate whether discharge was recommended by him. That occurred in this case, but the form sent by the Department was dated one month prior to the mother's visit to the Department – 12th May 1969. Fr Luca filled in this form but did not make clear whether he recommended a discharge or not, although he did state that he thought there was little hope for lasting or radical improvement in the boy. There was no reference in that document to the complaint by his mother. The document signed by Fr Luca is dated 13th June 1969 and is stamped as received by the Department on 16th June 1969.

- 15.179**
- **Irrespective of the whereabouts of the boy, the mother's complaints were serious but they went uninvestigated.**
 - **The complaint that the boy had been bullied and terrorised in the Institution was similar to the evidence of many witnesses at the private hearings.**
 - **The circumstances of the meeting in the Department, the boy's escape and the lack of follow-up are not easy to reconcile with good administration.**

September 1969 complaint

15.180 The next documented complaint came in September 1969, when the Department of Education was visited by the mother of a boy admitted to Daingean two months previously. She came into the Department personally, the day after her visit to Daingean, with another son and complained of ill-treatment of her son on two occasions.

15.181 The first occasion was when she visited him, shortly after he had arrived in Daingean, and she said his face was black and blue from a beating that Br Enrico¹⁰ had given him. The boy had asked his mother not to say anything about it at the time.

15.182 The second occasion was when she visited him a month later. His face was swollen and discoloured as a result of a further beating he had received at the hands of the same Brother. She described the state of agitation her son was in when telling her, and how he wanted to run away there and then. The mother told the official that she did not object to her son being disciplined with a strap, but she did object to him being beaten with a fist and with a portion of a plastic hose. She said she could provide a witness to the state of her son's face, and gave the name and address of another visitor present at the time. She also complained that she was not getting letters from her son, who said he had written to her on a number of occasions. On the day of the visit, she spoke to a Brother about this, and he said he had posted two letters on behalf of her son to her. She did not bring up the beating with this Brother on the day of the visit.

15.183 The Department official promised the mother that the matter would be investigated, and an official was sent to Daingean. Clearly, the Department was becoming alarmed because of these very similar complaints coming in quick succession. An unusually detailed investigation was carried out, and the full text of the report is given below:

Daingean

Admitted 1969 – stealing

Runaí Cunta

As instructed I visited Daingean to investigate Mrs. [Walsh's]¹¹ complaint about the ill-treatment of her son in Daingean and interviewed Brother [Macario],¹² Acting Manager,

¹⁰ This is a pseudonym.

¹¹ This is a pseudonym.

¹² This is a pseudonym.

and John Walsh.¹³ Brother [Enrico], who was alleged to have beaten the boy was on annual leave and called to this Office ... by arrangement where the investigations were completed. In the interim I visited the boy's mother ... and also spoke to Father [Salamon],¹⁴ S.J. and Mr. [Carlos]¹⁵ who had experience of [John] in [a boy's] Club where he was a member for a number of years.

Though [John] had been described by the authorities in Daingean as being a bit of a 'pup' his mentors in the [boys'] Club would not agree with this opinion. They did say that he could be difficult at times. Brother [Macario] did not deny that on one occasion ... the boy had got 'cuffed' but did not know of any previous assault on the boy by a member of the Staff. Members of the [Walsh] family had arrived in Daingean ... and seeing the condition of [John's] face had created an incident.

When interviewed [John] admitted that he had absconded six times since [he arrived] and after an unsuccessful attempt to escape on ... had been brought back by Brother [Enrico] who counselled him on the futility of his intention and gave him a couple of apples. [John] admitted that he liked Brother [Enrico].

When he called to the Office, Brother [Enrico] described the incident. Having brought [John Walsh] back to St. Conleth's as described above, Brother [Enrico] was on his way to organise the milking of the 100 cows kept on the farm in Daingean which [Walsh's] earlier absconding had interrupted. The usual supervisory staff were being helped out by students from the Oblate Noviciate in Athy and word was sent to him that [Walsh] had again absconded and was threatening a young Clerical student who was attempting to restrain him. When Brother [Enrico] arrived on the scene [Walsh] was already half way across the canal which bounds the Reformatory. With assistance, Brother [Enrico] was able to shepherd him out of the canal and once on the bank he gave him a backhander on the face and then seizing a length of plastic hose, which was the nearest thing to his hand he gave [Walsh] three strokes on his wet jeans. He admitted that at that stage his patience with the boy was exhausted. He admitted that the boy's face had swelled up as a result of the backhander and that because of his jeans being wet he had left weals on [John's] legs with the plastic hose ...

Control of delinquents in Daingean is a difficult task calling for endless patience and understanding but the one unjustifiable feature of the present case, notwithstanding the provocation given by the boy, is that while [John] is fifteen years old and weighs 8 $\frac{1}{2}$ st. Brother [Enrico] is a giant of a man, weighing 17 st. whose backhander could cause considerable damage in the circumstances.

The best way of finishing this case would, I suggest be a talk with the Manager, Father [Luca], O.M.I. on his next call to the Office and if you agree this will be done.

15.184 There is a handwritten note on the report to say that the matter will await Fr Luca's next visit, and this is dated 18th November 1969.

- 15.185**
- **This case again illustrates the Department's ambivalence to the use of violence in Daingean, even as late as 1969.**
 - **The fact that the boy did not confirm to the Inspector that he had been beaten should have made the Department concerned and suspicious.**
 - **The beating the Brother admitted giving the boy was an example of uncontrolled violence on the part of 'a giant of a man' on a boy of 15 years. The Inspector, however, identified the disparity in size as 'the one unjustifiable feature', and did not address the issue of unregulated and uncontrolled punishment in his report.**

¹³ This is a pseudonym.

¹⁴ This is a pseudonym.

¹⁵ This is a pseudonym.

Complainant evidence in relation to Br Enrico

- 15.186** The Investigation Committee heard allegations from six witnesses as to the severity and violence of this Brother.
- 15.187** One witness present in the late 1960s described this Brother as ‘... a very big, tall, stocky Brother who worked on the farm’. He described an incident where six pupils were taken from the dormitory and beaten in turn by this Brother with a leather. They were accused of plotting an escape and he was going to make sure it did not happen. He said that this Brother:
- had some lad there standing and each one of us in turn—he made us lie across the stairs had him stand on our hands and he whipped us with a leather ... I had only a nightshirt and he pulled up our nightshirts over our heads.*
- 15.188** Another witness present in the late 1950s and early 1960s stated that he worked on the farm:
- Br. Enrico was in charge of the farm. He was nicknamed the Bull, he was a big strong man, he was over six foot. He didn't like being called the Bull ... On one occasion I got a bang of a shovel or a spade, I don't know which, I was brought to hospital and I got stitched.*
- 15.189** The infirmary records for this pupil confirmed the injury complained of: ‘12.7.60 Accident, Cut face, Dentures smashed’.
- 15.190** The witness recalled that the incident centred round him calling the Brother by his nickname and stated, ‘In fairness to the man I don't think he didn't mean to hurt me as seriously as he did’. He said he lost three or four teeth in the incident and, contrary to the medical record, did not have dentures at the time. He stated that his teeth were not repaired in Daingean. He got the dentures at a later date when he left Daingean and joined the British Army.
- 15.191** Another witness present in the 1960s said Br Enrico was in charge of the farm and was a ‘Big tall man about 21/22 stone he was. He was over six foot, a big giant of a man’.
- 15.192** He recalled the second winter he spent in Daingean as being very cold, and the boys were told to go out and pick potatoes in November. He refused, and Br Enrico ‘went ballistic’. He described how this Brother kicked him around the yard. He was asked about the severity of the beating and he summed it up simply as ‘A grown man beating a young child, that's what it was’.
- 15.193** Another witness present in the late 1950s recalled Br Enrico working on the farm, and remembered an incident where he witnessed another pupil being boxed on the side of his head by this Brother. There was blood coming out his ear and he remembered the boy being brought in and cleaned up afterwards.
- 15.194** A further witness present in the late 1950s said that he worked at the ‘horse batch’, ie he was assigned to look after the horses with three others. He said that Br Enrico and another Brother would hold them over the ‘shaft of the ponies’, and Br Enrico would hit them across the back with a rope while the other Brother used his fists.
- 15.195** Another witness present in the early 1960s recalled an incident when a farmer hit him, and the farmer complained to Br Enrico that he had given him cheek. Br Enrico used a hosepipe to beat him. He described Br Enrico as ‘... a big man, He was big, he was six foot odd and weighed about 28 stone. He was about in his 40's ...’.

15.196 He also remembered an incident when he was accused of leaving a gate open, and a dog got in and killed some sheep. Br Enrico called him into the dairy and hit him with a box that broke his nose and the blood went everywhere.

- 15.197**
- Some of these complaints arose during Fr Luca's period as Resident Manager, and clearly the giving of beatings was not confined to the Prefect, as stated by him. Br Enrico administered severe ad hoc punishments, as well as the more ritualistic floggings, although he was not the Prefect but the farm Brother.
 - Br Enrico was brutal and unpredictable.
 - Fr Luca's comments that 'On the corporal punishment, I don't think it was excessive' was contradicted by the facts.

Corporal punishment: tradition and practice rather than regulation

15.198 As the above cases illustrate, rules and regulations about corporal punishment were, until the Kennedy Report in 1970, mostly a matter for the personal discretion of the Resident Manager and his staff. If the official rules and regulations were known to the management in Daingean and, in particular, if the 1946 circular was known to them, they were disregarded in the application of punishment in Daingean.

15.199 When asked by the Committee, 'Were there rules and if so how were they known?', Fr Murphy who spoke on behalf of the Oblates at the Emergence hearing said:

There were rules and basically they were passed on from person to person within the body. So in a sense it became a tradition, if you like, of rules and regulations within the reformatory itself ... there was a Prefect in charge and he was the only one who could inflict corporal punishment for serious offences ... The other Brothers had the permission, had the right or permission, to inflict punishment on the hands only. So it was sort of a tradition, if you like, of corporal punishment for which there is though written protocol.

15.200 The circulars on corporal punishment, in short, did not alter tradition and practice, and it was only when Fr Luca was told that he could be prosecuted for corporal punishment that the management of the School began to realise their practices were in breach of regulations. In fact, the issue of corporal punishment had emerged as a serious problem a year before, with the visit of the Kennedy Committee.

- 15.201**
- This statement of Fr Murphy on behalf of the Oblates, as a representation of corporal punishment practice in Daingean, is completely at odds with the documented cases outlined above.

The Kennedy Committee and Daingean

15.202 In 1967, the Government set up 'The Committee on Reformatory and Industrial Schools' under the Chairmanship of District Justice Eileen Kennedy to carry out a survey of reformatory and industrial schools. The terms of reference of the Committee were 'To survey the Reformatory and Industrial Schools systems and to make a report and recommendations to the Minister for Education'.

15.203 The Departments of Education, Health and Justice each had to nominate a person to the Committee. The Department of Justice nominated Mr Risteard MacConchradha.¹⁶ In their Opening Statement during the Phase III hearings, the Department of Justice stated that it appeared from the documents that Mr Crowe¹⁷ was chosen because of his interest in child and youth welfare. He

¹⁶ This is the Irish version of Richard Crowe.

¹⁷ This is the English version of Mr MacConchradha.

also had a working background in the prison administration section of the Department. His concern for the children caught in the system was obvious from the beginning. He wrote:

The lot of the children, especially the boys, is very sad and there is an unbelievably entrenched “status quo” to be overcome, not least in the Department of Education, if there is to be any change for the better.

15.204 The Statement of the Department of Justice stated in relation to Mr Crowe:

it would be fair to say that Mr MacConchradha sought to advance his views with a vigour which was atypical of the civil service culture in which he found himself at the time.

15.205 The full Committee visited Daingean on 28th February 1968. They spent the day in the School completing the inspection. They spoke to Fr Luca, the Resident Manager, and his staff, but not, it would appear, the residents.

15.206 In a letter written during the course of their deliberations, they gave a lengthy account of numerous aspects of the School, including staffing levels, food, aftercare, health issues and numbers detained in the School. It was clear that the Committee had a number of concerns about Daingean, and met with Mr Thomas O’Floinn, Assistant Secretary of the Department of Education. At the conclusion of this meeting, Mr O’Floinn suggested that the matter should be conveyed in writing to the Department for it to be sympathetically considered.

15.207 This letter was sent in June 1968. Justice Kennedy stated that the Committee had not formulated final views on Daingean, but felt that immediate interim action should be undertaken to improve conditions, and detailed the following as requiring attention:

- (1) The premises gave a general impression of grubbiness and required a thorough cleaning.
- (2) The buildings were cold and interim heating should be provided.
- (3) The boys were dirty, unwashed with ingrained dirt and verminous hair and their clothing was ill fitting, old and dirty.
- (4) That the recognition of this School as a special school for the handicapped be given early consideration.

15.208 In relation to corporal punishment in Daingean, Justice Kennedy wrote:

In the course of discussion with the Committee as a whole, the Resident Manager disclosed that punishment was administered with a leather on the buttocks, when the boys were attired in their night shirts and that at times a boy might be undressed for punishment. At this juncture, the Committee does not wish to elaborate on corporal punishment as such but would urge that the practice of undressing boys for punishment be discontinued. In this regard, attention is invited to the amendment in recent times following the Court Lees¹⁸ incident of the British Home Office regulations regarding corporal punishment in Approved Schools which specifies that punishment, if administered on the buttocks, should be applied through the boys’ normal clothing.

15.209 Despite numerous reminders, the Department of Education did not reply to this letter until almost a year later, on 22nd May 1969, when they dealt with a number of general matters, but failed to

¹⁸ Allegations of brutal beatings in Court Lees Approved School were made in a letter to *The Guardian*, and this led to an investigation which reported in 1967 (see Administration of Punishment at Court Lees Approved School (Cmnd 3367, HMSO)) – Known as ‘The Gibbens Report’, it found many of the allegations proven, and in particular that canings of excessive severity did take place on certain occasions, breaking the regulation that caning on the buttocks should be through normal clothing. Some boys had been caned wearing pyjamas. Following this finding, the School was summarily closed down.

address the corporal punishment issue as raised by the correspondence. Mr Crowe saw this omission and prepared two memoranda concerning corporal punishment in Daingean for the Secretary of the Department of Justice.

The first memorandum

15.210 Mr Crowe pointed out that Mr O'Floinn, Assistant Secretary of the Department of Education, had attended a meeting with the Kennedy Committee that had visited Daingean. During that meeting, Mr O'Floinn remarked '... that punishment of the sort disclosed by Fr [Luca] would be regarded as irregular by the Department of Education'. He also said 'that the complaints of irregular corporal punishment were investigated by his Department but he said that frequently these complaints could not be substantiated'.

15.211 Mr Crowe stated at this meeting:

I said at this stage and I was supported by other members that what was being brought to his attention in relation to corporal punishment in Daingean did not arise by way of complaint but derived from an open avowal by the Resident Manager of the way in which corporal punishment was administered in the reformatory school.

15.212 Mr Crowe stated that Mr O'Floinn invited the Committee to include this matter in the letter to the Department of Education, which was forwarded on 14th June 1968 (as detailed above). This letter did not receive a reply despite numerous reminders until almost a year later, and Mr Crowe expressed concern that the reply '... made no reference whatsoever to the particular matter of boys being corporally punished while they were stripped naked'.

The second memorandum

15.213 The other internal memorandum prepared by Mr Crowe stated that Justice Kennedy, accompanied by most members of the Committee including himself, visited Daingean on 28th February 1968. They made a tour of the buildings and the surroundings, and the Committee members had a general discussion with the Resident Manager of the School, Fr Luca, along with other members of the staff. In the course of this discussion, one of the members enquired about corporal punishment. Fr Luca replied that corporal punishment was administered by one particular member of the staff to whom he assigned disciplinary duties (ie the Prefect). He stated that both doctors on the Committee put a number of questions to Fr Luca about the circumstances of corporal punishment being administered to boys.

15.214 According to Mr Crowe, Fr Luca replied 'openly and without embarrassment that ordinarily the boys were called out of the dormitories after they had retired and that they were punished on one of the stairway landings. The boys wore nightshirts as their sleeping attire and, when called for punishment, would be in their nightshirts only. Punishment was applied on the buttocks with a leather'.

15.215 Mr Crowe continued:

I put the only question that I asked in respect of corporal punishment at this juncture. I asked if the boys were undressed of their nightshirts when they were punished and Fr. [Luca] replied that at times they were. He elaborated by some further remarks to the effect that the nightshirts were pulled up when this was done. This additional remark was subsequently commented upon by the committee members in private discussion. The point was made that a boy so punished with a leather could hardly be expected to remain still, his struggles were likely to enlarge the extent of his undress and the likelihood that a struggling boy might be struck anywhere on the naked body could not be excluded. Some other committee member asked why he allowed boys to be stripped naked for

punishment and he replied, in a matter of fact manner, that he considered punishment to be more humiliating when it was administered in that way.

15.216 On 16th April 1970, Mr Berry, the Secretary General of the Department of Justice, sent a letter to the Secretary General of the Department of Education. He stated that Mr Crowe had reluctantly signed the 'Report of the Committee on Reformatory and Industrial Schools' on 13th April 1970. He then gave Mr Crowe's reasons for his reservations in signing the report:

To sign a report which made no reference to the situation about punishment in Daingean would, in the absence of evidence that the practice had ceased, be to appear to acquiesce in a practice which is indefensible and for the continuance of which the Minister for Justice could not avoid some official responsibility arising out of his having registered Daingean as a suitable place of detention under the Children Acts. On the other hand, to make any reference, however oblique, to this particular method of punishment in Daingean would be likely to lead to a disclosure of the situation and, in this way, to cause a grave public scandal.

When the problem was explained by telephone to your Department, it appeared that the request of the Committee about punishment had been overlooked. It was confirmed that punishment of this kind is contrary to the policy of the Minister for Education and an assurance was given that – subject of course to any limitation there may be on the Minister's powers – action would be taken to stop it in Daingean. In view of this, Mr. Mac Conchradha signed the Report.

The Minister is also concerned lest a similar method of punishment may exist in other schools to which children and young persons are sent by the courts and he would be glad if your Department would take whatever steps are open to it to ensure that this is not the case.

15.217 The Department of Education replied to the above by letter on 30th April 1970. The letter stated:

following on the letter from the Chairman of the Committee of the 14 June, 1968, the Inspector of Reformatory and Industrial Schools had a discussion with the Resident Manager, Rev. [Luca] O.M.I., at which the manager was told that the boys should not be undressed for corporal punishment and that the aim of the management should be to phase out corporal punishment in the institution. At a special meeting with Fr. [Luca] on 21 April, 1970, the manager stated firmly that boys were no longer undressed for corporal punishment and that corporal punishment was being phased out in Daingean ... The omission of reference to the Inspector's discussion with Father [Luca] from the letter to District Justice Kennedy of 22 May, 1969, is a matter for regret ...

15.218 The letter then added:

There is one further point to which it is felt reference should be made. Father [Luca] took grave exception to the last sentence of Mr. MacConchradha's account of his visit to Daingean in which it is alleged that the Manager considered corporal punishment to be more humiliating when administered on the naked body. Father [Luca] has no recollection of making such a remark, the theory of which he asserts is neither in his philosophy nor in his character, nor would he have answered any question by a member of the Committee "in a matter of fact manner" on such an important occasion.

15.219 This argument over what had been said became a matter of some lengthy controversy, including letters in the press in attempts to elucidate the matter.

15.220 Fr Luca gave evidence before the Investigation Committee on 1st June 2005. He recalled the Kennedy Committee's visit to Daingean, and said that it was a very bad day for them to arrive as it was Ash Wednesday. The Secretary of the Committee did not come with the others on the visit.

He made them as welcome as he could and he did know the reason for their visit. He remembered that he got two days' notice of their visit and they did not just '*... land on the doorstep unannounced ...*'.

15.221 His intention was to be open and forthright with them. He was anxious that the Kennedy Committee would bring about the changes they had been looking for. He recalled that previous committees had visited and nothing had ever happened as a result. Their reports just gathered dust. He saw the visit as an opportunity to lay all his cards on the table and let them know everything. He had no intention of gilding the lily or giving a false impression. He recalled going into a fair amount of detail about the various departments of the School. He said the Committee members had accepted that the Oblates were trying to bring about certain changes, but they also pointed out all the cracks, and they thought the Oblates were not doing everything right.

15.222 Fr Luca said the members of the Committee went around the School, inspected buildings, spoke to staff and then afterwards had a meeting with him. He was asked to comment on the second memorandum prepared by Mr Crowe, and he made the following points:

- (1) He agreed that one particular member of the staff to whom he assigned disciplinary duties administered corporal punishment. He did not remember telling them but he agreed '*it must be so*'.
- (2) He remembered the Prefect carrying a strap but did not know if the other Brothers carried one. He did not think it was a common thing for them all to have straps.
- (3) He could not remember telling the Committee members that boys were called out of the dormitories after they had retired and that they were punished on one of the stairway landings '*... because my own perception of what had happened was that they were brought to the washroom which was a room at the bottom of the stairs. I didn't know about it being done on the stairs*'.
- (4) It was news to him to hear that evidence was given that boys described punishments on the stairs. He stated that he did not know this occurred.
- (5) When asked if it was the case, therefore, that he could not have told the Kennedy Committee members what was recorded in the memorandum, he stated, '*I was certainly stretching things a bit if I were to say that and I don't think I did*'.
- (6) He did not remember saying how the punishment was applied to the buttocks, or what the boys wore when this occurred: '*Honestly I don't remember saying it. I am not doubting Mr. MacConchradha's word but I can't remember it*'.
- (7) When asked to comment on the now infamous remark about boys being stripped naked for punishments as it would be more humiliating that way, he stated:

I certainly don't remember. Another thing I would say it would be totally a contradiction of what my own philosophy was about, the treatment of the boys. To say a thing like that, I don't think it's something that I would have said.

- (8) Fr Luca concluded by agreeing that, in his dealing with this topic over the years, including in the newspapers, at all times he had said, including today, that he had no recollection of saying that.

15.223 Fr Luca then recalled his meeting in April 1970 in the Department of Education with Mr McDevitt, the Department's Inspector, when Mr McDevitt said, '*Father, did you know that you could be prosecuted for administering punishment*'. He again confirmed that he took the message, and the following morning called in his staff and told them, '*From now on no more corporal punishment because you could be liable to answer for it in the courts*'.

15.224 What becomes apparent from the Crowe controversy is that change was forced upon the Department of Education by the correspondence that followed the visit of the Kennedy Committee. Circulars generated by the Department of Education on the rules and regulations for the administration of corporal punishment produced little change, but the criticism by the Kennedy Committee, an independent body, did eventually enforce change. Two years after their visit, the traditional ‘floggings’ of Daingean came to an end.

