

PREFACE

This Submission, after the 3rd Phase of inquiry of the Commission, is a summation of the evidence and conclusions of the Rosminian Institute of Charity. It is not a reply in detail to evidence before the Commission, but a statement of what has been learnt through and outside the Commission, and an attempt to correlate wide divergences of view. What we say relates to our experience of the two Rosminian Industrial Schools at St. Joseph's Ferryhouse, Clonmel, and St. Patrick's, Upton, but also has wider implications for the Industrial School system.

Our views are necessarily generalised over many decades of change. Physical conditions in the Schools (mostly at Ferryhouse, as Upton closed in 1966) including food and clothes, improved considerably from the mid 1960s and with the greater segregation of ages in the late 1960s. Corporal punishment, however, remained the chief discipline until the mid 1970s.

We have sought to identify failings in the Schools which have dominated the experience of many complainants, and undermined the efforts of those working there. We are deeply conscious that an emphasis on these faults is unrepresentative of the efforts of many of our members, alive or dead, and we try to explain this discordance. It is, in fact, a significant and revealing phenomenon.

Our views are partly with the benefit of hindsight, but this causes no significant distortion. To claim that things were entirely justified by their historical context is to deny the power of decision in the past. Precisely how difficult those decisions might have been, is a separate matter.

Our views are formed from complaints and evidence to the Commission, many accounts from past pupils of the School who have trenchant criticisms but have not made complaints to the Commission or elsewhere, and our own members' views – in themselves providing a considerable variety of opinion. In fact, as we studied the position, it emerged that the divergence of opinion reflects a divergence of aims and values that was a fundamental fault in the Schools from the start. Very simply, the two questions "*what did the children need?*", and "*what did the Schools try to provide?*", should receive the same answer, but do not, and to a large extent the first question was not even asked. It was a valid question long before the science of childcare was developed, and the strength of feeling of the survivors is a belated formulation of this question, whilst the sometimes bewilderment and dismay of those who worked in the Schools (leaving aside willful and serious abuse) comes from their commitment in responding to the second question in isolation.

II

SUMMATION

1. The faults and limitations of the Schools become apparent without pursuing every conflict of evidence. Many aspects are visible through time without confronting uncertainties of memory, or raising the divisive issue of recollection distorted by feeling or shared experiences. These points have some relevance, but can create a distracting polarisation of views and obscure the truth.

For some allegations of serious or wilful abuse, this approach may seem like indifference to the truth, or to the reputation of our members. But there is a greater danger in thinking that any length of enquiry could prove or disprove many of the individual cases. We believe we must live with the uncertainty, and deal with matters as a whole.

2. In general, the two Schools pursued a basic, unadorned, utilitarian objective in housing disadvantaged boys. There was no standard of restorative or remedial care by which disadvantages could be addressed. In this absence, prevailing social conditions set standards and expectations by default. As a result, the social conditions which created the problem were applied as the solution. The cycle of disadvantage was confirmed.

In education, the minority who could progress through natural ability did so, and the rest, many of whom missed earlier schooling, struggled or failed in the absence of remedial help. The trades provided some vocational benefits but suffered from a similar lack of remedial focus, production for the Schools' own needs, and ultimately, a *stigma* after leaving school.

3. The lack of a positive childcare outlook confined the Schools to operating to their own interest and necessity. This encouraged regimentation and discipline, portraying them as virtues in themselves. Corporal punishment took its character from this, and though it had intended limits, these lacked fixture, and this facilitated abuse.

Corporal punishment was often used to excess. The standards of the time are not an adequate excuse or explanation. There was undoubtedly a lack of supervision and guidance, not least because corporal punishment was a self-perpetuating remedy – when it appeared to fail in its purpose, there was apparent justification for using it even more.

4. Administratively, too much responsibility and autonomy was given to Prefects, with too little support and guidance. This was partly on the assumption that they could cope, and partly due to inadequate numbers to provide more staff.

Largely isolated in their work, Prefects had to use their own judgement and often felt that they needed to impose their authority on the boys as the only means of keeping control.

5. Financial shortages were a pervasive influence on most aspects of the Schools – limiting resources, alternatives and proper planning. Of this we have no doubt. It is within living memory of our members.

Improved funding would have removed many of the pressures on the Schools' activities which emerge as complaints about such things as unpaid work in or outside the School, and some petty causes of punishment. But poor funding was less a cause than a symptom of a lack of progressive thinking, and it left the Schools worrying about their future instead of being able to plan it.

