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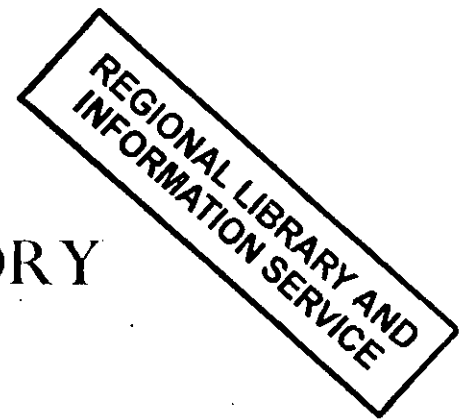
REFORMATORY

AND

INDUSTRIAL

SCHOOLS SYSTEMS

REPORT, 1970



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## PREFACE

All children need love, care and security if they are to develop into full and mature persons. For most children this is provided by a warm, intimate and continuous relationship with their parents, brothers and sisters. Children in institutions have for the most part missed this happy relationship. If they are to overcome this deprivation they must, therefore, be given love, affection and security by those in whose care they are placed.

The recommendations made by the Committee in this report are based on the assumption that all those engaged in the field of Child and Family Care agree that this must be their fundamental approach to the work they are undertaking.

## COMMITTEE ON REFORMATORY AND INDUSTRIAL SCHOOLS

In 1967 the Government set up a Committee to carry out a survey of Reformatory and Industrial Schools. The inaugural meeting of the Committee was held on 20th October, 1967.

The terms of reference for the Committee were:

"To survey the Reformatory and Industrial Schools systems and to make a report and recommendations to the Minister for Education."

The Minister subsequently agreed that the Committee's inquiries should include all children in care.

The following persons were appointed to the Committee.

*Chairman:* District Justice Eileen Kennedy, 55 Lansdowne Road, Ballsbridge, Dublin 4.

*Members:* Mr. John Hurley, B.A., 1 Iris Grove, Mount Merrion, Co. Dublin.

Mr. Declan L. Lennon, Santa Marinella, Oflington Park, Sutton, Dublin.

Miss Margaret McGivern, 8 Cremore Drive, Glasnevin, Dublin 11.

An Br. P. A. Ó Raghallaigh, Manager, Artane School, Dublin 5.

Dr. John Ryan, F.R.C.P.I., D.P.M., St. Augustine's, Obelisk Park, Blackrock.

An tSr. Caoimhín Ní Chaoimh, B.Soc.Sc., Dip.Soc.Sc., Little Sisters of the Assumption, Mill Road, Corbally, Limerick.

Mr. Barry Early, M.A., B.Comm, D.P.A., F.C.I.L., P.C., "Paradiso", 161 Sutton Park, Sutton, Dublin.

Dr. J. G. O'Hagan, Senior Medical Officer, Department of Health, Dublin 1.

Antoin Ó Gormain, Psychologist, Department of Education, Dublin 1.

Risteárd Mac Conchradha, Assistant Principal Officer, Department of Justice, Dublin 2.

Secretary, Richard O'Donovan, Department of Education, Dublin 1.

## CHAPTER 1

### HISTORY OF REFORMATORY AND INDUSTRIAL SCHOOLS

1.1 The Child Care System in Ireland has evolved from various systems of aid to the poor. In the last century the oldest provisions for the social protection and care of children were found in enactments which dealt with poor relief and referred primarily to neglected and orphaned children. They were Acts such as the Abandonment of Children Act, 1861, and the Offences against the Person Act, 1861.

In the middle of the 19th century the only public provision for children was in workhouses (even today some children are kept in County Homes). Subsequently, voluntary institutions conducted by Religious Organisations and charitable persons provided in some measure for the care of Juvenile Offenders. These institutions received no assistance from Public Moneys and were not subject to inspection or supervision by any State Authority.

The attitude towards children was such that a child, on attaining the age of seven years, was subject to the same penalties as an adult even to the extreme penalty of death.

Only by slow degrees was it recognised that the actions of a child, which in law might be considered criminal, are different, in kind and degree, from the criminality of the adult and need, therefore, different treatment—hence the Reformatory Schools (Youthful Offenders) Act, 1854, in England, which was extended to Ireland by the Reformatory Schools Act, 1858.

1.2 What this Act did, in effect, was to certify a number of existing voluntary institutions and homes as suitable for the reception of youthful offenders committed by the courts. It also provided for the inspection of these institutions and for grants from public funds for the maintenance of such children.

At one period there were ten Reformatory Schools (five for girls) certified but owing to the decrease in the number of committals over the years many of the schools surrendered their certificates until, in 1944, there were only two left viz:—St. Joseph's, Limerick, for girls, conducted by the Sisters of the Good Shepherd, and St. Conleth's for boys at Daingean, Offaly, conducted by the Order of the Oblates of Mary Immaculate.

In 1944 St. Anne's School, Kilmacud, Co. Dublin, which is conducted by the Sisters of Our Lady of Charity of Refuge, was certified as a Reformatory School for the reception of youthful offenders and was intended to deal with girls with marked tendencies to sexual immorality. This school was, in 1949, also registered as an Industrial school.

1.3 Shortly after the Reformatory School system was introduced the necessity for a different type of school to cater specially for neglected, orphaned and abandoned children was realised. To meet this need the Industrial Schools were established, first in Scotland and were extended to Ireland in 1868.

On the introduction of the system to Ireland the Local Authorities were unwilling to contribute to the establishment of these schools or even to contribute to the maintenance of the children. As a result various Religious Orders were requested to undertake the work. Where an Order was willing to do so, and where they provided suitable premises, those premises were certified as fit for the reception of children in care.

During the following years the number of certified Industrial Schools increased until, in 1898, there were seventy-one schools certified and caring for approximately 8,000 children. Sixty-one of these were in the Twenty-Six County area, five being for Protestants and fifty-six for Catholics.

Over the years various factors such as the decline in population, improvements in living standards, improved social services, adoption and boarding-out have reduced the number of children being admitted to Industrial Schools. At the present time the number of Certified Schools has been reduced to 29 schools certified for 3,750 children and now catering for some 2,000 children.

1.4 The following is a list of Reformatory and Industrial Schools with details of children in each on 30th September, 1969.

School	Order in Charge	Number of Committed Cases	Number of Voluntary Cases	Number of Health Act Cases	Total
<i>Reformatories:</i>					
Daingean ..	Oblates of Mary Immaculate	82	—	—	82
Limerick ..	Sisters of the Good Shepherd	7	—	—	7
Kilmacud ..	Sisters of Our Lady of Charity of Refuge	6	3	6	15
<i>Industrial Schools:</i>					
<i>(Senior Boys)</i>					
Artane <sup>1</sup>	Christian Brothers	24	—	2	26
Letterfrack	Christian Brothers	78	—	—	78
Salthill ..	Christian Brothers	81	—	5	86
Tralee ..	Christian Brothers	31	—	4	35
Clonmel ..	Order of Charity	139	—	17	156
<i>(Junior Boys)</i>					
Passage West Drogheda	Sisters of Mercy	59	—	15	74
Cappoquin	Sisters of Charity of St. Vincent de Paul	27	8	43	78
	St. Michael's	40	—	19	59

School	Order in Charge	Number of Committed Cases	Number of Voluntary Cases	Number of Health Act Cases	Total
<i>Industrial Schools</i>					
<i>—continued.</i>					
<i>(Girls)</i>					
Rushbrook	Sisters of Mercy	32	—	—	32
Mallow ..	Sisters of Mercy	29	6	3	38
Sunday's Well	Sisters of the Good Shepherd	40	24	—	64
Boosterstown	Sisters of Mercy	44	4	15	63
Golden-bridge <sup>1</sup> ..	Sisters of Mercy	65	—	75	140
Lakelands <sup>1</sup>	Sisters of Charity	34	5	37	76
Whitehall ..	Sisters of Our Lady of Charity of Refuge	23	2	23	48
Clifden <sup>1</sup> ..	Sisters of Mercy	84	—	4	88
Lenaboy <sup>1</sup>	Sisters of Mercy	30	1	15	46
Killarney <sup>1</sup>	Sisters of Mercy	50	6	27	83
Tralee <sup>1</sup>	Sisters of Mercy	39	5	9	53
Kilkenny <sup>1</sup>	Sisters of Charity	65	—	45	110
St. George's, Limerick	Sisters of the Good Shepherd	30	—	—	30
St. Vincent's, Limerick	Sisters of Mercy	42	13	4	59
Newtown-forbes <sup>1</sup>	Sisters of Mercy	1	—	—	1
Dundalk	Sisters of Mercy	20	13	8	41
Westport	Sisters of Mercy	6	3	—	9
Benada Abbey, Ballymote	Sisters of Charity	33	3	—	36
Dundrum, Co. Tipperary	Sisters of the Presentation Order	25	—	8	33
Waterford	Sisters of the Good Shepherd	35	3	20	58
Moate <sup>1</sup>	Sisters of Mercy	67	—	30	97
Wexford	Sisters of Mercy	31	2	—	33
Rathdrum <sup>1</sup>	Sisters of Mercy	60	2	60	122

<sup>1</sup>These schools have also been certified for the reception of boys.