15.225 In their Opening Statement, the Oblates stated that, following a request from the Department of Education to cease the practice of removing clothing when administering corporal punishment, Fr Luca took steps to phase out corporal punishment altogether. This was some 13 years before it was forbidden by law in schools in Ireland. They further stated that it gave rise to a grave disciplinary problem in the School.

15.226 It is clear, from the following accounts of riots in Daingean, that the School had grave disciplinary problems long before the phasing-out of corporal punishment.

- 15.227**
- **Fr Luca did not fear censure about the practice of floggings in Daingean. This practice was well known to the Department of Education and had not attracted criticism in the past. He was clearly unprepared for the revulsion of the Department of Justice representative to it. There was no reason for Fr Luca to be anything other than ‘matter of fact’ about it, as it was accepted by Dr McCabe as early as 1953.**
 - **The investigation into Br Enrico, as outlined above, shows a regime in which Brothers other than the Prefect administered severe corporal punishment.**
 - **Only the intervention of the Kennedy Committee brought about the end of floggings in Daingean after two years of correspondence. It is hard to reconcile this with the stated position of Fr Luca, that he abhorred the practice of flogging and resolved to do away with it when he became Resident Manager.**

The Daingean riots

15.228 There were three riots in Daingean, recorded in the documents furnished, that occurred during the relevant period. The two principal riots occurred in 1956 and 1958. Both of these riots were largely brought under control by the authorities within the School, and charges were successfully brought against the ringleaders. There was a third, earlier, less well-documented riot, which is referred to in the extensive Garda Report on the 1956 riot.

The 1956 riot

15.229 The first riot occurred in Daingean on 13th April 1956. The next day, Fr Salvador,¹⁹ the Resident Manager, wrote to Mr Sugrue²⁰ of the Department of Education:

We had some trouble yesterday which could have had very serious results if the organised disturbance or mutiny as the boys called it, had not been nipped in the bud. The display of dangerous weapons they concealed on their persons was formidable, including slashers, an axe and all kinds of iron bars. They smashed a number of windows and intended doing more widespread damage. I have sent on the names of the ringleaders. These I had to have taken over by the Guards. They include [a boy] who came here last month, just a few days before his 17th birthday. He and the other four are as far as I can see and judge beyond the reach of the best efforts of a reform school.

15.230 The alleged ringleaders were handed over to the Gardaí on 13th April 1956. They were to be charged ‘with having taken part in an organised disturbance’.

¹⁹ This is a pseudonym.

²⁰ This is the English version of Ó Síochfhradha.

- 15.231** The Department of Justice wrote to the Secretary General of the Department of Education on 23rd April 1956, enclosing a Garda Síochana Preliminary Crime Report on the incidents in Daingean, that outlined the disturbance that had taken place involving about 40 inmates who had endeavoured to start a riot. The Gardaí prepared a more extensive report some two weeks later.
- 15.232** According to the Gardaí, they were informed by telephone of the trouble and were asked for their assistance by the Brothers. The Gardaí went immediately to the School, where they learned that the disturbances and insubordination had arisen while the boys were at tea in the dining hall. The staff had succeeded in rounding up the ringleaders, and these were taken to the washhouse and searched, and an array of weapons was found in both their clothes and around the School. These included a hatchet, iron bars, spikes, a cosh, stones wrapped in hankies and a boot-maker's knife. The staff were made aware of the mutiny by more 'loyal members of the Institution'.
- 15.233** One of the ringleaders had been involved in a previous attempt to commit a riot in the School a couple of years previously, when the school authorities had effectively dealt with the incident. The boys gave the shortage of reasonable food as their reason for the riot, but this, according to the Gardaí, was only an excuse, and the real reason was an organised attempt to break out. The Gardaí took statements from other boys, who revealed that the intention was to overpower those in charge, to cut the telephone wires, seize a lorry that was on the premises and make a breakout for Dublin. The five accused were remanded in custody to Portarlinton District Court on 18th April 1956. All five were convicted and sentenced to terms in St. Patrick's Institution.

The 1958 riot

- 15.234** The second riot was two years later. The Garda Primary Crime Report outlined the events. In the week commencing 7th September 1958, it became known that there was a conspiracy to effect a riot in the School. The three ringleaders were all over the age of 17. On 3rd September 1958, the father of a boy in Daingean handed a letter into Store Street Garda Station. His son, who was an inmate of Daingean, had written the letter to his other son. The letter asked that he should arrange a car to be sent from Dublin to assist in the escape. The letter read:
- I write a few lines to asked you will you be able to get a car or van for Sunday 7 for me and a few lads are going to start a Mutiny and are going to run away. I wrote to a lad who was here before and he is getting me a car or van to for Sunday 7 and don't let mammy know.
- 15.235** The letter was handed over to the Gardaí by their father. On receipt of the letter the station sergeant contacted the Reformatory to warn the authorities of possible trouble. With this information, the school authorities took extra precautionary measures within the School, and made further enquiries. Some of the boys involved in the plan gave information to the school authorities. They revealed that a conspiracy was afoot involving about 20 inmates. It was planned to attack the night watchman. Numerous searches were conducted in the School, and a large iron file was found under a bed. One boy handed over a butcher's knife, two iron bars and a knuckle-duster from the dump to a Brother. Another boy had a large iron bar and a knuckle-duster concealed in his clothes.
- 15.236** On 12th September, the three ringleaders were arrested on warrants and brought before the District Court in Tullamore. They were charged with conspiracy to cause a riot and incitement to commit a riot, along with breaches of the school rules and conduct likely to cause breach of the peace. All three pleaded guilty to breaching the school rules and not guilty to the other charges. The judge convicted them on this count and did not send them forward for trial in respect of the other charges. Each was sentenced to two years in St Patrick's Institution.

The School rules in Daingean

- 15.237** During the hearings of the charges of rioting in Daingean in 1956, the Justice had asked whether there were any written rules governing the conduct and discipline of the boys. He was informed in the course of the evidence that there were no written rules.
- 15.238** Two years later, the issue of the school rules arose again. Two weeks before the trial of the ringleaders in the 1958 conspiracy to riot in Daingean, Br Jaime forwarded a copy of the school rules to the Department of Education. The local Gardaí were interested in the Department's views on the rules, and anticipated the matter arising in the imminent court case. Br Jaime asserted that he had drawn up the rules in July 1958, displayed them on the notice board in the School and, for the benefit of those who could not read, he arranged lectures for them. He had intended forwarding them to the Department for approval at that time.
- 15.239** The Department responded on 23rd September 1958, and made the following observations:
- (1) that there was little likelihood of his (the Manager) being questioned as to the breach of the rules as this would not appear to be among the charges which would be preferred,
 - (2) If the question did arise he should say that the Department is aware of the rules and have offered no objection to them,
 - (3) in view of the nearness of the trial 25th September, 1958 the Department did not consider it desirable to have a letter issued bearing the date 24th September, 1958 offering no objection to the rules.
- 15.240** In a letter dated 3rd October 1958, Br Jaime wrote to Mr Sugrue of the Department of Education, informing him how the case had progressed. He wrote:
- I stated in court that they (the rules) were always in practice here, and that the Dept. of Education knew about them, and had no objection to them. I also stated that I had, with the Superior's sanction, decided to put them in writing, and post them up for the boys to read. This was on June 20th. of this year. I also stated in the court that I had explained some of the rules in question to all the boys, and that I had cautioned two of the boys concerned in the case about certain rules, and that it would be impossible for any boy not to know them.
- 15.241** The rules that had been prepared and posted up by Br Jaime were in manuscript form, and must have been a lengthy document, given that the typed version of the Major rules alone ran to seven pages. The school authorities later had them printed up and sent to the Department for approval. These were examined by a Departmental official and, in a memorandum to the Secretary of the Department, he said they appeared adequate for the requirements of St Conleth's. The importance of having these rules can be gleaned from the final paragraph in his memorandum:
- Where written rules exist it is comparatively easy to arrange for the committal to Borstal of a Reformatory School pupil. This may be done before a Court of summary jurisdiction and the charge may consist of a breach of the rules of the school or of inciting to such a breach.
- 15.242** The Assistant Secretary to the Department, in a handwritten note in Irish on the above memorandum, stated that (1) the Rules would be better understood if the English version was improved, and (2) there would be the danger that the Manager and the Department would be made a laughing stock by virtue of its contents if the present version were read out in open court.
- 15.243** The Assistant Secretary's concerns were well founded. Prior to the changes and amendments suggested by the Department, some of these rules were so ill-thought out and badly worded that they would confuse an adult, let alone a poorly educated child.

15.244 To illustrate the point:

RULE 8. Good manners should not be used only towards those whom we like. Not everyone may like one of us, yet each of us expects good treatment at the hands of others.

Therefore; selfishness and unfairness in regard to the rights of others is absolutely wrong. This applies especially to meal-times when some boys may deprive others of their fair share. The school authorities will see to it that each boy gets his rights and that offenders are punished.

RULE 10. Immoral or impure conduct is forbidden by God Himself and so is no mere school rule. Therefore to warn boys against it is absolutely for their own good. The school authorities must strictly forbid it and will be helpful and watchful in preventing any such conduct.

RULE 17. Any intercourse between Senior and Junior Sections is an offence against the school rules.

The forming of particular friendships between Senior and Junior boys is a more serious offence and merits a severe penalty.

15.245 The school rules were divided into two sections: MAJOR rules and MINOR rules. The major rules ran to seven typed pages containing 21 rules. The rules stated: 'To break a major rule is serious and merits serious penalties'

15.246 It was two years before these rules were finally approved by the Department, in November 1960.

The evidence heard by the Investigation Committee

15.247 One of the boys accused of involvement in the 1958 riot gave evidence. As a result of the conviction in respect of the riot, he received a two-year sentence in St. Patrick's Institution. He was asked whether he remembered the school rules. He said, '*I don't remember anything because I'd never seen the school rules*'. Neither did he recall being lectured on the school rules.

15.248 He stated that he was punished severely by the Prefect for his part in the riot. He was taken out of the hall where the film was being shown, and brought to a hallway where he received the lashes from the Brother. There was no other Brother involved. He stated that he received blows on his arms, back and backside. He claimed that he had received over 100 blows, and then stood up and hit the Brother with his head, accidentally, resulting in more blows being given to him. He believed that this amounted to 140 blows in total.

- 15.249**
- **This boy's conviction and sentence to two years in a Borstal was facilitated by the Resident Manager's evidence in court that the school rules had been in place from 20th June 1958 and had been specifically brought to the attention of two of the accused.**
 - **The Department was uncomfortable with the Resident Manager's history regarding the rules. It feared exposure of the fact that they had been submitted to the Department so recently, ie just before the trial and after the riot.**
 - **The Department of Education knew that its acceptance of the Manager's word that the rules had been in place prior to the riot was important for the case.**

Attempted arson 1968

15.250 In 1968, a number of residents in the School attempted to set fire to part of the building. The Garda report on the incident stated that the trouble started on 25th August 1968, when a fight took place between rival gangs in the School. On the 26th, senior and junior sections were separated and confined to separate parts of the School. At this stage, the junior section boys decided not to fight amongst themselves and came up with a proposal that they all should join together to burn

down the buildings. It was decided to attempt to burn down the junior dormitory at 11pm when the lights went off. Four boys obtained bottles of diesel oil. At 11pm that night, one boy sprinkled three vacant beds and part of the floor with the diesel. As he was about to strike the match, the night watchman sounded the alarm and more staff arrived. Order was restored.

15.251 On 27th August, the local Garda Sergeant was informed that a fire may be started in a number of workshops, and that four o'clock in the afternoon was fixed as the start time. The local fire brigade were alerted. However, the staff had restored order and no Garda assistance was required. The Manager separated the ringleaders and had them confined in a separate room. These boys were interrogated by a Garda Sergeant at Daingean, and it became evident that a full-scale conspiracy to burn down sections of the Reformatory was in existence. The four boys mentioned above were charged with attempted arson and conspiracy.

- 15.252**
- **The severe regime of corporal punishment in Daingean did not prevent trouble in the institution.**
 - **There are no recorded instances of riots in Daingean after the abolition of corporal punishment in 1970.**
 - **The riots as described by the Gardaí suggest that the institution that was seriously out of control. This was a consequence of bad management and Daingean was a frightening and threatening environment as a result.**

Absconding

15.253 During Fr Luca's time as Resident Manager of Daingean, it appeared that there was a serious problem with pupils absconding from the School. Examining the pupil files available, between 1963 and 1972, 35 children absconded on 46 different occasions (some pupils absconding more than once). As instances of absconding were not always recorded officially in pupil files, these figures are not accurate and are likely to be much higher. It does, however, give a strong indication of the magnitude of the problem.

15.254 During Fr Luca's time, absconding became such a problem that, in 1966, it drew the attention of the media, which resulted in a petition being sent by the mothers of four boys to the Minister for Education, enquiring into conditions in the School. The mothers concerned stated in their letter to the Minister:

When we visit our sons we feel that they are not free to speak their minds. They always seem to be in a state of tension.

15.255 In an article in *The People* newspaper in October 1966, it was highlighted that 18 boys had absconded between July and October in that year alone. Fr Luca was quoted in the article :

Occasionally boys do wrong and they have to be punished. They may get a slap or a leather strap across their hands. But there is no brutality ... The stiffest punishment I have had to give in two years here has been to stop a boy's holidays ... We try to run the school like a big family. We have our own farm ; we produce our own vegetables and bread. In fact we are almost self sufficient ... We care for more than 100 of the toughest boys in the country. Discipline sometimes has to be enforced. But nothing happens at St. Conleth's that could remotely be described as cruel.

15.256 In response to the article, a memorandum was sent to the Minister for Education, where it was noted that the Industrial Schools Branch of the Department was satisfied that the discipline in the Reformatory was maintained in 'a kindly manner', and that the Resident Manager was devoted to the task with 'a genuine interest in the welfare of the boys'. A similar comment was made by T. O'Riartaigh, Secretary of the Department of Education, in a report in 1969:

Fr. [Luca] in particular is not only a man dedicated, but a man of vast common sense and goodness. A remark of his which struck me particularly was that indiscipline (e.g. running away) should not call for additional restrictions, as it is to be expected of these or any boys in such circumstances that they will occasionally kick over the traces.

- 15.257**
- Although the boys knew that a flogging by the Prefect was the punishment for absconding, large numbers of them still took the risk of running away to escape the severity of the regime.
 - Fr Luca offered no explanation as to why the boys were absconding, but defended the regime to the Department of Education and to the media although, according to his evidence to this Committee, he was revolted and horrified by flogging.

Conclusions

- 15.258**
1. Flogging was an inhumane and cruel form of corporal punishment.
 2. There was no proper system for recording physical punishment administered in Daingean, and it was extensively used by staff members.
 3. The staff resorted to corporal punishment and violence as the primary means of maintaining control.
 4. There was no control of staff in the infliction of punishment.
 5. Corporal punishment was often excessive and was administered by staff using a wide range of weapons. Relatively minor offences gave rise to severe punishment.
 6. The severity of punishments, its widespread use, and its unpredictability led to a climate of fear.
 7. Serious complaints were not properly investigated.
 8. Despite its rules and regulations on corporal punishment the Department had an unambiguous policy of supporting the authorities there.

Sexual abuse

- 15.259** After complaints about corporal punishment, the next most common kind of complaint was about sexual conduct within the School. The evidence described:

- (1) sexual abuse perpetrated by members of the Congregation and by other members of staff;
- (2) sexual abuse perpetrated by other boys; and
- (3) other sexual behaviour among boys within the Institution.

- 15.260** The stance taken by the Oblates on the issue of sexual abuse by staff was to insist that no meaningful investigation could be carried out. In their Submission, they stated unequivocally 'there is insufficient evidence before the Commission to make a finding that such abuse did occur'. They gave their reasons for this assertion as follows:

1. All living Oblates who were accused have denied the allegations.
2. The lay members of staff against whom allegations have been made are either dead or untraceable.
3. All complainants conceded they did not make any contemporaneous complaints to anyone in the school or to the Gardaí.
4. The documentary evidence from all sources during the lifetime of the School shows only one complaint by a pupil of sexual abuse against a staff member. It was made in 1967 by a pupil in Garda custody. This allegation was investigated separately by the

Gardaí and by the Oblates with the assistance of Senior Counsel. The allegations were deemed to be unfounded.

5. In another incident detailed in discovered documents from the Department of Education, a local man, in 1960, who had himself been accused of abuse, made hearsay allegations against a lay member of staff. The matter was investigated by the Resident Manager, the Department of Education, and was referred to the Gardaí who did not take the matter further.

15.261 The Oblates then went further:

The Oblates also strenuously contend that to make any general finding of sexual abuse in the circumstances of this investigation is potentially more damaging than a specific finding against a named individual and would be a clear breach of the right of the persons who worked in the school (approximately 136) to maintain their reputation.

15.262 The response of the Oblates to individual complainants' allegations was to maintain this position. They submitted:

it is impossible to fairly adjudicate on the complaints in these circumstances. The passage of 40 years, the deaths of many persons against whom allegations have been made or who might have cast light on these matters, the dimming of memories, and the absence of documents directly relating to the allegations make it difficult to develop a response to the allegations. The incidents ... require a careful investigation, the materials for which are not available in the records held by the Oblates ...

The conviction of Br Ramon²¹

15.263 Br Ramon was sentenced to six years' imprisonment on being found guilty of indecently assaulting 10 boys. All the offences took place between the mid-1980s and the early 1990s at a college in Wales. He was on the staff of Daingean for 17 years from the mid-1950s.

15.264 From the time of his arrest, a record of the unfolding events was kept by Fr Benicio,²² the local Oblate Parish Priest. A decision was made to enquire about Br Ramon in his various postings, because of a rumour that he had been asked to move on a previous occasion for inappropriate behaviour.

15.265 Br Ramon had worked in a hostel for homeless emigrants in London. He was employed as an assistant. According to Fr Benicio, the Director of the hostel, Declan Rafferty,²³ reported that he had had concerns about Br Ramon:

He said he wasn't happy about the way [Ramon] related to the residents – he either liked them or he didn't like them, there was no in-between. Twice it was brought to his attention that [Ramon] was in the rooms of residents after 1.00 am when they should have been asleep. He tackled him about this. He became particularly friendly with younger boys when they came. [Declan] had no concrete evidence of inappropriate behaviour but felt he was unsuitable to be working with young people. He said he told [Pierre]²⁴ at the time that he should not be sent to a place where there were young people.

15.266 On foot of the rumour that he had been removed from a previous posting for inappropriate behaviour, it was decided that senior Oblates would enquire from Fr Luca about Br Ramon's time in Daingean, and this is dealt with below.

²¹ This is a pseudonym.

²² This is a pseudonym.

²³ This is a pseudonym.

²⁴ This is a pseudonym.

15.267 Br Ramon left Daingean in the early 1970s, and he wrote a letter of protest about his transfer to a Scholasticate:

For close on 20 years I have devoted my life to helping in my own humble way the unfortunate boys that passed through St Conleths, it is a way of life that I have grown to love and I find it difficult to believe it has come to an end. My involvement with the boys in our care is now, as it has always been. Total ... I do however find it difficult to understand my new role ... I would like to think that you would reconsider my obedience, If after giving it a fair trial I am still not happy.

15.268 Four years later, he moved to a hostel for homeless emigrants in London, for a period of 10 years, before going to a college in Wales where he remained for six years. He was appointed as a Housemaster there.

15.269 Fr Luca, who was then Provincial of the Congregation, wrote to him, just before his appointment as Housemaster to the boys' dormitory, recommending that this new appointment would be less onerous than his work at the hostel, which he was clearly finding challenging. It was here that his behaviour led to his being found guilty of indecently assaulting 10 boys.

15.270 He would have done well to heed the warning and timely advice that Fr Luca sent him in a letter just after his appointment to the post:

It is an Apostolate where example and kindness will do a lot to help these young men to grow up as loyal members of the Church and good citizens. Many of them are very clever and from good upright families. They expect a high standard from us and we have the obligation to respond to that expectation in a positive way. Like all youth they will judge us and pay attention to us not merely from our words but how these words are backed up with authentic living of our gospel message.

15.271 Some witnesses appearing before the Committee gave evidence that this Brother had sexually abused them during his 17 years in Daingean. In its response to these complainants, the Congregation made no reference to the fact that Br Ramon had been convicted of serious offences against young boys in Wales, but simply averred that the Brother was now deceased. The Congregation cross-examined complainants on the minutiae of their allegations, and was dismissive of any allegation that was inconsistent or mistaken in even unimportant detail. One witness said:

Br. Ramon, he used to work in the bakery. There was one morning I was sent over to get the bread to put it out for the breakfast. I went over and he was there and he started tickling me and messing about, that kind of thing. Then he opened my trousers and put his hand in ... and he touched me. I was pushing him away, trying to get away from him and he grabbed me by the hand and he tried to force my hand onto his private part. I managed to struggle and then he just let it go at that. I got the bread and brought it back over to the recreation room ...

15.272 He was then asked if it had happened again:

Oh yeah, masturbating about five or six times after that. He would give me brylcreme, sweets, toothpaste, toothbrushes and things like that ... where I was working in the kitchen. He started groping me again and then I gave in, I masturbated him about probably four to six times.

15.273 He was asked why he had not told the Gardaí about this abuse when making a statement to them, or why it had not been included in the statement made for his solicitor. He replied, 'I didn't want to tell anyone. I felt like I was giving something for something'. He said he felt like 'A rent person'.

- 15.274** Various inconsistencies were pointed out, such as the fact that Br Ramon did not have duties in the bakery. However, the witness was adamant he had not got the identification of the person wrong, and said that Br Ramon was often in the bakery. The Congregation made no reference to Br Ramon's conviction, and treated the witness with incredulity and disbelief.
- 15.275** Another witness told the Committee that, although he personally had no experiences of a sexual nature with Br Ramon, he recalled that the Brother had a nickname '*Br. Sexpert Ramon*'.
- 15.276** Another witness told the Committee, '*There was five or six Brothers that did abuse kids*', and he named Br Ramon as one of these: '*Br. Ramon was an evil man*'. He added, '*There were other good Brothers there, they weren't all paedophiles*'.
- 15.277** He was then questioned about his allegations. He insisted, '*Br. Ramon tried to abuse me. I took the beatings rather than let them abuse me ... He got a hold of you and he groped you. I never let him go all the way with me, if you know what I mean*'. Under cross-examination he added:
- You would be in a room and he grab you by the private parts and pull you into it and he tried to grope you ... I would knock him away and take a slap.*
- 15.278** The cross-examination ended with a simple statement:
- I don't have any more questions. I should just point out, as I have done, that the Brothers concerned are dead. Br. Ramon is long time dead ...*
- 15.279** One complainant was asked whether he or anybody else had been shown kindness or fairness. He replied that he had never received any kindness, but identified the boys who worked for Br Ramon in the laundry as receiving special treatment:
- Maybe to one or two of the people that was working in the laundry. Br. Ramon was over the laundry and if you said anything to any of the boys that worked in the laundry Br. Ramon would give you a hiding for it because he didn't like his boys to be abused or given out.*
- 15.280** • **In circumstances where a Brother had such long service in Daingean, his conviction for sexual abuse was a relevant piece of information that should have been revealed to the complainants who made allegations against him.**

The allegation made in 1967 – the O'Brien²⁵ case

- 15.281** On 20th June 1967, a firm of solicitors acting on behalf of a former pupil of Daingean wrote to the Secretary of the Department of Justice about a matter that had caused them deep concern. A 15-year-old boy had recently been discharged from Daingean after being in the Institution for over two years. They were writing, they explained, 'as Officers of the Court and indeed as responsible citizens to bring immediately to the notice of the Department' a serious allegation of sexual misconduct. They wrote:

We are instructed and we have no reason to doubt our instructions that this boy, who was mentally retarded when sent to Daingean, was sexually assaulted and perverted while an in-mate of the Reformatory and his unfortunate lapse into criminality immediately on his release is due solely to what occurred while he was there.

