

COMMISSION TO INQUIRE INTO CHILD ABUSE  
PUBLIC HEARING

HELD AT HERBERT PARK HOTEL  
BALLSBRIDGE, DUBLIN 4

ON TUESDAY, 16TH MAY 2006 - DAY 218C

EVIDENCE OF SR. LORETA CROWLEY

BEFORE:

MR. JUSTICE SEÁN RYAN  
CHAIRPERSON OF THE INQUIRY

and

MS. MARIAN SHANLEY

MR. FRED LOWE

218C

I hereby certify the following to be a true and accurate transcript of my shorthand notes of the evidence in the above-named action.

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MEMBERS OF THE COMMISSION PRESENT:

REGISTRAR TO INVESTIGATION COMMITTEE: MR. B. REEDY

COUNSEL FOR THE COMMISSION: MR. K. FERGUS SC  
MS. C. MCGOLDRICK BL

Instructed by: MS. E. MCHUGH

FOR THE SISTERS OF MERCY: MR. P. GAGEBY SC  
MS. NI RAI FEARTAIGH BL

Instructed by: ARTHUR O' HAGAN

MR. M. CONNAUGHTON SC

Instructed by: LAVELLE COLEMAN

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1 THE HEARING COMMENCED AS FOLLOWS ON TUESDAY, 16TH MAY  
2 2006:

3  
4 MS. MCGOLDRICK: This afternoon we are  
5 hearing from Sr. Loreta 14: 02  
6 Crowley in relation to Cappoquin and Passage West,  
7 insofar as it relates to a particular respondent.

8 THE CHAIRPERSON: Very good. Now Sister.

9  
10 SR. LORETA CROWLEY, HAVING BEEN SWORN, WAS QUESTIONED 14: 02  
11 BY THE COMMISSION, AS FOLLOWS

12  
13 1 Q. MS. MCGOLDRICK: Good afternoon, Sister. I  
14 think you are the  
15 Provincial Leader of the Sisters of Mercy, Southern 14: 02  
16 Province; is that right?

17 A. That's right, yes.

18 2 Q. I think you were elected to that position in 2001?

19 A. Yes.

20 3 Q. When does your term of office expire? 14: 02

21 A. Next year, 2007.

22 4 Q. At the moment I don't think I have very many questions  
23 for you, those questions are merely by way of  
24 introduction. I think this is the first time you have  
25 given evidence to the Investigation Committee? 14: 03

26 A. Yes, that's correct.

27 5 Q. I think you made a statement for the Commission in  
28 March 2006?

29 A. Sure, that's right.

- 1 6 Q. Could you tell the Commissioners briefly what your  
2 sources of information in making that statement were?  
3 A. In preparing my evidence for the Commission I really  
4 had to inform myself about Cappoquin because I had no  
5 personal knowledge of Cappoquin, or childcare as such. 14: 03  
6 So, I have read the statements of the former residents  
7 that brought proceedings. I talked to the Sisters who  
8 had been, some of them, those who were alive, who had  
9 lived and worked in Cappoquin. I had, you know, all  
10 the documentation that was made available to me. So I 14: 03  
11 really informed myself around all of those issues that  
12 were being raised around Cappoquin.
- 13 7 Q. I think you have also attended the private hearings in  
14 relation to Cappoquin, recently concluded?  
15 A. I did, yes, I attended all of those. 14: 04  
16 MS. MCGOLDRICK: Thank you. I wonder if you  
17 could now answer questions  
18 from Mr. Connaughton, who has been nominated for that  
19 those.  
20 14: 04
- 21 END OF QUESTIONING OF SR. LORETA CROWLEY BY THE  
22 COMMISSION  
23  
24  
25 SR. LORETA CROWLEY WAS THEN EXAMINED, AS FOLLOWS, BY 14: 04  
26 MR. CONNAUGHTON  
27
- 28 8 Q. MR. CONNAUGHTON: Good afternoon, Sr.  
29 Crowley, Mark Connaughton

1 is my name and I am instructed by Mr. Lavelle Coleman.  
2 Ms. McGoldrick has just said there, I am not instructed  
3 in this particular module on behalf of any particular  
4 complainers.

14:04

5  
6 There are a number of questions I wanted to ask you,  
7 but probably the greatest area that causes me  
8 difficulty relates to this gentleman, (blank). I  
9 presume I'm okay in referring to his name, Chairman, or  
10 do you want me just to refer to... (INTERJECTION)

14:04

11 THE CHAIRPERSON: It is probably better not  
12 to, Mr. Connaughton.

13 MR. CONNAUGHTON: The only reason I  
14 volunteered that was  
15 because of the fact that he had been convicted in  
16 respect of certain offences. So it is not as if his  
17 name wouldn't be in public arena.

14:04

18 THE CHAIRPERSON: Yes. That's perfectly  
19 true, but with any  
20 particular person, even somebody who is convicted,  
21 there still remains a discretion or a decision as to  
22 whether it is appropriate to name the person or not. I  
23 am not saying we won't, I'm just saying it is better  
24 not to.

14:05

25 9 Q. MR. CONNAUGHTON: Okay, with respect to a  
26 particular individual, who  
27 appears to have worked in some capacity in both  
28 institutions, and let me tell you what my difficulties  
29 are. The first difficulty I have is that it is

14:05

1 virtually impossible to glean from what you have said,  
2 and I appreciate you are a spokesperson, but what you  
3 have said, what precise knowledge the Sisters of Mercy  
4 had about this man and under what circumstances  
5 precisely he came to work in either institution. I am 14: 05  
6 just wondering, by reference to what you have now  
7 looked at in terms of the documentation that has been  
8 made available to you from the Commission and that  
9 which you already have in your possession, can you  
10 assist the Commission with any greater clarity than 14: 06  
11 that which has already been offered about this man?  
12 A. What I know of this particular individual and the  
13 circumstances by which he came to be in the two  
14 institutions, my knowledge is that he trained as a  
15 psychiatric worker, a psychiatric nurse in Cork and 14: 06  
16 then one of the children from one of the institutions  
17 was in hospital and he was visiting there and came to  
18 know this child and then started visiting him in the  
19 institution. The Resident Manager got to know him then  
20 and thought it was a good idea that this man was 14: 06  
21 helping the boys with games and sport and everything  
22 else. I think the idea came because it was a male, it  
23 was this male model, totally different from the all  
24 female environment in which the boys were being reared.  
25 And that was one of the purposes. He worked as a 14: 07  
26 volunteer and my information, coming from the sources  
27 that I had, was that he was working in both  
28 institutions as a volunteer maybe three days and two  
29 days at different times. Then later, in Cappoquin, he

1 was employed for about a year.

2  
3 During his time in Passage West concerns were raised  
4 with the Resident Manager about his behaviour with one  
5 of the boys, but one of the boys made complaints and 14:07  
6 made it known to the Resident Manager. When the  
7 individual concerned learned that really his cover was  
8 kind of undone in a sense he just disappeared. So that  
9 there wasn't time in that sense to have a conversation  
10 with him about the incidents or about the complaints 14:08  
11 that the boy had made to the Resident Manager.

12 10 Q. Can I ask you just to pause there for a moment, because  
13 everything you have said thus far is that which already  
14 appears from the statement that has been furnished in  
15 respect -- or the statements that have been furnished. 14:08  
16 But I have to suggest to you that there are certain  
17 difficulties with that in terms of what actually  
18 happened on the ground. Firstly, you have said that,  
19 with respect to his time in Passage West, that it  
20 appears that he got wind of the fact that there was a 14:08  
21 problem or that there was perceived to be a problem  
22 with his conduct, and left without trace. But isn't it  
23 a known fact that he ended up after that time in  
24 Cappoquin, and was in Cappoquin for a considerable  
25 period of time thereafter? In other words, even though 14:09  
26 he may have been acting in some volunteer capacity  
27 simultaneously in the two institutions, he ceased to  
28 have any involvement in Passage West after this  
29 incident but moved exclusively to Cappoquin after that.



1           Isn't that the sequence in which things occurred?

2           A.    That appears to be.  When the Resident Manager in  
3           Passage West learned of the incident she contacted  
4           Cappoquin looking for him.  When he realised that she  
5           was looking for him he disappeared.  Now, I'm not sure 14: 09  
6           of the time scale that he was there, you know, from the  
7           time that she made contact with Cappoquin to the time  
8           that he disappeared from Cappoquin.  It seemed to be a  
9           relatively short time.

10       11   Q.    I have to suggest to you that there may well be another 14: 10  
11           explanation, that the circumstances of his leaving  
12           Cappoquin were to do with a specific incident that had  
13           occurred of abuse at Cappoquin, and that there was a  
14           specific report of that made by somebody involved in  
15           the scouts. 14: 10

16           A.    The incident in relation to the scouts was around  
17           Confirmation day, one of the Sisters was going into the  
18           church and the scout master or the scout leader said to  
19           her -- made reference to the individual and said "you  
20           would want to tell the Reverend Mother or the Resident 14: 10  
21           Manager you need to get rid of him".  She relayed that  
22           after the ceremony, she went with the Reverend Mother  
23           to the Resident Manager.  When they did that, the  
24           individual in question had gone from Cappoquin.