<sup>2</sup>These schools have notified intention of closing.

1.5 There is now no Certified School under Protestant Management in the State, the last having been closed in 1917. Children, other than Roman Catholics, who come before the Courts are entrusted, through the local Gardaí, to the charge of the local pastor of their own denomination, who sees to it that they are placed in the care of suitable families or schools.

1.6 Under the Ministers and Secretaries Acts, 1924, the administration of both Industrial and Reformatory Schools was placed with the Minister for Education, with whom it still rests. The functions of the Minister, which are shown at Appendix A, are laid down in the Children Act, 1908, with minor amendments by the Children Act, 1941, and the Children (Amendment) Act, 1957.

While the 1908 Act was at the time a new charter for children, the many advances over the years in the field of child care and in the

attitudes of the public made it imperative that the whole concept of child care be examined afresh.

1.7 The late Mr. Donogh O'Malley, then Minister for Education, realised not only the limited nature of the powers vested in him by the 1908 Act, but also that the Act was not suitable to an era of changing conditions. He felt that the Community was not doing all it should to help underprivileged children, particularly those who had to be placed in these schools and, consequently, he advised the Government to set up this Committee to examine the problem and to suggest alterations and improvements in the system, which would bring it into line with modern thinking on the matter.

1.8 Since the Committee commenced its deliberations, a number of industrial schools have closed down. In the same period, the capita- tion rate in Industrial Schools was raised from 67/6d. per week to 82/6d. in July, 1968, and in Reformatory Schools the figure was increased from 71/6d. to 86/6d. These rates were doubled in 1969. Recognition as a Special School\* has been extended to the school at St. Joseph's Convent, Limerick, and St. Conleth's, Daingean.

In making its enquiries the Committee met formally on 69 occa- sions. It also set up a number of Sub-Committees drawn from its own members which met on many occasions.

During the course of the inquiry all Industrial and Reformatory Schools in the State were visited by members of the Committee, some more than once. Visits were also paid to Local Authorities and to a number of voluntary homes and foster homes and to other insti- tutions, both State and voluntary, throughout the country. During these visits the Committee took the opportunity of having informal discussions with many of the children in the various Homes.

In addition Committee members examined the Child Care systems in operation in Northern Ireland, England, Scotland, Wales, Sweden, Denmark, The Netherlands and Austria and also, through the courtesy of their Embassies here, and the Department of External Affairs, received information on the systems in countries other than these.

Advertisements were placed in the daily newspapers inviting all interested parties to make submissions to the Committee. Official and voluntary bodies were also asked for comments and suggestions and memoranda were received from many of them. The Committee also met and received verbal evidence from other interested people or bodies. All these are listed in Appendix B.

A bibliography of many of the authoritative reference books, book- lets and official publications studied by the Committee is shown in Appendix C.

\* (A Special School is a National School where the pupil/teacher ratio is more satisfactory than in an ordinary school. It also receives Special Grants and special arrangements are often made regarding teachers' qualifications.)

1.9 To assist its investigations the Committee:—

- (a) Conducted a survey of all schools involved, the numbers of children catered for, their ages, backgrounds and the staff- ing and other arrangements made for them. A summary of the results is shown at Appendix E.
- (b) Commissioned from Rev. Fr. O'Doherty, Professor of Logic and Psychology, University College, Dublin, a survey conducted by the Department of Psychology in the University of:—
  - (i) Mental handicap and educational backwardness in such schools.
  - (ii) The facilities available for the education of children in such schools.
  - (iii) Educational problems in Industrial and Reformatory Schools.  
(See appendix F.)
- (c) Issued a query to all Local Authorities and Health Authori- ties in order to obtain details of children admitted to schools by these Authorities and their subsequent placement.

1.10 The Committee would like to express its gratitude to the Managers and Staff of Schools and Homes, to the children interviewed, to the various Government Departments and Local Authorities, to Authorities abroad, and to the many voluntary groups and individuals at home who gave so freely of their knowledge, advice and co- operation in a manner which facilitated the preparation of this report.

The Committee would also like to thank the Ministers for Education Mr. Brian Lenihan, T.D., and Padraig O Fachtna, T.D., for the facilities accorded to the Committee during the course of its enquiries and deliberations. They also wish to thank the Secretary to the Committee Richard O'Donovan and other officers of the Department of Education in particular Deasun Moulton who in addition to assisting the Secretary also acted as secretary to many of the Sub-Committees.

## CHAPTER 2

### SUMMARY OF MAJOR RECOMMENDATIONS

2.1 The whole aim of the Child Care system should be geared towards the prevention of family break-down and the problems consequent on it. The committal or admission of children to Residential Care should be considered only when there is no satisfactory alternative.

2.2 The present institutional system of Residential Care should be abolished and be replaced by group homes which would approximate as closely as possible to the normal family unit. Children from the one family, and children of different ages and sex should be placed in such group homes.

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

2.4 The Remand Home and Place of Detention at present housed at Marlborough House, Glasnevin, Dublin, should be closed forthwith and replaced by a more suitable building with trained child care staff.

2.5 The staff engaged in Child Care work, who have responsibility for the care and training of children, their mental and emotional development, should be fully trained in the aspects of Child Care in which they are working.

2.6 We recognise that education is one of the most important formative influences on the children with whom we are concerned, whether they are deprived or delinquent. All children in Residential Care or otherwise in care, should be educated to the ultimate of their capacities. The purpose of the education they receive should be to help them to develop as adequate persons. To achieve this end, they will need facilities over and above those available to children reared in the normal family.

2.7 Aftercare, which is now practically non-existent, should form an integral part of the Child Care system.

2.8 Administrative responsibility for all aspects of Child Care should be transferred to the Department of Health. Responsibility for the education of children in care should remain with the Department of Education.

2.9 All laws relating to Child Care should be examined, brought up-to-date and incorporated into a composite Children Act.

2.10 The age of criminal responsibility should be raised to 12 years.

2.11 The present system of payment to the Reformatory and Industrial schools on a capitation basis should be discontinued. Instead the payment should be made to the schools on the basis of a budget submitted by the schools and agreed to by the Central Authority.

2.12 An independent advisory body with statutory powers should be established to ensure that the highest standards of Child Care are attained and maintained.

2.13 There is a notable lack of research in this field in this country and if work in the area is to develop to meet the needs of Child Care, there should be continuous research.



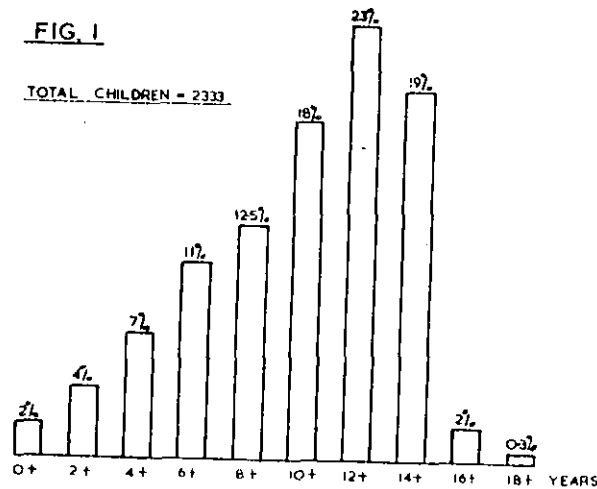
## CHAPTER 3

### WHO COMES INTO CARE?

3.1 Our information on the children who come into care was obtained from a survey which was carried out by the Committee relating to children in Industrial Schools and Reformatories as of February 1st, 1968, from the annual reports of the Department of Education and from the University College, Dublin, survey referred to earlier in this report.

