

COMMISSION TO INQUIRE INTO CHILD ABUSE

HELD AT 145-151 CHURCH STREET, DUBLIN
ON WEDNESDAY, 14TH JULY 2004 - DAY 10

BEFORE

MR. JUSTICE SEÁN RYAN

CHAIRPERSON OF THE INQUIRY

ORDINARY MEMBERS:

DR. IMELDA RYAN, Consultant Child and Adolescent
Psychiatrist
MR. FRED LOWE, Principal Child Psychologist

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I hereby certify the
following to be a true
and accurate transcript
of my shorthand notes in
the above hearing.

MEMBERS OF THE COMMISSION PRESENT

REGISTRAR TO INVESTIGATION COMMITTEE: MR. BRENDAN REIDY

COUNSEL FOR THE COMMISSION: MR. NOEL McMAHON SC
MR. FRANK CLARKE SC
MS. KAREN FERGUS BL

Instructed by: MS. FEENA ROBINSON

FOR THE BROTHERS OF CHARITY: MR. MICHAEL O' DONOGHUE SC

Instructed by: MASON HAYES & CURRAN
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FOR THE DAUGHTERS OF THE HEART OF MARY: MR. P. McDONALD
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9 HARCOURT STREET
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FOR THE DE LA SALLE BROTHERS: MS. U. NI RAI FEARTAIGH BL

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THE HEARING RESUMED, AS FOLLOWS, ON WEDNESDAY,
14TH JULY 2004

THE CHAIRMAN: Good morning.
MR. McMAHON: I apologise for the delay.
This morning we are going
to begin with the Brothers of Charity in Ireland and
Britain, and I will call Br. John O' Shea.

BR. JOHN O' SHEA HAVING BEEN SWORN WAS EXAMINED, AS
FOLLOWS, BY MR. McMAHON

THE CHAIRMAN: Good morning, Br. O' Shea.
A. Good morning, Chairman.
1 Q. MR. McMAHON: Br. O' Shea, I think you are
a Brother of the Brothers of Charity?
A. That's correct.
2 Q. Can you tell the Committee your position in the
Brothers of Charity?
A. My position is that of regional leader, that in
previous times would have been known as Provincial.
The region incorporates both Britain and Ireland.
3 Q. I think you have been asked by a community to
represent the community in responding to the
Committee's letter of 27th May 2004?
A. That's correct.
4 Q. Which raises various questions in relation to the
emergence of the issue of child abuse as it pertains



1 to the community?

2 A. That's correct.

3 5 Q. I think you wished to say a short few words in
4 relation to the involvement of the Brothers of
5 Charity in relation to the provision of child
6 services in Ireland?

7 A. Right. The Brothers of Charity are a congregation
8 that was founded in Belgium. We were founded in
9 1807. We came to Ireland in 1883. The first
10 foundation was at Belmont Park in Waterford and that
11 actually was a psychiatric hospital, so it catered
12 mainly for an adult population. The next foundation
13 was in 1938, and that was at Lota in Cork. That
14 service was set up specifically to provide for people
15 with a learning disability. I think at that time in
16 the wider social setting, people with a disability
17 didn't have a specific service and some of them would
18 have been in psychiatric hospitals. Others would
19 have no service and families were trying to cope at
20 home and so on. I think that generally around that
21 time there was a wider awareness than just Brothers
22 of Charity, that other congregations were also
23 beginning to maybe look at providing for people with
24 a learning disability.

25 6 Q. Did the services you provide extend beyond that over
26 the years that followed?

27 A. Yes, our next development was in 1951 or 1952, and
28 that was at Kilcoran, Clarinbridge in Galway. While
29 the service in Cork was mainly focused on children,



1 the service at Galway was one that provided mainly
2 for adults. I suppose part of that was that children
3 who went to the service in Cork would have got to an
4 adult stage. There was a kind of bottleneck
5 situation, if you like, that there wasn't the
6 capacity to take in more children without going
7 forward with adults. So Clarinbridge would have
8 provided from about 1952 on. Our next development
9 would have been in 1965, and that was at the Holy
10 Family School in Galway, that was a special school
11 that was set up for people with a mild disability.
12 In the same year we also began an adult service in
13 Waterford known as St. Michael's, which would have
14 been adjacent to the Belmont Park setting. In the
15 1970's, we had a further development in Limerick.
16 That is a centre at Bawnmore, it took in its first
17 residents in 1977.

18 7 Q. What age group of population was it provided for?

19 A. The centre in itself provided for adults, I suppose
20 there would be some outreaches that also provided for
21 children.

22 8 Q. What is the current involvement of the Brothers, are
23 all of those institutions still in operation?

24 A. All of the institutions are still in operation, they
25 have developed in the sense that, I suppose, as
26 services developed, there would be some emphasis on
27 integration in the community, so rather than having
28 big numbers in isolated centres, more of the
29 population would be accommodated in houses in



1 ordinary housing estates and so on. There has been a
2 continual development and evolvement of the service,
3 I suppose, in the light of the various thinking that
4 has occurred over the years in the care and provision
5 of services.

6 9 Q. Can you tell the Committee when the question of child
7 abuse first became a significant issue from the point
8 of view of the Brothers?

9 A. I suppose it became a very significant issue in 1995,
10 at late 1995 we were informed that somebody had gone
11 to the Garda Station and had made allegations that
12 they had been abused during that time. I suppose
13 from there, a number of allegations followed in quick
14 succession. The people that the allegations were
15 made against, there was an acknowledgment that this
16 had occurred. In subsequent years, two of the people
17 that those allegations referred to were charged in
18 court, pleaded guilty and were given sentences for
19 the abuse that occurred.

20 10 Q. Were these allegations in respect of incidents which
21 were alleged to have taken place in the immediate
22 past or in the more distant past, again talking from
23 1995?

24 A. We would be talking about a more distant past. I
25 think some of them may go back to certainly the
26 1940's, 1950's and 1960's and, it has come to light
27 later, some of them are in the 1970's.

28 11 Q. Prior to 1995, what was the position?

29 A. The position prior to that is that there would have



1 been a number of individual allegations, I think they
2 would have been seen as isolated incidents and they
3 would have been broadly dealt with as isolated
4 incidents, that there wasn't the sense in which we
5 had after 1995, that this was a bigger issue than we
6 had imagined. I suppose prior to that, there
7 wouldn't have been the kind of awareness of the
8 impact that it had on the people who were abused.

9 12 Q. Yes.

10 A. Some of the earlier ones, some would have involved
11 Brothers and some would have involved colleagues. My
12 sense, again, is that where there would be lay
13 people, there would be legal advice sought, because I
14 suppose there would be other employment issues and
15 things of that nature that would enter the picture,
16 if you like.

17 13 Q. Can you be more specific in relation to the pre-1995
18 situation, in relation to procedures that may have
19 been in place or steps which were taken typically
20 where such allegations emerged?

21 A. I divide them between lay people and Brothers. Each
22 of the centres that I have mentioned, Cork, Galway,
23 Waterford and so on, would have their own
24 administrative structure and there would have been a
25 Director of Services and in those days it would have
26 been a Brother, who would be broadly responsible for
27 the administration of the centre. The Brothers would
28 be responsible to the Provincial at the time and I
29 think particularly if incidents related to Brothers,



1 that it would entail the involvement of the
2 Provincial. Where they involved lay people, I think
3 the structure, as I say, my sense is that legal
4 advice would have been involved and that we would
5 have acted on that. I suppose in regard to Brothers,
6 depending on the time it was, if it was the early
7 1990's because we would be more aware of the kind of
8 Department guidelines and so on and there was a broad
9 awareness, that people would be withdrawn from
10 contact with service users. I feel that possibly in
11 all cases Gardaí may not have been notified, because
12 I think our awareness of that would maybe be stronger
13 at a later time, but essentially that people would
14 have been withdrawn. Again, I think the awareness of
15 the level of allegation, if you like, in the sense
16 that now if we speak of an allegation, we have a
17 whole lot of accumulated knowledge as to what an
18 allegation can entail or what it is likely to entail,
19 and I feel back then that there wasn't the same thing
20 when you speak of an allegation. I would feel people
21 didn't have a clear-cut idea of just what the
22 allegation entailed maybe or put it down, if you
23 like, people who were behaving inappropriately at
24 various levels, that it might be seen somewhat
25 differently to how we would now view it and with the
26 knowledge that we have of the impact that allegations
27 or abuse did have on people.

28 14 Q. Again, speaking about the pre-1995 situation,
29 Br. O'Shea, are there records indicating what may



1 have become of allegations during the pre-1995
2 situation and, if so, have they been looked at and do
3 they indicate what was done in relation to such
4 allegations?

5 A. I suppose where they happened in locations and
6 involved lay people, there would be records. The
7 records would be kept at the location where the
8 centre was administered.

9 15 Q. Is that in the institution where that person was
10 based?

11 A. Yes.

12 16 Q. Yes.

13 A. In regard to Brothers, certainly later allegations
14 would be documented. I suppose I have a sense again
15 that it is only now that it is coming to light that
16 certain allegations were made that there wasn't an
17 awareness of until quite recently. I suppose our
18 files in regard to Brothers tended not to have a lot
19 of documentation on them, and I would have some sense
20 again that, I suppose, the earlier allegations would
21 have happened, the less likelihood there is that
22 there would be something on file. I would also be
23 aware of a particular situation that now with the
24 knowledge I have, I can fairly definitely say it was
25 an allegation of sexual abuse, but the document on
26 the file doesn't specify that it was abuse.

27 17 Q. Perhaps we will come back to that in a little while.
28 You described the events that happened in 1995 when
29 certain allegations were brought to your attention,



1 what procedures were taken following those
2 allegations? First of all, how did those allegations
3 come to your attention and what was done by the
4 community arising out of them?