25       12   Q.    I suppose in very simple terms, there appears to have 14: 11  
26           been an incident in Passage West, and we know from  
27           Phase II of this Committee's investigations, and from  
28           evidence that it heard, that specific complaints were  
29           made of abuse by this individual against children.  And

1 that in at least one of those instances that complaint  
2 was drawn to the authorities in Passage West and that  
3 this gentleman left Passage West, but went straight to  
4 Cappoquin. Are we agreed thus far, that that appears  
5 to be a sequence of events?

14: 12

6 A. Uh-huh.

7 13 Q. I think what you have said consistently, you have  
8 repeated it here, is that the Resident Manager in  
9 Passage West at that time believes, or believed that  
10 she had informed a person in authority in Cappoquin and  
11 also somebody in the Health Board. Does that link in  
12 with your knowledge?

14: 12

13 A. That wasn't the Resident Manager in Passage West. The  
14 Resident Manager in Passage West contacted Cappoquin  
15 looking for the individual, but hadn't communication  
16 with the Resident Manager in Cappoquin at the time

14: 13

17 14 Q. Okay. I think what it says in the document prepared in  
18 respect of your statement prepared in respect of  
19 Passage West, at page 5 of that statement. Well maybe  
20 to be fair to you I should start at the bottom of page  
21 4, the paragraph numbered 12:

14: 13

22 "There are, however, significant points  
23 of difference between the different  
24 accounts..."

25 And that's referring to complainant's evidence as  
26 against the late Sr. Bernadette's account. And it  
27 says:

14: 14

28 "There are, however, significant points  
29 of difference between the different  
accounts and as between the accounts

1 and the recollection of Sr. Bernadette  
2 as described above, which the  
3 Investigation Committee will  
4 undoubtedly seek to resolve.  
5 Nonetheless, it seems reasonably clear  
6 that within a short time of a complaint  
7 having been made to Sr. Bernadette  
8 (blank) went. . ."

14: 14

6 Oh sorry, I have been reminded of something, I am  
7 mentioning names.

8 ". . . of a complaint being made to the  
9 Resident Manager. . . this gentleman went  
10 out of the lives of the Passage West  
11 boys. And further, that some negative  
12 information about him was communicated  
13 onwards to Cappoquin and to the  
14 Department of Education."

14: 14

13 Now, that's the point of departure that I was trying to  
14 move forward from a moment ago. That this appears to  
15 be the sequence of events leading to this gentleman's  
16 departure from Passage West. It simply goes on to  
17 conclude:

14: 15

18 "As regards the passing of information  
19 from Passage West to Cappoquin about  
20 this man the Resident Manager's  
21 recollection was that she then  
22 contacted the Sisters of Mercy in  
23 Cappoquin, as she was aware that he had  
24 been reared there.

14: 15

23 As regards reporting information about  
24 him to anybody else, the Resident  
25 Manager said she also informed a  
26 Mr. (Blank), a Department inspector, of  
27 her conversation with (blank)."

14: 15

26 She thought that as a result of what she said to this  
27 individual that the person concerned, the gentleman  
28 concerned was prevented from being accepted on to  
29 Kilkenny childcare course.

- 1  
2 I will come back to that latter aspect in a moment.  
3 And I am sorry that I am going about this in a  
4 circumspect way but I just want to be sure about that  
5 which you agree with me and that which you don't. So 14: 16  
6 it appears to be the case that upon his leaving Passage  
7 West some information was communicated forward. Are we  
8 agreed that the complaint that had been made about him  
9 and the information that had come to the attention of  
10 the authorities in Passage West was a complaint about 14: 16  
11 abuse of children?
- 12 A. Yes.
- 13 15 Q. Very good. So are we agreed then, following on from  
14 that, that he didn't disappear into the wood work,  
15 rather he went on the Cappoquin? 14: 16
- 16 A. Yes.
- 17 16 Q. Right. It would appear -- and I appreciate that you  
18 have no personal knowledge of these matters, you are  
19 attempting to assemble information. Are we agreed that  
20 the Resident Manager of Passage West informed you that 14: 17  
21 she had some conversation about this with the people in  
22 Cappoquin? Can you offer any explanation -- again, I  
23 appreciate only based on the researches that you have  
24 done -- as to how this man could in those circumstances  
25 have continued to have any involvement with any 14: 17  
26 residential home operated by the Sisters of Mercy?
- 27 A. Once the information was known about this individual  
28 and the information was shared with the inspector in  
29 the Department action was taken then. That was part of

1 the action taken, so that he wouldn't do the childcare  
2 course and wouldn't continue in that way. Once contact  
3 was made with Cappoquin, likewise the Resident Manager  
4 went to contact him and he had gone. So, within a  
5 very, very short time he had no contact with children 14: 18  
6 in Cappoquin.

7 17 Q. Well, I wonder about that, because let me just give you  
8 a very rough chronology of events that may assist you.  
9 This gentleman qualified -- well, he had been in  
10 Cappoquin as a child, but that's almost irrelevant. He 14: 18  
11 qualified as a psychiatric nurse in 1970 and it would  
12 appear that he was at least nominally on the books of  
13 that Southern Health Board in that capacity until some  
14 time towards the end of September or October 1975, at  
15 which stage the resignation that he had tendered became 14: 19  
16 effective. And that between the periods 1970 and 1974,  
17 at least, he was involved in some way in both Passage  
18 West and Cappoquin. Now, what you are suggesting is  
19 that within a very short space of time of his coming to  
20 Cappoquin from Passage West he was gone again. I just 14: 19  
21 wonder where does that come from, where does that  
22 particular statement come from?

23 A. Well, he was between Cappoquin and Passage West  
24 somewhere around '72 and '74, around those years. I  
25 know that in correspondence with the Health Board 14: 20  
26 around his taking leave that he had used both places as  
27 addresses, you know, to write letters to him, when he  
28 was seeking time off.

29 18 Q. Yes, that is correct, but just to give you some

1 assistance in that regard. While it is true that he  
2 was writing -- the sequence of those letters, as I  
3 understand it, I don't have them but the sequence of  
4 those letters would appear to be that in or about 31st  
5 March, 1971 he sought a leave of absence from his then 14: 20  
6 employers in order to pursue a childcare course. Then  
7 he gave the rather peculiar ending to the letter,  
8 stating that he would resign if this was not possible  
9 with effect from the date that he was seeking the  
10 leave. She then was writing some letter pertaining to 14: 21  
11 this application on 17th April, 1971. Then we have a  
12 letter dated 11/1/74, in which he appears to have an  
13 address at Cappoquin. Then I think there was a  
14 subsequent letter of 8th March, 1974, again from  
15 Cappoquin. That suggests -- or maybe you can assist 14: 21  
16 the Commission in this regard. That suggests that by  
17 that time he was then operating exclusively from  
18 Cappoquin?

19 A. Yes.

20 19 Q. Yes. I am just wondering from what source do you 14: 21  
21 derive the information that he moved out of Cappoquin  
22 within a very short space of time of going there?

23 A. He moved out of Cappoquin following -- not immediately  
24 after going there, because he was there for some time,  
25 he was there as a volunteer and then he worked there 14: 22  
26 for about a year. Then when the notification came from  
27 Passage West and when one of the Sisters who had heard  
28 from the scout leader that it would be appropriate if  
29 the Resident Manager got rid of the individual, it was

1 then that he moved out of Cappoquin.

2 20 Q. And we are agreed, I think, that the reason that he  
3 ski daddled out of Cappoquin was because of the  
4 complaint that had been made through -- sorry I  
5 shouldn't mention the name -- the complaint that had  
6 been made through an individual associated with the  
7 scouts?

14: 22

8 A. That's right.

9 21 Q. And that immediately thereafter he was gone?

10 A. He was gone, yes.

14: 22

11 22 Q. What do your researches show or say about any report  
12 that was made to the authorities at that juncture in  
13 relation to this man?

14 A. When you say report to the authorities, what  
15 authorities have you in mind?

14: 23

16 23 Q. Well, as I understand it, the Gardaí might have an  
17 interest in those kind of matters, because the  
18 allegation, or the complaint that appears to have been  
19 consistently made about this man was that he was  
20 engaged in misconduct with children and sexual abuse of  
21 children. Secondly, the Health Board, I think, were  
22 already on the scene at this juncture, at least since  
23 1970 I think, and the Department of Education also had  
24 an involvement in relation to these industrial schools.  
25 So what record do you have of communication with any of  
26 those three authorities?

14: 23

14: 23

27 A. There was no reporting to the Gardaí at that time. It  
28 was later, when knowledge came of his abuse of  
29 children, that the Health Board then became involved.

1 24 Q. But that wasn't until the 1990's; isn't that right?

2 A. That was in the 90's. It was much later.

3 25 Q. Yes.