6. Sexual abuse is known and was known to have occurred in the Schools. There is some evidence that knowledge was not acted upon promptly, but there is no indication that earlier experiences raised awareness. The response to sexual abuse, when it emerged, was inadequate, and sometimes even ineffective. Even though sexual topics were *taboo* in the wider social context, the reaction was one of secrecy and concealment rather than a silence imposed by social context.

This, unhappily, was a distinct failure to address the horror of the offence, the danger of recurrence, and damage to the victim. Social attitudes may well from time to time have encouraged this, but the decision was implicitly made to protect the Order and the School, by preference, and that was wrong.

7. Responsibility for these failings must be accepted in part by the Rosminian Institute. It could be said that there was a loss of vision and reluctance to break the mould, although there was no lack of energy or commitment. It's difficult in this aspect to reach back in time, but the abiding impression is that those working in the Schools were simply overcome by the magnitude of their task – not

consciously but actually. An evident humanitarian undertaking declined into custodial function defined by no particular standard or ideal, only by a manner of coping in which the institution became more important than the objective.

III

GENERAL CONDITIONS

1. The original buildings and enterprises at Upton and Ferryhouse were constructed and begun specifically as Industrial or Reformatory Schools to a 19th century standard. The Industrial Schools were conceived as a humanitarian remedy for disadvantaged children, and the construction of the main buildings (later expanded) were very considerable charitable gifts. Large institutions in this manner seemed to provide a practical large-scale solution to the problem. The institutional approach however contained its own problems.

Externally, these Schools could be easily identified as a target of social reaction. Industrial (and Reformatory) School boys were greatly stigmatised after leaving. The Schools occupied an ambiguous position between detention and education, not least because of the fact of judicial sentencing, even for conditions of impoverishment and abandonment.

The orphaned, "delinquent" or impoverished children who came to the Schools had low standing in the social prospectus, and although merely children, were not necessarily objects of sympathy. Illegitimate children were lower still, and faced a disapproval aimed at their parents. The beneficiaries of this humanitarian endeavour were therefore in a precarious position.

2. Internally, these social attitudes must have had some erosive effect on staff, at least in times of frustration. Whatever ideals of service motivated them, they had at various stages in the Schools' histories, the dispiriting awareness that as

educational establishments, the Schools had poorly paid teachers and usually backward students; as “households” they had no public health or dental benefits, and survived on marginal financing; and even if considered as places of detention, the Schools had far greater responsibility for numbers and containment. All aspects of the Industrial Schools were in themselves disadvantaged. This was the environment of care for children with obvious and special needs – at the very least psychological. The Schools were, quite simply, not resourced (in money or purpose) to provide remedial or special standards. Religious motivation provided a foundation for the Schools, but it could not of itself ensure their success, or necessarily overcome the accumulated affect of social prejudice and political indifference. It is no surprise that survivors of the Schools are not grateful for being “*saved from starvation on the street*”, as it might be claimed.

3. The Industrial Schools operated under adversity throughout most of their existence. Much of this was known at the time, although the magnitude of the task is more visible in retrospect. In fact, with closure of some Schools in the 1960s, prevailing uncertainty of political intention, and the largely adverse recommendations of the Kennedy Committee after 1970, it is difficult in retrospect not to view the Schools continuance during the 1960s and 1970s as accidental, and even during the 1940s and 1950s as merely traditional.

This assessment does not absolve the Institute of responsibility by any means, but it is an important background to the polarisation of views which tends to arise from the evidence of complainants and individual respondents.

Rosminian staff in the Schools defend their commitment and effort – sometimes representing most of a working life, and do not readily acknowledge the hardship described by complainants. It is often said that the treatment of the boys was generally no different from social circumstances outside. To a certain extent this was true, but conditions outside the School were infinitely variable, and it's

difficult to derive any objective standard from them. In any event, the conditions that “excuse”, were the conditions supposed to be remedied.

4. It seems fairly clear, at least by deduction, that the two Schools operated in most if not all respects, on the convention of things as they were and not by any measured, or progressive standard. The management (and staff) of the Schools were mainly occupied in coping with existing difficulties and the basic problem of survival.

There were certainly aspects over which the management had control, and where conditions need not have been so harsh. The regimented and impersonal aspect of school life for the boys need not have been so pervasive. It seems, in hindsight, and from some of the *ex tempore* evidence of complainants, that the individual contributions of some Priests or Brothers, which the boys welcomed in themselves, were of little avail in the larger scheme. Not unnaturally, this is not a fair result for many who worked hard in the Schools. More importantly, this suggests that the conditions of the Schools were capable of outweighing personal effort.