5 A. The allegations were brought to our attention by the
6 Gardaí who had been notified by a former resident of
7 Lota that this had happened.

8 18 Q. Yes.

9 A. I suppose the first action we took was to bring the
10 two gentlemen concerned, to remove them from anywhere
11 that they would have contact with service users. I
12 could honestly say that from that day on, apart from
13 the time when they had been serving sentences, that
14 they were otherwise under very strict supervision.

15 19 Q. They were confronted at the time the allegations were
16 made?

17 A. Yes, I suppose a lot of things happened in quick
18 succession. While I certainly have an awareness that
19 they were not denying the allegations, again, I would
20 say we didn't conduct anything that you might call a
21 formal investigation, because already the Gardaí were
22 conducting the investigation.

23 20 Q. Yes.

24 A. But we certainly had a sense that they are not
25 denying that this has happened and that at some level
26 there was an admission that there is substance to
27 this.

28 21 Q. Yes. From the congregational point of view, what
29 response was made at that stage?



1 A. We offered an apology and we offered counselling to
2 people who had been abused while in our services, and
3 we encouraged that other people who had been abused
4 would go to their local Garda Station or whatever,
5 and make their allegations known there.

6 22 Q. When was that done, was that done reasonably soon
7 after the allegations were made in 1995 or was it
8 later in time to, say, 1999 when the State apology
9 was issued?

10 A. I feel for us that 1995 was the watershed in the
11 sense of our awareness that we had a fairly
12 significant issue with abuse. I suppose because the
13 thing came to light, there was obviously a public
14 interest in it, and I think while I wouldn't have the
15 exact wording for 1995, but the general sense that we
16 had was look, this has happened. It was quite a
17 shock to us really because it wasn't something we
18 were prepared for, and certainly the individual
19 incidents we would have known of previously didn't
20 add up to a comprehensive picture, if you like, of
21 wide scale abuse. I think when we became aware of
22 this and the fact that it was a significant issue,
23 our apology and, again, as I say, it was in the
24 context of maybe responding to what was at this stage
25 in the public domain and, I suppose, maybe
26 articulating our response to it, that was to be one
27 where we wanted to be open about it, we wanted to
28 encourage people who had complaints to make that it
29 was better to get them out in the open and that there



1 were proper channels for doing this, and we
2 particularly encouraged people to report their
3 allegations to the Gardaí. Because the service we
4 provide would have resources in counselling and so
5 on, we encouraged people that felt they needed that
6 to look for support, if you like.

7 23 Q. Did other complaints subsequently emerge?

8 A. From that time forward, and, I suppose, I have some
9 sense that maybe at a wider level than ourselves that
10 there was a growing awareness at this stage of the
11 fact that abuse was maybe a wider or national issue.
12 I think each time that something relating to abuse
13 got widespread publicity, it gave rise to new people
14 coming forward with their stories and, I suppose,
15 that would relate to either where people were going
16 before the court and the consequent or attendant
17 publicity on that. Equally, there was a programme
18 like the States of Fear, which would again have
19 detailed some of our places, and I think all of that
20 did encourage other people at different times to come
21 forward.

22 24 Q. As people did come forward, what did the congregation
23 do in relation to them? Did it arrange to meet them
24 or to inquire into the validity of the allegations
25 which were being made?

26 A. Certainly we arranged or at least made it known that
27 we were prepared to meet people. Some people we
28 would have met and other people, because they may
29 have got legal advice or whatever, maybe that they



1 would have deemed it not the right time to meet or
2 whatever. We offered written apologies to people for
3 whatever abuse may have occurred while they were in
4 our care. I suppose in general terms, we took an
5 approach that we were not going to make life more
6 difficult for people who did come forward. We had an
7 approach that we weren't basically there to challenge
8 our deny, if you like, we were going to listen to
9 their story. I think again many of the population we
10 have and many of the stories we have, alas, are
11 genuine.

12 25 Q. Yes. Did the congregation make any enquiries looking
13 back to what evidence was available in relation to
14 the person making the complaint in relation to their
15 time in the institution in question? Did it look
16 back to see whether enquiries had been made at the
17 time whilst they were resident?

18 A. Yes, I suppose one of the things is many of our files
19 have a limited amount of information in them. We
20 would have some sense, again, that where allegations
21 would be reported, I would feel that maybe they
22 necessarily wouldn't be committed to writing. Yes, I
23 think maybe our broader culture or even the wider
24 culture wouldn't have been as it is now where every
25 allegation would be documented, there would be less
26 kept on files.

27 26 Q. Did the community adopt a policy in relation to the
28 complaints as they came in in relation to the
29 complaints which were being made?



1 A. Our general approach was to deal with this, I
2 suppose, as positively as possible from the viewpoint
3 of the person making the allegation. We would be
4 aware, again, that because the population that we
5 care for are people with a learning disability, it
6 often may be difficult for some of them to articulate
7 exactly what has happened, and we had an approach
8 that we didn't want to add to the difficulties that
9 they already had.

10 27 Q. Yes.

11 A. Yes, broadly we went to reach out.

12 28 Q. How did you implement that policy in your response to
13 the complainants?

14 A. I suppose some of the components that I have already
15 mentioned would be one of offering to meet them. The
16 second one would be offering apologies to them for
17 whatever hurt or abuse that had happened to them
18 while they were with us. In some instances, I
19 suppose, financial settlements were discussed where
20 they wanted at that stage to bring a conclusion to
21 the matter.

22 29 Q. Br. O'Shea, you were asked if you would deal with an
23 account of protocols or procedures which were in
24 place from time to time within the community?

25 A. Right. I suppose the significant date in regard to
26 protocols and procedures would be 1987, and that
27 would be to do with the Department of Health and an
28 awareness at that stage that there was a need for
29 protocols and procedures.



1 30 Q. Yes.
2 A. I suppose at that time also or thereabouts, there
3 would be a greater awareness, not just specifically
4 with abuse, but with relationships and with sexuality
5 and this coming at it from a more positive viewpoint
6 of the people that were in our services and an
7 education in those areas in social environment,
8 things that would enhance and enrich their personal
9 development. I suppose also in the late 1980's and
10 into the 1990's, the whole question of advocacy of
11 people with a learning disability would be a feature
12 and in general terms more of an awareness that people
13 would be able to speak up for themselves and
14 recognise what was acceptable and unacceptable
15 behaviour. So at other levels as well, there was a
16 broader development than, I suppose, purely the kind
17 of abuse. Guidelines would have come to us I think
18 broadly between 1991 and 1993, that our different
19 services would have been working on, because, again,
20 the Department ones were childrens' guidelines and
21 where we have ... (INTERJECTION).
22 31 Q. These are the Department's ones issued in 1987?
23 A. Yes, 1987.
24 32 Q. Your constituency wasn't just children?
25 A. Wasn't just children. We are dealing with vulnerable
26 adults and, I suppose, this whole area still is to
27 some extent a grey area in that they are not
28 technically children, they are not under 18 and at
29 the same time they are people who do need protection



1 in a way that the rest of the population may have a
2 greater awareness and so on. I suppose our
3 guidelines would be ones that would address the needs
4 of the whole population that we had because, again,
5 our different centres operate, I suppose there is a
6 mix of operating autonomously and also a combined
7 gathering resources, as it were. There can be
8 slightly different time lags, if you like, where
9 maybe something happens in Cork as against Galway or
10 whatever, not huge or significant, but just that
11 there would be a cooperation in getting relevant
12 people together in a working party or whatever to
13 look at guidelines and see what we needed.

14 33 Q. What did the community do subsequent to the 1987
15 guidelines, perhaps recognising that the guidelines
16 weren't specifically tailor made to cover all of your
17 enterprises?

18 A. I think between 1991 and 1993 we would have had a
19 working party on the guidelines and something that
20 would address the particular needs that we
21 experienced in the services or the things that we
22 felt the service users would ... (INTERJECTION).

23 34 Q. What did the working party do?

24 A. Well, they produced guidelines, they were in draft
25 form for some time. As things progressed, the
26 guidelines would be refined and they would have
27 developed into a national guidelines, so that we
28 would have a consistent approach with all of that.
29 If I might just say that the congregation has a



1 delegate, a lay woman with a social work background
2 and, from the congregation's point of view, she would
3 particularly have been spearheading that aspect of
4 the protection for us.

5 35 Q. Was training provided for members of staff in
6 preparation of those guidelines or subsequent to
7 those guidelines?

8 A. I would feel subsequent.

9 36 Q. Yes.

10 A. Again, I know that in 1995 there was, I think in the
11 Galway services, some experts brought in to give a
12 course. My understanding of it is that the early
13 days of it was for the congregation's own personnel
14 and that later it was opened to maybe a wider
15 grouping.

16 37 Q. What came out of that? That was a week long course,
17 I think, in 1995?

18 A. That would have been part of the ongoing process and
19 the awareness of the need, in the light of the
20 information that we were getting, to make sure the
21 guidelines we had, to ensure that they were
22 addressing the particular situations that we were
23 encountering.

24 38 Q. Were objectives set in place in relation to what
25 needs the guidelines had to address, what the aims of
26 the guidelines were to be?

27 A. I suppose that particular area was one that our
28 delegate, Anne O'Connor, would have been the person
29 who was taking the lead role in, so I haven't quite



1 the kind of detail on that specific area because Anne
2 has been handling that aspect of it.

3 39 Q. Right.

4 40 Q. THE CHAIRMAN: Sorry, the delegate's name?

5 A. Anne O' Connor.

6 41 Q. MR. McMAHON: Presumably, Ms. O' Connor
7 can be available, if
8 necessary?