4 A. But no reporting was made at that particular time, in  
5 the 70's. In Cappoquin at that time it wasn't known  
6 that it was sexual abuse. 14: 24

7 26 Q. All right. Can you find any evidence that there was  
8 any attempt by the authorities in either Passage West  
9 or Cappoquin to further investigate these matters, to  
10 see exactly what was at the root of these complaints? 14: 24

11 A. I know in Passage West the Resident Manager did make  
12 some inquiries but nothing came of those inquiries at  
13 that time. These were kind of internal inquiries. It  
14 was much later that she, I suppose, learned and  
15 realised the full impact of what had happened. 14: 25

16 27 Q. You will forgive me for putting this so bluntly, I  
17 hope, but it does created the impression that when the  
18 complaints were made, or these matters came to the  
19 attention of the Sisters of Mercy somebody unlocked the  
20 stable door and the horse bolted. That is this  
21 gentleman exited stage left, he was gone and once he  
22 was gone the problem had gone with him. I am sorry to  
23 put it so bluntly, but that's the impression that I  
24 form from the brief chronology of events that we have  
25 just discussed. 14: 25

26 A. When the complaint was made in Passage West the sexual  
27 abuse wasn't specifically made at that time. The child  
28 had said to the Resident Manager that she was  
29 threatened by this individual when the other boys went



1 to a scout camp in Co. Kerry. So at that particular  
2 time she didn't know it was sexual abuse and neither  
3 did she engage in a fuller documentation from the child  
4 about what the threat was.

5 28 Q. I wonder is there a small amount of confusion as to -- 14: 26  
6 and I appreciate, again, you are only working from the  
7 record -- as to what the nature of the complaint was in  
8 Passage West? As I understand it, the person  
9 associated with the scout group is the person who came  
10 forward in the context of Cappoquin. 14: 26

11 A. Cappoquin. Well, in the Resident Manager's own  
12 evidence she states that the child called one day and  
13 told her that when the other older boys were gone to  
14 camp that this particular individual had threatened to  
15 do something to the younger ones. The Resident Manager 14: 27  
16 asked him, you know, did he mean to beat them and the  
17 child said no. But he didn't know what the threat  
18 really was about. Now, the Resident Manager then sent  
19 a message to the individual that she wanted to speak to  
20 him. On receipt of her message then the individual 14: 27  
21 disappeared. So when the complaint was made she didn't  
22 know and neither did the child know what the threat  
23 was.

24 29 Q. You see, even in those times, over 30 odd years ago, I  
25 have to suggest to you that a caring Resident Manager, 14: 27  
26 to whom information was conveyed about the bona fides  
27 of a member of staff or a volunteer, her antennae would  
28 have been up and she would have been very concerned. I  
29 have to suggest to you that if she had even read the

- 1 general information given to her correctly it would put  
2 her on inquiry that this was something that really  
3 needed to be looked into very thoroughly. And I would  
4 find it remarkable, to say the least, that if she  
5 conveyed that information to the authorities in 14: 28  
6 Cappoquin that they wouldn't have acted on it. I know  
7 I have put a lot to you there, but what I'm suggesting  
8 to you is simply this: That one has to question  
9 whether any communication ever in fact took place with  
10 Cappoquin about this man. Because it defies common 14: 29  
11 sense that even armed with the basic information that  
12 you have been talking about that Cappoquin authorities  
13 wouldn't have been concerned about having this man on  
14 the premises?
- 15 A. The Resident Manager certainly communicated with 14: 29  
16 Cappoquin. I think her antenna around sexual abuse may  
17 not have been heightened and totally aware of it at  
18 that time, because the child at that particular time,  
19 in Passage West, said he was threatened. It was later  
20 that he had informed her of the sexual abuse. But at 14: 29  
21 that particular time it wasn't sexual abuse, or she  
22 wasn't aware that it was sexual abuse. She  
23 communicated with Cappoquin and alarm bells were raised  
24 there. Again, not of the nature of sexual abuse, and  
25 the man disappeared. 14: 30
- 26 30 Q. Turning for a moment to Cappoquin. You would agree  
27 with me that, remarkably, there is no record anywhere  
28 of this particular matter contemporaneous with the  
29 events; isn't that right?

1 A. That's right.

2 31 Q. And between the two schools, that is Cappoquin and  
3 Passage West, there appears to have been no scrutiny of  
4 this gentleman's candidature or suitability to any  
5 appointment to a position within either institution? 14: 31

6 A. When he started working as a voluntary worker in  
7 Passage West there wasn't any scrutiny, as you say, or  
8 there wasn't any, I suppose, investigation because he  
9 had trained as a psychiatric nurse. In those days it  
10 was kind of a trusting time, people trusted people. He 14: 31  
11 had been a former resident in Cappoquin so in Cappoquin  
12 they would have known him. Again, it would have been  
13 on trust. There wouldn't have been an interview or a  
14 selection process as we know today. And, again, I  
15 think maybe part of it would be having a male model and 14: 32  
16 somebody to work with the boys. I think that would  
17 have been their overriding intention, if that's the  
18 word. So there wouldn't have been a scrutiny, a  
19 selection process, an interview board that we would  
20 have today, or Garda clearance as we do have today now. 14: 32

21 32 Q. I accept all of that, and the points you make are  
22 fairly made. But isn't it the case that here was  
23 somebody trained, or to put it more appropriately,  
24 qualified as a psychiatric nurse and at that juncture I  
25 think that one course in childcare had only recently 14: 32  
26 started up in or about 1970, indeed his putative  
27 candidacy for one of these courses was were referred to  
28 in correspondence but it doesn't appear it was pursued  
29 very far. But here we have somebody who is a qualified

1 psychiatric nurse, who is coming down to an institution  
2 for young children, who appears to be leaving very well  
3 paid employment, or well enough paid employment to take  
4 up this role and it doesn't seem to have put anybody on  
5 inquiry that it maybe needs to be looked into further. 14: 33

6  
7 I suppose I am putting to you that even allowing for  
8 all the factors that you have identified, which are the  
9 points you have made, it must surely still have put or  
10 would have put somebody on notice that this needed to 14: 33  
11 be looked into further, even then?

12 A. Certainly today it would, and people's antenna would be  
13 out and would wonder why somebody would leave a post  
14 that he had to do voluntary work in another  
15 institution. But it didn't, their antenna wasn't 14: 34  
16 raised to that fact. I haven't seen that commented on,  
17 you know, at that time.

18 33 Q. I suppose what I have to put to you in conclusion on  
19 this aspect of the matter, that the response at the  
20 time of the Sisters of Mercy in both institutions to 14: 34  
21 this situation was well less than satisfactory?

22 A. Yes.

23 34 Q. That's very fair of you. Can I move on to something  
24 else. You have obviously, almost like an historian,  
25 you have been looking back at the material available 14: 35  
26 from the time and I wonder whether you would like to  
27 comment on the overall type of care that was afforded  
28 to the children in the two institutions, and,  
29 obviously, I'm not going to press you on the complaints

1 that had been made at earlier times about the standards  
2 of care, and then, obviously, the significant  
3 improvements that were shown on foot of those. But  
4 your overall impression in relation to state of care  
5 that children received in those institutions at the 14: 35  
6 time?

7 MR. GAGEBY: Mr. Chairman, I think we  
8 are just talking about  
9 Cappoquin.

10 THE CHAIRPERSON: So I understood, 14: 35  
11 Mr. Connaughton.

12 MR. CONNAUGHTON: Yes, he's quite right, in  
13 relation to Cappoquin.

14 THE CHAIRPERSON: No, that's all right.

15 MR. CONNAUGHTON: I am reminded of that. 14: 36  
16 thank you. In Cappoquin?

17 A. Well, Cappoquin was a junior school for boys under ten,  
18 it was independent from the convent. The convent was a  
19 totally autonomous, independent, stand alone house as  
20 it were, and so the institution was independent of the 14: 36  
21 convent. Four Sisters were assigned to the  
22 institution. You had the Resident Manager, a teacher,  
23 a cook and a seamstress and then there was some lay  
24 people. I know from reading the reports, I suppose,  
25 there were turbulent times and there were good times. 14: 36  
26 In the 40's I saw from Dr. McCabe there were references  
27 to diet and the lack of balance of a proper diet in the  
28 early 40's. I know that she recommended that a course  
29 would be put on to educate Sisters around a balanced

1 diet, that the nature of the diet around 1943/1944  
2 would be almost of ignorance in knowing what a balanced  
3 diet would be for growing children. Certainly, in the  
4 50's things had improved considerably, the children  
5 were well cared for. I suppose, in all, the physical 14: 37  
6 nature of the children was attended to. Children  
7 coming into the residential units would have come from  
8 the courts, or the ISPCC, or the Gardaí and they would  
9 have been traumatised by the very fact that they were  
10 separated from their families, coming into an 14: 37  
11 institution that was a huge, large, grey building,  
12 meeting Sisters and probably they had no contact with  
13 Sisters before, these people in black. So, I think  
14 from that traumatised position that there would have  
15 been fear and adaptation, separation, maybe very little 14: 38  
16 bonding physically, or emotionally, or psychologically.  
17  
18 I think, like all other institutions, the Sisters would  
19 have had affection for the children but there wouldn't  
20 have been a demonstration of affection, and it wouldn't 14: 38  
21 have been, you know, the affection that children would  
22 have received at home, it wouldn't have been to the  
23 same extent. The boys had their home in St. Michael's  
24 until they were ten years of age and then they moved on  
25 to a senior school. I note in the records the 14: 39  
26 difficulties some of the boys had in being removed at  
27 10 years of age, it seemed to be just a cut off point  
28 into the senior school, and the trauma again it was for  
29 them to move to a senior school.