We feel that the best course for us to adopt in this case is to have the boy medically examined by a competent psychiatrist who can elicit from him the full circumstances of his perversion and we feel that the Department might like to have him examined by their own medical advisor in view of the circumstances.

²⁵ This is a pseudonym.

- 15.282** The alleged abuser was not named in the letter, although it is now known that it was Br Ramon. It seems that this letter was forwarded to the Department of Education, because the next letter on file is a letter of 14th December 1967, written by the solicitors acting for the Resident Manager of Daingean, Fr Luca. It was addressed to the Secretary of the Department of Education. It stated:
- We understand that a firm of Solicitors, acting on behalf of ... a former detainee at Daingean, wrote to you making serious allegations concerning occurrences in the School involving a member of the staff ...
- We are writing to advise you that following the allegations our client, The Reverend Superior, investigated the allegation and it was also investigated, with the full co-operation of our client, by the Garda Authorities.
- Following their enquiries the Garda Authorities were satisfied that there was no evidence of any improper conduct by any member of the Staff ...
- In view of the serious allegation made in the letter to your Department based on the story of this unfortunate boy our client wishes this unequivocal denial of the allegations placed on your file.
- 15.283** Again, the name of the member of staff against whom the allegations were made was not disclosed and no record was kept of any action taken.
- 15.284** The boy who made the allegations appeared in court and pleaded guilty. The Central Criminal Court imposed a suspended sentence of 12 months, expressing its dismay that there was no in-patient unit available for the treatment of disturbed psychiatric adolescents.
- 15.285** In his letter to the Provincial at Christmas 1967, Fr Luca wrote:
- Well the ... case is ended as far as we are ... but not very satisfactorily from the Guards point of view. Mr Johnston is writing a letter now to the Department of Education to be placed in the Files beside the other Document and so I hope will be closed for good and all a rather nasty case. In the last stages of the case I had a call from the Dept. Inspector, Mr McDevitt about it and in passing he referred to the "Document of Accusation". And then as a by the way he said he didn't believe it. To which I replied "neither did I" but to make assurance doubly sure we had the allegation investigated by the Gardaí. And they were satisfied, without even a shadow of a doubt, that the whole thing was a malicious concoction. And furthermore, the Attorney General was even stronger in his condemnation of the affair. This took the Inspector a little by surprise for he never dreamt that we would have had it investigated. But he was very pleased to hear that we did take that course of action lest it should ever be brought up again. So when he gets the letter from Mr Johnston he will see that we meant to have every avenue checked & sealed.
- 15.286** Fr Luca was inaccurate in stating that 'we had the allegation investigated by the Gardaí'. But, in fact, the Gardaí had brought the allegations to Fr Luca and they investigated them as part of the preparation for the criminal trial.
- 15.287** Similarly, when Fr Murphy, who represented the Oblates at the Emergence hearing, told the Commission, '*... we only find in the records one complaint of sexual abuse. It was brought to the attention of the Gardaí*', he was not correct, as it was the Gardaí who approached the Resident Manager about the matter.
- 15.288** Some light was thrown on the matter by Fr Luca. He wrote in his Statement that the boy's defence was that he had learned the sexual behaviour in Daingean:

When that came to me from the Gardaí it was no longer a school matter, it was outside, the boy was outside and those who brought the story were outside, the Gardaí. So I

immediately went to the Provincial and told him what had been said ... Then the Garda who was in charge of the investigation in Dublin got in touch with me to say that he wanted to see this Brother on a particular day, at a particular time.

15.289 Following further consultations with the Provincial, a meeting was arranged between Br Ramon and senior counsel, after which counsel told Fr Luca, 'You needn't be worried, it's a false accusation and we have no doubt about that'. At the Garda Station, Fr Luca was shown the file on the case, which he described as 'putrid'. He added:

I would not have thought the Brother had a chance because when you read something and looked at the detail of it you would ask yourself how anyone could compose it ... the minute descriptions and the detail of the thing ...

It was a different Brother to the accusation about the 14 year old.²⁶ There had never been any accusations against the second Brother before that, at least I had never heard anything against him.

The Gardaí were satisfied, anyway, that it wasn't true.

15.290 Br Ramon's departure from Daingean in the early 1970s was, it was claimed, in the context of staff changes in preparation for the transfer to Lusk. Older Brothers and those who did not want to continue in the work were gradually moved to new placements.

15.291 Br Ramon was neither an older Brother (he was 48 at the time) and, as evidenced by his memorandum to Fr Luca referred to above, he wanted to continue to work in Daingean with 'the unfortunate boys that passed through St. Conleth's'. In the light of what is now known about Br Ramon and his time in Daingean, the reason for his transfer to a Scholasticate must be questioned.

15.292 When statements of complaint about this Brother were received by the Committee and forwarded to the Oblates, they should have considered these complaints in the light of the information they had about Br Ramon. There was a chance to investigate the behaviour of this Brother as soon as his activities became known in Britain. The allegations surfaced in the mid-1990s, and the Brother is now deceased.

15.293 Br Ramon 'was charged with two specimen offences of "attempted buggery" and "indecent assault" and 16 other offences ...'. After that, he was admitted into the Stroud centre for a full assessment and treatment programme.²⁷ A report on Br Ramon was prepared by his psychiatrists in Stroud and senior members of the Oblate Congregation were consulted in connection with that report.

15.294 There is no information about this report, and so it is not known if it covered his time in Daingean, although it would seem extraordinary that a man charged with indecent assault on boys in a residential institution would not have been questioned about the 17 years he spent in a reformatory in Ireland. This is particularly the case when it is now known that an investigation was carried out in Daingean in the late 1960s, by Fr Luca and the Gardaí, into allegations of sexual abuse against Br Ramon.

15.295 Following Br Ramon's conviction on charges of sexually abusing boys, the obvious question arose in the Congregation as to whether he had engaged in such activities in his previous postings, including Daingean. Before he was assigned to a boys' college in Wales, he had served for 10 years in an emigrants' hostel in London, where he came under suspicion. In response to a query

²⁶ This was Br Abran.

²⁷ Organisation that offers therapy to priests and other religious who have developed sexual or drink problems run by The Servants of the Paraclete.

as to whether any investigation into Br Ramon's activities in Daingean had taken place in 1997, the Oblates stated in a letter dated 8th May 2008 to the Committee:

Fr [Benicio] himself followed up the inquiry referred to in the note of 6 March 1997. He did so by speaking with Fr [Luca]. Fr [Luca] indicated to him that there were no accusations against Br [Ramon], apart from an accusation that had been discounted at the time it occurred as being unfounded Fr [Arador]²⁸ has no recollection of the matter being raised with him. Fr [Javier]²⁹ has no specific recollection of being asked to enquire into the matter, however he is now aware that in [the mid-1960s] an allegation was made against Br [Ramon] which was fully investigated by both An Garda Siochana and the Oblates at the time and was dismissed as unfounded. With that exception, Br [Ramon] had a clean record at St Conleth's. At the time of our letter dated the 21st of December 2006 we understood that Fr [Javier], as Provincial, did not know of the incident the basis of the accusation in [the mid-1960s], but it appears that he learnt of it around the time of the trial in [the late 1990s].

15.296 On the issue of whether Br Ramon ever admitted abusing boys in Daingean, the Congregation stated:

We are instructed that Br [Ramon] never admitted nor acknowledged that he had abused boys at St Conleth's Reformatory at Daingean.

15.297 • **Having regard to the sexual abuse that Br Ramon committed in Wales, the reservations expressed about his time in London, the complainant evidence received by this Committee, together with the investigation in the late 1960s and the recidivist nature of sexual abuse, there must be serious misgivings about Br Ramon's behaviour in Daingean during his 17 years there.**

Br Abran

15.298 In his detailed Statement about his time at Daingean, Fr Luca told of another accusation made against a Brother in the late 1960s. He wrote:

The boy made the accusation to the priest who was the Chaplain and the Chaplain said to the boy that if he didn't mind he would call the Superior in on the matter because it needed to be looked into or, he told the boy, he could go to the Superior himself, but the Chaplain said he would have to have the boy's permission to bring the matter up to a higher authority. The boy said he didn't want to do it himself but didn't mind if the Chaplain brought the Superior into it. Then we met together and went through the details of it and, in order to get the details straight, there had to be a bit of cross questioning, because you couldn't just take the story exactly as it was told, there would be more to it than that. Eventually, he broke down and said it wasn't true that he was asked by the bigger boys to make the accusation.

15.299 It was also strange that Fr Luca did not appear to have taken any action against the boys who initiated the alleged malicious report. If the boy in this case had not retracted his allegation early on, '... the next thing would have been that the Brother would have to have been brought into it'.

15.300 There remain some puzzling aspects of this case that were not explained by the investigation. If the bigger boys asked this boy to make the allegation for malicious reasons, it was odd that he went to the Chaplain, who could not pass the information on unless the boy allowed him to do so. It was an extraordinarily indirect way to make a malicious allegation.

²⁸ This is a pseudonym.

²⁹ This is a pseudonym.

15.301 Also, it would seem that the Resident Manager did not interview the Brother involved. Everything depended on the judgement of the Resident Manager. He wrote in his Statement:

It was a likely scenario that a Brother could have kept a boy back after class ... That would be an opportunity. Again, there had to be a certain amount of trust because otherwise if you couldn't do these ordinary things ... then it was really uncommon these accusations.

The Provincial ultimately was responsible because he was the Manager and I was, as it were, his Deputy although I was called the Resident Manager. It would have been very necessary then to let him know, seek advice from him and then proceed from that.

I don't think there was a record kept of it because of the way it ended up. Had it gone further, hindsight is dangerous, you might do a thing differently today, but then there just didn't seem to be the need for it ... you just didn't have time to do all the things you would have liked to do.

15.302 He nonetheless said he set up a system for dealing with complaints about staff members. He wrote:

When the boys made any accusation about any of the Brothers or any of the staff, they = the staff member had to be present ... I made this clear to the staff that if a boy was going to make a complaint against any of them that the person in question should be there and should hear the person saying it. One good thing about that, too, was that a person would have to be more careful about making accusations.

15.303 In his Statement, Fr Luca wrote:

A strange thing was that never once in all the time did any boy come along and say to me that he had been abused either sexually or physically, never once. I don't know why because I felt that I was open enough to receive any boy that would come along ...

15.304 Clearly, Fr Luca did not appreciate, even at this remove, that the system he set up made it virtually impossible for any boy to come to him with complaints of sexual abuse. The system he described was actually more likely to ensure that sexual abuse was not uncovered.

15.305 There was no written record of the allegation that came from the chaplain and the boy. The absence of documentary evidence of abuse was a result of the system. The exact nature of the allegations and the names of the people involved were only recorded in the memory of the Resident Manager, not the Institution or the Congregation. The way this incident was dealt with shows how failure to record complaints led to evidence about possible repetition of allegations being lost.

15.306 Fr Luca referred to this incident in his Statement to the Committee although, again, he did not identify Br Abran as the Brother in question:

It was a different Brother to the accusation about the 14 year old. There had never been any accusations against the second Brother [Ramon] before that, at least I had never heard anything against him.

- 15.307**
- **As the Oblates pointed out in their Submission, 'The incidents ... require a careful investigation, the materials for which are not available in the records held by the Oblates'. This particular case illustrates one of the reasons why the records on allegations of sexual abuse do not exist: the system inhibited disclosure and the type of thorough investigation that would lead to meaningful and useful records.**
 - **Fr Luca's procedure would have tended to suppress rather than encourage allegations of sexual abuse in Daingean. He appeared unable to appreciate the difficulty his**

procedure would have caused the boys in Daingean, even during the evidence to the Committee.

Complainant evidence

15.308 Most of the staff members accused of sexual abuse were not available to give evidence, and the Committee was presented with allegations of sexual abuse made by credible witnesses, but without the possibility of hearing the contrary side and generally in the absence of documentary evidence and independent corroboration.

15.309 One witness described his seduction by a lay teacher:

He would take me out fishing. The outer walls of Daingean ran alongside the grand canal ... Things happened there ... he used to use a newspaper and he would start off by reading the newspaper and I would have the fishing rod and then he would put the newspaper down on his lap, it was a slow process that went on for 10 or 15 minutes, then it would be spread out on his lap and then half of it would go on to my lap. He would say to me, "Oh, look at this." He would point to something in the newspaper. Then he would point at something which was just directly above my crotch ... Then he would put his hand under the newspaper and attempt to masturbate me ... I remember on a few occasions he tried to suck my penis. On another occasion he tried to – we were in some grass and I can remember that he had a handkerchief in his hand and he got on top of me from behind – I was laying flat, he got on top of me from behind and he tried to bugger me ... I just clenched and kept my legs closed. He ejaculated sort of somewhere in that region and I remember him using a handkerchief to wipe up ... I can only remember one occasion that happened but several instances of him trying to suck my penis.

15.310 He said this teacher ‘... wasn’t an aggressive person at all. He was a very effeminate type of person. He was a really nice man’. He explained that, despite disliking the sexual activity, he continued to go out with the teacher because he was given treats such as sweets.

15.311 Another witness described being sexually assaulted on two occasions by a member of staff while he was in Daingean. He alleged that he complained to a Brother and the matron about the abuse, and they just fobbed him off. He also alleged that he was physically abused by the Brother to whom he reported the assault. He stated that his mother became aware of this physical abuse, and she complained to the school authorities. The correspondence between his mother and the school authorities was available to the Committee, and it supported the witness’s contention that his mother did in fact complain that she had been told by a couple of boys who had recently absconded from Daingean that her son had received 16 lashes. This complaint was dealt with by Fr Luca personally, who assured her that her son was in perfect health.

15.312 His letter concentrated on calming the parent rather than investigating the allegations:

As regards the other matters you mention; namely that [your son] has been ill treated here. That is not true and I know before Easter [he] had asked a member of the staff to call and see you about this and to assure you that what you had been told was not true. Naturally you could expect an exaggerated story from your source of information. In fact, such a boy would not ask better than to upset you and cause as much trouble as possible. If you come down next visiting Sunday you may talk it over with Br. [Mateo]³⁰ and I hope the matron will also be available that day too. In fact it was the matron whom [your son] asked to contact you.

³⁰ This is a pseudonym.

15.313 Another witness alleged that he was forced to perform oral sex with one of the Brothers on a number of occasions:

About three different times ... You just accepted it. There was no one you could report it to. There was no one whatsoever. There was no telephones. I think it was every fortnight you were allowed to write to your mother. There was no one. You don't see anyone from outside. I never seen anyone from outside for two years.

15.314 One complainant described being beaten by two Brothers on the bare backside, which led to a sexual assault:

I remember Br. [Mateo] came in, before I knew it he had my hands pins behind my back, he had me over a school desk the trousers were practically ripped off me and I got probably half a dozen smacks. One of them, I think the two of them were feeling my private parts, my arse and penis. This went on for probably eight or ten minutes.

15.315 The boy went back to his friends, but was too ashamed to tell them about the sexual abuse:

I didn't tell them actually what happened but I said I got a smack on the arse. I didn't tell them that I was after being felt up. I was ashamed actually. That's nothing new, getting the cane, ... That was that. I think I was more embarrassed than anything else.

15.316 One witness told the Committee that he had been in Artane before Daingean and he compared Daingean favourably. He found the regime strict but fair. Boys were only punished for wrongdoing in Daingean, whereas in Artane boys were beaten and struck for no reason. He also told the Committee that he was befriended by Br Macario in Daingean. He said this Brother was very kind to him and he felt he was protected by him. However, Br Macario took him to his room on a number of occasions and discussed how he was developing physically. He used to ask him to remove his clothes and lie on the bed. Br Macario then proceeded to measure him with a tape. The witness was adamant that nothing else took place. Some time later, he inadvertently told another Brother that he was being measured by Br Macario. Soon after, Br Macario came up to him and told him not to tell anyone but to keep it secret that he was measured by him. Years later, he again met Br Macario, who asked him whether he was still keeping their secret. The witness realised that perhaps this Brother had an ulterior motive. This disappointed him because he trusted him.

The Congregation's Submission

15.317 Although they conceded that some allegations of sexual abuse were 'prima facie honest and coherent', the Oblates contended that, in the absence of corroboration, the only way to safeguard the rights of their members was to make no general finding of abuse. The Oblates also asserted that there was 'insufficient evidence before the Commission to make a finding that such abuse did occur'. They further contended that to make a general finding of abuse 'casts a cloud over the reputation of every person who has worked in Daingean and irrevocably damages their good name and the good name of the Oblate Order'.

- 15.318**
- **Sexual abuse of boys by staff took place in Daingean, as testified by complainant witnesses.**
 - **The full extent is impossible to quantify because of the absence of a proper system of receiving and handling complaints.**
 - **The system that was put in place tended to suppress complaints rather than to reveal abuse or even to bring about investigations.**
 - **The conviction of Br Ramon warrants a re-evaluation of the late 1960s episode.**

1960 Garda investigation

- 15.319** In 1960, the criminal trial of a man who lived beside the Reformatory gave rise to concerns about the supervision of the boys and to enquiries by the Department. Patrick O'Reilly³¹ was found not guilty on charges of buggery, attempted buggery and indecent assault, but was convicted of assisting in an escape from the Reformatory and harbouring an escapee. He was given a two-month suspended sentence. An outstanding charge of indecent assault was not proceeded with by the State.
- 15.320** A file entitled 'Alleged Acts of Gross Indecency Committed Against [sic] Inmate of St Conleth's Reformatory School, Daingean,' was included in the discovered documents of the Department of Education, and it dealt with the Garda investigation that led to the prosecution. No documents about the matter were contained in the Congregation's documentation.
- 15.321** Michael³² had been sentenced to two years in Daingean in the late 1950s for house-breaking. He was aged 17 at the time. He absconded from the School seven months later, and was subsequently arrested and charged with house-breaking in Dublin. He was remanded in Mountjoy jail and, following his conviction, was sentenced to two years in St Patrick's Institution.
- 15.322** When he was on remand in Mountjoy, he asked the Governor of the prison to allow him to speak to a Garda about events that he alleged had occurred whilst he was in Daingean. He told the Garda that a lay teacher, Mr Murphy,³³ often took a group of boys down to the canal for swimming when the weather was fine, and that Mr O'Reilly befriended the teacher, who allowed the boys to visit the man's house. This continued throughout that summer.
- 15.323** The boy alleged that the man sexually abused him and other boys during these visits, on one of which he was given alcohol by Mr O'Reilly and claimed that he passed out and did not come to until the next morning. He absconded from Daingean and went to Mr O'Reilly's house where, he alleged, Mr O'Reilly forced him to hide until Christmas. He was locked in during the day and subjected to sexual assaults at night. Eventually, he escaped by breaking down the door and ran away to Dublin, where he remained at large until his arrest a month later on house-breaking charges. Whether the boy was imprisoned, as he claimed, or stayed willingly in the house, there is no doubt that he was there for a time and ultimately made good his escape from the Reformatory, because the owner was convicted of harbouring him and assisting his escape.
- 15.324** On hearing this story, the Garda investigated further and questioned five boys. Their interviews were conducted in the presence of Br Jaime, the Prefect of Daingean. Some of these boys, who were aged between 15 and 16, alleged that Mr O'Reilly had exposed himself to them, and some of them said that they had exposed themselves in turn. The Garda also interviewed neighbours of Mr O'Reilly, who confirmed that the reformatory boys were often in the house and that the lay teacher would leave them there and then come back for them later.
- 15.325** The investigating Garda observed in his report to his Superintendent:
- The facts of this case disclose a certain amount of laxity in the disciplinary supervision of the inmates of the Reformatory. The Superior of the School has informed the local Sergeant that he was unaware of the boys habit of frequenting [O'Reilly's] house ... It will be noted that on most, if not all, of the occasions in which the boys visited [O'Reilly's] house, they were in charge of Mr. [Murphy], the Music Master ... It is not suggested that Mr. [Murphy] was in actual collusion with [O'Reilly] but it would appear that he displayed an attitude of indifference to the moral welfare of his charges.

³¹ This is a pseudonym.

³² This is a pseudonym.

³³ This is a pseudonym.

15.326 The Garda thought that a prosecution was warranted, but he was not offered much encouragement by the Resident Manager, who told him that Michael was ‘not of very good character, capable of imagining things, and not to be relied upon’.

15.327 When the trial was over, the matter was brought to the attention of the Department of Education, who requested in a memorandum of May 1960 that the Resident Manager be asked to comment on the circumstances under which the boys were allowed to gather in Mr O'Reilly's house, ‘supervision was undoubtedly lax here’ and to establish whether there was any suspicion as to the teacher's misconduct with the boys.

15.328 In his response to the Department's queries, Fr Salvador, the Resident Manager, revealed an attitude to this matter that was both dismissive and self-serving, and displayed no concern for the boys who were involved in the investigation. He first denigrated the complainant but did not refer to the other boys who had been interviewed in the Prefect's presence:

His conduct while here was not satisfactory. I would say he is a mentally disturbed boy with a leaning towards depravity.

15.329 He then went on to make the revealing comment:

In fact, a short time previously, [Brady] had been punished for breaking bounds and warned against going to [O'Reilly's]. This punishment and warning was given to [Brady] by the Prefect, Bro. [Jaime]. Besides, [Brady] himself admitted to me that he had been in [O'Reilly's].

15.330 He said that he had told Br Jaime to tell Mr Murphy ‘to be vigilant and more strict in his supervision of the boys in his charge’. He then proceeded to dismiss the complaint:

Later, when I saw the statement made by [Brady] ... it struck me as being fantastic. His record and mentality inclined me towards that way of thinking ... We do not claim a 100% and sometimes we meet boys who are so vitiated and lacking in co-operation that their removal becomes a necessity in the interests of the other boys. [Brady] falls under that category. His statement strikes me as being fantastic and rather like the projection of a depraved mind with little if any bearing on reality. Still, because of the little bearing there might be on reality, I favoured a full investigation.