5. In the wider forum of communication between the Rosminians and past pupils of both Ferryhouse and Upton, there have been very few former pupils in whom the Schools engendered any sense of affection or gratitude. By far the largest proportion expresses a sense of stoical tolerance of their experience. This is not a good base-line.
6. There are, we think, two controversial issues affecting evidence before the Commission: reliability of memory, and historical context. Neither, in our view, are as simple or significant as they seem. The first issue raises questions of time, reliability of memory, “false memory”, and the like. These things are obviously relevant to individual cases and might possibly have some influence on an assessment of the extent of abuse, but they don’t appear to be fundamental to the

issue of abuse in general and over a large timescale. In any event, we have taken as a guide the principle that ten mistaken recollections do not erase the harm of one single case of serious abuse.

The second issue, historical context, is more important and influential, but still, we believe, not the determining factor. Of course, in Irish history many of the decades under enquiry were “hard times”, corporal punishment being in widespread use, and sexual crimes inclined to be suppressed. But it is more significant that the Schools were neither given and were unable to develop their own standards of care commensurate with the problems they faced, and that external conditions could prevail.

(In our defence, we must say that in the 1970s the Rosminians were active in pioneering efforts to develop childcare training in Ireland).

The particular relevance of the historical “context of the time”, is that it impinges through the lack of any explicit and appropriate standard for the Schools. Clearer standards and purpose would have exposed a need for greater funding and guidance, remedial education levels, better trades training, organised aftercare, more staff and less discipline. As it was, the single greatest effect of historical context was to preserve the disadvantage from which the boys first suffered.

7. What is, we think, more important and certainly more conspicuous, is the difference in perspective between the general evidence of complainants, and of many individual respondents. A large area of dispute is occupied by a conflict of values engendered on the one side by a sense of injured childhood, and on the other by the implication of wasted endeavour. Many of those who worked in the Schools do not immediately appreciate hardship in the general conditions of the Schools, or fully understand recurrent references to “*greyness*”, “*fear*”, and “*culture of cruelty*”. This divergence of perspectives is a witness to the equivocal nature of the Schools. The Schools had an abstract ideal to help the

disadvantaged, but a distinct lack of remedial purpose or standard. The original ambition to house and provide basic education and the foundation of a trade was not realistically implemented. Boys entered Industrial Schools with a sense of resentment or alienation. This, and any other disadvantage they may have had, needed, by the standard of any time, focused childcare. The Industrial School system however, throughout its existence, received no innovative impetus or progressive thought until, in the case of Ferryhouse the management acquired, on its own initiative and expense, psychiatric services, childcare training, and expanded (especially female) staff during the 1970s. The impoverishment of the system had been evident to outsiders for some time. In 1946 a visiting American Priest engaged in childcare, had publicly criticised Industrial Schools in general, and drew a mainly adverse reaction – even from many involved in the Schools themselves.

8. One might wonder now, whether the occurrence of abuse (in general conditions) prevented the Schools from achieving their purpose. In fact, the opposite is the more likely sequence: it was the frustration of the Schools' endeavour, and the lack of clearer purpose and better resources that facilitated abuse in the form of pervasive corporal punishment, a hard physical environment, poor food, meagre educational achievements and ultimately, poor occupational results after discharge. The final chapter of these Schools' history takes place before the Commission. In the accounts of routine daily life we frequently hear what appears to be a conflict of evidence about the general conditions of the Schools. In broad terms, complainants describe a harsh, impersonal, punitive environment. Staff from the Schools describe something else: the struggle to cope, the often overwhelming numbers, the commitment they gave. These are not contradictions – they are two dimensions of the same thing.

It is interesting that throughout all of the Rosminian community, those who spontaneously criticise the atmosphere or character of the Schools were those who had spent little or no time there. There was no major division of thought between

those who had worked in the Schools and had been accused of abuse, on the one hand, and those on the other hand who had worked in the Schools and not been accused of abuse. It is as though work in the Schools demanded a state of mind which accepted the Schools' shortcomings.