- 1 35 Q. Could I ask you just to pause at a juncture for a  
2 moment so I can ask you something specifically about  
3 this. I think that in 1969 there was one change, and I  
4 think in 1970 a second change. In 1969 I think there  
5 was an extension in relation to boys, that boys greater 14: 39  
6 than ten years of age could remain on in the  
7 institution?
- 8 A. That's correct.
- 9 36 Q. Secondly, I think in 1970 that girls were taken in?
- 10 A. Yes. 14: 39
- 11 37 Q. I think the net effect of that was relatively modest in  
12 the overall scheme of things, because I think that, as  
13 appears from appendix one to the submission or the  
14 report that you have made, that the intake of girls  
15 never went beyond -- I think the highest number peaked 14: 40  
16 at 17, but that was an exceptional year. The highest  
17 number on average would have been around 14, or  
18 thereabouts?
- 19 A. Yes.
- 20 38 Q. At this juncture I think that the number of boys was 14: 40  
21 diminishing significantly in any event?
- 22 A. That's true.
- 23 39 Q. Could I just ask you in relation to that aspect of the  
24 school, were you able to find anywhere in your  
25 researches any consideration or dialogue among the 14: 40  
26 Sisters themselves, the management of the school or the  
27 Sisters of Mercy generally, or with the Department of  
28 Education about the effect this was having and the  
29 desirability or otherwise of having industrial schools

1 segregated in this way? Did you find anything in your  
2 researches in this regard, up until this time, when,  
3 obviously, a decision was taken.

4 A. When you say segregated are you talking about up to ten  
5 and then the change? 14: 41

6 40 Q. Yes. I am sorry, I should have explained it. I don't  
7 mean as between boys and girls, I mean as between the  
8 age groups?

9 A. Yes. I don't know was there discussions with the  
10 Department. I think it was, maybe, the Department 14: 41  
11 policy that the junior schools were until ten years of  
12 age and then went on to senior school. Then when the  
13 Sisters requested boys until a later age and  
14 discussions went on with the Department that would have  
15 been for a number of reasons, there were falling 14: 41  
16 numbers of boys. Then when the girls came it would be  
17 because the recommendation was coming about that it  
18 would have been appropriate to have boys and girls  
19 together, reared together, educated together.

20 41 Q. I suppose the point I was coming around to was this; 14: 42  
21 that the catalyst for change in this area appears to  
22 have been of economic origin rather than policy driven  
23 as a way of dealing more effectively with multiple  
24 placements from the same family, or a better approach  
25 to the continuing care of children, if they have to be 14: 42  
26 in institutional care trying to keep them connected  
27 with one institution, the way the rest of us were  
28 connected with a single home. I am just suggesting to  
29 you that, certainly, an interpretation that I believe



1 is a valid one is that the dynamic or the catalyst for  
2 change was, in fact, an economic one.

3 A. Certainly, the economic factor was a big factor. But I  
4 know too that the Sisters, you know, were wondering  
5 about the viability of the school and they looked for 14: 43  
6 their certificate to be negated because they thought it  
7 might have been appropriate to do that. Their  
8 consideration of taking boys, you know, for an older  
9 age, they wondered about the policy of -- well, maybe  
10 not policy in their minds. But they certainly wondered 14: 43  
11 about the age profile of the boys as well, because they  
12 had boys now until ten, if they were going to have boys  
13 and keep boys up until fifteen, how they would manage  
14 them. I remember when the Sisters were talking about  
15 this, they were talking about their, I suppose, their 14: 43  
16 own experience and would they be able to manage the  
17 older boys. And that was a big factor as well. But I  
18 think what you are saying about the economic factor was  
19 a factor that played a huge part in it.

20 42 Q. The other thing I wanted to ask you about -- and maybe 14: 44  
21 if you were here for the questions that I was posing to  
22 your colleagues earlier you will have heard this  
23 particular question before, and it is particularly  
24 pertinent in the case of this institution, it relates  
25 to the segregation in schooling. You referred at page 14: 44  
26 8 of your statement that -- sorry, page 6 of your  
27 internal statement, the penultimate paragraph reads:

28 "After the infant classes the  
29 industrial school boys and the "outside"  
boys went separate ways. The "outside"

1                   boys proceeded to the boys national  
2                   school, whereas St. Michael's boys had  
3                   their own internal classes for 1st, 2nd  
                  and 3rd, and a new two-room school was  
                  built for them in 1947."

4                   Until 1969 that remained the position?

5           A.    Yes.

14: 44

6   43   Q.    I am wondering, again from your researches, can you  
7           identify any particular reason why this appears to have  
8           been so, why it was determined to do it this way,  
9           particularly given that there was a recommendation for  
10          the integration of it?

14: 45

11       A.    Well, initially segregation would have been according  
12          to the Department norms. Like, primary schools were  
13          segregated in most times, there was segregation in  
14          secondary schools as well. I mean co-education didn't  
15          come in until later.

14: 45

16   44   Q.    Oh sorry, I meant as between the children of the  
17          industrial school and the children -- I don't want to  
18          call them ordinary children, but children who were  
19          simply in ordinary national schools, or ordinary  
20          primary schools?

14: 45

21       A.    I believe it was part of the norm.

22   45   Q.    Just part of the norm?

23       A.    Yes.

24   46   Q.    In that regard, if I may just ask you one further  
25          question, part of the norm that was accepted, not  
26          questioned? I mean there doesn't seem to be any  
27          evidence that the Sisters of Mercy were promoting  
28          change in this area or suggesting, from an educational  
29          standard point of view, that it would be desirable to

14: 46

1 move forward into integration?

2 A. That isn't evident until the 1970's, following the  
3 Kennedy Report.

4 47 Q. The other thing I just wanted to ask you from the  
5 education side of things is dealt with at page 7 of 14: 46  
6 your submission. In the second heading, third  
7 paragraph, about a third of the way down you say --  
8 well, the paragraph commences:

9 "As the boys at St. Michael's left the  
10 school at the age of ten the issue of 14: 47  
11 post primary education did not become  
12 relevant until the 1970's, when  
13 residents were no longer transferred to  
14 other schools but remained until they  
15 were 18 years of age."

14 Then the next sentence reads:

15 "About 10% of the group home residents 14: 47  
16 went to St. Anne's secondary school and  
17 some of these went on to third level  
18 education. A number of children went  
19 to the vocational school, which was  
20 later amalgamated with St. Anne's  
21 school. Other went to St. John's  
22 Special School in Dungarvan."

20 14: 47

21 I think the observation you make about St. John's  
22 Special School in Dungarvan is that, certainly, that is  
23 a facility that was available in the 70's but you are  
24 not quite sure when it actually started, when that  
25 facility of St. John's school started? You say at the 14: 47  
26 top of the page:

27 "A small number of boys who required  
28 specialised help were afforded the  
29 opportunity of attending St. John's  
30 Special School. We know this facility  
31 was available in the 70s but we are not

1 in a position to say when it started."

2 A. Yes.

3 48 Q. You talk then about:

4 "...Awaiting employment or placement."

14: 47

6 And then where people might have worked following on  
7 from that. That was a fairly small proportion in terms  
8 of the percentage, that was a fairly small percentage  
9 of the residents or the children going on to post  
10 primary, 10%?

14: 48

11 A. Yes, 10% does seem small, you know, children going on  
12 the secondary school. Others would have gone on to the  
13 vocational school. Sometimes a lot of preparation  
14 would have to be made for children to go on to  
15 secondary school, because I think when children would  
16 come from disadvantaged homes they would need more  
17 tuition, more care to keep up the standards so that  
18 they would be able to keep up with secondary school as  
19 well.

14: 48

20 49 Q. I want to just ask you briefly about inspections of the  
21 school. Now I may have mistakenly taken this, but it  
22 appears there was no inspection for a considerable  
23 period between '64 and '72. Does that make sense to  
24 you? Any ideas what occurred there?

14: 49

25 A. This was between inspections from the Department of  
26 Education?

14: 49

27 50 Q. Yes, sorry. Yes, I beg your pardon.

28 A. Yes, I know there was a period when there were no  
29 inspections. Certainly prior to that there were many

1 inspections. And I know that Dr. Ann McCabe would have  
2 given a lot of instruction and recommendations to the  
3 Sisters. I don't know the reasons why there weren't  
4 inspections at that particular time. Certainly, in the  
5 60's there was certain correspondence with the 14: 50  
6 Department around the amalgamation of schools, around  
7 the intake of the boys to an older age and girls. But  
8 in short, I am not too sure why there wasn't  
9 inspection?

10 51 Q. I think the period seems to have been from 25th May, 14: 50  
11 1964 to 19/7/72. A related question is whether there  
12 was ever any system, or thought given to the creation  
13 of any system whereby within the Sisters of Mercy there  
14 was any form of visitation of different schools, by  
15 Sisters from outside of that area. I don't think it 14: 51  
16 occurred, but I wonder whether it was something that  
17 was ever even contemplated?

18 A. We would have a visitation system within our structure  
19 that, we'll say, while the convents were autonomous --  
20 and this is kind of complex -- the Reverend Mother 14: 51  
21 would have been the person who would have been in  
22 charge of the residential home. So it would have been  
23 her duty to visit and to inspect the homes. Visitation  
24 generally would be to meet with the Sisters, to see  
25 what ministries they were in. But we don't have 14: 51  
26 visitation reports as such of the residential homes.