9 A. Absolutely, she is here today and she has previous
10 sessions of the Commission.

11 THE CHAIRMAN: That's right.

12 A. Certainly she is available to answer any further
13 issues.

14 THE CHAIRMAN: Thank you very much.

15 42 Q. MR. McMAHON: I think that the guidelines
16 which the Brothers of
17 Charity now have in place, they date back to 1996?

18 A. At a later stage my understanding would be about 2000
19 or thereabouts that we would have produced a national
20 guideline.

21 43 Q. Sorry, I will have to come back to that, excuse me.
22 Going back to an early stage, you mentioned that
23 subsequent to 1995, and also you referred to the
24 publicity given in the more general sense to the
25 emergence of issues relating to child abuse, you
26 mentioned that the numbers of complaints began to
27 increase?

28 A. Yes.

29 44 Q. Can you help the Committee in relation to the extent



1 of that increase between 1995 and the time of the
2 community's subsequent involvement in redress?
3 A. At the time of our going to redress, I would reckon
4 that we had about 50 cases that came before us.
5 45 Q. You have indicated the view which the community took
6 towards those complaints and the policy which was
7 adopted by the community in relation to those
8 complaints?
9 A. Yes.
10 46 Q. Can you assist the Committee in relation to the
11 community's views as to perhaps why that upsurge of
12 complaints may have emerged when they did or rather
13 why they had not emerged before 1995?
14 A. I think part of the reason they came after it was
15 that there was a wider awareness, not just in the
16 Brothers of Charity, but I think there were other
17 issues maybe that had preceded 1995, that there was a
18 growing awareness of the fact that sexual abuse was
19 an issue, I would feel probably because people other
20 peoples' stories were out there and there would have
21 been more of an acceptance that that story was likely
22 to be given credibility at that stage. I think prior
23 to that, there wasn't very much talk about abuse.
24 Where instances arose it tended to be dealt with in
25 sort of a hushed way and I would presume that for
26 people who were abused, that they may feel they were
27 very much in a minority.
28 47 Q. Could you speak to the Committee in relation to the
29 community's involvement in the Redress Scheme, how



1 did it come about and what were the reasons for the
2 congregation's involvement?

3 A. I suppose prior to the Redress Scheme coming about,
4 we had a number of civil claims for compensation.

5 48 Q. Yes.

6 A. I am saying at that stage it was roughly around the
7 50 mark.

8 49 Q. Yes.

9 A. I suppose one of the things we felt if we were to go
10 down a legal route, that it would be a very long and
11 complex thing and very difficult, and maybe
12 particularly again for people that were abused, it
13 would be putting them through extra trauma and
14 confrontation. Certainly our approach was that we
15 wanted whatever we were doing to be as least
16 confrontational as possible.

17 50 Q. From whose point of view?

18 A. Well, certainly from the people making allegations.
19 I suppose we would like that from everybody's point
20 of view, but certainly that we didn't want the people
21 making allegations to have a process where the
22 process maybe could be quite confrontational and
23 quite traumatic for them again. We were very happy
24 to work with something in the sense of redress where
25 that confrontational element seemed to be reduced
26 certainly or hopefully eliminated from the process.
27 Redress would have provided an opening to us that
28 would have many advantages that the legal route
29 wouldn't have. I suppose taking the population that



1 we are dealing with again, that it would be difficult
2 for people with a disability to maybe articulate
3 their case, particularly if it had been done in a
4 confrontational setting.

5 51 Q. Yes.

6 A. Redress offered the more acceptable forum, if you
7 like, for dealing with the issues that we had to deal
8 with. I suppose another issue would be where people
9 are denying that any abuse took place, that it also
10 affords the person making allegations, that if they
11 feel that they are entitled to compensation for maybe
12 the general institutional atmosphere that they lived
13 in or whatever hardship or deprivation might go with
14 that, where it mightn't be a specific allegation of a
15 particular misdemeanour by anyone.

16 MR. McMAHON: Thank you very much,
17 Brother.

18 THE CHAIRMAN: Thank you very much,
19 Brother. Mr. Lowe would
20 like to ask you a question.

21

22 END OF EXAMINATION OF BR. O'SHEA BY MR. McMAHON

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1 BR. O' SHEA WAS THE EXAMINED, AS FOLLOWS, THE
2 COMMITTEE MEMBERS

3
4 52 Q. MR. LOWE: Can I take you back to
5 where you said it wasn't
6 seen as a crime until about 1995 and before that it
7 was dealt with in a different way. Could you just
8 try and explain to me how it was seen; was it seen as
9 a spiritual lapse or was it seen as somebody needing
10 discipline and when you withdrew them from service,
11 was it for all the time or was it briefly?

12 A. I suppose I think sexual abuse would always have been
13 seen as wrong and, I suppose, what we didn't see was
14 the ongoing effect of it. I would feel again that
15 there wasn't the kind of psychological awareness that
16 there is now, and, I suppose, looking back over the
17 years where we are talking about the 1940's or 1950's
18 or whatever, we didn't have any big psychological
19 input into our services. So there is a whole area
20 there now that we are all too familiar with that
21 wouldn't have come into the reckoning at that time.
22 I would feel that at wider level again, maybe the
23 balance between institutions and individuals had
24 shifted, that institutions maybe were seen as more
25 significant, if you like, in that an individual's
26 right was in some way subservient to the right of the
27 institution, if you like. That is a general
28 impression I would have.

29



1 I suppose there would be something again of the thing
2 that maybe if an individual incident became too
3 public or whatever, that it could damage the care of
4 other people or it could give rise to concerns, other
5 people in the centre, that their families might be
6 unduly -- I suppose I do feel that however misguided,
7 the motivation was maybe, partly at least, well
8 intentioned, it obviously was misguided in the light
9 of what we know now. Again, I would feel that those
10 issues were certainly seen more as moral issues and I
11 think a lot of the emphasis was on maybe the kind of
12 spiritual dimension, if you like, and would be seen
13 more as the capacity of the individual to live a
14 religious life or a celibate life or whatever, and
15 that maybe more focus was on that aspect of it than
16 any focus on the person who had been abused or any
17 recognition of the hurt that was caused. I suppose
18 more than anything from 1995 on is the sheer
19 awareness of the depth of hurt that has taken place.

20 53 Q. MR. LOWE: If a person was withdrawn
21 from duties, did they go
22 back to them afterwards?

23 A. My sense is people were withdrawn from where they
24 were and they would be moved to another place. No,
25 they weren't removed totally. I feel, and again it
26 is partly speculation, that there was some sense of
27 moving, that you removed the problem or you solved
28 the particular problem, and I think there wasn't an
29 awareness that you were maybe setting yourself up for



1 the next problem, if you like, that there wasn't an
2 understanding of the addictive nature, I suppose, of
3 abuse. I would feel the whole psychological aspect
4 of it was just not seen, it wasn't an issue at the
5 time.

6 54 Q. MR. LOWE: Can I quote something else
7 you have put in your
8 statement:

9 "The authoritarian atmosphere that
10 prevailed in schools and institutions
11 made it credible that users were afraid
12 to report abuse."

13 What did you mean by the "authoritarian atmosphere"?

14 A. In a general sense, and I will go back to my own
15 school days or whatever, that there was a very
16 different perception of people in authority. I
17 suppose we had all kinds of sayings like "children
18 were to be seen and not heard", and the sense of
19 maybe rights of children would in some way not be
20 seen as being equal to the rights of adults. Maybe
21 that is not correct, but in a general sense that
22 children didn't have the same standing.

23 55 Q. MR. LOWE: The institution run by the
24 Brothers would have that
25 same kind of authoritarian atmosphere?

26 A. I am not sure, my sense of it is that it was a
27 general situation. I wouldn't have a sense that we
28 were any more authoritarian than other situations.
29 What I suppose I would feel is that if you compare it



1 with a present situation, and where we talked earlier
2 about advocacy and about people being encouraged to
3 speak out, that there wouldn't be the same kind of
4 encouragement to people or, I suppose, the same kind
5 of need appreciated of their specific rights, if you
6 like. I think people tended maybe to be seen more in
7 groups that you were catering for a particular group
8 and you looked after that group rather than saying
9 that each individual within the group has specific
10 needs or taking them in their individual capacity. I
11 suppose again with lesser numbers of staff looking
12 after people, there wasn't the same capacity for
13 doing that as there would be where we now have better
14 staff ratios and so on.

15 MR. LOWE: Thank you.

16 56 Q. DR. RYAN: Just one question, you said
17 it was in 1995 that the
18 Gardaí informed you that allegations had been made
19 against certain Brothers and that some of those
20 Brothers at least had admitted to wrongdoing. Did
21 you at that stage proactively try to determine the
22 extent of the abuse by making direct enquiries of
23 former residents who would have been in the care of
24 those Brothers as to whether or not anything untoward
25 had happened or did you wait for complaints to come
26 to you?

27 A. I suppose the situation evolved over time. When this
28 happened immediately, it was a major shock to us and
29 I think our initial situation was trying to cope with



1 just what had landed on your plate, if you like, and
2 there were a number of dimensions to that. I
3 mentioned one was accommodating the particular
4 Brothers who had been named and who had been
5 withdrawn from communities where they would have
6 contact with others. Because there was the legal
7 process in train with them, we were also conscious
8 that there might be legal restraints or whatever on
9 what we could or couldn't do. I suppose because the
10 thing literally came at us so unprepared, we didn't
11 have processes in place as seven eight years down the
12 road that if something came out, we are better
13 equipped to maybe deal with it or handle it, so I
14 think to some extent that it wasn't our kind of
15 immediate thing of going out there. In the course of
16 time, and particularly with our Galway services where
17 a number of complaints had come, we had set up a help
18 line for the holy family to enable people to come
19 forward. We also, as I say, in general terms where
20 we did make a public response, that part of that was
21 to appease the people who had complaints to come
22 forward. There would be something of a difficulty
23 that we would have become aware of as well, that some
24 people who had been in our services didn't
25 particularly want that fact known, that they may have
26 moved on, they may have made a good life for
27 themselves, they may be settled with a family and if
28 in some way we could be intruding in something, so it
29 was trying to find that balance between saying as



1 publicly as we could and still saying to people
2 'look, if you have been abused or hurt while you were
3 with us, please come forward', and at the same time
4 trying not to be too intrusive with our efforts.