IV

SEXUAL ABUSE

Sexual abuse was known from time to time to have occurred at the Schools. We find it briefly recorded in correspondence between the Irish Provincial Superior and the Superior General in Rome. The references sometimes suggest that the abuse had become quite evident, and we are left to deduce that reactions to it had not been sufficiently prompt. The correspondence, even as early as the 1950s, shows clear revulsion at the discoveries, but it is interesting that the abuse is described as occurring "*with*" boys, and not "*to*" them. There is a sense in which the abuse is described as a problem relating to the offender only, but we cannot truthfully say that attitudes were captive to this idea at the time. Historically, there is a social context in which the victim of sexual crimes was, paradoxically, stigmatised by the offence, but this was a social bias which we think is unlikely to have much influenced, if at all, the mind of a religious superior with responsibility for children. The potential catastrophic damage to a victim of sexual abuse was probably not known before the late 1970s, but even within the limited knowledge of the time before that, disregarding the victim was a more or less unconscious act of distancing oneself from the crime. What has changed since then is not the perception of the crime, but the perception of responsibility.

There is no instance in the period we are dealing with, (until 1979) of the Gardai or other authorities being informed. Equally significant, there is no indication of these events forming part of any accumulated wisdom or knowledge in the Irish Province.

On the other hand, there is no difficulty in understanding now, intuitively, how embarrassing the discovery of sexual abuse would have been for the manager of any Institution. In the correspondence to Rome, these offences are often referred to in Latin, and never actually named for what they were. There was no reply of any substance on the subject from Rome: only a cryptic reference to sympathy for the Irish Provincial's problem. The detachment with which the issue was addressed, euphemisms and circumlocution are typical of an evasionary manner of dealing with the subject. This was not confined to Ireland or Irish attitudes.

The fate of the offender was to be moved from the scene of his crime. The inadequacy of this speaks for itself, even though we can presume that the offender's superior would have been informed. But the move was rarely one of safe isolation. Interestingly, there is no evidence of an offender prior to the 1970s having been dismissed from the Order.

The removal of offenders from place to place was an action identical to the manner of speaking about their offence: half measures which are part response, and part evasion. We have records of one instance in which a Rosminian Priest was evicted from an English parish (to Ireland) to avoid imminent police attention. An evasionary response was a widespread form of reaction, and is not difficult to understand. The dilemma facing an institution superior was immense. Even raising publicly the issue of sexual offence was "*taboo*" and raised fears for the reputation of the Institution. The raising of the issue, not the offence itself, became the primary concern. Yet the reactions now can be seen clearly as an inadequate remedy, demeaning to the victim and merely perpetuating a problem. The actions taken are now more vivid for the appearance of concealment than the dilemma created.

The truth seems to be that sexual abuse was not viewed as it should have been largely because people couldn't face the subject and wanted to hide themselves from it. To appreciate the offence requires recognition of the victim as its central component: this puts in their proper place fears of social response and damage to reputation.

We do not offer this account as an excuse or justification. The response to sexual abuse was wrong morally, administratively and legally. The context of the times was an influence – but one that should have been resisted. It is nonetheless important to attempt to understand the subjective causes of what was wrongly done.

There is one important thing to be said. We know that some boys were sexually abused who have made no complaint to the Commission or otherwise, but have spoken to us about it.

V

CORPORAL PUNISHMENT

Corporal punishment was generally too readily used as a solution to the problems of the Schools. Its acceptance in society at large and the partly punitive aspect of the Schools probably contributed to this. Numbers were also an important factor, as they led to regimentation and a need for staff (principally Prefects) to maintain an authority.

The surviving Punishment Book for Upton, suggests that corporal punishment was not properly monitored, and was excessive both in amount and occasion. Causes for corporal punishment were various – in itself a potential for excess. Absconding and bedwetting are notorious examples – the latter misguided (though apparently universal) and the former motivated by the need to give an example to others, and the fear of major disorder. The prevention of possible peer sex abuse was another significant feature. This appears to have been a near-paranoia at some stage, and some complainants have described false admissions in an effort to avoid punishment. Peer abuse existed, and was at times a significant problem. The origin of punishment may be correspondence from the State in the late 1940s which insisted that the Schools should “*stamp out this vice*”.

The susceptibility of corporal punishment to abuse seems inherent. If left to discretion, a cause can always be found for its use, especially where authority is threatened or

insecure. The Upton Punishment Book hints at antagonism and a degree of satisfaction in imposing authority which, whatever the cause, makes one uneasy. The contents of the book also raise the question as to whether it is comprehensive.

It must be said that Prefects seem to have varied widely in their use of corporal punishment. This appears to be reflected by the pattern of complaints. This in itself would suggest that the problems of corporal punishment were created in part by a lack of policy and supervision. We believe that some excesses (specifically head shaving for either absconding or bedwetting, and parading for bedwetting) were expressly stopped and, at another time, there is some indication that a Prefect was moved to another post. But the regulation of corporal punishment appears otherwise to have been inadequate. At certain times there appears to have been a limitation on the use of the strap, but complaints cast doubt on its effectiveness.