15.331 On the question of the master who had recently been appointed, he said:

He is credulous and up to recently, appeared to believe that a boy couldn't tell a lie; but he is willing to learn and as it is rather difficult to replace him, I am inclined to give him every chance. I have no reason to doubt his moral integrity.

15.332 In conclusion, Fr Salvador emphasised the difficult work that they were doing in Daingean and the encouragement they gave to the boys to reform.

- 15.333**
- **The Resident Manager knew that Michael Brady had been punished for going to Mr O'Reilly's on a previous occasion but it appears that the Gardaí were not informed about that; otherwise, Mr O'Reilly's house would have been searched.**
 - **The Resident Manager actually gave the Gardaí an entirely different impression by telling the Sergeant that he was unaware of the boys' habit of visiting the house.**
 - **The Resident Manager undermined the possibility of prosecution of Mr O'Reilly by denigrating the boy in this case, in the full knowledge that the most serious allegations had been made by five other boys against this man.**
 - **The circumstances in which a group of boys could visit this man's house on numerous occasions over a period of five months, in the words of the contemporary comment**

of the investigating Garda, ‘displayed an attitude of indifference to the moral welfare’ of the boys in care.

- The Resident Manager’s readiness to dismiss complaints of serious misconduct in respect of boys in his care, which were under investigation by the Gardaí, indicated an irrational scepticism that cannot be ignored when considering how other reports of abuse might have been received.
- Notwithstanding the gravity of this episode involving: a criminal investigation in which boys and staff up to the Resident Manager were interviewed; a subsequent trial on indictment with a conviction on escape-related charges; and embarrassing and potentially damaging queries from the Department, no records of this appeared in the files of the Institution or the Congregation, and no information existed as to what was done for the other boys who were involved and who were still detained in the Reformatory.

Sexual abuse perpetrated by other boys

- 15.334** Complainants testified about serious sexual assaults by other boys. One witness, who was in Daingean during the 1960s, described how he was singled out for a sexual approach on the very first evening. He explained:

In Daingean from day one I was abused ... I think the first evening I was there was the first sexual contact that I had.

- 15.335** He described what went on in the hall when films were being shown:

It looked like it was random but it wasn't ... You would see a group of boys coming into a room ... you would think that everybody was sitting down randomly but there was a set pattern because boys would sit next to boys who they wanted to be with and things went on when the lights went out ... There was a boy sat next to me ... I don't know whether he put his hand on me or whether he took my hand ... masturbation occurred.

- 15.336** He said that this occurred ‘all the time’. Some of the boys, according to this complainant, had a well-rehearsed routine during the showing of films. They calculated where to sit, and whom to target, and, once the lights were out, sexual contact was initiated. He described how he was raped by the leader of an established gang within Daingean who picked on him:

There was a wall and a railing which divided the playground, I can't remember what we used to call it. When I was in the small sections this guy ... He was an aggressive guy with a horrible sort of personality. He had a group of guys and he was the sort of leader of these group of guys ... On a weekly basis whenever the opportunity would – I would be dragged off into a pig shed, hay shed, wherever, and buggered ... he was leader of a group of guys, they could make your life hell ... You are living with these people, you can't get away from them, you are there.

- 15.337** While the other boy was his age and size, the power he had from his gang status allowed him to do what he liked.

- 15.338** A complainant who was in Daingean 20 years earlier, in the 1940s, described a similar experience. It happened only once, but three boys buggered him in a sudden attack:

I would be coming up to the 16 ... You are all down in this big yard and it's divided by a wall but you could go through. At that time if you wanted to go to the toilet you went up to the man in the top, "Permission to go to the toilet" ... It was between 6:30 and maybe 8:30 ... In the evening ... there was a toilet that you went to out off this square. I asked to go there. Maybe the man in charge, whoever it was, there used to be about four of them in charge at different times, he might have forgotten that I had gone up there and when

the other three big fellows went up, they was just allowed up ... They followed me ... They pulled me to the ground and stripped me. The strange part about it, axle grease was used.

- 15.339** He said that he was raped by these three boys. He said that he was in pain and that he 'felt helpless'. He added:

If you went and told anybody anything like that you would be in trouble from several different quarters. You would be in trouble and you would be punished and you would be in trouble on account of getting other fellows punished as well ... I never went up to that toilet ever again after that.

- 15.340** In the late 1960s, another complainant described being in an animal shed with two other boys, one of whom was 'the biggest bully down there'. The incident began when this boy held a pitchfork up to the complainant's neck:

He said to me, "I want to ride you" ... The other fella was with him was his sidekick ... He was pulling at my trousers and he said, "I want a gobble". I didn't even know what it meant ... I said, "Leave me". The bullying was heavy and I was afraid of that pitchfork ... Eventually they let me alone for a few minutes and I burst through them ... I got over the gateway and I ran off.

- 15.341** When he was brought back to the School, he told Br Enrico why he had run away, and Br Enrico comforted him and believed him. This witness described seeing this boy abusing a younger boy: 'He pulled him out of the small section in the middle of the day and brought him down to the toilets ... That's what they were known for, sexually abusing anybody they could'.

- 15.342** The predatory behaviour of the bigger boys towards the smaller boys was a constant theme. A complainant from the 1940s said:

In the evenings, especially in the dusty evenings – the way the yard was built, there was one entrance into it, the bigger fellows went up to one end and we remained at the entrance, the end that we went into. There was a wall ... The big fellows were on the far side. There used to be things happening that were new and strange to me. You see, there would be bigger fellows saying to you that they wanted to be all one with you. That was the expression.

Evidence within the discovered documents of sexual abuse by boys

- 15.343** The kinds of sexually abusive behaviour described to the Committee by complainant witnesses also emerged from the documentation. During a Garda investigation into the riots of 2nd May 1956, which has been dealt with earlier in this chapter, a resident of Daingean made a complaint to the Gardaí about two boys who had subjected him to sexually abusive acts. In the presence of the Prefect of the School, Br Jaime, he made the following statement:

I remember one day in the month of March last. [two boys] asked me to put my hand on [one of the boy's] private part and feel it. I refused them, and ran away, but they followed me and caught me, and brought me back to the wall in the yard. [One of them] forced my hand on to [the other's] private part, and told me to feel it. I did it because I was afraid of them. [He] was helping [the other] to force my hand onto [his] private part. I felt [his] private part, and I kept it there for a few seconds. I took my hand out then. [the other boy] hit me on the arm because I refused to put my hand on his ... private part. I saw the front of [his] trousers opened, and when I had my hand on his private part. I saw he got a thrill from it. I saw fluid coming from [his] private part. I often saw [another boy] and [these two boys] feel each others private part in turn.

- 15.344** As a result of the above statement, additional charges were brought against the two boys, who were found guilty of gross indecency and sentenced to two years in Borstal.

15.345 As stated above, if boys were discovered by the staff to be indulging in ‘immoral conduct’, it was normally dealt with by the strap being administered by the Prefect, but in the absence of a punishment book, it is impossible to say how often this occurred. Had it not been for the riot, the incident described above would not have come to the notice of the Gardaí.

Sexual behaviour between boys

15.346 The kind of relationships that formed between older and younger boys was a characteristic of Daingean. The behaviour was so institutionalised that a vocabulary evolved that seemed to be current only among the boys in Daingean.

15.347 One complainant from the 1950s experienced the nature of the relationship, but denied that there was a sexual element:

most of the older boys had a hag ... It was more or less a status thing. When you were there twelve months you knew all the ropes and it was kind of like a girlfriend more or less but there was nothing sexual about it. It was like you were kind of protected. You see it was in the small sections and when all the fellows in the small sections knew that he was your hag they wouldn't go near him.

15.348 A ‘hag’, then, was a young boy who was befriended by an older boy, such that a protective relationship developed.

15.349 Another complainant also from the 1950s, who was frank about the sexual nature of such relationships, used the same term: ‘... the bigger fellows would come back on the smaller fellows what they used to call hags. Call them their girlfriend or whatever you like’. A lot of it was going on, but, he explained, ‘it would have to be done as quiet as possible but at the same time like it wasn't something that any one of the Brothers had a blind eye for. They could see it happening’. He went on to describe what happened at the pictures on a Saturday night:

All the smaller fellows would sit at one end and behind them the bigger fellows, the bigger fellows would be passing down the sweets and cigarettes and whatever else to give the smaller fellows down the other side’.

15.350 He added that, later on, in the exercise yard:

you would have the smaller fellows one side and the bigger fellows the other side but you would only have one Brother supervising so there was no problem for a smaller fellow to mingle his way into the bigger crowd and there was no problem for the bigger crowd just to cover whatever act was going on ... I could give you three or four or five or six out of the smaller section that would have been mixing with the fellows from the bigger section.

15.351 Another complainant from the same era, the 1950s, used a different term to describe the same behaviours and relationships:

it's like having a girlfriend or something like that, we called them wan dolls, it's like a pal ... I am not saying you wouldn't have sexual abuse with them or something like that, I am sure you would ... you would masturbate them and they would masturbate you ...

15.352 He said that, if boys got caught, the ‘purity strap’ would be used on them. The ‘purity strap’ was the use of the strap to beat boys found engaged in sexual activity. He went on to explain that contact with the younger boys could be in the shop, which was common to both the bigger and younger boys. Once the older boy had found a ‘wan doll’, a relationship would develop during the periods the boys were in the Institution. Yet, he added, ‘When everybody leaves that place, Daingean, nobody says another word about it, blocked, nobody opens their mouth about it’.

15.353 When asked what proportion of boys were involved in this relationship culture, he answered:

I think most of them was in it because it's well known. We could ask, "Who is your wan doll", that was the phrase ... All my mates in the big section, they all had wan dolls.

15.354 It came as a surprise to him when he left to discover the practice was not spoken of outside the walls of Daingean. When he met a former inmate, he casually asked, while reminiscing, 'Who was your wan doll?' The man 'never said another word, he got up and walked away ... Nobody talks about it'.

15.355 The opportunities were there, as one witness explained:

The reason that a lot of the sexual stuff went on was because there would be – if you could imagine in the yard there was a square like this (indicating) and this was the small section and this was the big section and a Brother would stand in this corner (indicating) so he was strategically placed to be able to see in both directions. You had the toilet block over there and over here you had an entrance into some inside toilets which is where most of the sexual abuse went on ... So all it needed was some individual to distract one Brother and all sorts would go on.

15.356 As another witness explained, 'It was like you were kind of protected. You see it was in the small sections and when all the fellows in the small sections knew that he was your hag they wouldn't go near him'.

15.357 While on one level, within a subculture in Daingean, this sexualised behaviour was taken for granted, at another level it could lead to bullying and ostracism. Boys who were known to offer oral sex were excluded, especially at meal times. As one witness explained:

there was some boys that no-one went near. The fellows that were sexually abused down there. The other boys wouldn't have anything to do with them really. They had to mark their teacups with a knife. There wasn't delft down there ... The saucers, the cups, the plates were Bakelite, that was kind of plastic, I remember. If a young fellow was sexually abused ... after gobbling somebody, they had to mark their cup (indicating) with a knife and they could only drink out of that cup ... No one else could drink out of them.

15.358 Fr Luca, in his Statement, gave his account of this relationship culture within Daingean. He wrote:

There were boys that were under pressure from maybe a few bigger boys. Strangely to say it wasn't always from the bigger boys. Some of the most astute or hardened at that particular time were small boys who had a kind of power over bigger boys and it was they who were calling the tune. I think they would have used that as a grip ... something to use over another boy. And, again, they would have something for sale, there would be an ulterior motive in the friendship ... The older ones would prey on the younger ones and some of the younger ones could have a hold on the bigger boys. Knowing what they wanted, prepared to give it to them and then at a price. There would have been awareness of that. We would have known that some of these boys had been quite involved in boy prostitution in the city.

15.359 The Oblates stated in their Submission that no evidence was tendered to support a finding that such abuse was systemic or widespread in the School, or that such behaviour was in any way tolerated.

Conclusions

15.360 1. The Oblates acknowledged that they were aware of the issue of peer abuse, and they accepted that incidents of peer abuse did take place. They contended, however, that they did not condone it and took steps at all times to prevent it. However, the evidence

would indicate that no distinction was made by the authorities between victims and perpetrators of sexual abuse. Victims were punished as severely as the perpetrators and, therefore, the problem was not fully reported to management.

2. Sexual behaviour between boys in Daingean was systemic and widespread. It was often abusive and was not seriously addressed by management.
3. These institutionalised sexual relationships developed to such a degree in Daingean because of the chronic lack of supervision throughout the institution, particularly during recreation.
4. Lack of supervision led to an unsafe environment. Some younger boys may have had control over older boys, as Fr Luca suggested, but the younger boys needed protection. They resorted to such relationships in order to survive in an unsafe world.
5. Such sexual behaviour was accepted within a subculture in Daingean.
6. Boys in Daingean ranged between 13 and 18 years, an older profile than in industrial schools, which contributed to the higher level of sexual activity there.

Emotional abuse

15.361 Numerous complainant witnesses recounted the loneliness and deprivation they felt on being suddenly removed from their families. Central to their accounts was the belief that they were on their own, with no one they could turn to for help or comfort.

15.362 One witness described this isolation. He explained he had to put on 'a façade' to hide his distress:

I cried in bed at night missing my mother and father just the same as anybody else would. But if you showed weakness at all to anybody, including a psychologist ... it was jumped on.

15.363 There were, he went on, many staff members who were good men, good to him and to the boys, but when asked if he could go to them about the beatings or the sexual abuse he had experienced, he replied:

No. There was no recourse. There was no safe haven. There was no hole you could climb into. There was nobody you could talk to. You were on your own.

15.364 Another witness described a similar sense of isolation. He said:

There was very few people that did much talking in that place at all, very, very few ... you could sit beside them for hours, they wouldn't say a word to you. There wasn't very many garrulous people there. We didn't have a book, a paper, a radio, we didn't have a watch or a calendar.

15.365 Yet, another witness described a similar experience. He said:

there was no camaraderie as such. Everybody was there to get their time done and to get out and there was no interest in anything else ... You didn't make lifelong friends ... There was one young chap and he was from somewhere in east Cork. After I hardened a little bit to the situation he used to come to me and tell me what was on his mind and I used to talk to him. Now, the reason he was there times weren't good. Poverty abounded, his mother happened to get a loaf of bread, but they didn't have any butter. So he went out and stole a pound of butter. He got four years for it. Instead of being looked after and given some sympathy and understanding he got four years in Daingean. What kind of society were we? It might be different now, but in those times that is what happened. Those were the facts of life. The people like the Oblates took advantage, they really took advantage and used people like that as child labour.

15.366 He added:

there was no real friends in Daingean ... that's why I felt detached ... If you are lonesome, if you are alone, and you are at that vulnerable age you don't feel over the moon, do you?

15.367 He recounted how he had tried to abscond because, '... the general situation ... really depressed me to a point of being suicidal ... In this feeling of depression I could never imagine this sort of torture ending'.

15.368 He then went on to make an impassioned plea to the Committee:

I am here today because I feel duty bound to be here and to make my best endeavours to see that history does not repeat itself ... I have no feeling of anger ... I do not seek revenge, I think that would be self-defeating ... the people that made me and the others suffer, I think were suffering more themselves. I had two years behind those walls, those

misfortunate individuals are spending their lives behind walls, and life for life means life for them.

- 15.369** This particular witness had a deep resentment that his confinement in Daingean was unjust in the first place. He was in Daingean in the early 1950s. He had been sent there originally after he had helped a friend to spend some money that had in fact been stolen. His friend was charged and he was charged with him, and he was *'found guilty by association'*. He came from a good home. His father, disabled from active service in the war, was very sick, and his mother was not coping, so he faced the court on his own. He was sent to Daingean for two years. Within three weeks he ran home, but was picked up after spending approximately six weeks at home over the Christmas period. He recounted what was done to him on his return to Daingean:

I had my hair shaved, my head shaved, right down (indicating) and I received a beating ... This was the removal of my shirt, my upper clothes to a bare back. I was beaten across my back with a leather strap to the effect that my back was bleeding. It took me a number of weeks to recuperate ... my back had blistered and the marks on my back were quite clear (indicating).

- 15.370** The unfairness of being sent unjustly to endure such a harsh regime emerged in the story of another witness. His troubles began with the death of his mother. He told the Committee:

It was a terrible time. There was a terrible sadness in the house. I had five sisters and that we were showing it more than we were supposed to be able to, not maybe cry as much or things like that.

- 15.371** Shortly after that, he got involved in catching pigeons which annoyed his father, as there were too many pigeons in the house and so he ran away. He explained that he had taken 40 pennies from the gas meter at home before running away, and had fed himself on chips until the pennies ran out after about 10 days. He explained:

I was found sleeping in an air raid shelter by a Garda ... I, like the young fellow I was, told him all my troubles. That I was after running away from home, I was in trouble with me father and it was after me catching pigeons. He said to me "don't worry about that, sure I will see your father, sure that's nothing." Well, what he did is not alone not see my father but he added another, gave me another record of an offence, and had me up in court, and within two or three weeks I was down in Daingean.

- 15.372** He protested that *'the whole total of what I did wouldn't have come to a pound'*. He was sent to Daingean for two years in the early 1940s. He felt isolated and alone. He said, *'You could feel that there was no kind of friendliness ... you could feel that you were being looked at as if you were another heap of dirt that had arrived ...'*. Of the Brothers he said, *'A lot of them were harsh, but none of them ever got close for the right reasons. They never spoke to you like a human being'*.

- 15.373** In Daingean, he was raped by three boys and was flogged four times and endured a desolate isolation. He told the Committee:

for a year and eight months when I was in Daingean I used to pray that I would die in the night-time. It wasn't until the last two months that I decided I am going to survive this.

- 15.374** He summed up the dreadful isolation he felt by saying, *'... they didn't talk to us, they didn't have conversations, it was a terrible slip-up that they didn't have conversations'*.

15.375 The isolation he felt due to this lack of communication was perhaps best illustrated when he recalled a good time in Daingean:

That's one thing that I would like to say that there was one retreat down in Daingean ... I remember it, I think it was three or five days, it was a few days. There was some strange priest came down and he gave it. He gave some very good sermons, it frightened the life out of most of us ... One thing about him, I will always remember him, he had a stutter and he used 'A.' If a certain word was getting him, he would just say, 'Three a days.' ... I enjoyed those few days ... The fellows in the church, they were enjoying the sermon, it was in out of the cold.

15.376 This simple recollection of a preacher whose sermons and stammer brought the boys in out of the cold illustrates the desperate need the boys felt for human interaction. As this witness put it, *'it was a terrible slip-up they didn't have conversations'*.

Them and us

15.377 Fr Luca attempted to explain the disruption of relationships between the Brothers and the boys. Fr Luca wrote in his Statement to the Committee:

Now I was coming to a place where there was nothing but opposition ... By opposition I mean there was always a danger of the boys regarding "them" and "us".

15.378 He was aware, in other words, of a hostility, an alienation, that created a 'them and us' divide with the boys. In a document written in March 1972, he wrote:

In this frustrating situation brothers were merely warders without the physical supports of a prison which led on a conflict of roles in the brother and a reluctant confusion in the mind of the boys, is he a brother or is he a screw. The large numbers in such custodial situations with declining staff numbers not only rendered meaningful relationships between staff and boys unattainable but repressive measures for the purpose of containment were the order of the day.

15.379 In his evidence to the Committee, he elaborated on this observation:

When they would be at play a Brother would be on duty in the playground and looking after 120 boys. There was no opportunity to have any kind of personal relationship or personal contact with individuals ... it was a containment kind of situation ... it was kind of too much like a prison situation.

15.380 Br Abran, who gave evidence to the Committee, explained the relationship in more detail. He said:

I think that was forced upon us by the boys themselves ... the boys would not allow us to use their first names. If we called boys by their first names they were beaten up by other boys because they were treated as being too familiar with the staff. In fact in the square boys would not talk to you for more than two or three minutes. They would walk up and down with you but they would have to leave after a definite period of time, otherwise they would be accused of snitching, to use their description, telling tales about somebody else and they would be beaten up when that particular person left the square.

15.381 At this point, he was asked if he was saying there was an alternative underground government in Daingean run by the boys. Br Abran replied, *'I would say there would be to a certain extent, yes'*.

15.382 The result of this 'them and us' divide was an extremely serious one. The boys were treated as frangible objects, one being as good or as bad as the other, and the boys who came from hardened families, many of whom had a couple of generations going through the reformatory

school system, set the tone for staff relations. One witness, who had also been in Artane and knew the system, described how he coped with Daingean:

At the end of the day you went in there, you sussed the situation out. I wasn't ... a walking angel but I knew what to do. I didn't want to be knocked about. When I was in Artane I was a monitor in charge of other boys. I was, as I say, street wise, I taught myself. If I go down the wrong road I paid the penalty. I was already being punished by being sent to these places. Why should I add to it?

15.383 Those boys, who could look after themselves, could cope with the two alternative governments within the School. They quickly moved up from being a 'fish' (a new boy) to being a bully. In the world of Daingean, one witness explained, '... it's an unfortunate fact that if you don't bully you are bullied'. As another witness put it, '... if you were a loner you got picked on, if you are on your own you are going to get slaughtered'.

15.384 Fr Luca estimated that 50 percent of the boys were recidivists who would fall back into crime. The other 50 percent did not appear in court again, but according to him, amongst them would be the boys who were broken by the system. It was a harsh world, where identity became obliterated. Fr Luca explained:

Every boy who came into the School in those days would get a nickname, straightaway. He might not even be asked what his first name was. If he was from the country he be called the name of wherever he was from, and they would not know his name.

15.385 This system of nomenclature was confirmed to the Committee by a witness who was in Daingean in the late 1950s. When asked, 'What was this boy's name?' he replied:

I haven't a clue. You never knew people's surnames. Sometimes there was that many and you wouldn't even know their first names, it was either Dub, Corky or Jack. Unless you knew somebody personally they used to keep their ethnic groups.

15.386 Fr Luca recognised the depersonalising effect of this loss of individual identity, and set about trying to change it. He wrote:

So when I went to the School the first thing I did was to interview each boy and record his own name, but also the name of his father, mother, brother, sisters, set him into a family and talked to him about the importance of family, and the importance of his name. There is no name in the language as beautiful to you as your own name, so let us respect it.

15.387 Fr Luca went to Daingean in the mid-1960s. From 1940 to that time, it seems that these basic details were not automatically recorded and nurtured. It is not surprising so many witnesses before the Committee complained about being depersonalised and lonely.

15.388 This scenario was confirmed by testimony heard by the Committee. The more fragile children felt trapped, on one side being bullied by the tougher boys, and on the other living in fear of falling foul of the Brothers. For these boys, Daingean was not an experience that toughened them up and hardened them for more crime. For them, they felt like victims of the system. Having endured such a system, these boys felt different, alienated from their families and friends. One witness told the Committee of how he felt when he returned home from Daingean:

My father was in 1916 and he spent a year in prison in England ... The one thing he said to me they were treated humanely, the jailors treated them humanely. I couldn't say ... back to him that I wasn't treated humanely because I didn't want anybody else to suffer my agony. I didn't want to talk or do anything ... Nobody would know what to do.