5 DR. RYAN: Thank you.

6 57 Q. THE CHAIRMAN: Brother, I should perhaps
7 have reminded you that if
8 you would prefer not to answer any question, that is
9 no problem, there is no compulsion here at this
10 stage. I just wonder could I ask you a few questions
11 on the basis that if you prefer not to answer, you
12 are perfectly entitled to tell me that and no
13 inference will be drawn, do you understand?

14 A. Right, yes.

15 58 Q. THE CHAIRMAN: If I am understanding
16 correctly, what you are
17 saying is that 1995 was a watershed, there was a real
18 change in the congregation's attitude or the
19 community's attitude in your congregation. That
20 seems to go along parallel with the public's
21 awareness. In other words, it wasn't as if the
22 congregation was ahead of the public, you were
23 somewhat 'baffledly' facing allegations that were
24 coming forward, is that essentially what you are
25 telling us, trying to come to grips with this and
26 trying to face something very unpleasant and
27 something unusual?

28 A. Sorry?

29 59 Q. THE CHAIRMAN: My understanding is that in



1 isolated, there was something much bigger involved,
2 is that correct?

3 A. Yes. Well, I think the two people in particular that
4 were mentioned in 1995 and subsequent court cases had
5 proved that there were a number, it wasn't an
6 isolated one or two, that there were a significant
7 number.

8 THE CHAIRMAN: I understand.

9 A. I suppose somewhere at that stage that our wider
10 knowledge, the awareness of the addictive nature of
11 the thing and the fact that probably for every person
12 who comes forward, there are more people who haven't
13 come forward. I don't know again if they had any
14 perceptions for that, but we would have an awareness
15 like that that not everybody who was abused has still
16 got to the stage where they can bring themselves to
17 talk about it.

18 64 Q. THE CHAIRMAN: So whatever proportion is
19 visible, there may be an
20 invisible and unknown quantity of complaints that
21 have not been made?

22 A. I would take that as being the case. I suppose,
23 again, the population we have, because it is more
24 difficult for them to articulate that
25 ... (INTERJECTION).

26 65 Q. THE CHAIRMAN: If people have
27 disabilities, obviously
28 learning disabilities, it is much more difficult for
29 them and that was something which you acknowledge



1 aware that there were previous instances of abuse.
2 So this is part of how we fill the picture as well.

3 69 Q. THE CHAIRMAN: I understand. You are
4 trying to put the jigsaw
5 together really as best you can as to what happened,
6 bearing in mind difficulties of reporting that would
7 be particular to people in your institution, isn't
8 that right, some difficulties of reporting that would
9 be particular to people?

10 A. Yes.

11 70 Q. THE CHAIRMAN: Some that would be general
12 to all institutions,
13 peoples' reluctance maybe to come forward?

14 A. I think for issues like this, and the Provincial
15 would deal with them, that on an individual basis it
16 would be very much a Provincial and the Brother that
17 things had that kind of confessional secrecy, if you
18 like, or something of that nature, that they weren't
19 more widely disseminated.

20 THE CHAIRMAN: Thank you very much indeed,
21 Br. O'Shea. Thank you for
22 coming to us and giving us your assistance.

23 MR. McMAHON: Thank you. Perhaps the
24 Committee would like to
25 rise for ten minutes before the next witness
26 commences.

27 THE CHAIRMAN: Very good, let's say
28 fifteen, Mr. McMahon.

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SHORT ADJOURNMENT



1 of time and place. It is in this context I would
2 like to speak about our arrival in Ireland. We came
3 to Ireland in 1856, to Dun Laoghaire, and we opened a
4 small house in Sussex Street. It came in a response
5 to a need. At that time, the famine was existing and
6 there were quite a number of children who became
7 orphaned because of parents being ill or sick or just
8 needing care. So a few Sisters came from France to
9 open a house in Dun Laoghaire and the need became
10 great. Soon, that house in Sussex Street became too
11 small, so it led us to open a bigger house in Tivoli
12 Road called St. Joseph's Orphanage, and that was
13 opened in 1860. So it is this orphanage that I speak
14 about.

15 73 Q. Is that the only institution that your Order were
16 responsible for in Ireland?

17 A. That's right, yes. In Dun Laoghaire, we only had
18 St. Joseph's Orphanage, but this grew around the
19 complex -- other works sprung up in the complex. For
20 example, we had a retreat house, two guesthouses and
21 later a primary school in the 1920's. We educated
22 the children in our own house first, but then we felt
23 it was necessary that they would be educated with
24 other children. We had a school in the compound
25 which became a national primary school in the 1920's
26 and our children merged with children from the
27 neighbourhood for education.

28 74 Q. How many children passed through your institution?

29 A. Yes, I checked our records and between the beginning



1 until we closed in 1985, we had 2,154.

2 75 Q. Where did these children come were? Were they all
3 orphans?

4 A. No, they weren't all orphans. Some were. Some were
5 from parents who found it too difficult, through
6 sickness or family circumstances, to care for their
7 children. In that instance, some children were
8 placed for a short time in our care, then were sent
9 home and, maybe, readmitted. But the longest stay of
10 the children on our records would be from 12 to 14
11 years. But some -- many were orphans as well. So we
12 had a mixture because of the need of the parents or
13 family at that time.

14 76 Q. Perhaps, you could tell the Committee about the
15 timing and manner in which allegations of child abuse
16 emerged for your Order, in particular?

17 A. Yes, in 1971, one child gave evidence that she was
18 interfered with by a man when she went at weekends.
19 This was a family that was trusted by the community
20 and took out the children for weekends. Then it was
21 revealed to us. When she came back, she shared it
22 with a Sister that -- well, it was really her friend
23 that shared it with the Sister that this man
24 allegedly abused her or interfered with her, and that
25 was in 1971. Now, we didn't have any more until
26 1997. One set of proceedings came against us when we
27 had a priest, who was a trusted friend of the
28 community, coming to look take the children out and
29 befriend the children. He came on a regular basis



1 and a claim came in in 1997 from a boy that he had
2 abused. Now, later, this priest was convicted of
3 this abuse. So I acknowledge abuse in this case.

4 77 Q. In relation to the matter that occurred in 1971, you
5 are obviously aware of it now?

6 A. Yes.

7 78 Q. What was done at the time?

8 A. When that was revealed to the Sister, the person in
9 charge talked to that young girl. She was believed
10 and trusted in what she said and then the police, the
11 Gardaí, were informed immediately. She also was
12 stopped from visiting that family. These were the
13 responses to that.

14 79 Q. Do you have records of that incident or how do you
15 know about it now?

16 A. No, we don't have records in our file. But I have
17 spoken to the Sister who was in charge and an
18 allegation came in for that case. So that is why I
19 needed to speak to Sisters who preceded me who were
20 present at that time, and they acknowledged that this
21 girl did reveal this, or her friend revealed it, and
22 we acknowledged it to be true and the Gardaí were
23 informed. So I acknowledge that was true.

24 80 Q. Arising from that incident and the subsequent one,
25 did you set in place any procedures or protocols in
26 response to these matters?

27 A. We didn't. I have to acknowledge we didn't. It was
28 always a privately run home from the beginning and we
29 really didn't have procedures or protocol. We just



1 had the running and good maintenance of the house and
2 a homely atmosphere. But we didn't set any protocol
3 or procedures as regards the child abuse. I suppose,
4 one reason was that since that young girl came
5 forward in trust and shared it with the person who
6 was responsible, we felt that that would continue.
7 There was an openness and a trust and we felt if it
8 happened again, we would rely on the children in our
9 care to come forward and to share it with us. So in
10 that way, we didn't feel it was necessary at the time
11 to put a procedure in place.

12 81 Q. I think the orphanage has closed down anyway since
13 1985?

14 A. Yes, it did.

15 82 Q. Just going back to the funding, how was the orphanage
16 funded?

17 A. Yes, as I said, from the very beginning until the
18 1965's, the orphanage was funded privately from the
19 community resources, which were very limited.
20 Parents, in some cases, gave a small contribution,
21 but not very many parents. We found, as I looked
22 through the little records we have -- we haven't got
23 a lot, but I found one letter by the directors at the
24 time appealing to different groups, to the
25 archdiocese of Dublin, to different appeal groups to
26 give aid for this orphanage which was deeply in the
27 red. Then it was at that stage a group of friends
28 who valued the work and the care of the orphanage
29 came together and they set up what they called



1 Friends of St. Joseph's, and that was a very long
2 established committee who ran sales of work and car
3 draws and they helped to allay the debt, to pay off
4 the debt and also, not only that, but to update our
5 orphanage. It was an institution-like building. It
6 was big. But the person in charge felt that we
7 wanted to have it a homely-like place. So that was
8 renovated and paid for through the friends of the
9 committee. Then it was only in 1965 when we started
10 taking children from the Eastern Health Board that we
11 got an allowance, a grant, from the Health Board, who
12 paid for the children who came through their care.

13 83 Q. How many children came through the Eastern Health
14 Board method?

15 A. Yes, the majority still came from private sources,
16 but I'd say the balance was always more privately. I
17 don't have exact numbers on that, I have to be
18 honest, but some children came through the Health
19 Board.

20 84 Q. And you received some kind of capitation grants for
21 those?

22 A. We did, per child.

23 85 Q. Have you records in relation to the Health Board?