27 52 Q. No, I appreciate that, because if there had been such  
28 reports they, undoubtedly, would have been discovered.  
29 But it does seem to be something that would be highly

1 commendable, if it existed, as a means of scrutiny. I  
2 note, for example, again subject to correction, that  
3 this was but one of a number of --

4 A. Ministries or ways of work,

5 53 Q. Ministries, yes. And that that's something that would 14: 52  
6 have been facilitated, there were lots of people around  
7 who would have been in a position to do that; isn't  
8 that right?

9 A. Yes.

10 54 Q. I mean, it seems to be that the only regulation as such 14: 52  
11 from the outside was that which was imposed in the  
12 limited -- well, in the inspections that took place  
13 through the Department of Education, there wasn't any  
14 form of self-regulation involved.

15 A. Not in the way you put it. I think the Sisters who 14: 53  
16 were selected, we'll say, for that ministry would have  
17 been trained teachers and they would have been nurses  
18 and in their professional capacity and in their own  
19 formation they would have, I suppose, methods of good  
20 practice in how they would work, and that would be in 14: 53  
21 negotiation with the Reverend Mother. So that kind of,  
22 maybe, supervision would be kept in mind. But there  
23 wouldn't be a formal visitation of the residential  
24 home, or inspection by the Superior, let's say.

25 55 Q. Where I am come from this; that the Sisters of Mercy 14: 53  
26 had, if not a pervasive influence they certainly had a  
27 very big influence in whole area of residential  
28 childcare throughout the history of modern Ireland and  
29 it is remarkable that there seems to have been no

1 overall structure that gave direction to individual  
2 industrial schools as to the standards to be  
3 maintained, the supervisory standards that were  
4 required and so on, other than that which came from the  
5 Department of Education, which we know was very 14: 54  
6 limited?

7 A. No, there was no overall structure because the convents  
8 were autonomous houses. Then they became diocesan,  
9 there was diocesan amalgamation. So they would be  
10 simply on their own. 14: 54

11 56 Q. When you say autonomous I do understand that to mean  
12 simply that they weren't directly answerable to a  
13 higher authority?

14 A. That's right.

15 57 Q. Yes. But, nevertheless, it was all under the Sisters 14: 54  
16 of Mercy, isn't that right?

17 A. It would be under the Sisters of Mercy in -- we'll say  
18 Cappoquin, the residential unit in Cappoquin was under  
19 the authority of the Reverend Mother of Cappoquin. It  
20 was solely within Cappoquin. It wasn't connected to 14: 55  
21 any other convent or institution, and there wouldn't be  
22 that communication between the convents or the  
23 residential units. It wasn't until maybe the 70's,  
24 into the 80's that there was diocesan union and then in  
25 1994, when we became a Congregation, that there was 14: 55  
26 that greater unity. There wouldn't be communication  
27 and there wouldn't be that kind of interflow between  
28 the communities.

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MR. CONNAUGHTON: Thank you very much.

END OF EXAMINATION OF SR. LORETA CROWLEY BY  
MR. CONNAUGHTON

SR. LORETA CROWLEY WAS FURTHER QUESTIONED, AS FOLLOWS,  
BY THE COMMISSION:

58 Q. THE CHAIRPERSON: Could you help on that,  
Sister. When somebody  
joined the Sisters of Mercy as a novice, a postulant,  
whatever the expression is, she went to a particular  
convent; is that right?

A. That's right.

14:56

59 Q. THE CHAIRPERSON: Leaving aside the Dublin  
one, which appears to have  
been more complicated because Carysfort was the head  
house and there were sub-offices, so to speak, or  
sub-units, that person would join that, do whatever  
religious training was appropriate and then stay in  
that convent for good; is that right?

14:56

A. That's the way it was. That was the system initially.

60 Q. THE CHAIRPERSON: Up to the 1970's let's say,  
whenever it was exactly. I  
have forgotten what year it was but somewhere in the  
1970's. But there was an agreed system of study and  
religious practices, where did that come from?

14:56

A. That would have come originally from Dublin, from



- 1 Baggot Street, from where the Congregation was founded.  
2 And we had our constitution. And each convent then  
3 would have guidelines arising out of that constitution,  
4 whereby we would, I suppose in practical terms, the  
5 mission or the statement in the constitution would be 14: 57  
6 applicable to the local community.
- 7 61 Q. THE CHAIRPERSON: Yes.  
8 A. But right across the board the one constitution would  
9 be there, but the guidelines may vary, according to the  
10 local area. 14: 57
- 11 62 Q. THE CHAIRPERSON: Who wrote the guidelines?  
12 A. The guidelines would have been written by the Reverend  
13 Mother of that convent, and her council.
- 14 63 Q. THE CHAIRPERSON: If it came to changing the  
15 constitutions how did that 14: 57  
16 happen?  
17 A. The change in the constitutions came much later on,  
18 when we were beginning -- when following the diocesan  
19 unions.
- 20 64 Q. THE CHAIRPERSON: Long before that, we know 14: 57  
21 that there was one version  
22 in 1926, or whenever it was, we had this from  
23 Mr. MacMahon yesterday?  
24 A. That's right.
- 25 65 Q. THE CHAIRPERSON: And another in 1930 14: 58  
26 something and another in --  
27 the whole thing. I am not concerned about the nature  
28 of the changes, but when a change happened how did that  
29 happen before 1970? You see, somebody had to say,

1           Let's do things differently and they had to get in  
2           contact with everybody else, presumably, "what do you  
3           think?". Maybe it is something you would like to think  
4           about, because it is relevant to this area of the  
5           autonomy. I think it was something Mr. Connaughton was 14: 58  
6           touching on, it is a little puzzling, somebody to  
7           saying, "well, it was the Sisters of Mercy". But then  
8           you ask "well, what was the Sisters of Mercy?". Well,  
9           it all depended, if you were in Cappoquin it was that  
10          one, under that institution. Completely separate from 14: 58  
11          the one 35 miles away, or 40 miles, whatever it was.  
12          But there must have been some interrelation between  
13          them, if only, it is occurring to me, when somebody had  
14          to come around and say, "by the way the constitutions  
15          are changed, here's the new one". 14: 59

16          A.     Could I just check with the others?

17   66    Q.     THE CHAIRPERSON:            You don't have to answer it  
18    this second. It is  
19           something that I would be quite happy if you were able  
20           to think about and you were able to write in or tell us 14: 59  
21           what the position is. I don't expect that you will  
22           have it at the top of your head. But can you  
23           understand?

24          A.     I can understand that.

25   67    Q.     THE CHAIRPERSON:            It is a little puzzling? 14: 59

26          A.     Yes.

27   68    Q.     THE CHAIRPERSON:            While I understand sort of  
28    on one level what you mean  
29           by the autonomy, at the same time I am wondering how

- 1 far that can go, and if so what it meant to be in the  
2 Sisters of Mercy at all.
- 3 A. Yes.
- 4 THE CHAIRPERSON: Now, Ms. McGoldrick.
- 5 69 Q. MS. MCGOLDRICK: Sister, I have just one or 15:00  
6 two questions to ask you.  
7 In relation to inspections by parties external to the  
8 community itself, I think there was a system of  
9 diocesan inspection; is that correct?
- 10 A. There would have been. From the Bishop, is it? 15:00
- 11 70 Q. Yes.
- 12 A. Yes, there would be.
- 13 71 Q. I think the Superior was answerable to the Bishop?
- 14 A. And every three years he would visit the convent.
- 15 72 Q. What matters would he concern himself with when he 15:00  
16 visited the convent?
- 17 A. It would be about, let's say, the running of the  
18 convent, the number of Sisters, maybe new entrances.  
19 He would have seen this finances, you know, how they  
20 were kept. The ministries the Sisters were involved 15:00  
21 in, in the schools, all of that kind of thing.
- 22 73 Q. Would he have been concerned with the operation of the  
23 industrial school?
- 24 A. He would have been, it would have been part of his  
25 inspection. 15:00
- 26 74 Q. Is there any record anywhere of these inspections, or  
27 what the Bishop might have found at any particular  
28 inspection?
- 29 A. To my knowledge there isn't. I haven't seen any

1 records of the diocesan inspections.

2 75 Q. Just one other matter. I would like to ask you in very  
3 general terms in relation to the system of placing  
4 individual Sisters under obedience. I know that power  
5 has been exercised and I wondering from where does that 15:01  
6 power come?

7 A. It would come... (INTERJECTION)

8 76 Q. THE CHAIRPERSON: Tell us what it is first of  
9 all, Sister? What does it  
10 mean if somebody is placed? 15:01

11 A. If somebody is placed under obedience it would be for  
12 very grave reasons.

13 77 Q. THE CHAIRPERSON: It is a disciplinary  
14 matter?

15 A. It is a disciplinary matter, yes. It would mean that a 15:01  
16 Sister, maybe, was not cooperating with what her  
17 Superior wanted her to do, or maybe in some way doing  
18 something that was beyond the norm of living religious  
19 life. She would be put under obedience to conform or  
20 to obey in that sense. 15:02

21 78 Q. MS. MCGOLDRICK: Is there any procedure  
22 prior to placing the Sister  
23 under obedience?