Overall, it appears as though corporal punishment was close to the routine of life in the Schools, attracted by a desire (and in part a real need) to maintain a strictly ordered environment. The strictness went too far and only created more need for punishment.

VI

FINANCE

A

1. The Mazars draft report to the Commission raises many controversial issues.

The predominant financial characteristic of the Schools was persistent underfunding and accumulated debt. Where funding increased, it was too little and too late, and the financial relationship between the Schools and the State was adversarial. We have already described how the Schools financial position was a struggle. In fact the relationship with the State is best described overall as

dysfunctional. This is illustrated by two phenomena. Firstly, the Schools' Inspector usually (but not always) characterised the quality of provisions in the School as satisfactory, but increases in State grants were usually accompanied by the requirement that the School conditions should be improved. The underlying conflict in those assessments disguised a lack of focused thought, and guiding standard.

Secondly, if it is assumed that funding was even barely adequate, the temptation for the Schools to seek maximum numbers of boys on the basis of economies of scale (same overheads, more income) was destructive to standards of performance, because boys were then being kept for money, and not vice versa.

2. The accounts for the year 1947 for St. Joseph's School Ferryhouse are significant because the author estimated individual costs and listed debts. The annual cost of maintaining a boy is calculated at £90, which per week equates to €2.19, but capitation was only €1.12. The cost of maintaining a boy was almost twice the amount provided.

The effect of this is shown in the accumulated debt which amounted to approximately £9,000 (combining old and recent debts, and overdraft), which was significantly greater than the entire year's income from all sources. This includes a loan of over £2,000 from provincial funds (which illustrates its dependency on the Order in general). This state of affairs is then exacerbated by a deficit for that particular year of nearly £3,000 on current expenditure. For the time, that deficit was enormous and whilst it never seems to have recurred in such a scale subsequently, underlying liability (for both capital expenditure from time to time and debts carried forward) meant that the Schools (particularly St. Joseph's Ferryhouse) were struggling to remain solvent and never financially independent.

3. The existence of surpluses at an accounting year's end for the Schools is illusory. The years 1952 and 1953 at St. Joseph's Ferryhouse illustrate this. A surplus of

over £5,000 is noted by the report, but this is against a background of over £3,000 current liabilities (already reduced by approximately £1,000 since the preparation of the draft accounts), and the new burden of £18,500 owed for renovation of buildings.

More practically, delay in payment of funding, in combination with payment in arrears, meant that the Schools had no financial stability. Funds on hand at the end of an accounting year were not surplus: they were a float. This is simply proven by the fluctuations in surplus/deficit and the over-riding need to make repayments for Bank liabilities. Another illustration emerges in the years 1960/61/62 at Ferryhouse. In the first two of those years approximately 10% of State funding was applied to bank loan repayments, and in 1962 almost 30% of State funding was repaid to the Bank. Moreover, throughout most of the 1960s the equivalent of more than 10% of State funding was applied to recurrent capital expenditure.

4. The proportions of funding sources, and their relation to overall expenditure is also significant. For St. Joseph's School Ferryhouse, the 1960s are highly illustrative. Money raised through the School's own activities (farming and otherwise) generally provided a turnover (before expenses) equivalent to between 30% and 50% of State funding. In the accounts between 1960 and 1966, State funding is never equal to expenditure (even excluding the capital expense element).

Money generated from sources other than State funding was the only means by which the Schools were able to survive during those years and others. It is not true to say that in an overview the Schools generally "broke even". The condition described as "breaking even" is a false approbation. The School simply postponed improvements in an attempt to maintain existing services. Expenditure was dictated by necessity, and sometimes crisis, rather than performance, or aspiration. The records show that the Schools could not have survived solely on State funding and even with its own generated income had constant Bank liabilities and

no financial stability. Where it had a years-end accounting credit balance, the credit was tied to existing or recurrent liabilities, and never a free surplus. Capital expenditure, in the form of building repair and improvement (and apart from maintenance) was a constant need. Against any numerical analysis must be placed a fatal event in 1967 in Ferryhouse, where a boy died after contracting cerebral meningitis about which subsequent investigation criticised the School for overcrowding. (Economies of scale were not simply mathematical).