24 A. Regarding to the Health Board, any child placed in
25 our care through the Health Board had a social worker
26 coming on a regular basis and the Health Board kept
27 files on each child that was placed through the
28 Health Board. Now, those records are not in our
29 possession, but would be in the possession of the



1 Health Board, but not with us. The only records we
2 have is payment received from the Health Board, not
3 on register, as such, but individual sheets I have
4 seen.

5 86 Q. What kind of records would you have on the children
6 that came directly to you?

7 A. Yes, the only records I found at present are
8 registers of date of admission, time of leaving, you
9 know, if there was a little payment and family --
10 just a register of entrants and leaving. We haven't
11 an abundance of records, to be honest. We haven't
12 kept them. We actually probably haven't done records
13 or files on individual children.

14 87 Q. Could you tell the Committee then the reason for your
15 contribution to the Redress Scheme?

16 A. Yes, when the Redress Scheme was being drawn up, at
17 that time we had one set of allegations against us,
18 and we also had a number of records or requests for
19 records, small in number, asking for records. In
20 view of the fact that we had over 2,000 children in
21 our care down through the years, we felt more claims
22 could come in. But I would have to say also we found
23 there were very few. At that point, there was only
24 one allegation. Since then, two other allegations
25 have come to us and we felt the best way to
26 compensate, even though we realise the care was good,
27 and, you know, that would be from talking to the
28 Sisters and, indeed, from the past children, that it
29 was a place that they were happy in. But,



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nonetheless, we felt we could not meet their needs in a way that an ordinary family would. So in order to redress that or compensate, we felt it would be better to go down the line of entering the Redress Scheme. It would be less adversarial or conflictual to them and to us for them to have to come or to put a claim for money to us individually. So that is really why we entered the redress scheme.

MS. FERGUS: Thank you. I think, perhaps, if you would answer any questions that the Committee might have to ask.

END OF EXAMINATION OF SR. ANNE BOLAND BY MS. FERGUS



1 SR. ANNE BOLAND WAS THEN EXAMINED BY THE COMMITTEE,
2 AS FOLLOWS

3
4 88 Q. MR. LOWE: Purely a question of
5 historical interest for me
6 -- when the Order came over to Ireland in 1856, were
7 they French nuns or were they Irish nuns who had
8 joined over in France?

9 A. Yes, there was one Irish nun who had joined the
10 congregation in France and she had a desire to come
11 back to Ireland. She came back and it was she who
12 started, with a couple of other French nuns, who
13 started our house in Dun Laoghaire. It was a
14 response to a need. I don't know if they were
15 invited -- I cannot be accurate on that -- if they
16 were invited to come and open the house. But that is
17 how the origin of Dun Laoghaire Orphanage started.

18 89 Q. MR. LOWE: Thereafter, was there
19 training of nuns within
20 Ireland?

21 A. Yes, for those in childcare, there was no childcare
22 training programme set up until the 1970's and any
23 Sister involved in childcare certainly took part in
24 training days, study days, weekends of training in
25 Dublin. Then one Sister was released in 1970 to do a
26 full-time, two-year course in Kilkenny and she later
27 came back and became directress of the orphanage.

28 90 Q. MR. LOWE: So before the 70's the
29 training was purely



1 religious?

2 A. Before the 70's, yes, there would be no systematic
3 training, as far as I am aware, before the 70's,
4 except just the care of the Sisters. All along,
5 actually, the children were cared for by the Sisters.
6 Later, we took in professional childcare workers in
7 the 1970's. But prior to that, it was the Sisters
8 who were in care of them.

9 91 Q. Did the nature of the care change once training was
10 introduced?

11 A. Yes, I would say before the 70's, the type of
12 children we had came from more stable backgrounds and
13 it was a trusted care, it was family-like. After the
14 60's or early 70's the intake of the children came
15 through the Health Board and at that time they were
16 more from broken homes or broken families and we
17 realised -- it was one of the decisions why we
18 actually closed -- we realised we didn't have the
19 psychological skills in some ways to help those
20 children. We had fewer Sisters, for one reason, and
21 we had a number of works, so we had to discern which
22 works we could keep going, and we hadn't got the
23 younger Sisters because at this stage the home was
24 more family-like. In the beginning, it was very
25 institutional. We couldn't change the building, but
26 we tried to change the structure of the care and we
27 needed younger Sisters to be with them. To answer
28 your question, the training, it was more demanding
29 and needed more psychological training and at that



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point in 1985, we decided not to continue because we felt we couldn't help them in the way best for them with our personnel and the few Sisters we had.

MR. LOWE: Thank you.

THE CHAIRMAN: Thank you very much, that's grand.

END OF EXAMINATION OF SR. ANNE BOLAND BY THE COMMITTEE

THE CHAIRMAN: Two o'clock.

LUNCHEON ADJOURNMENT



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THE HEARING RESUMED, AS FOLLOWS, AFTER THE
LUNCHEON ADJOURNMENT

MR. McMAHON: Our next witness will be
Br. Pius McCarthy who is
speaking on behalf of the De La Salle Brothers, it
may be of assistance to the Committee in relation to
the business of the Committee tomorrow, the position
is that tomorrow morning evidence will be heard on
behalf of the Poor Clare Sisters, the Presentation
Sisters and the Sisters of St. Louis. Then in the
afternoon it is proposed to hear a representative of
Irish SOCA. On Friday the order of business will be
the Order of St. John of God and also the Irish Deaf
Society. Brother Pius McCarthy, please.



1 BR. PIUS MCCARTHY HAVING BEEN SWORN WAS EXAMINED,
2 AS FOLLOWS, BY MR. McMAHON

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92 Q. MR. McMAHON: Br. McCarthy, I think you
are a member of the De La
Salle Brothers?

A. That's right.

93 Q. You might tell the Committee your position in the
congregation?

A. I am Provincial Secretary and I am the designated
person to receive complaints against members of the
Order.

94 Q. I think you have been asked to deal with the various
queries raised by the Investigation Committee by its
letter of 20th May 2004?

A. That's correct.

95 Q. I think in commencing you wish to say a little bit
about the history of the congregation?

A. The De La Salle Brothers were founded in France in
1680 by St. John Baptist De La Salle. Although he
was a priest, he founded a community of Brothers,
teaching Brothers to meet the needs of
underprivileged children who were, as he said, left
to themselves and badly brought up. The institute
was first confined to France, but at the time of the
French Revolution, the Brothers were dispersed
throughout the world and spread throughout the world.
Then the Brothers opened their first school in
England in 1855, and they opened a novitiate in



1 Ireland in 1880, it was mainly to supply the Brothers
2 for the English Province. At that time in 1880,
3 England and Ireland were one province, so many young
4 men joined the Order. In 1891 they opened a training
5 college in Waterford to train the Brothers and to
6 train lay teachers. Up to 1947 when the Irish
7 Province became independent, England and Ireland
8 formed one province and the Brothers could be
9 assigned to any of the schools in both countries.
10 Most of the primary schools and Home Office schools
11 -- they would be the same as the industrial schools I
12 suppose or reformatories -- were staffed mainly by
13 Irish born Brothers. Just to give an idea of today,
14 there are 2,345 Brothers worldwide teaching over
15 900,000 students in 79 countries. Currently there
16 are 128 Brothers in the Irish Province, 108 in
17 Ireland and 20 on the missions in South Africa,
18 Kenya, Nigeria and China. The Order has some
19 20 educational centres in Ireland; four primary,
20 13 secondary and three pastoral centres. We have
21 6,708 students and 509 teachers.

22 96 Q. So it is a fairly extensive network that you have
23 described?

24 A. Yes.

25 97 Q. Would you like to tell the Committee how the Brothers
26 became involved in childcare?

27 A. When we were founded in France, the founder himself,
28 as I say, took particular interest in young people,
29 and he also started a reformatory school. As far as



1 we know, it was the first one ever. So in any place
2 where we went, then we started reformatories or Home
3 Office schools and so on like that. When we came to
4 England, we had ten Home Office schools, there were
5 five in England, five in Scotland and then we had two
6 in Northern Ireland. Our first involvement with
7 residential care in the Republic of Ireland was when
8 Finglas Childrens Centre opened in Dublin in 1972.

9 98 Q. Until the Finglas Residential Centre, until that
10 centre opened in 1972, is it the case that there was
11 no involvement here in reform schools?

12 A. That's right.

13 99 Q. Or in institutional schools?

14 A. Yes.

15 100 Q. But there was a heavy involvement in
16 ... (INTERJECTION)?

17 A. In primary schools and secondary schools. We had two
18 boarding colleges at Waterford. Waterford was a
19 training college but it later became a boarding
20 college, I think it was around 1939 when the training
21 college was closed for lay teachers. In 1949 then it
22 became a boarding school. I think around 1974
23 Coláiste Iosagáin in Ballybourney became a boarding
24 school, it had been a preparatory school.

25 101 Q. How did the community come to be involved in the
26 Finglas Childrens Centre?

27 A. I think it was the question of the closing down of
28 Marlborough House was being discussed, and Archbishop
29 McQuaid requested the Provincial at the time, Brother



1 Aloysius O'Brien to open a detention home for boys in
2 Dublin.

3 102 Q. When did that request first come about?
4 A. In 1957. He sought it in order to correct the
5 defects in religious training, ordinary education and
6 character. His idea was that these boys would stay
7 for some weeks or that before they would appear in
8 court. Now, in 1959, two years later, Jack Lynch,
9 Minister of Education, said that certain steps were
10 being taken to have a place of detention for
11 juveniles at Marlborough House transferred to other
12 premises and placed under the management of a
13 religious community.

14 103 Q. That was in 1959?
15 A. Yes, 1959.

16 104 Q. What happened then?
17 A. In 1961 a site was purchased in Finglas West from
18 Dublin Corporation.