24 A. The procedure would have come from Canon Law, it would  
25 be a canonical procedure. It would be for a very grave 15:02  
26 reason. There would be dialogue with the Sister, if it  
27 was possible to dialogue with her, depending on the  
28 circumstance and the situation. It would rarely  
29 happen. But it has happened.

1 79 Q. Would the Sister be asked to mend her ways prior to  
2 being put on obedience?

3 A. Well, she would be given every opportunity to mend her  
4 ways, as you say, or to have a discussion and  
5 conversation around it. So every opportunity would be 15:02  
6 given, every available support would be given. So it  
7 would be as a last, last resort that a Sister would be  
8 put on obedience.

9 80 Q. To your knowledge how many Sisters have been placed  
10 under obedience? 15:03

11 A. To my knowledge, I would say in relation to this would  
12 be three.

13 81 Q. Outside of the Cappoquin situation?

14 A. I wouldn't know of any.

15 MS. MCGOLDRICK: Thank you. 15:03

16  
17 END OF QUESTIONING OF SR. LORETA CROWLEY BY THE  
18 COMMISSION

19  
20  
21 SR. LORETA CROWLEY WAS THEN EXAMINED, AS FOLLOWS, BY  
22 MR. GAGEBY: 15:03

23  
24 82 Q. MR. GAGEBY: Can I just come back to the  
25 diocesan questions, please, 15:03  
26 because this seems to be a recurring area. Firstly,  
27 Cappoquin was in a relatively small area, isn't that  
28 right?

29 A. That's right.

- 1 83 Q. There was a convent in Cappoquin?  
2 A. Yes.
- 3 84 Q. There was an industrial school, which was run by the  
4 Sisters of Mercy?  
5 A. That's right, yes. 15: 03
- 6 85 Q. What other institutions were under the governance of  
7 that convent in Cappoquin?  
8 A. There would have been a primary school. They had a  
9 secondary top and that developed into a secondary  
10 school. Then they had a commercial class as well, or a 15: 04  
11 commercial school. And they would have had visitation  
12 in the area as well.
- 13 86 Q. Okay. Is that the entirety of, let's say, the area,  
14 the jurisdiction of the convent at Cappoquin?  
15 A. That's right, yes. 15: 04
- 16 87 Q. So was this an independent republic in one way?  
17 A. You could call it that, I suppose, yes.
- 18 88 Q. Okay. So was there a possibility of lifting the phone,  
19 let's say, and borrowing Sisters from Dungarvan or  
20 Dublin, or any of the other institutions around the 15: 04  
21 way?  
22 A. It wouldn't have been the practice, to borrow or ask  
23 for Sisters from other convents because each Sister  
24 would belong to either Cappoquin or Dungarvan, and they  
25 would have their own ministries. So that Sisters 15: 05  
26 didn't move from one situation to another.
- 27 89 Q. Okay. I am, of course, talking, basically, about the  
28 50's 60's. If a Sister, for instance, decided to  
29 enter in a particular area she could theoretically

1 choose which area she would go into, or which convent;  
2 is that right?

3 A. When you decide to enter you went to a certain convent  
4 and that was the convent you entered, that was the one  
5 you stayed in, and possibly some people would have been 15: 05  
6 there for life.

7 90 Q. So the structure was that, however amount of nuns there  
8 were in that independent republic, it couldn't really  
9 increase unless something unusual was done?

10 A. It would only increase by new entrance. 15: 06

11 91 Q. So if you had a ministry, let's say in education,  
12 industrial schools, county homes, as they were  
13 previously known, or hospitals or whatever, and you  
14 wanted to continue the ministry you did it with the  
15 resources you had? 15: 06

16 A. Yes.

17 92 Q. Unless you could import them, or something like that?

18 A. Yes.

19 93 Q. Historically then... (INTERJECTION)

20 94 Q. THE CHAIRPERSON: What happened if somebody 15: 06  
21 closed down? Sorry, Mr.

22 Gageby. When a place closed down, say the unit closed  
23 down, or whatever, the hospital closed down, it was  
24 shifted to somewhere else, now you have people on your  
25 hands, what happens then? 15: 06

26 A. Well, when closures happen now Sisters go to other  
27 convents.

28 95 Q. THE CHAIRPERSON: Of course. But it must  
29 have happened then?

- 1 A. I don't know to what extent it happened then. If,  
2 we'll say, the hospital closed well then the Sisters  
3 would come back to the convent. I know some Sisters  
4 lived, or had the convent as part of their hospital  
5 routine and then come back to, maybe, the original 15:07  
6 house. It wouldn't have happened that often to my  
7 knowledge.  
8  
9
- 10 96 Q. MR. GAGEBY: The continuity was it, in 15:07  
11 fact, more things opened  
12 rather than closed?
- 13 A. Yes, there was more expansion in those years.
- 14 97 Q. And there would have been alterations, for instance, in  
15 the union houses and the like were changed into county 15:07  
16 homes and county homes developed into other things?
- 17 A. Yes, district hospitals.
- 18 98 Q. District hospitals and cottage hospitals and bits and  
19 pieces?
- 20 A. Yes. 15:07
- 21 99 Q. For instance, from other institutions that we have seen  
22 that the nurses tended to stay in or around that  
23 institution?
- 24 A. That's right, yes.
- 25 100 Q. Whatever is more convenient? 15:07
- 26 A. Yes.
- 27 101 Q. Then historically, as I understand it, the founders  
28 encouraged the nuns and the Sisters to go out and set  
29 up convents elsewhere; isn't that right?



- 1 A. Yes.
- 2 102 Q. We frequently have seen in the submissions how some of  
3 the industrial schools here of this Order were founded  
4 by an invitation being extended to the Sisters to set  
5 up a place in, whether it is Dundalk? 15:08
- 6 A. Missionaries too.
- 7 103 Q. Under those circumstances, a convent was established  
8 usually and out of the convent came the people to  
9 supply the wants in the medical, the industrial school,  
10 or whatever? 15:08
- 11 A. Yes.
- 12 104 Q. And those then stayed independent republics until  
13 comparatively recently?
- 14 A. That's true.
- 15 105 Q. So, for instance, I think we noted that therefore meant 15:08  
16 that once, for instance, Catherine McCauley died what  
17 pulled together the Sisters of Mercy was no great  
18 formal organisation; isn't that right?
- 19 A. That's true.
- 20 106 Q. It was a more series of independent republics of the 15:08  
21 same name rather than a femoral state?
- 22 A. Yes.
- 23 107 Q. That was predicated essentially it seems on an idea  
24 that you went into an area and you did what it was  
25 right to do, whatever, and that was to serve those 15:09  
26 people who required education or minding or whatever?
- 27 A. Whatever, yes.
- 28 108 Q. Okay. So that, for instance, we have seen in this  
29 particular model, even the Department of Education

1           couldn't understand why when there was a staffing  
2           problem how somebody couldn't be borrowed from  
3           Dungarvan, but Dungarvan was a different republic?

4           A.     It was totally different, they had different  
5           Ministries. Education would have been one, the  
6           hospital would have been another.

15: 09

7   109   Q.     The interesting thing about Cappoquin was that the  
8           industrial school was the only Ministry of that kind,  
9           in fact, in the larger area, which grew out of, what  
10          was called, Unification 1985; isn't that right?

15: 10

11          A.     Yes, it was.

12   110   Q.     THE CHAIRPERSON:                 But it was still under the  
13   jurisdiction of the bishop?

14          A.     When a diocesan unit -- when we moved and the different  
15          houses in the diocese came, then we had the Superior  
16          General, the Bishop would have some import, but the  
17          Superior General took on the greater powers and  
18          controls.

15: 10

19   111   Q.     THE CHAIRPERSON:                 I understand that  
20   perfectly, when the  
21          organisation was based on a diocese, that makes  
22          complete sense.

15: 10

23          A.     Uh-huh.

24   112   Q.     THE CHAIRPERSON:                 But before that I thought  
25   that the structure was that  
26          the -- each unit, each autonomous unit was responsible  
27          to the Bishop?

15: 10

28          A.     That's right.

29   113   Q.     THE CHAIRPERSON:                 And that was claimed by the



1 we had diocesan union that would be the person in  
2 charge.

3 117 Q. And, in fact, there seems to have been a tension  
4 between the view that the Bishops had of their powers  
5 and the view that perhaps on occasions the relevant 15: 12  
6 Mother Superiors might have had of the Bishop's powers?

7 A. Uh-huh.

8 118 Q. I think that it would seem that effectively since  
9 Uni fication the Bishop's powers are  
10 perhaps. . . (INTERJECTION)? 15: 12

11 A. Much lessened.

12 119 Q. Yes. So the. . . (INTERJECTION)?

13 120 Q. THE CHAIRPERSON: They are very powerful  
14 forces against change  
15 though, aren't they? 15: 12

16 A. Very much, yes.

17 121 Q. THE CHAIRPERSON: If you have the autonomous  
18 independent republics, it  
19 very much. . . (INTERJECTION).

20 A. Yes, you would need to have very good relationships 15: 13  
21 with them, as much as possible.

22 122 Q. THE CHAIRPERSON: But I mean internally?