15.389 Another witness told the Committee:

... it's like men at war who experience things cannot bring these things back to people in the street because people would not understand the situation that they were in. They dehumanised themselves. They dehumanise their enemy in order to be able to psychologically deal with killing them. The same is true when I came out of Daingean and I am looking at all of these people in the street and I am thinking they don't know where I have been and they couldn't understand me and you feel different to them and that's why I went to England. I tried to escape.

15.390 Fr Murphy in his evidence told the Committee that, in the early 1960s, Fr Pablo,³⁴ who was a trained psychologist, '*... was suggesting changes ... trying to bring forward a better method of assessment and of treatment of these boys rather than the punitive, repressive thing*'. It does not need training in psychology to recognise that a boy whose mother has recently died needs protection and guidance, while a boy from a criminal background needs containment. The system, as it evolved in Daingean, treated them both the same, offering only what Fr Murphy called '*the punitive, repressive thing*'.

15.391 In his evidence to the Committee, Fr Luca acknowledged one effect of institutional life on the children:

... that was one of the biggest punishments that you could give them, to take them from their own native place wherever it was and put them into a place where they didn't want to be and to keep them there.

Conclusions

- 15.392**
- 1. Daingean was a Reformatory and was run on penal lines, where repressive measures were the order of day. Many complainants who gave evidence to the Committee had been convicted of minor offences whose sentences seem disproportionate and would not have been given to adults for similar crimes. A basically unjust system was compounded by the way the Institution was run. Hardened criminals in prisons were not subjected to the violence or deprivation experienced by these boys. Prisons were regulated and subject to rules and to the law, but these constraints were not enforced in Daingean.**
 - 2. Management had a duty to ensure that all boys were protected but this was not done. Boys were isolated, frightened and bullied by both staff and inmates.**
 - 3. The boys had an alternative underground government which victimised those who engaged with Brothers. Management did nothing to break this system and appeared to have acquiesced in it.**
 - 4. The acknowledged failure of the staff to offer emotional support was not caused by the boys but by inadequate management.**

Neglect

The staff ratio of Daingean

15.393 In the period 1940 to 1973, a total of 77 Oblates were attached to the School. On average, there would be 19 Brothers and five priests in the school community. However, not all of the Brothers or priests in the school community worked in the School itself. It is clear from the oral evidence and documents that the staff to pupil ratio was a fundamental problem at Daingean. Many of the Brothers assigned to the School were old and infirm, and played an inactive role in the day-to-day running of the School.

³⁴ This is a pseudonym.

15.394 Fr Luca wrote in 1966:

At present there are only nine active members of the Staff who are expected to cater at all times from seven in the morning to half-past ten at night, come what may, seven days a week.

15.395 The Oblate records for staffing in the School in 1969 listed seven priests and 17 Brothers, but Fr Luca could only rely on nine out of 24 listed staff to work in the care of the boys in Daingean.

15.396 Fr Hughes gave evidence about staff ratios operating in Daingean:

I give you two examples there, we have a staff list of 1944 which shows the presence of a population, a school population, of 236. They were 24 Oblates in the school ... That would indicate there was a staff ratio of one member of staff to 10 inmates.

15.397 He also stated:

Similarly in 1968, the population, the school population, of 104 shows the presence of 18 Oblates ...

15.398 However, as noted above, during this period Fr Luca wrote that 'there are only nine active members of staff'. The problem clearly was worse than the records indicate.

15.399 One witness stated:

There was probably not enough individuals to look after the amount of boys that were there, which is why so much went on there.

15.400 Another witness, when asked about supervision in the small section at night, replied:

You asked me about the supervision over boys by priests, there was no supervision over them as far as I could see ... looking at it now – there was some young men down there, some young priests in it that could handle the situations that were down there probably, but then there was a lot of older men down there, they really didn't do any work; I am talking about supervising.

Effects on the Brothers of inadequate staff to pupil ratio

15.401 In their Opening Statement, the Oblates stated that staff members were over-extended in their responsibilities. During the last decade of the School's existence, the Brothers were clearly getting older and suffering ill-health more often. This was a result of the Oblate policy of appointing members of their Community to the School for long, indefinite periods. In fact, some Oblate Brothers served periods of up to 50 years in the School. Fr Luca in his evidence agreed with counsel for the Investigation Committee that the Brothers would more or less stay in Daingean for their entire working lives. Some of the Brothers even remained in the School after retirement rather than leave. These Brothers played no contributory role in the caring of the boys.

15.402 Fr Luca, throughout his period as Resident Manager of Daingean, had serious concerns about his staff and the pressure they were placed under while working at this School. In his evidence and in contemporary documentation this was evident. His concerns about lack of staff numbers and the effect this was having can be seen in a letter he wrote in 1966. In it he protested:

At present there are only nine active members of the Staff who are expected to cater at all times from seven in the morning to half-past ten at night, come what may, seven days a week ... Br X is not named as he is full time on the farm. The average age of these men is over 40, and obviously increasing. The staff as a whole feels that under the present circumstances they are unable to continue much longer with the present system. The strain is regarded as far too severe, and unless something tangible is done in the

immediate future, they feel that they will be fit subjects for special institution themselves. That the strain is evident is obvious by the fact that six brothers in five years are sent from here with nervous breakdowns. This in itself should be a raw reminder of the seriousness of the situation of the already seriously understaffed school ... At present the Staff feel that they are being treated very unfairly.

- 15.403** Fr Luca's letter of concern for the stress placed on the staff of Daingean is illuminating. At no time was similar concern expressed for the unfortunate boys who were there. The consequences of having overworked and overstressed staff in Daingean were examined during the Phase I hearing. Fr Hughes was asked about the content of the letter of Fr Luca and about the problems that could result from stressed staff. When asked if this kind of strain carried with it any risks for the people in the care of those under that type of strain, he replied, *'I suppose the men under stress might snap and become abusive, it is a possibility'*. He accepted that it was an undesirable situation, where people working in a position of responsibility over young people were under extreme stress. On the basis of this evidence, there was never an adequate staff at Daingean.

The administrative structure

- 15.404** The Provincial was the person in the Congregation who was in charge of the School and its Community. However, he discharged his duties through the Resident Manager who was also the Superior of the Community in Daingean. He held office for a term of three years, but this period would usually be extended for further terms. Resident Managers were appointed by the Provincial with the consent of his Council.

- 15.405** The Resident Manager had numerous responsibilities both inside and outside the School. His responsibilities within the School extended not only to the boys resident there but also to his fellow Oblates and staff. He was responsible for the administration of the complex of buildings that made up Daingean, as well as a large farm at the School. Externally, the Resident Manager would liaise with other Resident Managers, primarily through the Resident Managers Association, which was chaired for considerable periods of time by the Manager of Daingean.

- 15.406** In relation to the post of Resident Manager, the Oblates stated:

while they had no special training for reformatory work, it would be wrong to describe these men as unprepared for the task. They all had personal experience of living in communities with a pattern of education, manual work, including farm work, and pastoral activity.

- 15.407** A designated priest or Brother, who maintained an office in the School, assisted the Resident Manager in his duties. He would keep records, accounts and numerous records required for the individual files on the boys. There was also a Brother Prefect who was responsible for dealing with serious breaches of discipline. As Fr Luca stated:

It was always a man who ... was healthy, strong and who could bear the brunt of that responsibility and the work that it entailed, because it meant that he would have to be on the line at anytime if there was trouble of any description.

- 15.408** The Brother Prefect also had numerous other time-consuming duties. He would organise supervision of the boys outside school and work hours, and he was responsible for the boys' correspondence and any monies sent to them. In practice, the Resident Manager left matters of discipline entirely to the Brother Prefect. As Fr Luca stated:

I would have to say I don't know how many slaps they had. I never saw the boys being punished while I was there. I didn't regard it as part of my duty to supervise that. I know that the boys were punished and I know it was left to the prefect to decide what the punishment would be for the particular, well I don't like to call it crime, misdemeanour.

Buildings and accommodation

15.409 In their Submission, the Oblates stated that there were criticisms of the standard of the buildings and accommodation in Daingean, and they stressed that the buildings were owned by and were the responsibility of the State, which, despite the protestations of the Congregation, allowed the facilities to deteriorate and fall into an unsuitable condition. While the lease under which the Oblates held Daingean placed responsibility for day-to-day care and maintenance of the premises on the Congregation, allowing the boys to live in filthy conditions as described by the Kennedy Committee was not the responsibility of the State.

15.410 A report compiled by Ciaran Fahy on Daingean is appended.

Criticism of buildings at Daingean by Dr McCabe

15.411 From the description of the premises, it is clear that material comforts were not provided for the inmates of Daingean. They lived in cold, damp, gloomy conditions, had to wash in cold water, and were crowded together in unhealthy dormitories, with a laundry that could not even provide them with an adequate supply of clean shirts and bed linen.

15.412 Dr McCabe's reports revealed many concerns about the buildings at Daingean. Her first visit to the School, after the move from Glencree, was in January 1941. She wrote:

At present premises will need a lot of repairing and painting.

Dormitory acc. rather congested now but this will have to do until new wing built. Wash-house is being organised - Recreation hall not very suitable – old building.

Equipment – fair – to be improved.

Bedding to be improved – proper sheeting and blankets.

Floor in refectory very defective.

The water supply. There is a tank indoor which is unsuitable for drinking – warned the manager against using this supply unless it has been boiled previously.

15.413 She stated, 'conditions under which boys live great improvement to Glencree'. Even in this early report, it is clear that the promise of a new wing, which made the existing conditions something to be tolerated on a temporary basis, was a major reason for accepting the state of the School as she found it.

15.414 She visited again in October 1941, and reported a 'gradual improvement'. But again the promise of new buildings persuaded her to accept existing conditions. 'Work-shops and Recreation Hall are small', she wrote, 'and not suitable, but pending the new building must do'.

15.415 By her next visit in April 1942, she found some improvement but listed very many faults:

Still much can be done -

Floor of refectory needs repair. Recommended for immediate action.

Dormitories overcrowded – but only as a temporary measure till new Building established.

Drew manager's attention to sheets and bedclothes which could be cleaner.

Lavatory Annexe ... general cleanliness is not good – drew manager's attention to this.

Clothing to be improved ... suggested lumber jackets.

Farm boys very untidy looking, especially about legs – suggested small gaiters ... to be worn to keep ends of trousers dry.

Suggested rubber aprons to be worn by boys in the laundry because of wet conditions their clothes were in.

Manager hopes that new building will soon be started.

15.416 Over a year later, in July 1943, she visited again. There was no sign of the promised new building but she remained optimistic. She wrote:

At present, as a purely temporary arrangement, the dormitories are over-crowded - Recreation Hall is a condemned building – this must be till the new Building is erected.

Sheets on beds unsatisfactory – not clean – clothing for everyday wear could be improved.

The Manager has been only too eager to carry out any recommendations previously made by me - i.e. new floor in refectory – lumber.

I suggest that some impetus should be given to the starting of the New Building – The dormitories are very overcrowded and the no. of boys is yearly increasing. Classrooms are small and the recreation and wash-house are just makeshift.

15.417 Three years later, in May 1946, there was more concern than optimism about the promised building. ‘The Manager’, wrote Dr McCabe, ‘is very keen to get on with the New Building and he has asked me if possible to get at B/W³⁵ and ask them to expedite matters ... I am most anxious for the new buildings to be started as soon as possible’.

15.418 It was in November that year that the new building began to be built. She wrote, ‘It will be most welcome when completed’. By 1948, the new sanitary annexe had been added, but still she was writing, ‘... at present dormitory accommodation is not sufficient. All this will be improved with New Building’.

15.419 The new building had become the promised land that made tolerable the overcrowded, dirty and squalid conditions that were the reality of life in Daingean, where neither boys nor Brothers had the simple material comforts needed in a residential school. Other documents revealed an even worse picture.

³⁵ Board of Works.



The Dormitories

Source: Martin Reynolds

The state of the premises as revealed in discovered documents

15.420 On 7th July 1948, the Resident Manager wrote in desperation to the Inspector of Industrial Schools, when he learned that the second half of the 'New Dormitory and Ablution Room' was to be deferred. He pleaded:

This decision is so upsetting to our work for the boys here, that I would venture to ask that our case be re-considered.

(1) When we moved from Glencree to Daingean in 1940, our present Dormitories were only approved by the Department Medical Inspector as a purely temporary arrangement. The buildings where our boys sleep were never meant for dormitories. They are overcrowded, and badly ventilated.

15.421 The West Wing, he pointed out, was nearing completion, but the drainage scheme was for both wings and could not be constructed for only one. This led to his second point:

(2) I would point out, also, that the temporary ablution room (where all the boys wash at present) is very unsafe. The walls are leaning outwards at more than six inches from the

perpendicular. The Board of Works Architect ... will confirm that this ablution room is definitely unsafe and should be demolished as soon as possible.

15.422 The boys were accommodated in what was always the Brothers' sleeping quarters, and the Brothers were badly accommodated in different parts of the building. Nobody, in short, was properly accommodated in Daingean.

15.423 On receipt of this letter, a flurry of correspondence ensued between the Department of Education and the Department of Finance and, in June 1949, the Department of Finance sanctioned the building of the East Wing on the condition that the Department of Education were willing 'to defer some other building project involving approximately the like amount' of money (£26,500) which they would have been seeking in the 1950/1951 Estimates.

15.424 The building of the East Wing created a new problem, as explained in a Department of Education memorandum of 10th April 1953. It stated:

As regards the new Recreation ground; this has become necessary because the new wings have taken up a big part of the space formerly available to the boys and has left the present recreation ground inadequate and unsuitable from the point of view of supervision. The old bootshop cuts right across the ground now available and makes it impossible to supervise these boys. One portion of this remaining ground is several feet below the other portion ...

15.425 Furthermore, in a letter of October 1953 to the Resident Manager, the Inspector, Mr Ó Síochfhradha, criticised the state of the laundry. He said:

the Department is not satisfied that a change of shirts every second week and a change of sheets every six weeks is sufficient for the cleanliness and hygiene of the boys. They should have a change of shirt every week and sheets should be changed at least every three weeks. The boys should also have special night attire, either pyjamas or night shirts.

15.426 He added, 'The school laundry is far from being sufficient to meet the needs of the school'. The remodelling of this laundry was first proposed in April 1940, over 13 years previously.

15.427 The condition of the building is further considered in connection with the factors leading to the closure of the School. It is clear from these accounts that the state of the building, from its opening in 1940 to the middle of the 1950s, was far from adequate. The boys were crowded together in the dormitories, and it became impossible to supervise them effectively. The implications of this, on the behaviour of the boys in Daingean, was quite apparent from the documentary evidence and the evidence heard at the hearings.

15.428 When the Kennedy Report was published in 1970, one of its major recommendations as regards Daingean was the following:

We find the present Reformatory system completely inadequate. St. Conleth's Reformatory, Daingean, should be closed at the earliest possible opportunity and replaced by modern Special Schools conducted by trained staff.

15.429 Chapter 6, paragraph 6.29 of the Report outlined the factors that had led to this recommendation. It is quoted here in full:

St Conleth's, Daingean

6.29 This Reformatory is housed in a 200 year old former military barracks. An additional wing was built in the post-war period but the building is basically old and completely unsuitable for the purpose for which it is being used. The kitchen and refectory are situated in what were formally the stables and are depressing and decayed. On inspection, the

toilets were dirty and insanitary. The showers were corroded through lack of use and the hot water system was so inadequate that the boys seldom if ever washed in hot water. When it was first inspected the boys were ill-dressed and dirty and there was a general air of neglect about the place. To be fair, the Committee would point out again that the capitation rate paid was completely inadequate.

The Committee members were so perturbed about conditions at St. Conleth's that they sent a request to the Minister for Education asking that immediate specific steps be taken to ameliorate conditions there. It is understood that certain of these recommendations are in hand.

These, however, are only short-term measures. We feel strongly that no alterations can bring St. Conleth's into line with modern thought on Reformatories.

In the first place it is much too institutional in lay-out, secondly it is badly situated, being 40 miles from Dublin in a spot which is poorly served by transport. Most of the children in St. Conleth's come from Dublin and, as suggested elsewhere in this chapter, a reformatory would be much more effective if sited close to a large centre of population where the ancillary services required would be available. The Oblate Fathers, who are in charge of St. Conleth's, have themselves recommended such a move.

It is recommended that St. Conleth's be closed at the earliest possible moment.

15.430 It is of interest to note that Kennedy's opinion, that 'a reformatory would be much more effective if sited close to a large centre of population where the ancillary services required would be available', actually repeated a recommendation made in the Cussen Report, published in 1936. That Report had recommended, 'Whenever practicable, and at the discretion of the Justice, children should be sent to Industrial Schools as near as possible to their homes'.

15.431 When Daingean was being considered as an alternative to Glencree, in 1939, this recommendation was ignored. It was then argued that: the distance would have the advantage of preventing undesirable visits (from boys' former companions) which were taking place at present at Glencree; parents would not mind travelling by bus to Daingean occasionally; and that a system of permits might be arranged, which would possibly entitle them to reduced bus fares.

15.432 Neither Kennedy nor Cussen would have shared this opinion.

15.433 A few of the documents written by some of the members of the Kennedy Committee have survived, and they remain the best objective account of the conditions at Daingean at the time. The most important document is the letter sent by the Committee to the Department of Education, which is mentioned within the report itself. It contained some of the most trenchant criticisms ever made about a school. There were five main problems that needed to be addressed immediately:

1. The building was grubby, with open drains and dirty yards disturbingly near the kitchen.
2. The building was cold with an inadequate heating system.
3. The boys were unwashed with ingrained dirt on their bodies, and were seemingly verminous.
4. Their clothing was extremely ill-fitting, oddly matched, old, dirty and rather tattered.
5. The beds had discoloured bed linen and threadbare blankets.

Dear Secretary,

Following the Committee's visit to St. Conleth's Reformatory School in Daingean on 28th February, Mr. Tomás Ó Floinn, Assistant Secretary, attended the meeting of the Committee on 19th April so that the members might outline certain features of the present situation in Daingean, which they considered to require immediate amelioration.

At the conclusion of the meeting, Mr. Ó Floinn suggested that the matters discussed should be conveyed in writing to the Department, so that they might be sympathetically considered and I am now doing as he suggested.

The Committee has not yet formulated final views on St. Conleth's and consequently feel precluded at present from advocating any sweeping steps involving heavy expenditure which in time could prove nugatory. They do feel, however, that some immediate interim action is very necessary to improve conditions there.

The premises gave a general appearance of grubbiness and, while allowances must be made for the older sector of the buildings, even the newer portion was not very presentable. In particular the kitchen/refectory area, with its open drains and dirty yards adjacent, was very disturbing and the ware used for the boys meals was in particularly poor condition. In regard to the buildings, we are not advocating any expensive redecoration, but a thorough cleaning of the premises and its maintenance in that condition would seem to be in order.

The buildings were noticeably cold. The visitors wore overcoats throughout and were still conscious of the prevailing low temperature. The Resident Manager freely admitted that the heating system was inadequate. This is a feature which should not be allowed to continue and some effective interim auxiliary heating should be provided.

The boys presented a dirty, unwashed appearance – even to the extent of ingrained dirt and seemingly verminous hair. It was admitted that they were disinclined to wash and the lack of hot water was mentioned as a contributory factor. It was obvious to the visitors that the showers were hardly used. The vocational teachers drew attention to the lack of facilities for the boys to wash up after work in the shops and to the absence of proper protective clothing. The formative value of high standards of personal cleanliness is obvious and immediate action should be undertaken to correct the prevailing neglect in this respect and to provide the facilities which would encourage an improvement.

The boys were attired in extremely ill-fitting, oddly matched, old, dirty and rather tattered clothes. We do not overlook the difficulties there in providing clothing, nor the extent to which clothing provided is subject to abuse, but in the interests of fostering the boys' personal dignity, the present situation should be radically improved. It is suggested that the boys be outfitted in a more modern idiom and a "jeans and pullover" outfit, such as we have seen widely used in Britain, might well merit consideration. Underclothing and the substitution of pyjamas for night shirts might also be considered. Discoloured bed linen and the thread-bare condition of the blankets gives cause for concern.

On the basis of one visit, we hesitate to comment on diet, beyond stating that on Ash Wednesday – the day of our visit – the boys main meal consisted of chipped potatoes, bread and tea and they were universally vocal that the quantity of food served to them on the occasion of our visit was far in excess of what would normally be in the case. Committee members commented on the absence of eggs from the menu, although they had been shown an extensive "egg-battery" adjacent.

Early consideration to recognising the school as a special school for the handicapped would cater more realistically for the needs of the boys receiving instruction. It would also afford the higher teacher-pupil ratio, which the educational condition of the boys so urgently needs. The vocational teachers complained that their equipment was not alone

inadequate but dangerous and there would appear to be considerable scope for immediate improvement in this field.

In the course of discussion with the Committee as a whole, the Resident Manager disclosed that punishment was administered with a leather on the buttocks, when the boys were attired in their night shirts and that at times a boy might be undressed for punishment. At this juncture, the Committee does not wish to elaborate on corporal punishment as such but would urge that the practice of undressing boys for punishment be discontinued. In this regard, attention is invited to the amendment in recent times following the Court Lees incident of the British Home Office regulations regarding corporal punishment in Approved Schools which specifies that punishment, if administered on the buttocks, should be applied through the boys' normal clothing.

It will be greatly appreciated if you will look into the question of providing these improvements listed at the earliest possible moment. It is felt that they are the minimum necessary to render the school reasonably acceptable as a Reformatory.

Yours sincerely,

EILEEN KENNEDY

Chairman.

15.435 There is another document dated 10th March 1968, written by one of the Committee members, Mr H. B. Early, from the Department of Justice. His notes add detail and further criticisms to those voiced in the letter. Under the sub-heading, 'Some thoughts on Daingean' he wrote:

1. STAFF: Appears to have lost interest in their work – on duty 24 hours per day 7 days a week – living in isolation – little or no contact with the local community or with modern thinking in the field of child care. Religious staff sent to school for 5 years and there they remain except for a short annual holiday (?). Not sufficient to maintain proper supervision.

Religious staff: did not appear to be suitable.

Lay staff – teaching – tend to change annually except for woodworking teacher – teachers tend to come directly from training college – takes months to adjust themselves to dealing with difficult children and bad equipment.

Lay staff – non-teaching – elderly – unsuitable.

2. BUILDINGS: Property of the Board of Works: - they appear to have no interest in the place.

Old – difficult if not impossible to adapt. Little or nothing can be done with them.

3. EQUIPMENT: Poor and insufficient.

4. RECORDS: Inadequate – not kept up to date – staff too busy. Good filing system but little in the files.

5. BOYS: Very forward – proud and boastful of their past activities. Surprised that over 50% never get into any more trouble considering the environment of the school.