19 105 Q. Yes.
20 A. But nothing happened until 1969 when the foundations
21 were dug.

22 106 Q. Yes. Was the community involved in the design of
23 what was going to be built?
24 A. Yes, we wanted to get away from the old idea of
25 industrial schools. From our experience in the north
26 where the chalet system and that had been introduced,
27 we wanted to do something along those lines, so we
28 got Brothers who had experience in those schools in
29 England and in the North to consult with us and so on



1 about how to go about it. The Provincial at the time
2 was asked to draw up plans and programmes for the
3 school and these were accepted. Mr. Thomás O' Floinn,
4 Assistant Secretary of the Department of Education,
5 defined St. Lawrence's school as a new genre of
6 institution which would cater for the boy who had
7 slipped a little and required but a short period of
8 corrective training to put him on the road to good
9 citizenship.

10 107 Q. When was that description given?
11 A. In 1969.

12 108 Q. So at that stage the building hadn't yet started?
13 A. No, no.

14 109 Q. Was consideration given to how the school would be
15 financed and run?
16 A. Yes, it was agreed that the school itself would be a
17 special school, and it would be financed on a
18 budgetary system rather than a capitation system

19 110 Q. Yes.
20 A. The maximum period for pupils staying there would be
21 one year.

22 111 Q. This was somewhat longer than had been envisaged I
23 think when the idea was first mooted back in 1957 by
24 the Archbishop?
25 A. That's right. The thinking by the Brothers at the
26 time was that to commit a boy to the home for one
27 month would not give much chance to have any proper
28 educational input or training and that, so they felt
29 that it was better to leave it for one year.



1 St. Lawrence's was a different school to the other
2 industrial schools in that the boys got home for
3 weekends and they got home for holidays at Christmas
4 and summer, so that it wasn't an enclosed place, it
5 wasn't a secure unit. Like doors were locked and
6 that, but it wasn't really a secure unit as such.
7 Then in 1970 you had the Kennedy Report and, I
8 suppose, that was being discussed around 1969 anyway.
9 She was probably preparing her report around that
10 time, but it came out in 1970.

11 112 Q. Yes.

12 A. She asked for proper assessment for any boy going
13 before the Juvenile Court.

14 113 Q. Before we go on to that, while in the course of being
15 planned, was consideration being given to the age
16 group of the children who would be there and how they
17 would be divided into units whilst in the school?

18 A. Yes, the idea was the school would cater for 64 boys,
19 and there was to be a junior section and a senior
20 section. The junior section would be 10 to 15 years
21 and the senior section would be 15 to 17. The
22 assessment centre -- sorry, I am going a bit ahead.
23 Originally before the Assessment Centre was built,
24 there were all accommodated in St. Lawrence's, both
25 the assessment and the remandees and so on. The
26 agreement with the Department was that there would be
27 only 14 remandees.

28 114 Q. The balance would be?

29 A. The balance would be boys who were committed by the



1 courts for one year.

2 115 Q. Just before you move on, you have mentioned already
3 the involvement of the Brothers in the architecture
4 of the premises.

5 A. Uh-huh.

6 116 Q. Was that of relevance having regard to the
7 deliberations or the considerations being made by the
8 Kennedy Committee at the time, which I think had
9 looked at large single institutions?

10 A. Yes, all the dormitories and that were small, we'll
11 say for about four boys. Then there were some single
12 rooms as isolation rooms.

13 117 Q. I see.

14 A. Also there were facilities provided, recreational
15 facilities, a swimming pool and hall and canteen.
16 The kitchen or the dining room was like in the
17 canteen style, it wasn't the same as the
18 institutional type.

19 118 Q. I see.

20 A. The classrooms were bright and colourful and it was
21 made to look as pleasant and welcoming as possible.

22 119 Q. You were saying in 1970 was the Kennedy Report?

23 A. The Kennedy Report on reformatory and industrial
24 school systems, and she recommended comprehensive
25 assessment for children on remand. As a result of
26 this, a separate unit away from the school,
27 St. Michael's Unit, with a gymnasium and swimming
28 pool and so on was built. In the 1908 Childrens Act,
29 there was no category under which this type of school



1 could be put, this type of school that the Brothers
2 envisaged, so it had to be listed as a remand and
3 detention centre.

4 120 Q. Yes.

5 A. That would have a significance later on over the
6 years. So the school was opened in 1972.

7 121 Q. That is St. Lawrence's School?

8 A. That's right.

9 122 Q. I think the official opening was performed some time
10 later?

11 A. Yes, the official opening was performed in 1974.
12 Now, it is important to remember that the child
13 centre, St. Lawrence's can be confusing, it is called
14 so many different names, it is called Finglas
15 Childrens Centre, it is called St. Lawrence's and
16 St. Michael's and now it is known as the Finglas
17 Child and Adolescent Centre, I think. Anyway, the
18 centre was the property of the State and it was
19 maintained by the State.

20 123 Q. Yes.

21 A. By the Office of Public Works and it was administered
22 by the Brothers. There was a management committee of
23 eight members and these included representatives from
24 the Department of Education, the Department of
25 Justice, the Department of Health, the De La Salle
26 Brothers, the Archbishop of Dublin and two members of
27 the general public. It was the duty of the
28 management committee to ensure the welfare and
29 education of children were adequately cared for and



1 that the physical facilities of the centre were
2 appropriate for the purpose.

3 124 Q. Yes. The day to day management of the institution,
4 who looked after that?

5 A. The Brothers.

6 125 Q. How was that done?

7 A. There was a Director and two Deputy Directors, there
8 was some Brothers involved in childcare and some
9 Brothers also were teaching. I forgot to mention,
10 there was also a religious community involved, there
11 were three Sisters; one was a matron, one was a
12 teacher and the other was general housekeeping.

13 126 Q. Do the Brothers continue to be involved in the
14 management of the centre or, if not, when did their
15 involvement come to a conclusion?

16 A. No, the Brothers withdrew from the centre in 1994.
17 You had the remands for assessment, that is lads
18 waiting to go to court, and you had remands only, if
19 I can categorise them. The number of remands only
20 rose from 14 as agreed in the beginning to 60 or 66
21 in 1991.

22 127 Q. Did that create difficulties ... (INTERJECTION)?

23 128 Q. THE CHAIRMAN: I am sorry to interrupt
24 what must be and is an
25 interesting debate. Brother, can I ask was this an
26 agreement between the Brothers and the Department at
27 this stage?

28 A. Yes, there was an agreement drawn up in
29 ... (INTERJECTION).



1 129 Q. THE CHAIRMAN: Sorry, can I stop you for a
2 second. What we have in
3 mind here is not to get into disagreements, but
4 simply to reflect peoples' positions, do you
5 understand?

6 A. Yes.

7 130 Q. THE CHAIRMAN: When we come to a stage
8 that we want to assess the
9 particular issue, we will want to have the Department
10 here so that they can say, if they want to, 'hold on,
11 Brother, that is not right or we want to
12 cross-examine and give evidence about that'. I am
13 happy at this stage for you simply to say, 'there it
14 is, we withdrew for reasons which we were satisfied
15 were sufficient at the time'. As to the details of
16 the disagreement, obviously I am torn between the
17 interests of the account of the disagreement, but,
18 nonetheless, I think we have to play fair with
19 everybody and people who have given evidence. Do you
20 understand me?

21 A. I do, of course, yes.

22 THE CHAIRMAN: There will come a time
23 certainly when we will be
24 delighted to have the issue out, in fact there are
25 things we would, obviously, love to explore more
26 fully in that regard.

27 131 Q. MR. McMAHON: Perhaps if I lead Br. Pius
28 in relation to the fact
29 that in 1994 the Brothers withdrew from the operation



1 and the running of the centre, is that the case?
2 A. Yes.
3 THE CHAIRMAN: It is fairly 'guessable'
4 what the nature of the
5 disagreement was from the information that we have,
6 but I think it is probably better not to get into too
7 much of it or we will have people coming in
8 complaining to us. Thank you very much, Brother.
9 A. Okay.
10 132 Q. THE CHAIRMAN: We are dealing with the
11 period up to 1994. The
12 Brothers' involvement ended in 1994, isn't that
13 right?
14 A. That's right, yeah.
15 133 Q. THE CHAIRMAN: So it is 22 years really?
16 A. That's right, yes.
17 134 Q. THE CHAIRMAN: Could I just ask you,
18 Brother, a general
19 question. Your Order, obviously, was in a particular
20 position because of your expertise in this area being
21 as how you had what had previously been all the same
22 organisation UK and here, isn't that so?
23 A. That's right, yes.
24 135 Q. THE CHAIRMAN: And running the Home Office
25 schools in England,
26 Scotland and Northern Ireland, isn't that so?
27 A. Yes, that's right.
28 136 Q. THE CHAIRMAN: Am I correct when you
29 started off with this idea,



1 this idea came up and the Archbishop wanted a school,
2 obviously there was a pool of knowledge available to
3 the people here?
4 A. Yes.
5 137 Q. THE CHAIRMAN: The Brothers here, because
6 they were their colleagues
7 in the neighbouring jurisdictions, isn't that right?
8 A. That's right, yes.
9 138 Q. THE CHAIRMAN: Then was it because there
10 was no category that it
11 could be called, is that right?
12 A. That's right, yes.
13 139 Q. THE CHAIRMAN: So it had to be called a
14 'remand centre'?
15 A. Yeah, that's right.
16 140 Q. THE CHAIRMAN: The category couldn't be
17 changed or anything?
18 A. Well, the Brothers were campaigning to have the Act
19 changed.
20 141 Q. THE CHAIRMAN: It seemed a like a good
21 idea in the light of what
22 had been going on, and there was experience there
23 available to be asked what are the good points or the
24 bad points about the ones that work in the UK?
25 A. That's right. As I said, that would bring me into
26 the disagreement ... (INTERJECTION).
27 THE CHAIRMAN: Very good. Having told you
28 not to get into it, I
29 better not invite you to get into it. Thank you very



1 much.