23 A. Oh internally, yes.

24 123 Q. THE CHAIRPERSON: Leaving aside whether it is  
25 good, bad or indifferent 15: 13  
26 but it certainly is a force, an enormous force, for  
27 keeping things precisely the way they are; isn't that  
28 true?

29 A. That's right.

- 1 124 Q. THE CHAIRPERSON: Looking at it as a  
2 management issue?
- 3 A. That's true.
- 4 125 Q. MR. GAGEBY: That's not to say that  
5 Bishop might be called on, 15: 13  
6 as Mr. Lowe was remarking in the Clifden module, among  
7 the interlocutor to have a word with the Mother  
8 Superior, to get someone inside who wanted to move  
9 inside, the politics in it as well?
- 10 A. Yes. 15: 13
- 11 126 Q. Could I move on to something a bit more particular,  
12 please. We were looking at in the private session an  
13 area surrounding this man who came to both Passage West  
14 and to Cappoquin and obviously this is something that  
15 happened in the early 1970's. We don't want to 15: 14  
16 rehearse any of the aspects of the facts but there  
17 clearly are a number of pieces of evidence that the  
18 Committee have to work out in this area; is that right?
- 19 A. That's true.
- 20 127 Q. And they don't all agree; is that right? 15: 14
- 21 A. Yes.
- 22 128 Q. For instance, if we look at one aspect, which is  
23 relatively anodyne, this man qualified as a psychiatric  
24 nurse, seems to have worked as a psychiatric nurse and  
25 managed to obtain leave on the basis that he wanted to 15: 14  
26 involve himself in childcare; isn't that right?
- 27 A. That's true, yes.
- 28 129 Q. So that in a sense was relatively open and obvious. At  
29 that stage, and I am afraid this is a very fluid area,

1 if you wanted to, for instance, get on to the Kilkenny  
2 childcare course you had to have actually had, I think,  
3 a minimum... (INTERJECTION)?

4 A. A year's experience or some experience before you got  
5 on the course. 15: 15

6 130 Q. Okay. So the question of whether people were  
7 qualified, in a sense to be qualified to have the  
8 letters after your name or the diploma you also had to  
9 have the practice; isn't that right?

10 A. That's true. 15: 15

11 131 Q. That's subject to the addendum of when the Kilkenny  
12 course started. But this man seems to have -- seemed  
13 agreeable and as you have emphasised the fact that  
14 essentially the staff in Passage West being all female,  
15 I suppose, forward thinking was perhaps of a male role 15: 15  
16 model?

17 A. That's true.

18 132 Q. Obviously you know that he was a disaster and the last  
19 possible person to be introduced. But the evolution of  
20 how the matter comes out, firstly there are a number of 15: 16  
21 different versions, some sworn, some unsworn, some of  
22 them deceased persons, some from people who gave  
23 evidence; isn't that right?

24 A. That's true.

25 133 Q. At the core of it is a have large divergence because 15: 16  
26 the deceased Resident Manager has a version which was  
27 laid before the Commission, which isn't dissimilar to  
28 what Mr. Connaughton put out, which is about this odd  
29 complaint being made by a boy who says that he was told

1 by the malefactor that something funny is going to  
2 happen to the boys who remain when the others go off to  
3 scout camp?

4 A. That's right.

5 134 Q. And what happens after that? But, in fact, there are 15:16  
6 also other stories, which is some of the boys said that  
7 they went, or one of them went, was received cordially,  
8 believed and then unfortunately names other boys who  
9 had been abused and the other boys when interviewed rat  
10 on him and so then the resident mother is left with a 15:17  
11 number of complainants who have apparently recounted?

12 A. Yes.

13 135 Q. And one boy who hasn't; isn't that right?

14 A. That's true.

15 136 Q. So there is actually different versions of how the 15:17  
16 complaint actually arises; is that right?

17 A. That's true, yes.

18 137 Q. One of the things that was suggested was that the  
19 Resident Manager was perhaps remiss or the Order were  
20 remiss in not communicating with the police. But at 15:17  
21 that stage, it would seem that the Resident Manager had  
22 boys who had either made complaints and recounted them  
23 or had said that no such thing had, in fact, happened?

24 A. That's true.

25 138 Q. And one boy was apparently sticking to his guns. So in 15:17  
26 terms of what was to be given to the police this would  
27 be a boy -- in fact, a boy who had come in  
28 unfortunately having been before the courts, with a  
29 complaint?

- 1 A. Yes.
- 2 139 Q. I mean, through the children's criminal courts. So  
3 looking at it from any point of view, taking any view  
4 of that, what it was to be communicated to the guards  
5 at its height on this boy's version was what he had 15: 18  
6 said, which was what all the other boys were saying  
7 hadn't happened?
- 8 A. They had negated their... (INTERJECTION).
- 9 140 Q. All right. I'm not saying one is right and one is  
10 wrong, I am just putting forward the complexity of 15: 18  
11 this. The second thing is on the resident mother's  
12 memory of it when she was in her --
- 13 UNKNOWN SPEAKER: 90's.
- 14 141 Q. MR. GAGEBY: -- 90's was quite 15: 19  
15 different, was oblique and  
16 certainly wouldn't have warranted a complaint to the  
17 Gardaí?
- 18 A. Yes.
- 19 142 Q. But obviously you might make an argument about antenna;  
20 isn't that right? 15: 19
- 21 A. That's true, yes.
- 22 143 Q. There is also the situation that appears, and this was  
23 not kept from the authorities, at one stage or another  
24 the first thing is that the people who ran the Kilkenny  
25 course appeared to have been informed of his 15: 19  
26 unsuitability?
- 27 A. That's right, it appears like that.
- 28 144 Q. He appears to have either not done or not pursued the  
29 course he was doing in Waterford, which would also have



1           been some class of qualification and the limited  
2           information is that he doesn't appear in childcare, may  
3           have taken some job, if my memory is correct, driving a  
4           van somewhere. One very obvious area in this is it  
5           would be a lamentable situation if having detected in 15: 20  
6           one way or other being an object of suspicion in  
7           Passage that he should be then allowed to pursue  
8           whatever he did in Cappelquin.

9  
10          Can I just point to a couple of things. Firstly, the 15: 20  
11          evolution of the arrival of the information in  
12          Cappelquin is it all one way or is it diverse? The  
13          information coming to Cappelquin of something untoward  
14          about this man from Passage, am I right in saying there  
15          are several strands to that? 15: 20

16          A. That's right.

17   145    Q. And they can't all, in fact, be reconciled?

18          A. Uh-huh.

19   146    Q. We have some evidence of a meeting outside the  
20          confirmation, outside the church? 15: 20

21          A. In Cappelquin.

22   147    Q. Where a scout leader basically says there is something  
23          wrong about this guy?

24          A. Uh-huh.

25   148    Q. There appears also to be the evidence from the deceased 15: 21  
26          Resident Manager about looking for this fellow and he  
27          being in Cappelquin?

28          A. Yes.

29   149    Q. And there is a third story, which is very much removed

- 1 of somebody writing a letter and it become plain that  
2 there is something dodgy about him?
- 3 A. That's true.
- 4 150 Q. They are probably all none of them reconcilable. But  
5 the one thing I want to be clear, my understanding of 15: 21  
6 what the Resident Manager said was that when she  
7 received the complaint from her view, now this is  
8 obviously a different view that she had from the young  
9 fellow who made the complaint, was that having elicited  
10 the complaint and that there was something unusual, 15: 21  
11 that she sends a message that she wants to talk to  
12 (BLANK), that he didn't reappear -- that the man didn't  
13 reappear, she having indicated that she wanted to talk  
14 to him and she then contacted the Sisters in Cappoquin?
- 15 A. Yes. 15: 22
- 16 151 Q. With a view to finding out where he was?
- 17 A. That's right.
- 18 152 Q. Just so I am clear. It is not the situation, and your  
19 belief, maybe it is in fact, but it is not your belief  
20 that the Sister in Passage, having elicited that there 15: 22  
21 was something of an antennae nature just simply parks  
22 the issue and said, "sure, the man is gone, there you  
23 are. Let's go and find somebody else"?
- 24 A. No, she did communicate with Cappoquin informing them.
- 25 153 Q. Yeah. She also seems to have told the Inspector in the 15: 22  
26 Department of Education subsequently about that?
- 27 A. Yes.
- 28 154 Q. That was a Mr. Crean, I think?
- 29 A. Yes.

- 1 155 Q. And as I understand it, it is also the situation that  
2 some of the discovery from Cappoquin indicates that  
3 about a year later there was a conversation between, I  
4 think, the Resident Manager of Cappoquin and somebody  
5 from the Department of Education and all it indicates 15: 23  
6 is that a sorry story was told to Department of  
7 Education?  
8 A. Yes.
- 9 156 Q. And I suppose the difficulty of all of that is that  
10 this is 30 and more years after the events; isn't that 15: 23  
11 right?  
12 A. Yes.
- 13 157 Q. So it isn't 100% clear that he simply decounted from  
14 Passage and then went happily to work and molest  
15 children at Cappoquin free from any enquiry? 15: 23  
16 A. No, no. I mean, he was in both places.
- 17 158 Q. Yes, okay. And I think then obviously the matter in  
18 truth came up later in criminal matters in the 1990's,  
19 the man was prosecuted?  
20 A. Uh-huh. 15: 24
- 21 159 Q. For something relevant to Cappoquin; isn't that right?  
22 A. Yes.
- 23 160 Q. And also Passage?  
24 A. Yes, that's true.
- 25 161 Q. Sr. Loreta, is there anything else that you want to say 15: 24  
26 to the Commission?  
27 A. I don't think so, no.
- 28 MR. GAGEBY: Thank you.  
29

1 END OF EXAMINATION OF SR. LORETA BY MR. GAGEBY

2  
3 THE CHAIRPERSON: Now, Mr. Lowe, have you  
4 anything to ask?