A typical and realistic view of the financial constraints of both Schools is shown by the persistent lack of liquidity at each year's end when money owing is compared with money due. An apparent surplus in current expenditure allowed neither financial confidence, nor forward planning nor provision for improvement when it was matched or exceeded by accumulated liabilities.

5. The Rosminian Order survived, as their accounts show, on charity. The provincial accounts show debts varying down from £70,000 in the 1950s, to £57,000 in 1962, and rising to £100,000 approximately in 1967. The province was the source of manpower for the Schools and had to maintain formation houses for its members working in the Schools. It was also, in early years principally, a source of funds/loans for the Schools. Contributions to the provincial accounts from the Schools made during some of the 1960s was an insignificant return for what the province provided, useful assistance for the province's own debts, and generally only a small part of what the School had to generate from its own activities. When the benefits of the province to the Schools are seen as a whole, the returning contributions were very small and do not support any suggestions of a charge on the Schools.
6. A definition of the purpose of State funding to the Schools we believe to be almost irrelevant. Whilst the use of its property was clearly donated to the Industrial School purpose, the Order itself had very little other resources, and as the buildings aged and standards of living rose, the Industrial School project as a

whole obviously had increasing capital needs. Whilst the issue of capital expenditure might well have become part of the polemic of the acquisition of State funding and increases, it was plainly unrealistic to expect an Order without substantial means to carry an ever increasing burden. This is very clearly acknowledged in the Cussen Report. As the buildings at St. Patrick's Upton and St. Joseph's Ferryhouse aged, and their Victorian standard of facilities grew obsolete, major renovations to the fabric of the buildings and provision of heating (or improved heating) and sanitation were needed. It must have been evident from the 1950s at the latest, that capitation rates allowed nothing for necessary capital expenditure. There is no justification for interpreting the needs of the Schools to the exclusion of capital items. Once these are included, it is evident that capitation rates were drastically inadequate. In any event, the "maintenance" of a child always necessitated the provision of accommodation.

7. The capitation grant level was deficient even excluding capital expenses, as can be seen from the computations of the author of the draft accounts for St. Joseph's Ferryhouse in 1947. Comparison with weekly industrial earnings distributed per capita shows a shortfall in all but 3 of the 30 years between 1939 and 1969. The shortfall varies between approximately 5% and 30%, depending as the capitation levels rose after a prolonged period of increasing inadequacy. In two particular periods, between 1951 to 1956, and then 1957 and 1962, the capitation level remained static, creating an increasing discrepancy with an apportioned industrial income, and at the end of those periods showing almost 30% shortfall by comparison.

The industrial earnings level for the period under review was little if anything above subsistence level. On the level defined by an apportionment per capita, and then reduced roughly by 15% or 20%, there is not enough to make restorative provision for a child. Many of the children in the two Schools came from homes attempting to survive on an average industrial wage or on employment benefit.

Even before maintenance and improvement of buildings, the Schools paid for a nurse, medical and dental attention, travelling, entertainment, sports, sanitation, school books, laundry, fuel and clothing which (even if complained about by the boys, and whether sufficient or otherwise) were not routinely available to families on a single average industrial wage or on employment benefit.

We do not accept the comparisons with census figures for household budgets. The average household expenditure-per-child analysis, is a false comparison. The single household can achieve economies of scale between one and several children because household facilities and time can cope with the increase in numbers. At an institutional size, economies of scale follow an entirely different pattern. In a family with 2 children, the second child might well cost only half the first, and 3 children might create the expense of only 2. But 200 children cannot be managed for the price of 100, nor 300 for the price of 200. Savings can certainly be made by virtue of numbers, but overheads remain the same. A room must be warm as much for 200 as for 100 children etc. The ordinary family adult can perform a multiplicity of tasks practically without charge, but an institution requires permanent staff and designated functions. The upkeep of institutional facilities requires more expense, even before capital provision or improvements.

In the final analysis, unless the administrators of the two Schools are to be regarded as spendthrift, it is quite evident from the School accounts, especially St. Joseph's Ferryhouse, that State funding alone was not adequate, and even with the Schools own generated income in addition, finances were not good.

In any event, and critically, the Schools were dealing with a situation which required remedial and restorative standards of care. This cannot be done on a tight budget, never mind a persistent deficit.