3.2 The returns from the Committee's survey indicate that Industrial Schools cater for children in a relatively wide age-range, from a few months to 19 years.

The following histogram shows the distribution of children in 2-year age-groups:



There were 0.4%, 10 children, under 1 year and 0.3%, 6 children, between 18 and 19, the ages of 1%, 21 children, were not returned by the schools.

The bulk of the children are in the usual school going age-groups. There are relatively few children under 1 year—10 children or 0.4% of the total. Just over 2% of the children were over 16 which is the usual upper age limit for payment of capitation grants in the schools. There were only 9 children or 0.4% over the age of 17 which is the

age limit beyond which payment of capitation grant will not be made under any circumstances.

Approximately 51% of the children were girls and 49% were boys.

Our information seems to suggest that a large number of pre-school children are accommodated in homes and institutions other than Industrial Schools. Only some of these are approved by the Minister for Health. We were unable to obtain full information from all the unapproved homes (see Appendix E).

3.3 The reasons why children are committed to care in Industrial Schools are stated in the annual reports of the Department of Education. The latest figures available to us are for 1968/69. We give these below. Figures as published for previous years are given in Appendix E.

TABLE I  
1968/69  
Industrial Schools

	Boys	Girls	Total
Grounds of Committal:			
(a) Under the School Attendance Acts ..	15	---	15
(b) Lack of Proper Guardianship ..	42	37	79
(c) Uncontrollable ..	3	---	3
(d) Indictable Offences ..	63	2	65
TOTALS ..	123	39	162

Most of the children, as may be seen from this and other tables in the appendices, are committed because of lack of proper guardianship while a large proportion of boys are committed for indictable offences and under the School Attendance Acts. The figures do not include children placed in the school under the Health Acts. About 460 of the children in care in Industrial Schools at present have been placed under the Health Acts, in the majority of cases as a result of broken homes, bereavement or prolonged illness in their families. A number of children are placed in care for relatively short periods due to difficulties in the homes such as illness.

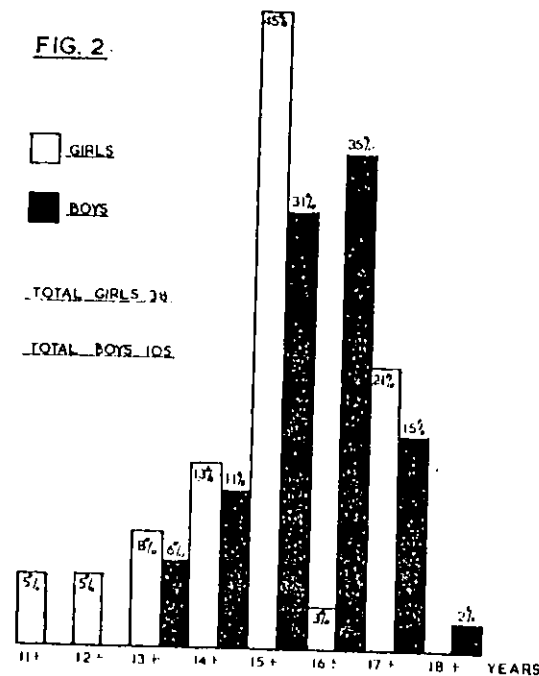
3.4 In our own Survey we made some enquiries about the background of the children in Industrial Schools. The results showed that only about 18% of children were known to the school to have parents who were married, alive and living together. However, only in 1.5% of cases were the father and mother both known to be dead, 30% of the children had one parent dead, in about 51% of cases the schools said they did not know whether one or the other or both of the parents were alive or dead. Approximately 19% were known to be illegitimate.

3.5 The returns from Industrial Schools showed the places of origin of the children as indicated in the following table:

TABLE 2  
Place of Origin

	%
Leinster: .. .. .	32
(Dublin City and County) .. .. .	(17)
Munster .. .. .	29
(Cork City and County) .. .. .	(10)
Connaught .. .. .	5
Donegal, Monaghan, Cavan .. .. .	1
Great Britain, etc. .. .. .	4
No Home .. .. .	12
No Information .. .. .	17

3.6 In Reformatory Schools the ages ranged from 13 to 18 for boys and 11 to 17 for girls. The following histogram shows the distribution of children in one year age-groups in Boys and Girls Reformatory Schools:



3.7 The reasons why children were committed to Reformatory Schools are set out below. Again these figures are the latest available to us and refer to 1968/69. Figures for previous years, as published in the

annual reports of the Department of Education, are given at Appendix E.

The table below indicates the general classification of offences of which boys and girls committed to Reformatory Schools are convicted.

TABLE 3  
1968/69  
Reformatory Schools

	Boys	Girls	Total
Offences of which convicted:			
(a) Larceny and Receiving .. .. .	25	1	26
(b) Housebreaking .. .. .	53	—	53
(c) Miscellaneous (Malicious damage and assaults, etc.) .. .. .	19	5	24
TOTALS .. .. .	97	6	103

3.8 In the Reformatory Schools the majority of children had both parents alive. Approximately 7% were known to be illegitimate. In about 19% of cases it was not known whether one or other or both of the parents were alive. About 55% of cases were known to the school to have parents who were alive, married and living together. The information on fathers' occupations returned in the survey indicated that most of the fathers of the children for whom returns were available were from the lower income group.

3.9 At the time of our survey about 44% of the boys and 29% of the girls in Reformatory Schools were stated to be from Dublin City and County. About 28% of the boys and 13% of the girls were stated to be from Cork, Limerick or Waterford.

3.10 It is known that in over 80% of the cases in Industrial Schools and in over 50% of the cases in Reformatory Schools there is some known element of deprivation such as bereavement, separation or illegitimacy.

3.11 The results of the survey carried out by University College, Dublin, indicate that a very high proportion of the children in care in the schools are generally backward. This backwardness is noted in the area of attainments, intellectual ability and in certain specific areas such as perceptual and spatial ability. Indeed the indications are that there may be a certain number of the children who are mentally handicapped. In general it would appear that the children have poor linguistic skills and are poor readers. This linguistic deficiency carries over to other scholastic subjects where the child, because he cannot read or express his thoughts adequately, is again at a loss. Almost half of the children tested in the schools fell markedly below the average in each test given. (See Appendix F.)

3.12 Observation on visits to schools, together with verbal reports on case histories; evidence submitted by various interested persons and the findings of the U.C.D. survey indicated that these children, irrespective of the reasons for their admission, are children who suffer from deprivation.

Deprivation may result in many handicaps, which affect the child's full development. Research has shown that a most important factor in childhood and later development is the quality and quantity of personal relationship available to the child. By having good inter-personal relationships the child, and later the adolescent, is enabled to develop good relationships with other persons in a context broader than his immediate family. The child who has not experienced good personal relationships will, in time, be lacking in emotional, social and intellectual stability and development.

The conditions which may give rise to inadequate personal relationships are many—socially or culturally inadequate parents, families where there is some emotional stress, various mental or physical illnesses or where for any reason there is only one remaining parent; families where permanent or periodic financial crisis obtains. Under such handicaps the parents or parent cannot or will not cope and the child is placed in care.

3.13 Heretofore much of the emphasis has been on provision of creature comforts and accommodation for children and on safeguarding them from moral and physical dangers. Too little emphasis has been placed on the child's needs to enable him to develop into maturity and to adjust himself satisfactorily to the society in which he lives. If we do not re-orientate our thinking so as to lay primary emphasis on this point any expenditure of time, training or finance on the Child Care problem will not produce the results we are seeking.