5 15: 24

6 SR. LORETA WAS FURTHER QUESTIONED, AS FOLLOWS, BY THE  
7 COMMISSION:

8  
9 162 Q. MR. LOWE: I would like to refer to  
10 some documents in the book 15: 24  
11 prepared by Lavelle Coleman, because it is most  
12 accessible. It is on page 59.

13 (Same handed to the witness) This is an internal  
14 memorandum within the Department of Education, it is  
15 headed at the top, "Cappoquin Junior Boys Industrial 15: 25  
16 School, Sisters of Mercy" and it is dated 1944:

17 "This is another school run by the  
18 Sisters of Mercy which has a long  
19 record of semi starvation.

20 Dr. McCabe's report following her 15: 25  
21 inspection last November disclosed such  
22 an appalling state of affairs that we  
23 went over the head of the Resident  
24 Manager and issued an ultimatum to the  
25 manager. Dr. McCabe's latest report  
26 shows how far we have got. At 75 boys,  
27 61 are under the normal weight. And  
28 nothing had in fact changed since the  
29 report the previous year."

30 The second paragraph: 15: 26

31 "It is abundantly clear the only hope  
32 of the required improvement lies in  
33 drastic action. The first and most  
34 important step is the removal of the  
35 Resident Manager. She's 63 and five  
36 months old and has held office  
37 uninterruptedly since June 1927, that's  
38 17 years.

1  
2 Dr. McCabe informs me that she's a  
3 ruthless, domineering person who  
resents any criticism challenges  
advice.

4 Further exploration of the children's  
5 failure to gain weight, their activity,  
6 rivals Mary Antoinette's "Why don't  
7 they eat cake". She had bedded down  
8 long since into a groove out of which  
9 she cannot be shifted by some annual  
criticism and it seems clear that she  
holds the manager in the hollow of her  
hand. I see no hope of improvement  
while she continues in office."

15: 26

10  
11 Thirdly:

12 "The deplorable state of affairs (as  
13 read) is so deplorable and indefensible  
14 that I think further strong action is  
required."

15: 27

15 And he suggests withholding money.

15: 27

16 "I might mention that Dr. McCabe's  
17 account of the nuns' schools generally  
is most alarming. The feeling is  
18 widespread. In fact she tells me that  
is only in only one school (as read)  
19 suggests two. Is she completely  
satisfied with the diet? The general  
20 rule is what she describes as a bare  
maintenance diet sufficient to keep the  
21 children from losing weight but not  
enough to enable them put on weight in  
22 anything like approaching a normal  
rate"

15: 27

23  
24 So, the next thing is the legal route is taken:

25 "I am directed by the Minister of  
26 Education", this is again 1944, "to  
inform you he is satisfied the Resident  
27 Manager has failed to discharge  
efficiently the duties of her position  
28 and is unsuitable to discharge these  
duties and he would requests you, in  
accordance with Section 5, paragraph  
29 (4) of the Children's Act, 1941 to  
remove her from the position as

15: 27

1                   Resident Manager. "

2

3                   By November 1944 she's still there and again says:

4                   "I have yet to receive no notice from  
5                   you of the appointment of a new  
6                   Resident Manager and I am to inquire  
7                   whether you have yet complied with the  
8                   statutory request"

15: 28

7

8                   A letter is returned in November 1944 from the school:

9                   "The strong censure contained in your  
10                  communication came as no small  
11                  surprise, as apart from the failure of  
12                  the children to put on weight, we had  
13                  no reason to think that the school was  
14                  unsatisfactory"

15: 28

12

13                  Now, they appoint a new person, and the Inspector is  
14                  asked how suitable is she. The Inspector writes:

15                  "She's completely under the influence  
16                  of the previous occupant of the post.  
17                  She's a bit of a (as read) and in my  
18                  opinion unsympathetic to children. I  
19                  think she's unsuitable for the  
20                  appointment"

15: 29

18

19                  An extraordinary series of discussions about who should  
20                  be running a children's home, with the Education  
21                  Department and the medical inspectors saying that the  
22                  children are losing weight, are underweight, are  
23                  neglected and there is the person who runs the school  
24                  saying she's surprised by that and not moving. I am  
25                  asking myself what is going on?

15: 29

25

26                  A. I mean, I take it, from the report, I mean it was an  
27                  appalling condition that the children would be losing  
28                  weight, would be underfed. I think it was maybe the  
29                  personality of the Resident Manager, who displayed huge

15: 29

1 resistance to being removed even by the Department.  
2 And it went on for a number of years, that total  
3 resistance. The Inspectorate visited many times  
4 because of it, weighed all the children herself to make  
5 sure and offered advice as to the diet, having a 15: 30  
6 balance diet, and gave instruction, you know, to that  
7 effect until the children did gain weight and have a  
8 balanced and nourishing diet. And that was the time  
9 that she wanted the Department to put on a course so  
10 that the Sisters would be educated in how to really 15: 30  
11 feed the children. That's what it came down to.

12 163 Q. MR. LOWE: But I asked this morning,  
13 and I am asking again, what  
14 did you have within the Congregations rules and  
15 hierarchal structure to remove someone who is clearly 15: 30  
16 not good for the children under her care?

17 A. And within that system there was only the Reverend  
18 Mother or some access to the Bishop to remove that  
19 person.

20 MR. LOWE: Okay. Thank you. 15: 31

21 MS. SHANLEY: I have no questions, thank  
22 you.

23 THE CHAIRPERSON: Thank you very much,  
24 Sister.

25 15: 31

26 END OF FURTHER QUESTIONING OF SR. LORETA BY THE  
27 COMMISSION

28  
29 THE CHAIRPERSON: Thank you very much. I

1 suppose I might mention,  
2 and people might be wondering that this, the structure  
3 -- the investigation into this institution probably  
4 stretches our procedures where we try to -- and I am  
5 appreciative of the efforts of everyone to respect our 15: 31  
6 position when we say we want to retain the capacity to  
7 name people and not to name people. I know that the  
8 responsible journalists understand the issues that we  
9 are dealing with. So the people will understand, our  
10 effort obviously is to retain the capacity to make 15: 31  
11 decisions about that, to respect the privacy of the  
12 hearings in Phase II, and yet to make the hearings as  
13 open as possible so the people have an opportunity of  
14 examining and participate in the procedures.

15  
16 I am grateful for people, to counsel for their 15: 32  
17 assistance in doing that, but people might have thought  
18 at times there is a certain artificiality in dealing  
19 with matters which we have of course investigated and  
20 which will be a proper matter for us to report on, but 15: 32  
21 obviously people have to engage in a good deal of  
22 circumlocution and care in the way they describe  
23 people. I just thought I would mention that.

24  
25 yes, and again, just thank you very much, Sister. Just 15: 32  
26 a sort of scheduling matter. We had scheduled hearings  
27 for experts, the exact... (INTERJECTION).

28 MR. GAGEBY: 6th June onwards.

29 THE CHAIRPERSON: I think we had a couple of



1 day and we have decided no  
2 to proceed with those. We are not in a position to  
3 proceed with those hearings for a variety of reasons  
4 relating to the experts. We will say something further  
5 about that at a later stage, but for the moment people 15: 33  
6 can remove those dates from their diaries.

7 MR. GAGEBY: Those will be rescheduled,  
8 Mr. Chairman, in some shape  
9 or form?

10 THE CHAIRPERSON: That's what I am avoiding 15: 33  
11 saying just at the moment,  
12 Mr. Gageby. The method by which we validate expert  
13 reports will not be the same for each expert first,  
14 that's clear. What would be appropriate for one will  
15 not be appropriate for the other. Obviously, where a 15: 33  
16 body or an institution or a person is affected by it  
17 there are implications, legal implications, as to what  
18 we must do by way of communication or confirmation or  
19 hearings or whatever. They differ, depending on them.  
20 But I think it is better if I don't say anything for 15: 34  
21 the moment.

22  
23 What I am merely saying is we are not proceeding with  
24 those on the scheduled dates and it is probably best if  
25 I simply put a full stop to that for the moment. We 15: 34  
26 are, of course, aware of our -- of the need in relation  
27 to any particular institutions or bodies for fair  
28 procedures.

29 MR. GAGEBY: It is just, Mr. Chairman,

1 obviously historically we  
2 have made certain suggestions and I am simply saying  
3 that that hasn't changed, in relation to hearing of  
4 experts.

5 THE CHAIRPERSON: Very good. Thank you very  
6 much indeed. Thank you.

15:34

7  
8 THE HEARING THEN CONCLUDED AT 3:34 P.M.

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