2 142 Q. MR. McMAHON: I think in your statement
3 you go on to deal with why
4 your community contributed to the Redress Fund.
5 Before we touch on that, perhaps you would move on to
6 deal with the manner in which allegations of child
7 abuse emerged as an issue in respect of your
8 institution and perhaps in respect of your
9 congregation as a whole and then we can come back to
10 the question of the decision to contribute to the
11 Redress Fund. Can you describe to the Committee the
12 manner in which issues of child abuse emerged from
13 the point of view of the community, first of all, in
14 relation to St. Lawrence's? I think you are on
15 number 4.

16 A. In 1991 an allegation was made by a former resident
17 to his grandmother that he had been abused in
18 St. Lawrence's by a lay worker, a lay member of
19 staff.

20 143 Q. Yes.

21 A. The matter was reported to the Health Board and to
22 the Gardaí. An investigation concluded that there
23 was no evidence to support the claim. In March 1994
24 a complaint was made to the Gardaí by a third party
25 that residents of St. Lawrence's had been physically
26 and sexually abused. The third party alleged that
27 she had been told this by a member of staff of the
28 institution, a clerical member.

29 144 Q. Yes.



- 1 A. The Gardaí investigated the matter and interviewed
2 the member of staff who was supposed to have made the
3 allegation, but she denied any knowledge of any such
4 abuse in St. Lawrence's and no prosecution took
5 place.
- 6 145 Q. Where does your knowledge of those two episodes come
7 from, Brother?
- 8 A. The first one came recently, it came recently because
9 the Department sent in an inspector to inquire into
10 this allegation and they came to the Brothers about
11 it. I can't say the current director of the centre
12 because I am not sure, but a director of the centre
13 anyway approached the Brothers and interviewed former
14 Brothers.
- 15 146 Q. That is a current director of the centre, the centre
16 now having left the hands of the brother?
- 17 A. That's right, yes. That is how we knew that one.
18 The other one was public knowledge because questions
19 were raised in the Dáil and there was accounts in the
20 newspaper and so on. I don't want to identify
21 ... (INTERJECTION).
- 22 147 Q. I do not want you to do anything that will identify
23 the individuals involved.
- 24 A. Both of those were investigated internally within the
25 school, the Order itself wasn't involved as such.
26 The first allegation that the congregation received
27 against a member of the congregation, a Brother, was
28 on 12th February 1997.
- 29 148 Q. Yes.



- 1 A. An allegation was made to the Director of the
2 Childrens Centre by the mother of a former resident.
3 She alleged that her son had been sexually abused
4 whilst in care. The allegation was reported by the
5 director to the Gardaí but the alleged victim was
6 deceased at this stage. He had apparently made a
7 complaint to the Gardaí in March 1995, but we didn't
8 know that at the time.
- 9 149 Q. You first became aware of that allegation in?
- 10 A. In 1997. The director of the centre then reported
11 this allegation to the Provincial at the time and he
12 approached the named Brother, who denied the
13 allegation, but he was nevertheless withdrawn from
14 the ministry. Then because of these rumours and so
15 on, a full investigation into St. Lawrence's was held
16 by the Health Board commencing in 1997. They
17 interviewed many former residents and as a result of
18 this investigation, certain names were passed on to
19 the Gardaí. One Brother was interviewed by the
20 Gardaí in 1998 and has since been charged with a
21 number of offences.
- 22 150 Q. Were there any other charges preferred against
23 anybody else?
- 24 A. Yes, a charge was brought against a second Brother,
25 he was interviewed in 1999, but the DPP decided not
26 to prosecute.
- 27 151 Q. You have told the Committee about various allegations
28 going back to 1991 in relation to St. Lawrence's.
29 The community is involved, as you have already



1 described, in a wide range of institutions?

2 A. That's right.

3 152 Q. Across the country and, indeed, including Northern
4 Ireland. Was the congregation informed in relation
5 to the issue of child abuse from some of its other
6 houses also?

7 A. Yes, over the years there were some cases of child
8 abuse or allegations of child abuse. There was one
9 we will say in -- well, I better not name them -- but
10 one particular case where a former Brother was
11 convicted, the abuse took place and he pleaded
12 guilty. The abuse took place when he was a Brother.

13 153 Q. Yes, how long ago was that?

14 A. That was about 1974. There are a number of civil
15 cases that are in process, but in doing this I was
16 concentrating on St. Lawrence's.

17 154 Q. I appreciate that.

18 A. So I couldn't give you dates or details really, but a
19 number of cases did arise in relation to primary
20 schools mostly.

21 155 Q. Yes.

22 A. As regards the Investigation Commission itself, we
23 have 20 complaints, five were in relation to
24 St. Lawrence's and 15 are related to day schools.
25 While some complainants would have named more than
26 one person, there were 29 incidents reported, so 15
27 were physical, 13 were sexual and one was of knowing
28 and not reporting. There were five complaints from
29 one primary school, all physical, but we felt that it



1 was connected with the campaign at the time in the
2 1960's for the abolishment of corporal punishment.
3 The other ten complaints are isolated and unconnected
4 incidents.

5 156 Q. Spread over a variety of schools?

6 A. Over seven schools and they relate to the period of
7 the 1950's, 1960's and 1970's.

8 157 Q. Yes.

9 A. When the Taoiseach made his apology to the victims of
10 child abuse in May 1999, we were aware of one
11 threatened proceedings.

12 158 Q. One legal case?

13 A. Yes, yes. By October 2000 when the Government
14 announced the proposed compensation scheme, we were
15 aware of three cases. Initial letters had been sent
16 in two and a Plenary Summons issued in the third. In
17 June 2002 when we made a contribution to the scheme
18 and entered into an agreement with the State, we were
19 aware of twelve cases. Initial letters had been sent
20 in three and Plenary Summons served in seven and
21 Statements of Claim in two.

22 159 Q. Yes. What was the community's position in relation
23 to the validity of the claims that were being made
24 and in relation to the question of an apology?

25 A. After the Christian Brothers made their apology, we
26 thought about something similar, we questioned
27 whether we should do it or not, but we decided
28 against it, we decided to deal with each case
29 individually, because at the time there was the Garda



1 investigation going on and we weren't quite sure what
2 the outcome would be. We felt that by making an
3 apology, we might be indicating or influencing one
4 way or the other. So we have apologised in
5 individual cases where somebody has come to us and
6 said that they were abused. We just decided that it
7 would be better not to go down the road of a public
8 apology.

9 160 Q. What factors were taken into account by the community
10 in reaching a decision to enter into the agreement to
11 contribute to the Redress Fund?

12 A. In April 2001, we were invited by CORI to become part
13 of the group of congregations who were then
14 negotiating with the State with regard to making a
15 contribution to the compensation scheme that had been
16 announced in October 2000. The congregations who
17 were negotiating had agreed in principle to make a
18 contribution to the scheme and details of the same
19 were being discussed. We were approached, because
20 there was at that time litigation in existence
21 relating to Finglas Childrens Centre, and even though
22 we didn't own the centre nor did we manage it in the
23 strict sense, the resident manager was a De La Salle
24 Brother throughout the years and we had an
25 involvement in administration and also De La Salle
26 Brothers had worked in it.

27 161 Q. I think when you say that you didn't manage it, are
28 you referring to what you previously said that it was
29 run by a management committee?



1 A. That's right.

2 162 Q. You have given the breakdown of the management
3 committee?

4 A. That's right.

5 163 Q. I think there was an involvement of the De La Salle
6 Brothers on that Committee?

7 A. That's right.

8 164 Q. Yes.

9 A. We were also aware that some of the complaints made
10 were specifically directed towards members of the
11 congregation. At the time we were approached by
12 CORI, we were aware of eight claims arising from the
13 centre. Really we were made aware of them by CORI,
14 they got the information for us. We were advised
15 that any contribution made by the congregations would
16 be in consideration of an indemnity from the State
17 and this would bring some certainty with regard to
18 future litigation. We were also aware of the ongoing
19 Garda investigation into St. Lawrence's which began
20 in 1995. One Brother was interviewed in October 1998
21 and a file sent to the DPP. It was expected that
22 those complainants would also take civil actions
23 later. Another Brother was interviewed by the Gardaí
24 in 1999 in relation to one complaint made against him
25 and in 2001 the DPP confirmed that there would be no
26 prosecution in that case. The experience would be
27 less adversarial and less stressful for all concerned
28 ... (INTERJECTION).

29 165 Q. When you say "less stressful for all concerned", what



1 do you mean?

2 A. It is a very difficult and traumatic thing for an
3 Order to receive an allegation of sexual abuse, just
4 as it is for the Complainant. It is very upsetting
5 and then it is upsetting to other members of the
6 Order as well, because one of the things is that once
7 an allegation is made against a Brother, no matter
8 whether the DPP drops or does not prosecute or no
9 matter if the thing is dropped, he can never go back
10 teaching again, his career is ruined, so it is a
11 stressful thing. We were aware also that there
12 would be substantial legal costs incurred in the
13 defence of High Court cases. The process would be
14 faster than a civil action and thus bring closure for
15 all concerned at an earlier date. It was a no fault
16 scheme, so that no blame is apportioned to any person
17 or institution. Also, we had come into the
18 negotiations at a late stage and accordingly we were
19 guided to some extent by what the other congregations
20 had done and we also wanted to show solidarity with
21 them.

22 166 Q. What protocols or procedures were in place or what
23 can you say in relation to the existence of protocols
24 or procedures in place designed to prevent,
25 investigate or deal with allegations of abuse?