3.14 The total number of children in care in Industrial and Reformatory Schools does not represent the total number of children in care. We set out below some figures which give an estimate of the total number of children in care and which would give some indication of the extent of the problem.

TABLE 4		1968/69
Industrial Schools	.. .. .	2,073
Reformatory Schools	.. .. .	129
Institutions (other than Industrial Schools) approved by the Minister for Health*	.. .. .	658
Voluntary Homes which have not applied for approval*	.. .. .	617
Boarded-Out and at Nurse	.. .. .	1,357
TOTAL	.. .. .	4,834

\*These figures are not fully accurate because:

- (a) two of the Approved Homes have not given returns,
- (b) in the case of Voluntary Homes we cannot be certain that we compiled a full list of such institutions despite our efforts to do so. Of the known voluntary homes, four did not reply to enquiries.

## CHAPTER 4

### RESIDENTIAL CARE

4.1 In listing the limitations of the present child care system insofar as it concerns Reformatory and Industrial Schools, it may seem that we are criticising those responsible for running the schools. This is not the intention of this Committee; indeed, we are very much aware that if it were not for the dedicated work of many of our religious bodies the position would be a great deal worse than it is now. The fact remains, however, that the present system is far from satisfactory and before we can make recommendations for its improvement we must indicate clearly what we feel requires to be improved.

It is also clear that the rules and regulations for the certification of Industrial schools do not conform with modern thinking in the field of child care and require amendments.

The Child Care system has evolved in a haphazard and amateurish way and has not altered radically down the years. It may have been admirable at one time but it is now no longer suited to the requirements of our modern and more scientific age and our greater realisation of our duty to the less fortunate members of society.

4.2 Our visits, discussions and surveys have given us concrete and valuable information. One point which emerged clearly from these studies is that there is, in general, a lack of awareness of the needs of the child in care. By this we do not mean physical needs which are, in the main, adequately if unimaginatively catered for. We are referring to the need for love and security. All children experience these needs from their earliest days; the child who has suffered deprivation has an even greater need for them if he is to overcome the handicap which almost inevitably results from deprivation and become a fully developed and well adjusted individual.

This lack of awareness is, we think, due to lack of professional training in Child Care. Most of those working in Industrial schools and Reformatories have no proper qualifications for their work. Their only previous experience may have been in teaching, nursing or mission work and to expect them to put into practice the principles of Child Care without adequate training is expecting the impossible. "It is a fallacy to think that any motherly woman with common sense can successfully undertake such work. This is an unrealistic and misleading over-simplification, which ignores the understanding and the skills required to care for other people's emotionally unsettled if not disturbed and unhappy children. Neither affection nor common sense are sufficient by themselves."\*

\*"Residential Child Care—Facts and Fallacies", Dinnage and Kellmer Pring (Longmans).

4.3 Not only are the majority of those engaged in Residential Child Care untrained but there are no active adequate courses in this country to give professional training in this sensitive field. There is a diploma course in Child Care in the U.C.D. calendar for those who hold a degree or Diploma but for some years now not enough applications have been received to enable the course to be held. The minority in residential Child Care who have been trained, have been trained abroad, generally in Britain where the Home Office runs long and short term courses.

Even where a member of the Residential Staff of an Industrial School or Reformatory may be trained, a further difficulty may arise where he or she is subordinate to somebody who is untrained. We have come across one case at least where the Manager of a school took no active part in the running of the school except to veto the proposals made by the trained member of the staff. This was probably due to a lack of appreciation of the reasoning behind the proposals. The frustrations which such a situation could cause to staff may be imagined but the damage which it could do to the children in care is incalculable.

4.4 It is of prime importance that all those engaged in Child Care must be fully aware that the child's needs come first and that they must be equally aware what the child's needs are. For this purpose they must be trained in their work and the provision of trained staff should take precedence over any other recommendations. This is not to say that other recommendations should not be carried out while staff are being trained but that arrangements to train staff should be made without delay.

4.5 We recommend that an independent advisory body with Statutory powers should be set up at the earliest possible opportunity. The fundamental purpose of this body would be to ensure that the highest standard of child care should be attained and constantly maintained.

- (a) We feel that the function of the body should be to act as a Watch Dog Committee: and to concern itself with any areas of weakness which may appear during the development of services and to make recommendations for the eradication of those weaknesses.
- (b) To encourage the initiation of training courses both general and in-service and to advise on the requirements for different posts in the field of child care.
- (c) To arrange that facilities should be available to suitable persons for research work in child care thus ensuring that thinking on all aspects of this important work should remain fluid and progressive.
- (d) To make the public aware of and interested in the developments in the child care field.

- (e) To foster and encourage co-operation and co-ordination between the various bodies and persons, both voluntary and official, engaged in the different areas of child care work.

The members of the Board should be drawn from appropriate disciplines, professions and vocations so that the thinking which would be channelled into the child care field would come from varied areas of thought and experience.

As an interim measure it should be possible to arrange that members of the different Orders and Local Authority personnel engaged in the work of child care should attend the British Home Office courses. These courses have been attended by Religious Orders in Britain engaged in similar work and have proved very successful.

4.6 From our investigations, we are aware that most of these schools are very inadequately staffed. In almost every case the same staff members are required to perform the duties of teaching, supervision and residential care which means that they are on duty, to all intents and purposes, 24 hours a day 7 days a week. This is highly undesirable and can only be to the detriment of both staff and children.

Some of the Orders in charge of Industrial Schools and Reformatories are engaged in other work which is of more direct concern to them and which comes more into the public eye. There appears to be a tendency to staff the schools, in part at least, with those who are no longer required in other work rather than with those specially chosen for Child Care work. All staff involved in child care must be carefully selected and carefully trained for the particular aspect of the work in which they are involved. There should not be the slightest implication that those involved in this most difficult task are in some ways inferior to those in similar professions and careers.

4.7 All of the Industrial Schools and Reformatories in the State are housed in old buildings, some of which were built for purposes other than that for which they are now being used. In fact, none of the present buildings were built specifically for use as child care institutions although in some cases certain adaptations have been made. The present buildings are basically unsuitable for use as Residential Homes for children in care, being much too institutional in character.

Apart from the institutional nature of the buildings, we found an institutional approach to the care of the children in many of the schools we visited. This is harmful to the development of the children in care. For instance, children of a passive or introvert nature can merge into the institutional background to such a degree that their emotional and mental problems may go unnoticed and untended until they are forced to face an outside world which requires an initiative and adaptability they do not possess. In fact, the institutional life will probably have aggravated the problems they had before admission to the institution and created new ones for them.

One of the dangers of large institutions is that they tend to become depersonalised. This applies to schools dealing with normal children

from normal homes with fundamentally sound backgrounds. It applies even more so to children who come from unstable backgrounds or those who have been deprived of the love and care of parents. In many cases these children have received emotional scars of a deep and abiding nature. They tend to merge into their background, to attract as little notice as possible, to eschew any form of individuality because, hitherto, the exercise of individuality may have led them into trouble.

If the needs of the deprived child are to be adequately catered for and if he is to receive the love and care which are necessary for his development, then every effort must be made to eliminate the institutional aspects of all schools or Residential Homes. This applies to the psychological as well as to the physical aspects of institutionalism.

4.8 We are aware that Residential Care for deprived children is, at best, a substitute care and should not be resorted to if there is a satisfactory alternative. There is, however, no reason why Residential Care should be an inferior form of care. The aim should be to find out what are the most beneficial aspects of group life and to see that they are incorporated into any system evolved here.

Once we have recognised the fact that, while Residential Care is not the most desirable form of upbringing for a child, it can still be extremely beneficial to those who are denied any other form of upbringing, we can then proceed to the consideration of what is the best form of residential care for such children. Modern thinking on this matter, and we are in agreement with this thinking, is that any form of residential care should approximate as closely as possible to the normal family unit. Consequently when children have to be placed in such care, those from one family should, where at all possible, be kept together. The effect on a child of being parted from one or both parents can be terrifying in its results. If in addition he is deprived of the companionship of his brothers and sisters—possibly the only familiar figures left to him in his world—the sense of loss must be aggravated and the ill-effects consequently greater. We feel, therefore, that only the gravest reasons should justify the separation of a family.