6. FOOD: Not sufficient – wrong kind.

7. CLOTHING: Poor but it is expensive to keep growing boys adequately dressed.

8. CLEANNESS: Boys dirty due to lack of supervision and hot water. School leaves much to be desired. It needs to be properly cleaned/ scrubbed from top to bottom particularly the toilets and kitchen area. The present condition is not due to lack of finance but to an attitude of mind – they are used to dirt – they cannot see dirt. A woman's influence is necessary.

Immediate action is necessary to deal with waste disposal from the kitchen. The present method is most unhealthy. A new (hot) water system is essential.

9. GENERAL: The school appears to offer little to the boys who appear to have little respect for the staff.

The boys arrive – little is known about them when they do arrive – they are kept for an average stay of 18 months – they leave – little or nothing is done for them to face the outside world. They seem to leave, as they have entered, with the same complaint against society. What society had done is to get them out of sight and mind for 18 months. Society has not solved the boys' problems but has put them on the long finger. The only difference is that after 18 months we have a greater problem on our hands.

15.436 What he adds to the Kennedy Report is his opinion that the dirt and squalor were not due to lack of finance, but to 'lack of supervision' and 'an attitude of mind'. He also identified the poor quality of the staff and the inadequate aftercare provided.

15.437 In the Emergence hearing, Fr Murphy said, *'The Kennedy Report in 1970 mentioned St. Conleth's. They highlighted two things in that report: The state of the buildings and the clothing of the children'*. His colleague, Fr Hughes, when questioned about the Kennedy Committee's criticism that the showers were rusty through lack of use, rejected the Committee's criticism, saying:

There is no evidence that the Kennedy Committee did a very thorough examination of the premises, they descended on it as a group, there is no evidence that they made a very careful examination of everything ...

15.438 Fr Luca, who was Resident Manager at the time, gave a different version. He said in evidence that he got two day's notice of the visit and that they did not *'land on the doorstep unannounced'*. Fr Hughes urged the Investigation Committee to read instead the *'much more careful report'* of Dr Lysaght who *'made a report there in 1966 after a very careful investigation, it is a very nuanced report and I think one would accept his observations as being fair and just'*. He went on to explain that Dr Lysaght:

went there specifically to do an investigation. He did a very careful and very honest and objective report which is far from being totally favourable but at the same time it has its nuances. I think one would have to accept it.

Dr Lysaght's report on St Conleth's, Daingean, 1966

15.439 Given that Dr Lysaght's report has the imprimatur of the Oblates, it is worth looking at it in some detail. It is a comprehensive document, involving 16 pages of tightly written manuscript. Dr Lysaght replaced Dr McCabe as the Medical Inspector in the Department of Education. He visited Daingean on 3rd June 1966. In his conclusion, Dr Lysaght summarised his views as follows:

I have indicated in this report by my comments where I regard the faults in this institution are to be found. Broadly they are in connection with food and clothing. In this latter connection I am seeking to avoid, but with difficulty, comparison with senior boys industrial schools. It is probably the case that the same care for clothes cannot be expected from the type of boy here. In any event they are untidy, poorly dressed, unkempt by comparison with the four senior boys industrial schools I have so far seen. The kitchen, food storage, wash up and dining room are unsuitable in regard to structure, decoration & equipment.

15.440 He reported that the School was authorised for 250 boys. There were 122 present on the date of inspection.

15.441 He then very simply described the equipment as, on the whole, poor. He found that the infrastructure of the dormitories, which had been recently built, was fine, but the beds, sheets and blankets were often substandard, and grubby. The junior toilets were smelly and messy. The items that needed regular supervision, cleaning and laundering, in other words, were showing neglect.

15.442 The kitchens received a close examination. Dr Lysaght summarised his findings:

Altogether the kitchen section is a poor effort – it is unsuitable in its structure, inadequate in its equipment and while it is impossible to be critical of personnel forced to work under such conditions I would feel that the brother cook would benefit by instruction and experience of other kitchens.

Dining Room Poorly lighted, low ceiling room adjoining kitchen. While it is also in an old building & suffers from the disadvantage of poor lighting and low ceiling I feel its general air of dinginess & old work house atmosphere could be improved by an intelligent use of decoration and paint on the room and furniture. The one thing it has is plenty of wall space and it is capable of taking many more tables.

15.443 Then Dr Lysaght turned his attention to the food itself, and was in general critical of the diet provided, for example:

As regards breakfast with the exception of Sunday it is just tea and B & B³⁶ – it seems unusual that porridge & milk is not provided on any morning. Another unusual feature is that despite having their own farm and a battery egg system eggs only appear on the menu once i.e. Sunday morning breakfast. In contrast to industrial schools fruit in season does not appear on the menu at all. Cheese a most valuable and cheap form of protein food only appears once for Friday tea. I see no reason why it should not be made available on the one other evening when meat is not served for tea viz – Sunday.

It would seem to me that the whole question of food, cooking, service, kitchen and dining room facilities etc call for consideration and efforts to improve the present position. As in most male religious institutions the food departments lag behind those in most institutions run by nuns. – they are operated in a rough and ready style & do not approach in any way kitchen departments under the control of women, whether nuns or lay.

15.444 Turning his attention to the state of the boys' clothing, he found much to be desired:

Clothing - I was not impressed by their general appearance.

15.445 When he looked at the medical records, it was the paucity of information that drew his criticism. He did not know whether the absence of information was due to the School having healthy children or due to omission. In particular, the lack of any record of inoculations or measures against infectious diseases concerned him. There was no nurse in the Institution at the time of Dr Lysaght's inspection, but it was hoped to employ one in the near future, and this he hoped would bring about an improvement in the recording of information on the boys' medical cards.

15.446 Finally, Dr Lysaght was very critical of the lack of hot water in the washroom and showers and, although he inspected during the summer, the heating was inadequate.

³⁶ Bread and butter.



Washroom

Source: Martin Reynolds

15.447 All of the criticisms made by the members of the Kennedy Committee are to be found in Dr Lysaght's report. They both found that:

- The boys were grubby and unkempt.
- Clothing was poor and torn, worse than in other schools.
- Showers were inadequate.
- The building was cold and poorly heated.
- Food was adequate in quantity but mostly carbohydrate. Despite having a battery farm producing eggs they were infrequently served to the boys.
- Most of the building was dingy and dark.
- Beds and sheets were poorly kept, and many were dirty and had threadbare blankets.

15.448 Dr Lysaght has criticisms not found in Kennedy, for example the inadequacy of medical records. The only criticism in Kennedy not also found in Lysaght is the condemnation of corporal

punishment. Yet, the Oblates found Lysaght careful and balanced and *'one would have to accept it'*.

15.449 Apart from the issue of corporal punishment, they appear to have found the same things but reached a different conclusion about whether the School was fit to remain open. The Department of Education had enough information from their Inspector to reach a decision on the matter in 1966. What we do learn from comparing the two reports is that between 1966 and 1968 no improvements were made, and possibly matters had deteriorated.

Education

15.450 The lack of teaching staff and teaching Brothers affected the level of education offered to the boys. Daingean, for the majority of its existence, never had an adequate teaching regime to cater for the requirements and needs of its pupils. The issue of education given to the boys in Daingean had always been a contentious and problematic one. The Department of Education wrote in 1967:

the educational aspects of this reformatory school for boys in Daingean, Co. Offaly, has been shamefully neglected over many years. The boys were illiterate on entering the school and were given very little education during their two years of normal time in the institute. As a result of financial restrictions, the directors had to make use of them as labourers. It is proposed now to put an end this neglect.

15.451 The Oblates in their Opening Statement stated that the Brothers and other members of staff always provided certain classroom education in the usual subjects of the primary school programme. There was also vocational training in various trades and occupations given by Brothers of the staff, for example, carpentry, tailoring, shoemaking, printing, and farm and garden work.

15.452 For the majority of the School's history, however, Daingean had only one or two lay teachers, paid for by the Oblates, to cater for the primary educational needs of its entire population of boys. Two lay technical teachers were supplied and paid for in 1946 by Offaly Vocational Education Committee. These taught the manual subjects in the School. A 1966 report, written in order to seek the establishment of a primary school in Daingean, gave the figures relating to the education of the boys:

- 30 boys received metal or woodwork instruction.
- 25 boys received secular instruction in a lay teacher's class.
- The School had 112 residents in residence at this time. The remainder of the boys (60 in number) who do not receive technical or primary education spend their time working.
- This report concluded that every boy resident in the School was in need of a primary education, and a primary school for Daingean was justified.

15.453 Therefore, up to 50 percent of the boys in Daingean were not receiving any formal education in Daingean in 1966. This is reflected in the evidence given to the Investigation Committee, with numerous witnesses stating that the education they received in Daingean was poor to non-existent. Throughout the 1960s in Daingean, and in particular during Fr Luca's period as Resident Manager, attempts were made to improve this situation.

15.454 Change in the school subjects developed on a modest level, and extra classes were provided. The Oblates said that this was done at the request of the boys to stop the boredom of the playground. A prolonged debate between the Department of Education and the Oblate authorities led to the recognition of a special national school in Daingean. However, it would close three years later. With the advent of the national school, the teaching numbers were increased, and it was proposed to recognise the School under the national school grouping and to pay the teachers. This was

implemented on 5th January 1970, and Daingean was recognised as a special national school, with four teachers under the management of Fr Luca.

15.455 Fr Hughes blamed the State for this neglect of education:

It did not supply any funds for teachers or for anything else, it was just left entirely to the school to find its resources from the capitation grant.

15.456 The boys sent to Daingean were older than the upper age-limit for national school education and, therefore, it did not receive a national school grant from the Department of Education until 1967. Many priests and Brothers lived in the community in Daingean, and were supported by the capitation grant, who did not contribute to the care of the boys, and it would not have added greatly to the costs of the School for them to have helped with the basic schooling of these deprived boys.

Vocational training in various trades and occupations

15.457 In his 1966 report, Dr Lysaght listed the following teaching staff:

2 lay teachers for technical subjects

1 lay teacher i/c Primary School.

2 part time teachers include

Art drawing Mrs K...;

Arts & Craft & Cookery Miss M....

The introduction of these women to the teaching staff has had I was told a very good effect on the boys.

15.458 Boys were in Daingean usually for two years and would be available for only one full school year, and, as a result, Fr Hughes told the Committee: *'The boys did not have a great success in getting certificates'*. Moreover, he added:

the equipment was rather poor. The equipment of course had to be supplied by the school, again out of the capitation grant, it was never funded by the State ... Another big reason ... was the difficult of attracting good teachers. The teachers for the technical school were provided by the Offaly Vocations Committee ... That was the only element of the educational programme that was paid for ...

15.459 Fr Hughes agreed with counsel for the Investigation Committee that it would be fair to suggest that the educational aspect of the boys' time in Daingean was not particularly enlightening. He continued:

Yes. Again you have to remember the capacity of the boys too, it would be naïve to think one could achieve a great deal in that context.

15.460 By their own assessment, then, the Oblates did not provide vocational training in various trades and occupations. Over half the boys spent their time working on the farm and bog.

Finance

15.461 Integral to the whole issue of neglect is the question of finance. Financial Consultants, Mazars, were asked to analyse the financial position of Daingean, and their report and the Oblates' submission on this issue, in addition to other relevant documents and a commentary, appear in Part IV. What can be stated is that the numbers in Daingean, right up until the late 1960s, were adequate to ensure that the capitation grant could provide a basic standard of care for the boys there. Taking into account the income from the large and productive farm and the work of the

boys, especially on the bog, it is clear that lack of funding was not an excuse for the very poor standard of care provided.

Conclusions

- 15.462**
- The conditions of neglect and squalor described by Dr Lysaght and the Kennedy Committee were the responsibility of the management of the School. Inadequate buildings and the consequent overcrowding would undoubtedly have taxed the most efficient Manager, but dirt, hunger, shabbiness and lack of supervision were management issues, and these were all present at Daingean.
 - Daingean represented a failure of the Department of Education to carry out its statutory function of supervision and inspection.

The closure of Daingean and the move to Scoil Ard Mhuire, Lusk

15.463 In his Statement, Fr Luca stated that, some time before his term as Manager in Daingean was completed, plans were being made to move from the School in Daingean to a new school in Lusk (Oberstown). Unlike Daingean, the new school was to have a board of management with representatives from the Department of Justice, the Department of Health and the Department of Education.

15.464 The School was run on a day-to-day basis by the Oblate Order on behalf of the Department of Education. A Director was appointed to manage the School, and he officially acted as School Manager. The School had a maximum of 45 boys.

15.465 The site at Lusk was sold to the Department of Education by the Oblates. The new school was named Scoil Ard Mhuire. The vast majority of the Oblate staff, according to Fr Luca, did not want to work at Oberstown. Furthermore, it was felt by the Oblate Provincial Council that 'if many of these brothers went to Oberstown it would be just more of the same old pattern', as they would not take well to the new system the School was developing in childcare.

The transfer of the boys from Daingean to Scoil Ard Mhuire

15.466 Daingean officially closed on 16th November 1973, and the boys were mostly transferred to Scoil Ard Mhuire, Lusk. Daingean Reformatory was handed back to the Board of Works on 30th November 1973. However, an Oblate community continued to live in the convent building at the gate, which was transferred to the Oblates against the surrender of their lease in the main property. According to figures from the Oblates, the total number of boys in the Reformatory in 1973 was 25.

On the impossibility of change

15.467 In November 1958, Dr McCabe wrote:

This reformatory has greatly improved now that B/W³⁷ have given the necessary facilities for dividing up the Play Yard into proper supervision ... The Rector ... has only recently returned from America where he made a Study of Juvenile Delinquency and was impressed by all he saw there and hopes to incorporate it in his work at Daingean. He is anxious to divide up the school into smaller units. He saw several improvements he could incorporate in operation of his own scheme in the dining room in self-service hatches. He is quite refreshed and anxious to make further improvements in Daingean. He considers that on the whole Daingean compares very favourably with such institutions in America

³⁷ Board of Works.

and considers that the type of boy he deals with is not as vicious or depraved as the American youth - no drug addicts.

15.468 As early as 1958, the idea of dividing up the large institutions into groups was being talked about. When Fr Luca was in Daingean in the early 1960s, he raised the issue again. He wrote in his Statement:

I had a whole lot of ideas for Daingean and what should be done with it. How to break up the large group, there were a 120 or 150 boys in this group at the time and I thought it would be much better to build units out around the various fields and break them up.

15.469 Fr Luca blamed the Departments of Education and Justice for the inability to introduce change. He wrote:

The State was quite happy as long as we kept the lid on Daingean – took in all the boys who went through the courts, said nothing, and kept them there ... There was no public interest at that time ... There was nothing about the treatment of those boys and, in a way, whatever treatment they got was good enough for them, that was the attitude.

15.470 He made more precise criticisms in the same submission. He wrote:

there was a mirage in the distance of a whole re-modelled Daingean. They built the dormitories and washrooms and the two practical classes for woodwork and metalwork and there it halted ... my view was that it wasn't so much buildings that had to be change although it would be helpful, but it was the attitudes that had to be changed. Because if the attitude of the Dept. of Education and the Dept. of Justice ... then underneath that the Gardaí and the Courts, if these were going to remain the same there wasn't much use in looking for a change ...

... I felt that a different less institutional model might be acceptable and that wasn't acceptable either to the Department or to the Commission for the hierarchy.

15.471 In the discovery from the Department of Education, an interesting document emerged in correspondence written after a deputation from Daingean had gone to see the Minister for Education. During the war, large numbers of boys had been sent to Daingean, filling the School to its capacity of 250 boys. When the war ended, numbers began to fall dramatically and, on 2nd March 1950, Fr Ricardo, Superior General of the Oblate Congregation, and Fr Pedro, Resident Manager of Daingean, met with the Minister for Education and his team to discuss the problem of reduced numbers in Daingean. The Oblates made the following points:

1. The chances of a boy's reform are in inverse proportion to the number of chances given to the boy by the District Justice. Every new offence contributes to habit, and boys are now under the impression they have a right to be let off three times under the First Offenders Act. They wanted the Department of Justice to be brought into discussions to make the District Justice aware of an agreed plan, and make him "inclined to commit the boys for a period that would suit the course".
2. The falling numbers meant falling income under the capitation system. They wanted a grant on a sliding scale once the numbers fell below 200.
3. Father Ricardo stated he would like to be able to appoint a special priest to deal with the children during their recreation period.
4. Father Pedro stated that the two-year period of detention is scarcely long enough to train boys properly in preparation for trades.

15.472 On 29th April 1950, the Inspector of Reformatory and Industrial Schools drafted a reply to all these points to his colleague in the Department. The letter contained forthright criticism of the reformatory school system, which can be summarised as follows:

- (1) Reformatory schools did not fulfil the purpose for which they were established. There was something wrong in the system.
- (2) The need for a special priest in a reformatory was not even worth discussing, as such a man did not fit the bill.
- (3) Boys should not be retained longer for the type of training they receive at Daingean, as it was not going to prepare them for trades. Such a suggestion, he opined, might have been made to increase the income of the Institution.
- (4) Vocational school training was more appropriate to the needs of the boys, and more teachers of woodwork and metalwork were needed.
- (5) The Oblates needed to be educated as much as the boys, as they knew little about the value of practical subjects or the training of boys.
- (6) The authorities of the industrial schools were no better, and they would only be convinced of the need for change by example, and changing the Reformatory may do that.

15.473 These criticisms were made in 1950, yet the industrial and reformatory schools continued to function as they had always done, until the Kennedy Report in 1970 forced them to change or close down. A key question is why the Department of Education was unable to adopt this approach as its policy.

15.474 It is clear from this memorandum that the Department felt it was the Orders that were resisting change, while in the 1960s Fr Luca believed the Government Departments were to blame for stifling innovative thinking.

15.475 In their General Statement, the Oblates quoted from Patrick Clancy's article, 'Education Policy', on this matter.³⁸ He wrote:

Perhaps the most distinctive feature of the Irish education system is the level of church involvement and control. Church control of education is rooted in the ownership and management of schools. After independence in 1922, the new state institutionalized the denominational school system which it inherited. Successive ministers of education adopted the view that the role of the state in education was a subsidiary one of aiding agencies such as the churches in the provision of educational facilities. The classic expression of this position is outlined in Minister of Education, Richard Mulcahy's speech to Dáil Éireann in 1956:

'Deputy Moylan has asked me to philosophise, to give my views on educational technique or educational practice. I do not regard that as my function in the Department of Education in the circumstances of the educational set-up in this country. You have your teachers, your managers and your Churches and I regard the position as Minister in the Department of Education as a kind of dungaree man, the plumber who will make the satisfactory communications and streamline the forces and potentialities of educational workers and educational management in this country. He will take the knock out of the pipes and will link up everything'. (Dáil Debates, 159: 1494).

15.476 The State left the management of the School to the Oblates but, under the special agreement made when the Oblates moved the Reformatory from Glencree to Daingean, the Department of Education owned the building, and had to pay for large-scale maintenance and any new buildings erected on the site. Thus, the Oblates could claim, in their General Statement, 'It would be unreal therefore to see the State as distanced from direct responsibility for the school'.

³⁸ Patrick Clancy, 'Education Policy', in Suzanne Quinn, Patricia Kennedy, Anne Matthews, Gabriel Kiely (eds), *Contemporary Irish Social Policy* (Dublin: University College Dublin Press, 2005), p 79.

15.477 The Oblates also asserted:

Given the nature of the work, the fact of State ownership of the property, the fact that the school depended on State funding, and the many appeals for help from the school administration, responsibility for the state of the living conditions in the school and its lack of facilities as described must lie primarily with the State.

15.478 It was true that the State had made the unprecedented decision to take responsibility for the buildings and maintenance, but general upkeep, cleanliness, clothing, bedding and supervision of the boys were the responsibility of the Oblates. As Dr Lysaght observed, the boys were dirtier, their clothes were more tattered, and the beds were less satisfactory than in other institutions. It was this kind of neglect that also struck the members of the Kennedy Committee. Both the State and the Oblates had allowed conditions to deteriorate so far that closure of the School was inevitable. With neither side taking responsibility for policy, or indeed for the care of the boys sent to Daingean, matters had just drifted until the Kennedy Report forced a decision to be made. The General Statement submitted by the Oblates described the characteristics of the care offered in Daingean. Each of the 13 points [see list at 11.24 above] raised by them can now be examined in the light of the information received by the Committee.

1. A substantial staff, mostly religious Brothers and priests but lay staff too

15.479 Staff numbers were inadequate in Daingean, and this placed serious strains on the Brothers and priests actively engaged in the work there.

2. A well-established administrative structure

15.480 An inadequate level of staffing led to an inadequate administrative structure. Resident Managers and Prefects had numerous time-consuming duties.

15.481 There were, in short, delegated responsibilities, but no supervision, no checks to ensure that regulations were being adhered to.

3. A remedial educational programme

15.482 There was effectively no primary school education for the boys in Daingean. One or two lay teachers catered for the primary educational needs of the entire population of boys for most of the period under review. Up to 50 percent of the boys in Daingean were not receiving any formal education right up until the late 1960s, but instead were engaged in hard manual labour on the farm and bog.

4. Vocational training in various trades and occupations

15.483 By their own assessment, the Oblates did not provide vocational training in various trades and occupations. Over half the boys spent their time working on the farm and bog.

5. A routine of instruction and work

15.484 As pointed out, there was very little instruction because of shortage of staff. There was a work routine: the boys would rise at 6.45, wash and go to Mass, have 15 minutes for recreation and then eat breakfast. At 9.30am, they would fall in, split up into their respective groups and then go to work. Over half went to work on the farm; others went to the bog, or the garden; others to the boot-makers, carpenters, printers, refectory, kitchen and laundry. There was also the band, spoken of by one witness. Another witness told the Committee it was '*child labour*'. None of them saw it as a daily routine of instruction.

6. The assignment of the boys to a Brother in a school/training group and whose task it was to integrate the newcomer into the life of the School

15.485 Not one witness spoke of being assigned to a Brother. Most of them spoke of being on their own.

7. The separation of juniors from seniors

15.486 There was never adequate separation of juniors from seniors. The playground was eventually segregated in the 1950s, but by then sexual exploitation and sexual liaisons had become part of the Daingean way of life, and the separating wall proved useless. Bullying was institutionalised, and younger boys sought protectors from older boys, and became their 'hags' in return. Newcomers were dehumanised, and a simple signal, an open hand with the thumb raised swimming through an imaginary sea, told them they were 'fish', newcomers with no rights. As they moved up the hierarchy, they perpetuated the system.

8. A sacramental religious framework

15.487 The School was a reformatory for Roman Catholics and 'Religious practice was therefore an intrinsic part of the school's life'. The Oblates stated that the School organised Christian Doctrine classes, retreats and special religious activities. Fr Luca made attendance at Mass optional in the 1960s, to encourage a more personalised faith commitment.