8. We have great difficulty in seeing any justification for any major distinction between British and Irish capitation rates. Doubtless, in parts of England,

standards of living differed from Ireland. But Northern Irish capitation rates were significantly higher than those in the South, and both Wales and Scotland are reasonable comparators with Irish social conditions. It is said that changes in capitation rates appear to move in tandem between the UK and Ireland. This is an observation of no merit. The graph of both rates rises as time passes. That is the only similarity. Around 1948 UK levels are double those in Ireland and the differential steadily increases. From about 1960 the UK rate begins to rise to many multiples of the Irish rate. There is nothing in tandem in the two graphs. Graph lines can only differ in the rate at which they separate, which is the most obvious feature in the UK/Ireland comparison.

The adequacy of funding in the Schools is fundamentally related to the needs of the child. The persistent quest for increases in capitation was always met by the acknowledgment that more was needed. The level of capitation granted was never claimed to be enough by the State. It was envisaged as contributory funding. It was calculated on compromise and it was accepted in desperation. All residual expenses were carried by the Order. An attempt to justify the levels of capitation at this point is unrealistic. They were not originally justified. They were the result of persuasion and partial acquiescence.

We find it impossible to accept that there is any justification of the level of Capitation Grants from time to time by comparison with other Welfare Grants, or population expenditure. The inescapable historical reality is that the Schools could hardly make ends meet, this was acknowledged by the Department of Education, and our own direct knowledge supports that. Social Welfare support in the Country was never more than a support against destitution, and it never claimed to provide a viable standard of living. Significantly, comparisons with Social Welfare were never used by the State as a justification for capitation levels. (On the other hand, it may well be that Social Welfare levels and minimum public income levels might have been considered akin to a political ceiling in grants to the Schools).

B

9. There are a number of aspects of the report which we support and can expand.

There was a fundamental lack of co-ordination between standards and State funding, although they are necessarily related. The system of inspection was largely undermined by this. It might well identify a major deficiency (although it didn't identify what were later found to be the possible causes of a tragic death in 1967), but as an interface between the School and the State it seems not to have achieved much. Lack of financial co-ordination meant that if a fault was found with the School on inspection, it could be attributed by the manager to under-funding; and if the Inspector found things to be satisfactory, the status quo remained unchanged. The value of inspection was largely eroded by compromise.

10. The Inspector's reports were not in fact disclosed to the School during the period in review (and only abstracts were later acquired after negotiation in the 1970s). There was no joint venture between the State and the religious. The religious were used as a first and last resort (which they accepted) and were expected to provide whatever was needed beyond State funding (which they attempted). This was not done on the basis of sufficiency of funding; it was "take it or leave it". It was rightly believed that the religious would not "leave it". In this predicament, the Inspector's task was not an easy one as he knew the Schools were doing their best in constrained circumstances. This was the Rosminian experience, and we don't believe that other Orders differed much.

11. Some fault could be attributed to the religious for not pursuing closer accounting with the State. But it is far from clear that this would have resulted in any significant improvement in finances. The budget system that later developed during the 1980s was a less intrusive system than what the State had previously

sought and we suspect that a stringent enquiry into the Schools' accounting would have led to wider debate rather than improved finances.

Whilst the Rosminians had a certain desire for autonomy in the operation of the Schools, it was not for the sake of protection of property as such, it was to preserve independence in undertaking charitable works. This was the nature of support by the religious which the State undertook. It would be wrong to describe the relationship between our Order and the State as "out-sourcing". The religious were used because they could be relied upon to act on the basis of charity and because they were the largest supplier of social service/welfare in the Country. As they provided a service on trust, their claim to be struggling should have been taken more seriously.

The records and representations of the Resident Manager's Association (RMA) very clearly show financial desperation. In June 1950 we read that grants increased by 52%, where the cost of living increase was 87% and overhead costs increased by 90%. Correspondence between the RMA and Department of Education throughout 1953 and 1954 shows an acknowledgment by the Department of inadequate funding. In a letter to the Minister for Education in August in 1961 the RMA said:

"The strain of working under present-day conditions is becoming increasingly more acute".

The accounts of various Schools were sent to various Departments for the 1950s and 1960s. In July 1964 the RMA complained that Capitation Grants for November '63/March '64 had still not been paid. In May 1966 the RMA writes at length complaining about the position of the Schools. Apart from some, but inadequate, increases in grants, the overall response is a Ministerial proposal for the creation of a "visiting committee" in 1967 which led to the subsequent Kennedy Commission and report.

This is a sad history of pleading and neglect. It is not isolated, and pleas for increased grants to a level of realistic financial support to meet the task in hand continued until the 1980s. But even for the decades of 1950s and 1960s – a period during which financial complaints became critical and Government responses were painfully slow - how much harm was done in the realm of childcare – which was the central purpose of everything? Even after the Kennedy report, the implementation of its recommendations was alarmingly slow.