4.9 In order to create a normal family atmosphere Residential Homes should be broken up into self-contained units with groups of 7-9 children in each unit. The term Industrial School, which has acquired unfortunate connotations over the years, should be dropped and replaced by the term Residential Home.

These Residential Homes should be administered by trained staff capable of understanding the children's needs, emotional as well as physical, and of catering for them adequately.

The units should be run by houseparents or, where this is not feasible, by a housemother. They should be run on the same lines as a normal home. The ideal situation would be that the housemother should look after the running of the unit and the housefather should

go out to work in the usual way. The children should be brought into the everyday activities of the unit in the same way as they would if they were in a good family environment. Every effort should be made to ensure continuity of staffing in these Homes.

4.10 We have had experience of meeting children who had so little contact with the outside world that they were unaware that food had to be paid for or that letters had to be stamped. They were not permitted to undertake any of the day-to-day tasks performed by normal children which help to make them realise how some of the normal activities of society are carried out. Such children must suffer severe handicap when faced with the problem of life outside the institution. We wish to emphasise that every unit in a residential centre should be independent of other units in the centre. There should be no such thing as a communal dormitory or refectory. Children should sleep in bedrooms in their own unit with not more than three and in more cases only one in a bedroom. Meals could and should be selected and prepared by the housemother in charge of the unit and should be eaten in the unit.

4.11 At present most of the schools cater for girls only or for boys only or, in certain cases, for girls and young boys. This means that many of the children spend their formative years without any social experience of members of the opposite sex. When they enter society at large they are then at a grave disadvantage. They have no standards of behaviour to judge by, they cannot mix easily with members of the opposite sex and are, as a result, retarded in their general development.

This is obviously highly undesirable and the solution is that children of both sexes should be reared, not only in the same centres but in the same units. Furthermore, the children in a particular unit should come from different age groups. In this way the resemblance to the pattern of the normal family group is strengthened and children could be afforded an opportunity of learning the value of co-operation, interdependence and love. This system would avoid the position whereby a boy aged say 7 or 10 is removed from familiar surroundings and persons and transferred to a strange new home in an all-male atmosphere.

4.12 The Committee is aware that many practical difficulties exist so far as the placement of young babies is concerned. The fact remains, however, that the earlier an infant is placed into a secure and happy relationship with which he can readily identify himself the better are his chances of developing fully. So we feel that an infant should be adopted, boarded out or admitted to a Residential Home at the earliest possible opportunity. Many experts in the field of infant and child care are of the opinion that if an infant has not been placed in secure stable surroundings before he is one year old he may suffer from a sense of deprivation which may be very difficult to overcome.

There is the added difficulty that some homes looking after young babies and, indeed, children of all age-groups up to 18 years of age

or so, are neither approved by the Department of Health, nor certified by the Department of Education. They may be quite admirable in their way but, under present legislation, are not subject to inspection. This is very undesirable. We are not suggesting that many of these Homes are not well run but the fact remains that without inspection and up-to-date advice such a Home could stagnate. We feel strongly, therefore, that all Homes caring for children, irrespective of the status they enjoy, should not only be subject to inspection but should be inspected regularly.

4.13 Children in care, especially those in long-term residential substitute care, are disadvantaged compared with children who are reared in normal homes and certainly when compared with those reared in homes that have stable family relationships and reasonable incomes. The main disadvantages they are likely to suffer are a lack of the experience of deep attachment to parent figures who provide security and with whom they can identify, a lack of the stimulation and companionship provided by brothers and sisters, lack of freedom to mix with children from other homes at play and at school, together with a lack of many of the amenities and privileges available to children in normal homes. In general, they do not appear to have the same opportunities as other children or to be able to avail of whatever opportunities there are to the same extent.

The aim of residential substitute care should be to overcome the disadvantages as far as possible. This means in fact that children in residential care must be overcompensated if they are to overcome their initial deprivation and be provided with equality of opportunity. Overcompensation means a planned enrichment of the environment. It should be viewed as a preventive measure in early childhood and as an alleviation measure later on. The enrichment programme should not only be concerned with providing physical and material facilities—buildings, home furnishings, graded play equipment, holidays, outings—but should be concerned especially with the quality of the personal relations. Therefore, both the attitudes and professional competence of those responsible for children in care are important and we stress again the importance of careful selection and training. It must be borne in mind that these homes are not boarding schools as we know them but are substitutes for natural homes. The children in care are completely dependent on the residential home staff for all the love, understanding, security and religious formation they need as well as for support in making their way in life, unlike children in boarding schools who have, normally, a background of family life. However, a planned programme of overcompensation will require close co-operation between those concerned with providing residential care and those concerned with providing education. As well as trained child care staff this type of programme will require the continuous involvement of skilled professional personnel such as doctors, psychologists, social workers, counsellors, remedial and special teachers who will work as a team.

4.14 We feel that children in care should enjoy the right to personal property and be encouraged to have it. Only in this way can a respect for property and a realisation of its purpose develop in children. If one has never owned personal possessions of any kind, no matter how small or insignificant, it is impossible to understand why another's personal possession should be respected. Again, the children should be given pocket money and, within the usual restrictions of an ordinary home, should be allowed spend it as and how they please.

4.15 There has been a tendency, now mercifully disappearing, towards an institutional style of clothes for children in industrial schools or reformatories. This tendency is to be deprecated as it serves only to give a child the impression that he is something apart from and inferior to others in ordinary homes. Dress should not, therefore, be institutional in appearance and uniforms should not be worn except in cases where the children attend an outside school which prescribes a particular uniform.

In this matter teenagers in particular should be encouraged to exercise their individuality in the choice of their clothing. All too soon they will be thrown on their own resources in such matters and in matters of even greater importance, and it is essential that they should have gained some experience and judgement in affairs so close to their everyday lives.

Children should also be encouraged to look upon the clothes given to them as their personal property and to look after them accordingly. In order to do this we feel that all children but, in particular older children, should have private clothes lockers and lockers for other personal effects.

4.16 It should be part of the function of a housemother to encourage and, in conjunction with the school, to offer to the children conditions which promote their normal day-to-day development and train them in skills, manners and responsibilities appropriate to their stage of development. In this way they will be more capable of coping with the intricacies of an ordinary social existence in an outside world. With this purpose in mind houseparents should encourage children to join in as many outside activities as possible. In this way they will meet others from different environments but often with similar problems and will come to realise that many of those problems are part of the normal process of maturing and are not just problems occurring to them because of their own particular situation.

4.17 In the chapter on education we advocate that where at all possible children in care should attend schools outside the Home. We also feel that they should be encouraged to avail themselves of all the local vocational, educational and recreational facilities in the area in which they live. This means using the local public libraries, music classes, art schools, swimming pools, tennis courts and playing fields.

4.18 This process of integration should go even further. They should be encouraged to make friends outside the Residential Home, to bring them to their home or unit as well as to accept invitations from their friends to visit their homes. In this way they can learn gradually, and without conscious effort, the art of integrating into society. This is very important as many of these children have never known what a normal home or society is like.

4.19 Where new buildings for Residential Homes are being planned the units should be built separately from one another thus giving those living in them a better opportunity of achieving their own individuality.

Where old buildings have to be adapted care should be taken to ensure that the adaptation does not take the form of make-shift partitions but should result in modern self-contained units with their own bedrooms, bathrooms, lavatories, kitchens, living-rooms and entrances.

4.20 In some instances in areas abroad which we have visited we have found that those engaged in Child Care work have purchased homes in ordinary housing schemes and have transferred a number of children to those houses in the care of houseparents. We also understand that at least one Industrial School here is at present engaged in initiating a similar scheme.