9. An insistence on discipline

15.488 Discipline in Daingean depended on corporal punishment. The Oblates have asserted that, as soon as corporal punishment was stopped in 1970, there was defiance and rebellion. The records show, however, that even when corporal punishment was at its most extreme in Daingean, defiance and rebellion were a way of life there. Serious riots occurred and the Gardaí had to be called in on three occasions. Abandoning corporal punishment without making any provision for an alternative regime, as occurred in 1970, was irresponsible and reckless. The inability to distinguish discipline from corporal punishment caused unnecessary hardship in Daingean.

10. Encouragement of sporting activities and other leisure activities such as drama and music

15.489 There was evidence of sport, music and drama, and many complainants recalled events such as school plays as being some of the good aspects of the School.

11. Many external contacts

15.490 Some external contacts with girls from local schools began in the 1960s. There was nothing before that initiative.

12. Help in finding a job

15.491 The Committee found no evidence of a structured approach to job finding.

13. An aftercare programme

15.492 The Committee heard no evidence of an aftercare programme. Most boys seemed to return home, but a surprising number went to Britain, where they finished up sleeping rough and declining into alcoholism. A large proportion went into other places of detention in Ireland or Britain. The memorandum by Mr H. B. Early of the Kennedy Committee, which was quoted earlier, was particularly critical of that aspect of care.

15.493 The Oblates failed to achieve almost all of the objectives that they set themselves in running Daingean. They never had the staff, the training or the resources to run the Institution in a way that would have made these objectives realistic ones. As Fr Luca wrote:

... The large numbers in such custodial situations with declining staff numbers not only rendered meaningful relationships between staff and boys unattainable but repressive measures for the purpose of containment were the order of the day.

General conclusions

- 15.494
1. Daingean was not a suitable location or building for a reformatory. The refusal by management to accept any responsibility for even day-to-day maintenance led to its complete disintegration over the years.
 2. Daingean did not provide a safe environment. Management failed in its duty to ensure that all boys were protected. They lived in a climate of fear in which they were isolated, frightened and bullied by both staff and inmates.
 3. Gangs of boys operated as a form of alternative government, victimising those who did not obey them, while the Brothers did nothing to break the system but acquiesced in it.
 4. Flogging was an inhumane and cruel form of punishment. A senior management respondent described it as '*a most revolting thing*' and '*a kind of a horror*', and another respondent said that he was '*horrified*' when he witnessed it, but the management did nothing to stop it and discussed the practice freely with the Department of Education and the Kennedy Committee.
 5. Corporal punishment was a means of maintaining control and discipline, and it was the first response by many of the staff in Daingean for even minor transgressions. Black eyes, split lips, and bruising were reported by complainants. There was no control of staff in the infliction of punishment.
 6. A punishment book was part of a proper regime, as well as being required by law.
 7. The Department of Education knew that its rules were being breached in a fundamental way and management in Daingean operated the system of punishment in the knowledge that the Department would not interfere.
 8. Sexual abuse of boys by staff took place in Daingean, as complainant witnesses testified.
 9. The full extent of this abuse is impossible to quantify because of the absence of a proper system of receiving, handling and recording complaints and investigations.
 10. The system that was put in place tended to suppress complaints rather than to reveal abuse or even to bring about investigations.
 11. The Congregation in their Submission and Statements have not admitted that sexual abuse took place or even considered the possibility, but instead have directed their efforts to contending that it is impossible to find that such abuse actually occurred.
 12. Having regard to the extent of the abuse of which Br Ramon was found guilty in Wales, the reservations expressed about his time in London, the known recidivist nature of sexual abuse and the complainant evidence received by the Investigation Committee, there must be serious misgivings about this Brother's behaviour in Daingean during his long service there.
 13. The Oblates acknowledged that they were aware of peer abuse and accepted that such incidents did take place.
 14. Sexual behaviour between boys, which was often abusive, was a major issue that developed to such a degree because of the lack of effective supervision throughout the Institution and particularly during recreation.
 15. The unsafe environment caused some boys to seek protection through sexual relationships with other boys in order to survive.

16. The conditions of neglect and squalor described by Dr Lysaght and the Kennedy Committee were primarily the responsibility of the management of the School. Inadequate buildings and the consequent overcrowding would undoubtedly have taxed the most efficient Manager, but dirt, hunger, shabbiness and lack of supervision were management issues and these were all present at Daingean.
17. The staff in Daingean was inadequate, ill-equipped and untrained.
18. The failure to offer emotional support was acknowledged by Fr Luca in 1972 when he wrote:

The large numbers in such custodial situations with declining staff numbers not only rendered meaningful relationships between staff and boys unattainable but repressive measures for the purpose of containment were the order of the day.
19. The Department of Education neglected its regulatory and supervisory roles in Daingean and failed to condemn serious abuses, including the practice of flogging.
20. Daingean did not in practice have a remedial function, as a reformatory was intended to have, but operated as a custodial institution whose purpose was punishment by deprivation of liberty. Periods of detention were longer because of the supposed therapeutic value of a reformatory, a feature that was emphasised by the statutory minimum of two years. Because it was not officially a prison, there was an absence of legal and administrative protections for detainees.

Appendix

Report by Ciaran Fahy (6th February 2007)

1.0 Introduction

The purpose of this report is to describe the physical surroundings of Daingean Reformatory School with particular reference to the buildings. It is based on research carried out by Ciaran Fahy during the course of which, all the relevant documentation in the possession of the CICA was examined. On 1st February 2006, Ciaran Fahy had a meeting with Fr Michael Hughes and Fr Luca³⁹ of the Oblates of Mary Immaculate and subsequent to this on 3rd February 2006, he visited Daingean to examine the buildings and met with the following:

- Mr Greg Kelly, National Museum of Ireland
- Ms Sharon Quinn, National Museum of Ireland
- Ms Melissa Broderick, National Museum of Ireland.

On the same day there was a meeting in Tullamore with Mr John Kearney of the Offaly Historical Society and on 22nd February 2006 there was a brief meeting in Dublin with Mr Ciaran O'Connor of the Office of Public Works.

All of the persons listed above were extremely helpful both with their time and the provision of old photographs and maps. This information is gathered together in four separate appendices and it also includes some maps obtained from the Ordnance Survey. Briefly, the appendices include the following:

— **Appendix No 1: Ordnance Survey Maps**

This appendix contains two current maps no 1 and no 2 showing the general location of Daingean. Map no 3, is an extract from the 1910 Ordnance Survey sheet showing the Reformatory School at the northern end of what was then Philipstown. Finally, map no 4 shows the current version of the same location surveyed in 2003.

— **Appendix No 2: Aerial Photographs**

This appendix contains two aerial photographs and probably gives the best overall view of the site. Photograph no 1 was taken from the southern side of the site apparently in the 1960s and appears to have been made into a postcard. Photograph no 2 was taken from the northern side looking south apparently in 2005 by a local photographer from a helicopter. Photographs 3 to 7 consist of partial blow ups of photograph no 2, to show various parts of the site in greater detail.

— **Appendix No 3: Historical Photographs**

This is a series of old photographs supplied by John Kearney of the Offaly Historical Society.

— **Appendix No 4: OPW Photographs**

This consists mainly of photographs taken by the OPW in recent years. However, it also contains some older material as well as a series of sketches showing the evolution of the site over a 200 year period from 1776 to 1973.

³⁹ This is a pseudonym.

2.0 Background

2.1 Location

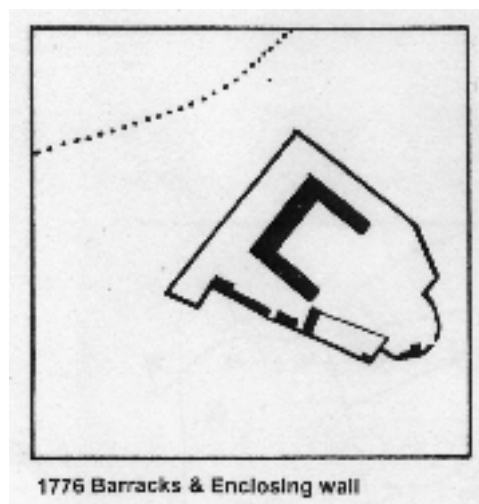
St Conleth's Reformatory School was certified on 22nd December 1870 and was set up in existing buildings in what was then Philipstown in Co Offaly, then known as King's County. It was operated by the Oblates of Mary Immaculate who also had another reformatory in Glencree, Co Wicklow that had been set up in 1858. St Conleth's continued in use until September 1934, when it was closed and the boys were moved to Glencree. The buildings and site were used by the Oblates as a seminary known as St Mary's Scholasticate and this continued until August 1940, when the reformatory in Glencree was closed and all of the boys were transferred to St Conleth's, now better known as Daingean Reformatory School. This continued in existence until it closed in November 1973.

The general location of Daingean is shown in the Ordnance Survey sheets, maps no 1 and 2 in Appendix No 1. The first of these, map no 1 was taken from the OS Ireland East series at a scale of 1:250000, while map no 2 was taken from a more detailed sheet at a scale of 1:50000. Map no 1 shows Daingean located between Tullamore and Edenderry and approximately 14km to the east of the former. It is located south of the N6 and is almost due south of Mullingar and due north of Portlaoise. It will be seen from the two maps that it is served by the Grand Canal but in modern times the only access to it was by road since the railway passed either north through Mullingar or south through Portarlinton and then Tullamore/Portlaoise. Finally, it will be evident from the two maps that Daingean is located in a low lying part of the country and is typically approximately 80m above sea level. It is served generally by the Philipstown River and just to the north of it is Raheenmore Bog.

The Grand Canal at Philipstown was constructed in 1796 and this was extended on to Tullamore in 1798. The route of the canal passed towards the northern end of the town and in fact, between the town proper and the buildings which were subsequently used to house the Reformatory School.

2.2 History

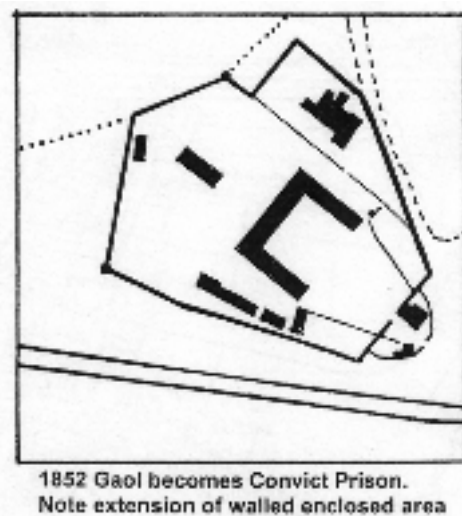
The site of the Reformatory School was first used for an army barracks which appears to have been constructed about the middle of the eighteenth century. The barracks was constructed as a two storey building in a distinctive 'U' shape and apparently comprised of officers' quarters, general soldiers' quarters, stables and support facilities and this entire area was enclosed by extensive walls in 1776 and is shown in the attached sketch taken from documentation prepared by the OPW.



The main central section of the barracks was more elaborate and as a consequence it is believed this section was used by the officers while the simpler wings were used as dormitories for the soldiers at first floor level and the ground floor level of each wing was used as stables. There were some small outbuildings along the boundary but it is impossible to identify their precise function at this point in time. At the entrance into the barracks there was a small one storey house called the guard house which is still in existence and is now called the gate lodge and is in private ownership. Inside this, there was a large parade area used for drill exercises by the soldiers, while behind the 'U' shaped barracks there was a smaller rectangular area possibly also used as a parade ground.

By the mid-nineteenth century the use of the site as a barracks appears to have decreased and from 1824 to approximately 1842 it was used by the Royal Irish Constabulary for the training of recruits and also apparently as its Leinster headquarters. However, this arrangement ceased when the new Phoenix Park Depot was opened in 1842.

The OPW sketch of the site in 1852 shows that the boundary walls had been extended at the rear, i.e. to the northern side and in addition a watch tower had been provided at each end. In addition, the boundary wall alongside Molesworth Street had been continued so that the entire complex was now surrounded by a high wall with the only point of access being alongside the guard house/gate lodge close to Molesworth Bridge across the canal leading to the town itself.



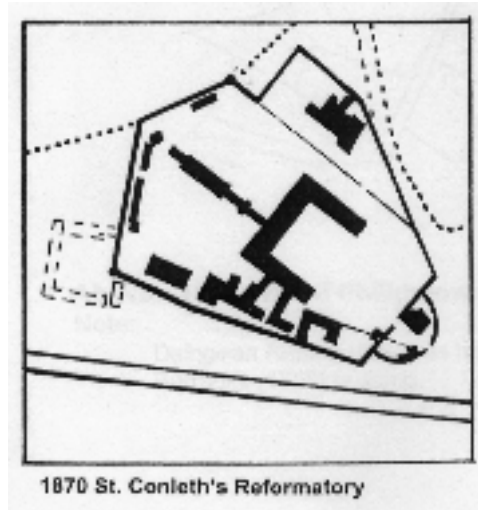
It appears the convict prison closed in 1862 and from then to 1870 the complex was disused, although there is a suggestion that for some period at least it was used as a seminary.

2.3 Use as a Reformatory School

Between 1868 and 1870, the numbers committed to reformatories more than doubled and as a consequence St Kevin's Reformatory in Glencree, run by the Oblates, became overcrowded. They sought another institution and the Government decided to offer them the buildings at Philipstown which by then were disused.

St Conleth's Reformatory in Philipstown was officially opened on 22nd December 1870 and the first boys were admitted in January 1871. The general arrangement is shown in the attached OPW 1870 sketch which shows the site enclosed by high walls approximately 6m high just north of the Grand Canal. On the south western corner it is possible to make out in dashed form the site of the farmyard while the distinctive 'U' shaped barracks in the centre of the site is clearly visible. Just north of this within the north eastern boundary of the site is the old gaol, while the entrance into the complex is close to the bridge over the canal on the northern extremity of the town. Just

outside the gate there was the old gatehouse built about the same time as the barracks and to the right was a larger two storey house known as the Convent and which is shown in the photographs in Appendix No 3. In front of this there was a landscaped area which was known as St Michael's Park.



No information is available on buildings erected on the site at that time but it seems clear the Chapel was built in front of an existing building, which apparently was the magazine and which was converted into a printing shop while the same building also contained the tailoring shop. Outhouses were added around the complex to serve the various trades.

In 1888, representatives from a number of newspapers including the Irish Times and the King's County Chronicle were invited to visit the Reformatory by Fr James Quesed, then Resident Manager. John Kearney, in an Article '*A Brief History of Daingean Reformatory and its Former Uses*' published in 2005 in the Journal of the Offaly Historical and Archaeological Society, quotes extensively from the newspaper reports of this visit. At that time there were about 250 boys in the institution and they were housed in a very large iron construction located just to the west of the Chapel which can be seen on the left hand side of photographs 2 and 4 in Appendix No 1. This iron structure apparently was intended to be used as the inside of a gaol to be built on the site in 1826 and it was known as the 'Ship'. At that time, the area in front of the original barracks was laid out as a garden and to the right of this there was a lake used as a reservoir. It appears the premises at that time was lit by gas made on the site and in addition, there was a windmill used to draw water from a well just to the west of the original barracks building. The staff at the time consisted of the Manager, an Assistant Manager, Chaplain, 16 Brothers (three of whom taught in the school), two School Masters, a Band Master, five tradesmen and five farm assistants. There is reference in the account of that time to a farm of 136 acres together with an area of bog used to provide fuel for the institution.

The school appears to have been largely self-sufficient at this time and there is reference to the usual trades including carpentry shop, forge, boot makers, tailors shop, laundry, print shop and the farm. Interestingly, at that time there was a significant number of young boys in the institution and in particular there is a reference to approximately 50 young boys not more than eight years old who were involved in knitting and stitching cloth.

John Kearney in his article quotes from an 1892 report which suggests there were 337 boys on the books, while in 1893 this had changed to 287. In 1896, there is a reference to an adjoining farm of 190 acres and apparently there was another large farm at Rathfeston in nearby Geashill, located due south of Daingean and shown in map no 2 in Appendix No 1. Mr Kearney also quotes

from the 1901 and 1911 Census, when there were 260 and 207 boys respectively in the institution. However, by this time the age profile had changed and by 1911 the age range was 12 to 18 with only 24 boys under 14 years.

It appears that the numbers increased again in the period 1914 to 1918 and went up to over 300. However, a significant number of the boys were recruited by the British Army with the result that the numbers declined significantly and this appears to have continued into the mid-1920s. In 1925, 40 boys were transferred from Daingean to Glencree Reformatory and in September 1934, Daingean was closed and all of the remaining boys were transferred to Glencree.

In the latter half of 1934, the institution became St Mary's Scholasticate, to train students for the priesthood of the Oblate Congregation and it continued in this role until August 1940, when it was closed and its training function was transferred to another premises at Piltown, Co Kilkenny.

The premises re-opened as a Reformatory on 6th August 1940, with 226 boys moved from Glencree. It continued in existence until it closed on 31st October 1973, with the last boy being admitted to the institution on 31st May 1973. It appears that once the institution was closed the premises were returned to the State and since then it has been in the care of the OPW. It is currently used for the storage of artefacts. Some renovation works have been carried out by the OPW over the years but generally the buildings are in relatively poor condition.

3.0 Details

3.1 General

The arrangement of the buildings in the Daingean complex is seen in the aerial photographs in Appendix No 2. The first of these, no 1, was taken looking north in about 1960 and it shows the complex arranged in a 'V' formed by the Grand Canal on the left hand side and Molesworth Street on the right hand side. It is possible to make out the perimeter wall, while at the rear left hand corner attached to this is the farmyard. To the north of the complex there appears to be a goalpost presumably part of a playing pitch and to the right of this, there is a building which has not been identified.

Photograph no 2, was taken looking north and it is believed this was taken in 2005. It shows the current situation on the site and the old farmyard in the lower right hand corner has been disposed of and is now used for industrial/commercial purposes. This photograph shows the view looking towards the front or main entrance and again it is possible to make out Molesworth Street, now on the left hand side and the Grand Canal on the right hand side. The photograph shows two watchtowers on the northern side of the perimeter wall and it is also possible to make out one pedestrian point of access on the eastern side. However, the only two main access points into the complex were via the front entrance and a second point now visible on the lower right hand side which gave access into the farmyard. This photograph shows the main old barracks with its distinctive 'U' shape while behind this there is the more modern block also in a 'U' shape constructed between 1948 and 1952. Behind this there are two yards separated now by means of a block wall.

The other photographs 3 to 7 inclusive are part blow ups of the original photograph no 2, where the use of the various buildings has been marked for identification purposes. These photographs give the best overall impression of the complex and will be widely referred to later in the text.

There is extensive correspondence on the files from Resident Managers and they all appear to have been actively involved in attempting to upgrade the facilities at the school. The documentation shows the first proposal for work at the school was prepared by the OPW in April

1940, at a projected cost of £32,600 and it was to accommodate 200 to 250 boys with a staff of 15. It envisaged retention and refurbishment of the existing block together with the construction of some new buildings and the demolition of some old buildings of little value. One of the first items to be carried out was a new sanitary block at the south western corner behind the main building and this in fact is shown in aerial photograph no 7 in Appendix No 2.

The original scheme was modified with extensive input from [the Resident Manager] in 1940/1941 and out of this grew the concept of the new 'U' shaped block behind the original one. This idea was originally put forward by [the Resident Manager] in November 1940 and he discussed it with an architect from the OPW and a representative of the Department of Education at a meeting which took place on 23rd January 1941. After further discussions it was decided to build this in two stages with the west wing going first. This plan ran into considerable difficulties mainly due to lack of materials in the war years, with the result the west wing was only constructed in 1948/1949, while the east wing followed in 1951/1952.

The next phase of building activity occurred in the mid-1950s when the play hall shown in photograph no 5 was constructed about 1954 and after this in 1956/1957 the old gaol together with some ancillary buildings were demolished and this allowed for the construction of what is referred to as the lower yard, which is shown in photograph no 5. In addition, at the same time the Brothers' residence shown in photograph no 4 was constructed close to the front entrance and apparently was designed to be linked into the convent which is outside the walls close to the main gate.

Any proposal for new works had to be submitted to the OPW and also to the Department of Education who in turn passed it on to the Department of Finance to sanction the expenditure. It appears that any work carried out on site was done by a contractor to a design prepared and supervised by the OPW. This bureaucratic arrangement gave rise to lengthy correspondence between the parties and a particular example of this occurred in 1956 when the then Resident Manager wanted to make a minor variation to the construction of the handball alleys. He wrote to an Inspector of the Department of Education suggesting this on 22nd June 1956 and this in turn was passed on by the Inspector to the OPW on 25th June 1956. On 12th July, the OPW wrote to the Department of Education saying that the variation would cost £25 and suggested they obtain sanction from the Department of Finance. This resulted in a request from the Department of Education for the £25 on 14th July 1956 and this was sanctioned by the Department of Finance on 2nd February 1957.

The general attitude of the Department of Finance can be gauged from a letter of 30th November 1954, written in Irish to the Department of Education, in which there was reference to general difficulties in public spending and expressing concern and disappointment at the number and frequency of requests from Daingean for extra funding. This matter was taken up with the Resident Manager by the Department of Education so they were able to write back on 14th December 1954, to assure the Department of Finance that no further demands for money would be made with regard to extra work on the school.

It is clear from the documentation that the buildings at Daingean in the period 1940 to 1973 were in poor condition. The clearest indication of this is probably contained in a report from the Chief Fire Officer of Offaly County Council dated 10th September 1964. When considering the old main block their report concluded that the entire building should be demolished and replaced, but in any event it recommended certain minimum works to be carried out immediately. While the main emphasis in the report was on the fire risk and dealt with the main block it also stated that the carpenters and boot shop were unsatisfactory, while it said the kitchen and scullery were in a deplorable condition. It also suggested that consideration be given to a new tailoring shop and a main boiler house.

There is a further report dated 31st December 1965, prepared by a Mr Madden, an Inspector from the Department of Education who stated: 'from personal knowledge I can confirm that these buildings are older and in worse condition than those of any other reformatory or industrial school in the country. General conditions therein are substandard and unhygienic while the natural lighting, central heating, and electrical systems are poor'. The conclusion was that while the newer buildings constructed from the 1940s could be used with minor improvements the reality was that the older main block had reached the end of its useful life and thus the question of its demolition and renewal would have to be considered as a matter of the highest priority. There is also a report on the heating system prepared in 1965, which concluded the boiler power was insufficient to heat the institution. This makes reference to three boilers within the complex, two of which were fired with anthracite while the third used turf and wood but was rarely used. The report made the point that the existing boiler house was very cramped and incapable of extension with the result that a new boiler house would be needed. The report recommended as an interim measure that anthracite be replaced with oil which on the basis of an ample supply of fuel would improve the heating within the institution.