12. The conflicts in funding the Industrial School system were certainly destructive of the main objective, but this is not a diffuse financial issue, and can be assessed only from the operational point of view. The two Rosminian Schools operated under constant financial constraint and uncertainty. Amongst other influences, this aggravated disciplinary issues. Broken windows or equipment, soiled or torn clothes, perceived waste or stolen food, were punished partly because of the need for stringent economy. In the mid 1960s a Prefect Brother, very popular amongst the boys, succeeded in acquiring sets of underwear for the School free from a neighbouring clothes factory. He worked in the School from 1966 to 1972. The Commission has received some (few) complaints that he punished boys unfairly for soiling clothes. What pressure on a person of more than ordinary good spirit and altruism was necessary to cause this?

13. The two Rosminian school buildings at Upton and Ferryhouse were donated to the Order, but this only comprised the central structures. A great deal else was built from Rosminian funds afterwards. By the middle of the period in review the buildings were in need of increasing maintenance and modernisation, which was a major drain of resources. As such, the buildings could not stand on the credit side of any accounting. The farms however made important contributions, and the Schools would not have survived without them. But the precarious state of finance was only achieved with the benefit of the farm, and not cured by it.

14. Combined financial sources in the two Schools produced a service possibly equal to modest social standards, allowing for fluctuations throughout the period in review. But this would not coincide with much of the evidence before the Commission. Allowing for debate on the complaints, three things are clear beyond interpretation or opinion:
 - a) What was achieved by the Schools was only possible through significant financial contributions outside State funding.
 - b) There is no evidence of waste or misdirection in the accounts.
 - c) State funding was never regarded as adequate by the State or Schools. It was never characterised as enough, merely as the maximum available. One must give weight to the evidence of those directly involved.

15. Staffing levels at the two Rosminian Schools was never an acknowledged contemporary difficulty, except somewhat in the late 1960s when more child-centred policies were developing. There was by then a consciousness that age groups needed separate attention, although concomitant staff changes were not uppermost in mind. A fundamental criticism of staff levels (for child care at least) can be made in hindsight, and certainly corresponds to many abuses, actual or potential, in the past. Although detained or institutional children are nowadays significantly more troubled than the generality of children at Ferryhouse or Upton, this was nonetheless an important factor at the time, and all levels of childcare are now highly labour intensive. We have no doubt that levels of staffing throughout the period in review created or contributed to abuse. For the Rosminians at the time, no major increase in staffing was possible, and it was very difficult to find lay staff. Whilst we did not keep “staff” records as such, all members of the Order and most, if not all, of the lay staff serving in each School can be identified from records provided to the Commission. The author of the 1947 accounts at

Ferryhouse noted grimly in that year and others that no wages are included for 10 religious members of staff, and it is interesting that Rosminian pensions (a rarity) were included in the Schools' accounts.

16. The financial picture at St. Patrick's Upton was substantially the same and followed the same pattern as Ferryhouse. Between 1960 and 1966 the School's own fundraising varied between 30% and 50% of State funding. In fact, as State funding decreased, the School's own funding increased (albeit erratically). Capital expenditure at Upton was significantly higher and more frequent than at Ferryhouse, and for most of the 1960s (up to 1966) it lay between 20% and 30% of the amount of government grants, absorbing the majority of the School's own funding.

Upton closed in 1966. It might be thought that the benefit of capital expenditure was a profit to the Order. Insurance proceeds from indemnity for fire damage were kept by the Order. Aside from the fact that government funding could not be said to have allowed for capital expenditure, it is not reasonable to regard the Order as benefiting from the residual value of the School. After closure as an Industrial School, the property was adapted for use as a centre for mentally handicapped adults (and insurance proceeds applied to essential works on the buildings).

VII

The Institute of Charity has aspired to a frank and cooperative role before the Commission. It hopes to achieve a reconciliation with those injured in its care. Although its own trauma throughout the inquiry has been considerable, it sees its duty to the Commission as an extension of its duty to the Industrial Schools.

We have sought above all to recognise and accept accounts of abuse in priority to explanation or challenging apparent inaccuracy. This has not been an easy course,

and we are conscious that much remains to be said for the effort and commitment of our members, both alive and dead. We might be criticised for neglecting our own cause, but in doing this we have sought to regain what might be lost through the failings of our Schools – people, beliefs, and a renewed confidence in the power of charity.