4.21 Whether children in residential care are centred in Residential Homes or in private houses run by trained staff in an ordinary housing estate the aim is the same—to approximate as closely as possible to a normal family atmosphere, while realising, of course, that no form of care can ever equal the advantages of a real home. The smaller the residential care units are the better the chance of approximating to the usual family group. There should not be more than 7-9 children in every unit. Where practicable, and certainly in any new development, these units should not be grouped together thus forming a new institution. In well populated areas the units could be purchased or rented houses in ordinary housing areas. Administration should not prove difficult in such circumstances but there might be some administrative difficulties in rural areas. Where it is essential to adapt an existing building there should not be more than 3-4 units in any one building. We visualise that with the decreasing numbers admitted to residential care due to increased adoption, boarding-out and social welfare facilities, the numbers in each Home should decrease but we realise that there will always be a number of children who must be cared for in Residential Homes.

4.22 In their visits abroad Committee members have visited Residential Homes operating on the family unit basis. In some cases they were new buildings, in other cases they were old buildings which had been adapted. In all cases they were impressed with the success of this system. The children seemed happier than those

living in "institutional" surroundings. Their behaviour was, for the most part, the behaviour one would expect from children reared in an ordinary family. Whatever operational difficulties the system might create the effect on the children appeared to be very beneficial. Again we must emphasise that this was not due merely to the physical difference between these centres and the old style Institution but also to the trained and enlightened attitude of those in charge of the Homes.

4.23 At present most of the schools are institutional but in a small number laudable efforts are being made to break the residential portion of the schools into units. We feel that these efforts must be intensified and must spread to all Industrial schools.

We are aware that in some cases the nature of the buildings might make it difficult if not impossible to adapt the present schools to the unit system—in other cases it might prove unnecessarily expensive to do so. The question then arises whether it might not be better to close those particular schools and open new Homes conforming with the foregoing recommendations. Every case will have to be considered on its merits and the future of each school decided accordingly. It is obvious, however, that no matter what decisions are taken a deal of capital expenditure will be involved.

4.24 It is recommended, therefore, that where considered desirable, grants should be given to them for building purposes as in the case of schools and hospitals. These grants will, inevitably, in the earlier stages of the scheme, have to be generous as many of the buildings involved would require fairly drastic alterations to bring them into line with modern thinking in this field.

#### *Reception into Residential Care*

4.25 As the system operates at present a child is often admitted or committed to the care of a school manager who knows little if anything about the child's background. This can lead to great difficulties particularly in the case of delinquent children or those with delinquent or anti-social tendencies. The child may be retarded, suicidal, homicidal or homosexual but the School Authorities have no way of knowing this and by the time they learn it much damage may have been done.

4.26 We feel, therefore, that before a child is admitted to Residential Care he should have the benefit of medical, psychiatric and psychological assessment to ascertain where he can be suitably placed with most advantage to himself. For this purpose every Health Authority should have one centre designated as a Reception and Assessment centre which may also be a Residential Home. In referring to Health Authorities we are acting upon the assumption that Health Authorities will, as recommended in the Health Bill (1969), be based upon regional rather than Local Authority areas.

This Reception and Assessment Centre would receive all new cases, and be responsible for collecting the background information required for the assessment of the child and his subsequent placement.

4.27 The experience of those in charge of Industrial Schools and Reformatories has shown that the absence of personal records containing even minimal information in respect of the children has led to many difficulties for the school and for the children themselves. On occasions it cannot even be ascertained where or when a child was born, whether he was baptised, or who his parents were. It is imperative, therefore, that the records in respect of each child in a School or Centre should be as complete as possible. For this reason we recommend that before a child is placed from the Reception and Assessment centre the following records should be obtained where available (a) Birth, Baptismal and Confirmation Certificates (b) a report of the child's social background (c) a school report and (d) any other personal records. These records should accompany the child when he is placed in a suitable Home.

4.28 During his period in care a comprehensive record should be kept of each child including his medical history, school progress and results of psychological tests and any other reports relevant to the child. At first glance this might seem like a recommendation to proliferate form filling but we have seen from our studies how important such documentation is in the work of rehabilitating children in care. These reports should be made available to visiting doctors and specialists and, where a child is transferred from one Home to another, copies of his personal records and a full summary of his case history should go with him. In this way continuity of treatment can be ensured. We need hardly add that all such records should be treated as confidential and made available only to authorised persons.

4.29 The implementation of the foregoing recommendations on residential care and particularly those relating to the breaking up of schools into small groups will require a much greater staff than at present employed in running institutional style schools. This staff will also require specialised training. However, we must face the fact that unless the approach to the problem of child care is professional and whole-hearted, a grave injustice will be done.

These are children who are totally dependent on the community and we feel that, once the public is aware of their needs, it will be prepared to meet these to the full.

## SUMMARY OF RECOMMENDATIONS ON RESIDENTIAL CARE

*(Cross references are to paragraphs in the Report)*

1. The Rules and Regulations for the certification of Industrial Schools do not conform with modern thinking in the field of child care and require amendments. (4.1)

2. The person in charge of every Residential Home should be a trained and active executive. The present system whereby the Manager of a school may take no actual part in the day-to-day running of the school should be discontinued. (4.3)

3. The staff engaged in Child Care work who have responsibility for the care and training of children, their mental and emotional development should be fully trained in the aspects of Child Care in which they are working. (4.4)

4. An independent advisory body with statutory powers should be established to ensure that the highest standards of Child Care are attained and maintained. (4.5)

5. There is a notable lack of research in this field in this country and, if work in this area is to develop to meet the needs of Child Care, there should be continuous research. (4.5)

6. When children have to be placed in Residential Care, those from one family should, where at all possible, be kept together. (4.8)

7. In order to create a home atmosphere the children should be reared in self-contained units in groups of not more than 7-9 children. In well populated areas these units could be purchased or rented houses in different housing areas. (4.9, 21)

8. The term Industrial School should be replaced by the term Residential Home. (4.9)

9. Each home unit should have houseparents who would be responsible for the day-to-day running of the unit as a home. Where this is not feasible every home should have a housemother; continuity of staff in these units is fundamental. (4.9)

10. There should be no suggestion of a dormitory system in units. Children should sleep in bedrooms with not more than three and, in some cases, only one in a bedroom. (4.10)



11. Units should house both sexes as in a normal home and children should be of different age-groups. (4.11)
12. Babies coming into care should be admitted to a group home, adopted or boarded out at the earliest possible opportunity. (4.12)
13. All homes catering for children in care should be subject to regular inspection. (4.12)
14. The approach to deprived children in Residential Care should be one of over-compensation. (4.13)
15. The children should enjoy the right to, and be encouraged to have, personal property. This means that they should be given pocket money, and should have some say in the choice of their clothes. (4.14, 15)
16. Children should be encouraged to join in as many outside recreational activities as possible and to use local facilities such as swimming pools, tennis courts, and playing fields. They should also be encouraged to mix with friends from outside and allowed to bring them to their homes as well as to accept invitations to visit their friends. (4.16-18)
17. Every effort should be made to foster the individuality of the children by allowing them to encounter and cope with circumstances existing outside the home as much as possible. (4.16-18)
18. When new buildings are being planned, units should be separate from one another. (4.19)
19. Where old buildings have to be adapted this adaptation should take the form of modern self-contained units with their own bedrooms, bathroom, lavatories, kitchen, living-room, dining-room and entrances. (4.19)
20. Where it is necessary to alter existing buildings not more than 3-4 units should be in the one building. (4.21)
21. Grants should be made available for building purposes as in the case of schools and hospitals. (4.24)
22. Before a child is admitted to Residential Care he should be assessed to ascertain where he can be suitably placed with most benefit to himself. (4.26)
23. For this purpose every Region should have one Centre designated as a Reception and Assessment Centre. This Centre could also be a Residential Home. (4.26)

24. This Reception and Assessment Centre would receive all new cases and be responsible for collecting the background information required for the assessment of the child and his subsequent placement. (4.26)

25. Before a child is placed into Residential Care from a Reception and Assessment Centre certain records concerning him should be obtained. These should include Birth, Baptismal and Confirmation certificates, a social background report, a school report, other personal records. These records should accompany the child when placed. (4.27)

26. A comprehensive record should be kept of every child in Residential Care including medical case history, school progress reports, psychological tests and any other relevant reports. (4.28)

CHAPTER 5  
ADMINISTRATION

5.1 At present at least three Government Departments are involved in the administration of the Child Care system. The Department of Education deals with children committed through the Courts to an Industrial school or Reformatory and with children in Remand Homes, the Department of Health deals with children admitted to care under the Health Acts, and those Boarded-Out under the Children Acts and the Department of Justice is responsible for the Adoption Board and for minors committed to St. Patrick's and Shanganagh Institutions. There is, inevitably, an overlapping in the functions of the three Departments and anomalies have arisen where children in similar circumstances have been dealt with by different Departments under different Acts.