Following on from the original report of 31st December 1965, prepared by Mr Madden, the buildings were examined by an architect from a structural point of view on 24th March 1966. He concluded 'these old buildings are in very poor structural condition' so that they 'could not be repaired or adapted in an economic manner. The general layout is unsatisfactory and the planning of important areas in constant use such as the kitchen and reformatory block is particular inept'.

In 1967, Offaly County Council became concerned with the situation and wrote on 23rd August 1967 to the effect that unless there was confirmation that the requirements of the Chief Fire Officer were carried out, the County Council would serve a Fire Precaution Notice requiring the school to cease using the building. This was dealt with by the Department of Education writing to the County Council to say that some works had been undertaken and that steps were being taken for the immediate implementation of the remainder. In September 1967, the Department of Finance sanctioned a sum of £6000 for this work.

There was a serious disturbance in the school in August 1968, when a number of boys attempted to set it on fire. About the same time there were ongoing discussions between the various parties about the future of the school and in November 1968, the Provincial of the Oblates prepared a detailed report essentially recommending the school be rebuilt on the same site. In July 1969, the Department of Finance sanctioned a figure of £85,000 to cover the following works:

- Prefabricated classes and dining-cum-kitchen accommodation
- New boiler house
- Heating and electrical installation including kitchen equipment.

These works were to be designed by the OPW and it was to have the work done in 1971. However, it appears this work was not done because of a general reluctance on the part of the Department of Education and also the specific recommendation in the Kennedy Report of 1970 that the institution be closed 'at the earliest possible moment'.

3.2 1944 Survey

The school completed a fire survey in 1944 as did all of the other institutions in the State, following a tragic fire at an institution in Cavan and the answers provide useful information in relation to the organisation and use of the buildings in the school at that time. In 1944, there were 246 boys in the school and 27 on the staff with the average age of boys being 15 years. They were housed in the main block at ground floor level in the east wing, which had a capacity for 110 boys and also at first floor level in the west wing, which had a capacity for 126 boys. The staff at the time were mainly housed in the old gaol, then known as St Joseph's and which was located in what

subsequently became the lower yard and also in the convent located at the front entrance outside the walls. In addition, there were four staff rooms in the centre of the main block at first floor level. It appears that the 'Ship' which is visible in photographs 2 and 4 of Appendix No 3 was demolished after the school was closed in 1934 and this required the boys to be moved into the main block.

The 1944 survey speaks of the Chapel being located behind the main block and connected to it by means of a corridor. It will be seen from photograph no 2 of Appendix No 3 that this corridor was not in position in 1914 and this is confirmed in the 1910 Ordnance Survey sheet shown in map no 3 of Appendix No 1. The 1944 survey speaks of this block as containing the Chapel, the dairy and the tailors' shop without any reference to the printing shop. Later documentation suggests the dairy was located in the laundry block and it is possible that the use of various buildings changed at different times. The survey also speaks of a carpenter's shop at ground floor level on the west wing but not communicating with the other rooms. The bootmaker's shop is described as being in a one storey building parallel to and at some distance from the east wing. This building seems to have been located along the line between the lower and the upper yards as shown in photograph no 4 of Appendix No 2. It should be noted these yards were at different levels and the level in the lower yard was raised in 1956/1957 using material from buildings demolished at that time including St Joseph's and also the boot makers shop. However, even after this work there remained a difference in level between the yards although obviously not as pronounced.

The 1944 report also speaks of a block containing the laundry, the bakery and a linen room, presumably at the location shown at photograph no 7 in Appendix No 2. Finally, it speaks of a long narrow single storey building parallel to the east wing of the main block, in other words, somewhere near where the ball alleys are in photograph no 5 of Appendix No 2. This apparently was a recreational hall.

The main block is described as having six rooms at ground level and a further six rooms at first floor level in the centre of the block. At first floor these rooms appear to have been used as four living rooms for the staff together with an oratory/library and what is referred to as a boys' hospital or infirmary. However, this was used only for check-up purposes and there was no capacity to keep sick boys there for any period. At ground floor level there was a recreation room for the staff, an office, a parlour, a storeroom for the kitchen, a dining room for the staff and a staff kitchen. The east wing had one large room at ground floor level used as a dormitory and three rooms at first floor level apparently used as study halls while the largest of these was sometimes used as a theatre. The west wing had three rooms at ground floor level and one large room at first floor level used as a dormitory. The rooms at ground floor level were used as the boys' refectory, a band room and also stores for the nearby kitchen.

3.3 Farm

The position as regards the farm has been set out earlier in this report. What is known is that from early days the Oblates appeared to have purchased farmland not only contiguous to the Reformatory but also at some distance from it. At its largest this landholding amounted to about 220 acres and there is reference to 190 acres in 1896, with another out farm at Geashill. As part of the negotiations for the 1941 lease, all of the land was sold to the State before being included in the 50 year lease granted by the OPW in 1941.

The farmyard was located just outside the walled complex on the north western corner or the top left hand corner of photograph no 1 in Appendix No 2. The farmyard itself was arranged in a quadrangular form around an enclosed farmyard. One of the sketches shows this consisting of stables together with a milking house, cattle bars, a tool house and a car shed. As stated previously, the access into the farmyard was via a gate beside one of the watchtowers which is clearly visible on the right hand side of photograph no 2 in Appendix No 2 and which is also shown

in photograph no 7 in the same Appendix. In addition to the buildings in the farmyard, it must be remembered that there were also associated buildings located inside the walls and close to this entrance and these consisted of the piggeries, the fowl house and also the slaughterhouse.

In 1967, the Reformatory applied to the Department of Agriculture for a grant under the Farm Improvement Scheme and as part of that the Agricultural Instructor prepared a report in which he described the area as 230 acres of which 200 acres could be regarded as 'top quality inorganic land'. The recommendation at that time was to upgrade the buildings to carry a herd of 100 milking cows and in addition to this the land was used to be used for some tillage. Two reasons were advanced for these proposals, the first being that there were a reduced number of boys available to work on the farm because of declining numbers and the increasing emphasis on education while the second reason was to maximise the farm's contribution to the running of the school.

3.4 Eighteenth Century Barracks

The original eighteenth century barracks in its distinctive 'U' shape is shown in the aerial photographs nos. 1, 2 and 3 in Appendix No 2 and also shown to some extent in the OPW photographs in Appendix No 4.

3.5 1940/1950s Buildings

The main addition to the site after 1940 was the two storey 'U' shaped block constructed to the rear of the original eighteenth century barracks and which is shown most clearly in photograph no 3 of Appendix No 2. This was constructed in two parts as shown in the photograph with the west wing being constructed first in 1948/1949 while the east wing followed in 1951/1952. After completion of this block the dormitory location was located at the first floor level and consisted of two 'L' shaped dormitories. Washing facilities were provided at ground floor level in the central section of the block and this was divided in two by the passageway leading from the Chapel to the original main block. At ground floor level in the west wing there were classrooms dedicated to technical subjects while on the east wing at ground floor level there was a play hall. It will be noted in photograph no 3, that there was access to the outside to both the east and west wing at ground floor level with the one on the east wing leading out into the yard area. Directly inside this there was a main stairs leading up to the respective dormitory at first floor level.

Up until 1957, the bulk of Oblate Brothers lived in the old gaol also known as St Joseph's which was a three storey building. In 1957, the new residence shown in photograph no 4 of Appendix No 2 was finished and at that stage the gaol was demolished and the material used as filling in the lower yard shown in photograph no 5 in Appendix No 2. The new residence was located just inside the main gate and contained 12 rooms occupied apparently by 11 Brothers and one priest. The convent located close by just outside the main gate was also occupied by two or three Brothers as well as occasional visitors. In later years when nuns joined the staff they were accommodated in the convent.

The play hall shown in photograph no 5 of Appendix No 2 was constructed apparently in 1954 as part of the developments at that time. In some documentation this appears to be described as the dance hall or theatre and the year of construction is also somewhat uncertain.

3.6 Outbuildings

Photograph no 4 of Appendix No 2, shows the buildings towards the front of the site consisting of the convent, gate lodge and what appears to be an old garage located just inside the entrance. To the right of this in the area where it is now grass, old drawings show a greenhouse and there was another smaller greenhouse attached to what has been marked as the fuel store. This was a pitched roofed building constructed in a 'U' shape and is still visible. Just behind this was the carpentry shop, and the battery room attached to the end of the west wing of the original main

block. At one end of the carpentry shop the old drawings show a vegetable store while there was a yard between the battery room and the kitchen which has now been demolished. This extended out from the west wing of the old block and interconnected with the boys' reformatory at ground floor level. The smithy or forge is still in existence as shown in photograph no 7 and behind this was the bakery and behind that again was the laundry/dairy.

Photograph no 6 of Appendix No 2 shows the Chapel constructed some time about the start of the use of Daingean as a Reformatory and this is interconnected with a building which was the original magazine.

There were additional buildings located against the rear wall of the premises as shown in photograph no 6. There was a slaughterhouse located close to the point where the wall turns, while to the right of this there was a fowl house and to the right of this there was a piggery.

Up until 1957, the old gaol was located in what is now described as the lower yard in photograph no 5 of Appendix No 2. This building was separated from the others and seems to have adjoined the handball alleys shown in this photograph. In addition, there was an old unused recreation hall running parallel to the east wing of the old barracks but separated from it so that it was close to the handball alleys. In addition to this, along the line between the upper and the lower yard there was the boot shop which seems to be a long rectangular building running along the line of the joint between the two yards but located in the upper one. Out beside this but located in the lower yard was a somewhat smaller building described as a shelter.

3.7 Services

In 1888, when the premises was visited by the media the institution was described as being lit from gas made on the premises. By the time of the 1944 survey however, some but not all of the buildings were lit by ESB mains and this included the main building, the kitchen the sanitary annexes and St Joseph's, i.e. the staff quarters. At that time the Chapel, the laundry and the farmyard were described as lit using electricity from the institution's own 110 volt plant. It is not known how long this continued in existence but in 1964 the Offaly County Council Chief Fire Officer reported that the electrical installation was 'very old' and 'not satisfactory'. In December 1956, the situation remained unchanged with a significant portion of the premises operating on the 110 volts DC from the old generating plant and battery which by that time was no longer serviceable due to its age, with the result that at that in time those sections of the premises were without light.

In 1888, the water supply for the complex came from a well located within the grounds with the water being lifted by a windmill. In 1944, the school had two water supplies consisting of a supply from the County Council main serving Daingean. This was used as drinking water by the school while the second supply continued to be a well within the boundary wall driven by an electrically operated pump. The County Council main appears to have been relatively recent at that time and it was also used by the school for fire fighting purposes and it was fed to two hydrants within the site.

Initially, the school was almost certainly served by some form of septic tank but in 1947, a new sewerage scheme was being constructed in Daingean and the intention at that time was to connect the school to this. There is no record of this having been done but the work carried out in the 1950s was obviously intended to be connected to it.

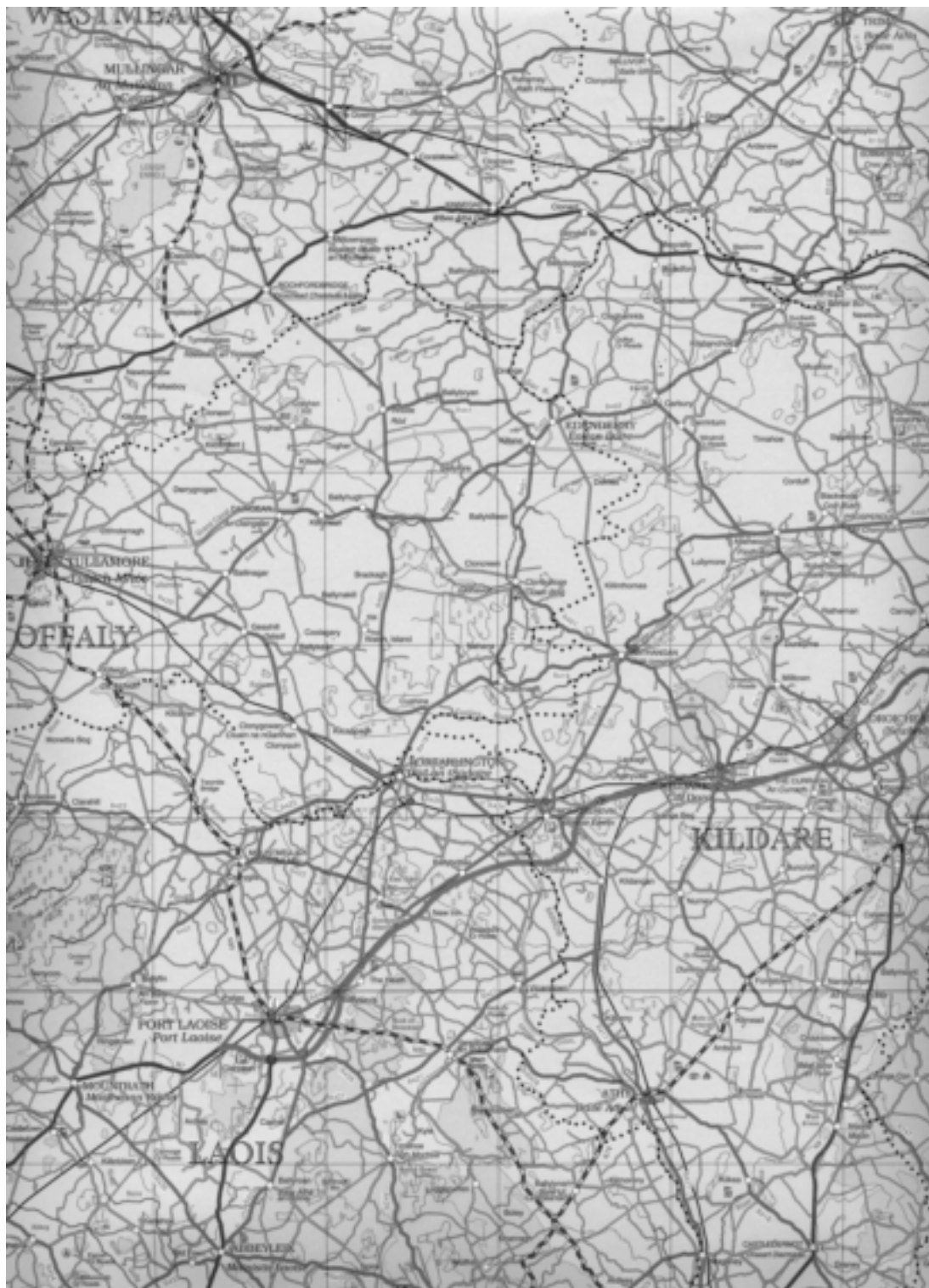
One issue which generated a good deal of correspondence over the full period of 1940 to 1973 concerned the heating of the school, which appears to have been generally considered inadequate at all times. The 1944 questionnaire reports that all of the boys' quarters were centrally heated from one furnace located under the tailor shop. The heating was described as being on night and

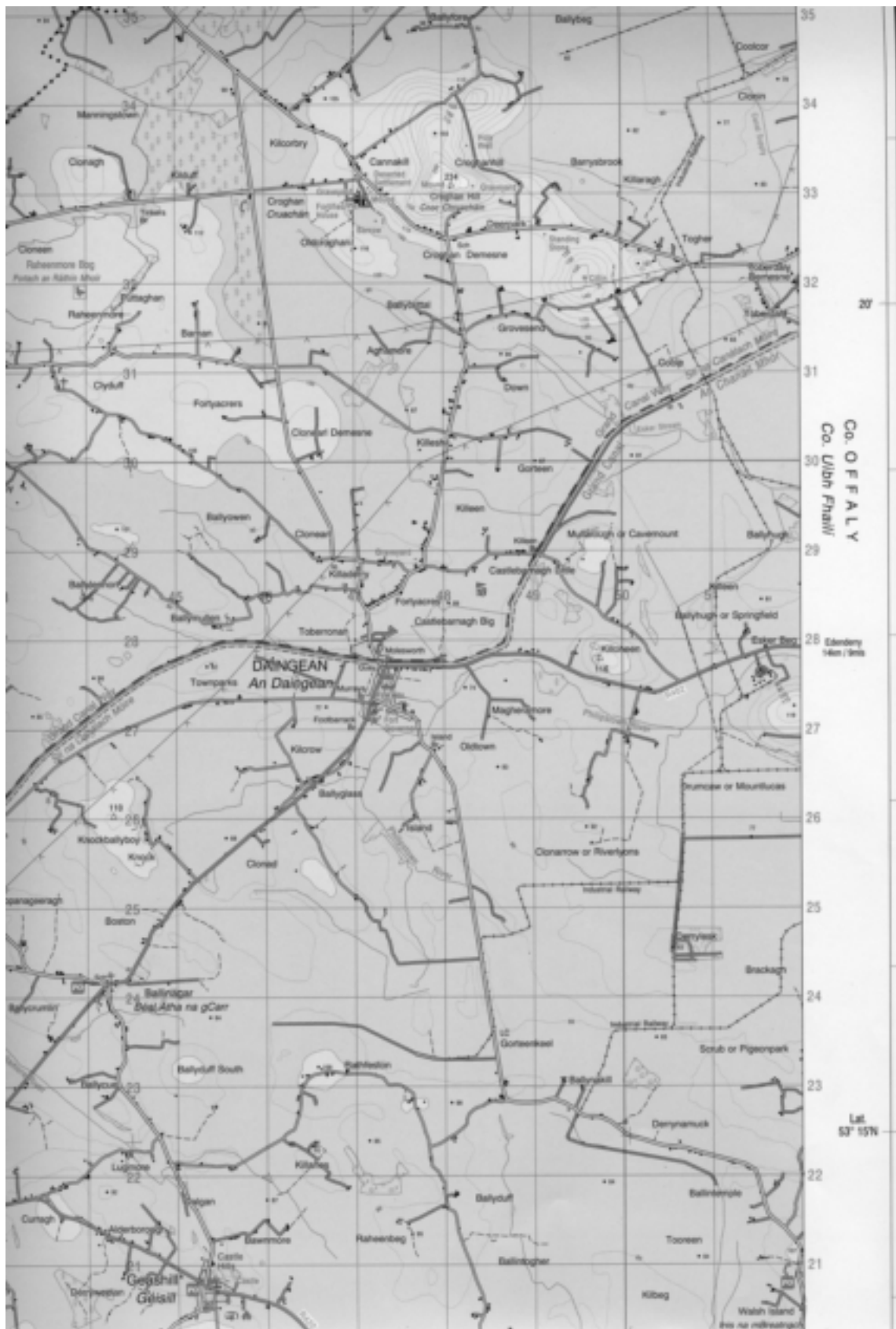
day from November to April, with coke and turf being used as fuel. In addition, the same report speaks of fireplaces in the central section of the main building and also in St Joseph's, the staff quarters, while there were stoves in the boot shop and also the tailor shop.

In the mid-1950s there was a proposal to change the fuel used to heat the premises from turf to oil on the basis that this would be more efficient and get over the problems associated with the lack of space in the boiler house. However, this appears to have come to nothing, to some extent at least because of the oil crisis about that time. In late 1967, however, in a report there is reference to three boilers, two of them fired with anthracite while the third used turf and wood but was rarely used. The report stated that the anthracite burners were in poor condition and the problems associated with the existing boiler would call for a new more centrally located boiler house. As an interim proposal it was recommended that the anthracite burners be replaced with oil burners. It is not known if this was done but the conclusion of the report prepared in 1967 was, 'basically the boiler power installed is insufficient to meet the requirements of the heating installation as it exists and this installation is "thin" in the old buildings'. In a report dated May 1966 the Provincial of the Oblates, wrote: 'St. Conleth's fuel is mainly turf. During the summer months some forty boys with a number of brothers spend their days winning turf in the traditional method and in the traditional weather. It is not a satisfactory means of fuel supply. The weather mitigates against the boys doing their work well and is generally found to be a frustrating occupation for them'.

Appendix No 1

Ordnance Survey Maps







Appendix No 2

Aerial Photographs

(Courtesy John Kearney, Offaly Historical Society)









Appendix No 3

Historical Photographs

(Courtesy John Kearney, Offaly Historical Society)





St. Michael's Park, St. Conleths, Philipstown, Kings Co.



Appendix No 4

OPW Photographs



Above: 1838 Map of Philipstown.

Note: Daingean Reformatory was housed in the distinctive 'C'-shaped original Barracks (1776) building.



St. Conleth's Reformatory 1888

"These buildings forming three sides of a quadrangle contain the offices, dining rooms, bedrooms, etc. of the Reverend brothers who manage the Schools; and also a Theatre, or Concert-room fitted up with a large stage. The workshops which don't come here within view, are behind."



Above: View from Daingean Bridge looking west along Grand Canal. High Reformatory Wall forms a very prominent and dominant feature above waterway and tow-paths.



Main entrance gates viewed from within reformatory courtyard.
Two-storey building on left is in private ownership.



Access to Main entrance gates passes between privately-owned two-storey house and gate lodge.
(Protected structure)



Original Barracks (1776) Officer's Quarters Central range on left and eastern range for men's quarters.



Central range of original 1776 barracks building with later central porch addition.



Outbuilding dating prior 1838.



Derelict outbuildings. (Old stabling and fuel store)



Derelict (1941) Lavatory annex abutting original 18th c. Barracks building



Derelict two-storey Carpentry building with old battery room in foreground.



Derelict 'Smithy' building with good stonework.



Derelict Turf Shed. Cut-Stone Pier is part of earlier 18thc. wall enclosing barracks. Walled area was increased when building changed into convict prison in mid 1800's.



Derelict Laundry building with Dairy under.



West Corner tower in stone wall. (Mid 1800's). Access to old farm yard (now Joinery firm) blocked up.



Chapel (late 19th.c) and Manual Room/Dormitory Building (1954)



Manual room, part scaffolded in left foreground and Lavatory annex (1941) centre.



Above: Manual room (1954). Derelict bakery and Laundry buildings on right.



Derelict Printing and Tailoring Shop at end of Chapel.



Derelict Fowl House (in foreground) and Slaughter House at Northern corner of walled enclosure



Concrete Sanitary Block, with covered water tanks on roof, abutting high stone wall. Wall raised to prevent escape. Sanitary block built in 1941.



Open play shelter with Chapel behind.



Concrete Play Yard with Play Hall (1954) on right. Corrugated iron storage building presently housing large folk exhibits. Handball alleys visible behind wall.



Interior of Original Barracks main building. Excessive Moisture ingress and decay of building fabric.



Lean-to structure addition to form back corridor to Central range of Original Barracks building.



Interior of original Barracks structure. Ground floor used as Folk-exhibit storage area.



Interior of Play Hall. (Constructed 1954)



Interior of Chapel. Fittings removed and space used for Museum folk-exhibit storage.



Interior of Recreation Hall: Concrete portal frame building with insulated corrugated asbestos cement roofing.



Interior of Original Barracks/Reformatory Building damaged flooring.



Interior of Original Barracks/Reformatory Building collapsed ceiling.