26 A. Since we left St. Lawrence's, we have no access at
27 all to records. The only thing we have is we have a
28 few reports were in the provincial files, but we have
29 no access to records or no access to policy documents



1 and so on. So we don't really know whether there
2 were protocols there or not. The only thing I would
3 say is I doubt if there were any written policies,
4 but we will say as regards the Brothers, the
5 Brothers' rule laid down strict guidelines for how
6 the Brothers would behave towards their children,
7 towards their pupils and so on like that. Then it
8 was in 1996 when the Bishop guidelines were brought
9 out and we drew up a policy ourselves for the
10 Brothers based on that.

11 167 Q. Yes.

12 A. I suppose it is relevant now in the sense that we
13 have, like all schools now, have to have their policy
14 of child protection policy.

15 168 Q. Yes.

16 A. At that time I say in the earlier stages, like even
17 from the Department, it would be guidelines to
18 teachers on how to recognise abuse in pupils, like
19 from family members or anything like that if a boy
20 came into school, but there was no concentration on
21 policies for the behaviour of teachers.

22 169 Q. Yes. Did you wish to speak about the extent to which
23 enquiries were made as to how similar institutions
24 dealt with matters of this nature?

25 A. As I said, we had two homes in the North and we had a
26 number of incidents in relation to one of them. In
27 1961 the Provincial made an investigation into an
28 allegation made by a number of boys. It transpired
29 that the boys had made up the allegation in order to



1 have a Brother transferred and they withdrew the
2 allegation. Nevertheless, the Provincial at the time
3 laid down guidelines for the Brothers there on how
4 they were to behave. A Brother was not supposed to
5 travel alone with a boy in the car for instance or no
6 boy was allowed into a Brother's bedroom, things of
7 that nature.

8 170 Q. This was back in the 1960's?
9 A. The 1960's, yes. In 1964 an allegation was made
10 against a Brother in the same institution. The
11 Brother was confronted and he admitted the incident,
12 and he left the Order of his own accord.

13 171 Q. Yes.
14 A. A report of the incident was submitted to the
15 Ministry of Home Affairs.

16 172 Q. These allegations related to Northern Ireland?
17 A. Northern Ireland, yes. In 1980 ... (INTERJECTION).

18 173 Q. Before we move on to 1980, Brother, are you in a
19 position to assist the Committee in relation to what
20 happened or what steps may have been taken in
21 relation to those who made these allegations or
22 complaints back in the 1960's?
23 A. No.

24 174 Q. Were facilities set up to look after their needs at
25 that time or do you know?
26 A. No, I don't know, I don't think so anyway. You mean
27 in the Northern Ireland one, is it?

28 175 Q. Yes.
29 A. In the 1960 one, the allegation was withdrawn. The



1 1964 one, I don't really know and I wouldn't have any
2 record of it.

3 176 Q. Very well. You were going to talk about 1980?

4 A. 1980, following the Kincora affair in Belfast, an
5 allegation was made against a Brother in the
6 institution and he was immediately suspended, and
7 there was a full investigation by the RUC. The
8 police decided not to proceed because the Brother had
9 a terminal illness, he had cancer. In 1984 there was
10 the Hughes Inquiry into care homes.

11 177 Q. Can you remind us as to what that Inquiry was?

12 A. I couldn't give you the details of it now, but I know
13 it inquired into all aspects of the child home. I
14 mention it really because in spite of that
15 investigation and in spite of the 1980 investigation,
16 people came forward in 1995 making allegations. With
17 the Hughes Inquiry anyway, no findings were made
18 against any members of staff.

19 178 Q. THE CHAIRMAN: The Inquiry was into what,
20 Brother?

21 A. It was into child residential homes anyway.

22 179 Q. THE CHAIRMAN: In?

23 A. In Northern Ireland.

24 THE CHAIRMAN: Sorry, yes.

25 A. This institution closed in 1986, but in 1995 there
26 was a full investigation into the institution. The
27 police sought out past residents and allegations were
28 made against many Brothers and a former Brother.

29 180 Q. MR. McMAHON: Over what period of time



1 did the allegations span?
2 A. They went back over 40 years, from the 1960's up to
3 the time we left.
4 181 Q. Which was in 1984?
5 A. No, 1986.
6 182 Q. Sorry, 1986.
7 A. Actually the home closed down at that stage.
8 183 Q. What ensued out of that investigation?
9 A. Charges were brought against three Brothers and a
10 former Brother, and they sought Judicial Review. In
11 1998 the judge found that they could not get a fair
12 trial on the grounds of prejudice because of the
13 consequences of delay, the absence of records and the
14 absence of potential witnesses, most of the witnesses
15 were deceased, all those who had worked there.
16 184 Q. Are you able to assist the Committee in relation to
17 what, if any, lessons were learned by the community
18 or what lessons were applied from that Northern Irish
19 experience?
20 A. We were out of all residential homes at that stage,
21 but we were involved in our primary and secondary
22 schools and we insisted that the Boards of Management
23 of schools would draw up a child protection policy.
24 185 Q. I think you perhaps have already dealt with the
25 question of the extent to which enquiries were
26 carried out within your organisation leading to a
27 view that abuse did occur. Was there anything else
28 you wished to say in relation to that?
29 A. I think I mentioned that in 2000, the Department



1 appointed an individual to inquire into
2 St. Lawrence's. He was appointed as a result of
3 concerns raised to the Commission to inquire into
4 child abuse by the resident at the center of 1991
5 allegation. His Terms of Reference were to focus
6 entirely on the process of the investigation and the
7 treatment of the resident upon his return to
8 St. Lawrence's from the investigation. I am not
9 aware of the conclusions of this investigation as we
10 did not receive any report of same. As I say, the
11 Order wouldn't receive it anyway, it would go to the
12 centre, I suppose.

13 MR. McMAHON: I have no further questions
14 for you.

15
16 END OF EXAMINATION OF BR. McCARTHY BY MR. McMAHON

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1 BR. McCARTHY WAS THEN EXAMINED, AS FOLLOWS, BY THE
2 COMMITTEE MEMBERS

3
4 186 Q. MR. LOWE: I have a couple of
5 questions. I am quoting
6 again from the document which you supplied to us:

7 "With respect to such children in care,
8 the Brothers task is threefold; to
9 reform their character, to place them
10 in good positions suited to their
11 individual attitudes and to keep a
12 fraternal eye on them for a number of
13 years afterwards."

14 Could you tell me how you set about to try and
15 achieve those objectives?

16 A. It was difficult that would cover all our schools,
17 but it was difficult in St. Lawrence's in particular
18 because of the absence of after-care. We had social
19 welfare officers and there was a big staff, a big
20 close pupil staff ratio in the school, and we had the
21 assistance of a psychiatrist and a psychologist and
22 so on, and welfare officers who visited the home.
23 The trouble was once the lad left the home, he was
24 going back to his own home where the circumstances
25 were probably the same as when he left it. You have
26 to remember the timescale, that it was just one year.
27 Then again you have to remember that the home was not
28 owned by the Brothers, it was owned by the State and
29 the Brothers couldn't do things on their own. I do
remember at one of our chapter meetings where
Brothers involved in St. Lawrence's asked the Order



1 to fund an after-care person.

2 187 Q. MR. LOWE: In relation to reforming
3 character in one year, how
4 was that set about?

5 A. Well, we will say many of these lads had been playing
6 truant and that from school and had very poor
7 self-esteem and so on and a lack of education, and
8 the school was successful, the Brothers were
9 successful in getting a number of these lads, quite a
10 number of them through their Group Cert, which gave
11 them a sense of achievement. As regards placement,
12 at the time the Fás scheme and that, they got the
13 lads in working, they got lads into secondary
14 schools. You see lads would be leaving
15 St. Lawrence's at 15, so a big problem was to get
16 them into ordinary secondary schools after that,
17 because very often they left at different times
18 during the year and schools don't like taking in a
19 lad at midterm

20 188 Q. MR. LOWE: So education was the chief
21 means of trying to reform?

22 A. Yes, education was the chief.

23 189 Q. THE CHAIRMAN: One last question. What
24 goes into the training of a
25 teaching Brother as opposed to just a Brother?

26 A. Nearly all the Brothers went through primary
27 teaching, primary school teaching and training. We
28 had our own training college in Waterford. Very many
29 of us then went on later and did a degree and went



1 into secondary school. Apart from that, then we have
2 the religious training of Brothers as well, religious
3 studies and so on like that.

4 MR. LOWE: Thank you.

5 190 Q. THE CHAIRMAN: Brother, there were two
6 investigations that you
7 mentioned and if I could clarify, the Health Board
8 investigation in 1997 was into allegations of abuse,
9 isn't that so?

10 A. That's right, yes.

11 191 Q. THE CHAIRMAN: The Departmental
12 investigation in 2000
13 concerned the handling of the allegations that were
14 made in 1991, is that correct?

15 A. That's correct, yes.

16 192 Q. THE CHAIRMAN: When Mr. McMahon was asking
17 you about protocols and
18 documents, and rules and regulations, I noted you to
19 say that there weren't specifically documents about
20 abuse by teachers or members of the congregation, but
21 did I understand that there were some materials about
22 how to recognise sexual abuse?

23 A. That's right, there was a Department of Education
24 circular.

25 THE CHAIRMAN: I am sorry, yes, I thought
26 you were speaking about
27 something more specific to the institution and the
28 Order. I understand that and we have heard all about
29 that. Very good, thank you very much indeed,



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Brother. Thank you for coming along and for your assistance.

THE WITNESS THEN WITHDREW.

THE CHAIRMAN: That is it until tomorrow.
MR. McMAHON: Yes, at 10:30.

THE HEARING WAS THEN ADJOURNED UNTIL THURSDAY,
15TH JULY 2004 AT 10:30 A.M.