We feel that such a wasteful and unsatisfactory position should not continue to exist and that as far as is possible all Child Care work should be administered by one Department. For this reason we recommend the setting up of a Child Care Division which would cater for all aspects of Child Care i.e. Prevention, Boarding-Out and Fostering, Remand, Admission and Commitment to Residential Care, and After-Care. While the question of Adoption is not, strictly speaking, a matter for the Committee it is an important part of the Child Care system and, for this reason, we feel that the Adoption Board and its functions should also be transferred to the Child Care Division.

5.2 We would hope that, in any reorganisation of the Health services as envisaged under the new Health Bill, a full Family Care system would evolve because of the various interrelating factors in the family which react on the child.

The Report of Public Services Organisation (the Devlin Report) recommended, and we agree, that the Department of Social Welfare be amalgamated with the Department of Health. This would enable the Department of Health to operate a unified Family Care system. That Department and the Health Authorities already have responsibility for many aspects of Child Care and it seems that that Department could more readily assimilate the other aspects from the two other Departments than the reverse.

This would mean that, so far as Industrial Schools and Reformatories are concerned, the Child Care Division of the Department of Health would accept responsibility for the residential aspects of the Residential Homes, Special Schools and Remand Homes, but the Department of Education would retain its responsibility for education of the children. This position already exists in the case of many

other deprived children i.e. retarded or mentally handicapped children, deaf or physically handicapped children. The extension of the system to include children in Industrial Schools and Reformatories should not, therefore, cause any insurmountable administrative difficulty. In fact, we feel that it would lead to an increased efficiency and a better deployment of professional staff.

5.3 The Administrative Structure of the Child Care System should work along the following lines.

- (1) Department of Health.
- (2) Child Care Division in that Department to evolve eventually into a Family Care Division.
- (3) An Inspectorate in that Division which would act as a liaison between the centrally run Family Care Division, the Health Authority, the Residential Homes and Training Centres, and Boarded-Out and Fostered children. In this way there would be a three way flow of information, observations and recommendations. This would help to ensure that the approach to child care would not remain static but would always be open to new and progressive ideas based on research and experience.
- (4) The Statutory Advisory Body as recommended in paragraph 4.5.
- (5) The Health Authority, including its medical, dental, psychiatric and ancillary services. We feel in this connection that all children in care, whether residential or otherwise, should be eligible for free medical and other services.
- (6) The Residential Homes, Manager and Staff, including a social worker and houseparents. Here again we must emphasise the importance of an active manager, trained in the field of Child Care with control over all staff employed there. As we have mentioned earlier the system whereby the Manager of a Reformatory or Industrial School need not be capable of or involved in the running of the school and yet may have a final say in any policy decision is disastrous and must be discontinued. We do not wish to suggest that State or public agencies alone should provide services for children who come into care. The community as a whole should be involved and we would suggest that since these are children who are totally dependent on the public that they are worthy of the full interest and support of the public. Religious Orders and voluntary groups who are at present contributing so much to the field of Child Care should continue to do so and every effort should be made to encourage an even greater participation by various groups in this work. One cannot expect any one Department or

Child Care System on its own to be able to cater for all the needs of the children, or to make up for inadequacies in other sectors of the social services.

5.4 These are not definitive proposals but merely indicate what form we think the administrative structure should take. We appreciate that, particularly in the early stages, there will be difficulties in providing the trained staff in the numbers required but a certain amount of this could be overcome by increased co-operation between the various Orders and organisations engaged in this work.

#### *Inspection*

5.5 The system of inspection of Industrial Schools and Reformatories has, so far as we can judge, been totally ineffective. In other countries the Inspectorate acts as a link between those in the field and those in Central Authority. In this way the system ensures that no one school or centre is working in isolation, unaware of developments in other regions. This has not been the position here. The Department of Education is bound by regulation to ensure that schools certified by them as Industrial or Reformatory Schools are inspected once a year. Yet there is only one Inspector employed by them for this purpose and he is, in fact, the Administrative head of the Reformatory and Industrial Schools Branch of that Department. His time is, primarily, taken up with the administration of his Branch rather than the inspection of the schools.

We are satisfied that the statutory obligation to inspect these schools at least once a year has not always been fulfilled but even if it had this would not have been sufficient. If the results of inspection are to be fruitful the inspections must be reasonably frequent. There must be meetings where ideas are exchanged and discussed—they should not be merely fault-finding missions.

5.6 To allot this task to one man on a part-time basis is obviously unrealistic. We have been advised by those in other countries who operate such a system that, on the basis of the figures given of those at present in Residential Care, approximately five or six Inspectors would be required to operate a proper inspectorate based on a central authority such as the Family Care Division. In this way, every school or Residential Home could be visited frequently. Every child's case history could be periodically reviewed. These visits might be made to inspect a particular aspect of the running of the home—on other occasions they could be 24 hour visits to study the ordinary routine of the home. Faults, grievances, suggestions and requests could be examined in a general context and the inevitable result would be an overall and continuing improvement in the system.

#### *Medical Services*

5.7 For many years the Department of Education employed a Medical Officer whose function was to look after Industrial Schools

and Reformatories. Some years back the post became vacant and has not since been filled. All children coming into Residential Care are deprived children; a large proportion are physically, mentally or educationally retarded and they should be given first class medical facilities. The present general medical facilities afforded the children in care depend on the individual managers of the schools who have to pay for them. In some cases these facilities are adequate—in others they are not. We feel strongly that such an important aspect of child care should not be left to a hit or miss arrangement of this nature. As we have mentioned previously, all children in care should be entitled to full and free medical treatment.

#### *Finance*

5.8 Payment to the Managers of Reformatory and Industrial Schools in respect of children committed to them under the Children Acts or admitted under the Health Acts is made on a capitation basis. Up to the 1st July, 1969, the State paid 42/6d. weekly in the case of Industrial Schools, the health authority whence the child came paid 40/-. Reformatory Schools Managers received 45/- from the State, 41/6d. from the health authority concerned. This sum had to cover all expenses incurred in maintaining the child—clothing, footwear, food, general medical and dental care (although the majority of the children come from homes where they would have been entitled to free medical services) and certain education costs, accommodation and the maintenance of, in most cases, old buildings.

Thus, the Managers in charge of the schools were faced with the task of running the institutions on a totally inadequate financial provision and were forced to supplement their incomes by whatever means possible to enable their work to continue.

What was worse was that the services available to the children were, of necessity, of a rather limited nature. When the cost of necessities had been deducted there was little if any left over for provision of those extra compensatory facilities which are considered necessary for the rehabilitation of deprived children.

5.9 The capitation grant payable in respect of children has recently been doubled with effect from the 1st July, 1969, in the case of the State contribution, and the 1st November, 1969, in the case of the health authority contribution. This means that the institutions are now receiving £8. 5. 0. per week per capita in Industrial Schools and £8. 13. 0. in Reformatories. This will, undoubtedly, ease the financial difficulties of those running the schools but we are not satisfied that the capitation system is the best way of financing the schools.

5.10 No grants are made available for maintenance, renovation or modernisation of premises. As the majority of the buildings in use are very old, many are now in urgent need of substantial repair and modernisation and their mere maintenance in habitable condition is a source of heavy expense to those Orders which are in a position to

carry out the necessary work. For the most part they are old institutional type buildings, basically unsuited to the purpose which they are serving and their conversion to conform with modern thinking may be quite beyond the means of the Orders.

5.11 While those institutions which incorporate a recognised primary or post-primary school are eligible for the normal grants available to schools generally, no money is made available for such purposes as payment of salaries to managers or non-teaching staff, payment to specialist teachers (except in the two schools previously referred to which have now been recognised as Special Schools and may now apply for the appointment of specialist teachers), libraries, lighting and heating, provision of equipment for games, arts and crafts, television or other leisure-time equipment, or the provision of pocket-money. In short, school managers must provide for all the needs of the pupils on a State subvention which was until recently little more than £4 weekly per pupil.

The result is that they have been unable to provide adequately for those in their charge or to take advantage of modern findings in the realm of child care. This total dependence on the capitation grant could lead to a situation where managers are reluctant to discharge pupils eligible for release or even to send them for psychological assessment (with consequent possibility of transfer) or for treatment to other institutions because of the financial loss involved. In fact one school manager stated that he could not "afford to release children" for that very reason. A system whereby the fate of the child is decided purely on financial grounds is obviously wrong and must be altered as soon as possible.

5.12 Payment of the State portion of the grant is made quarterly, that of the health authorities half-yearly. Difficulties arise for school managers as a result where bills fall for payment and cannot be met until payment of the grant is received. To add to the difficulties date of payment varies with the health authorities and some authorities are dilatory in meeting their obligations. Where managers are operating on overdrafts the difficulties which may arise are fairly evident.

5.13 Payment of the capitation grant in respect of pupils committed to industrial schools ceases at age 16 (17 in certain cases) while payment for those committed to reformatories ceases at age 18. The result is that pupils are not enabled to complete their education or training at a trade, or to proceed to higher education except at the expense of those running the schools. Indeed, cases have come to the notice of the Committee where pupils were provided with secondary, and even university education, by the schools without the assistance of State aid.

5.14 The Committee is strongly of opinion that the system of payment of grants on a capitation basis should be discontinued and

replaced by an annual grant, based on a budget of estimated costs submitted by each school, sufficient to cover all costs connected with the maintenance of the children until such time as they have completed their education or training for employment. The grant should be paid direct to the schools by the Central Authority and the health authority contribution recovered by the Central Authority. An equalisation account should be kept and an adjustment made each year in respect of any overpayment or underpayment made on the estimate.

5.15 Separate grants should be available to cover new buildings and maintenance, renovation and modernisation of existing buildings while grants for educational purposes should be made available and paid direct by the Department of Education.

## SUMMARY OF RECOMMENDATIONS ON ADMINISTRATION

1. Responsibility for all aspects of Child Care should be transferred to the Department of Health. (5.2)
2. Responsibility for the education of children in Residential Care should remain with the Department of Education. (5.2)
3. A Child Care Division should be set up in the Department of Health with an Inspectorate. It is felt that the Child Care Division should, in time, evolve into a more comprehensive Family Care Division of the Department. (5.2)
4. The Inspectorate should not be just an inspecting body, but should in the main be advisory and act as a liaison between the Child Care Division, the Health Authority, and those responsible for the actual running of the Homes. In this way there should be a three way flow of advice, suggestion and co-operation. (5.3)

### *Inspection*

5. All Homes and Schools should be inspected frequently. (5.5)
6. Inspections should not be fault-finding missions only. There should be meetings where ideas are exchanged and discussed. (5.5)
7. The Inspectorate should consist of five or six inspectors. (5.6)

### *Medical Services*

8. All children in care should be entitled to full and free medical treatment. (5.9)

### *Finance*

9. The present system of payment to the school on a capitation basis should be discontinued. Instead, payments should be made to the schools on the basis of a budget submitted by the schools and agreed to by the Central Authority. (5.14)
10. Separate grants should be available to cover new buildings and the maintenance, renovation and modernisation of existing buildings. (5.15)
11. Grants for educational purposes should be made available and paid direct by the Department of Education. (5.15)

## CHAPTER 6 REFORMATORY SCHOOLS

### *Juvenile Delinquency*

6.1 Juvenile delinquency is not a new problem. There are records going as far back as a few hundred years B.C. containing accounts of behaviour among the young which might be regarded as delinquent. The Romans had laws making special provision for children who had stolen, and recognising that the responsibility of children for such crimes was limited. All countries, developed and under-developed, in the West and in the East, have the experience of behaviour among the young, especially adolescents, which offends certain accepted standards, horrifies the older generation and often results in special phrases and names designating the groups or behaviour involved. Examples are "hooligans", "Teddy boy behaviour", "stiliagyi", "Mods and Rockers" and more recently "Hell's Angels" and "Skinheads". A problem is that many young persons may adopt a style of dress, of manners or of behaviour which would not necessarily be delinquent but which might be so regarded because of the fashion for using labelling phrases. This is a problem which is often ascribed to the "generation gap" a phrase used to describe the misunderstanding of the young, their needs, aspirations and tastes by older people. As well the range of activities thought of as being delinquent varies from country to country, what is regarded as delinquency in one country may not be so regarded in another. Delinquency figures may rise or fall depending upon how strictly the laws relating to certain offences are enforced. The second United Nations Congress on the Prevention of Crime and the Treatment of Offenders suggested that the term "Juvenile Delinquency" should not be used lightly and recommended "(a) that the meaning of the term juvenile delinquency should be restricted as far as possible to violations of the criminal law, and (b) that irregularities or mal-adjusted behaviour of minors, but for which adults would not be prosecuted, should not be created."

6.2 Another point that is often made is that there is a lot of hidden delinquency, much more perhaps than comes to the attention of the police or courts. This hidden delinquency may occur among all socio-economic groups and sources other than court or police records reveal its existence. The activities involved may be many and varied such as shoplifting, vandalism of all sorts, car thefts, assaults. W. Kvaraceus states in a UNESCO study "that a relatively large number of teen-age boys in the U.S. admitted that they had committed serious acts of delinquency which had never become a

matter of court record. These were the sons of middle and upper-income families." W. D. Wall mentions that "proven delinquency is only a crude measure of the failure of home, school or society, and that many delinquents go undetected or are never brought before the courts."<sup>2</sup> Another important point about hidden delinquency is that not nearly as many girls as boys are ever officially recognised as delinquent.

Delinquency, therefore, is a very complex matter. Indeed, this is perhaps the only certain and the most important comment on it. It is found in all countries, and yet is not fully understood by anybody and especially by those in authority who may be dealing with the problems at first hand—the courts, schools, police, administrators, and welfare workers of one kind or another.

We think that despite the difficulties there are certain facts we should record.

- (1) First of all delinquency is a very complex matter.
- (2) It is not confined to any one period of time or group of countries, or certain socio-economic groups.
- (3) Despite removal of some of the obvious causes of delinquency in some countries—poor housing, poverty, disease—the delinquency rate keeps rising.
- (4) Even though he may appear to share many common tastes for dress, manner and behaviour with his peers in similar groups within his own country and in other countries, the individual delinquent is a unique person. Generalisations are not helpful either in regard to the manifestations or the cause of delinquency.

6.3 What are the causes of delinquency? Certainly, poverty appears to be a prime factor involved in the numbers sent to Reformatory Schools in Ireland. Yet, if we are to learn from experience elsewhere, poverty and what may go with it—poor housing, lack of parental supervision and care—is not the only cause. And, of course, we must remember that the number who go to Reformatory Schools as such is not the only indicator of the rate of delinquency among the young.

As we have suggested the causes in many countries may be found in unrealistic laws which tend to inflate the figures for delinquency. They may be found also in how these laws are enforced and especially in the attitudes of those involved in enforcing them. If those concerned with enforcing the law—the courts, police, park rangers, others in authority and the public at large—regard all those who dress, speak, group or even think in a certain way as delinquent then one can expect this to inflate the figures for delinquency. Other

<sup>1</sup>Kvaraceus William C. "Juvenile Delinquency". UNESCO 1964.

<sup>2</sup>Wall W. D. "Adolescence School and Society". N.F.E.R. London, 1968.

factors that have been mentioned are broken homes, parents who provide insufficient care and affection, and films, T.V. programmes and books which actively encourage certain types of behaviour. All of these are important factors in the causation of delinquency but we think that the most important consideration is to attempt to understand the individual himself in his interaction with the various factors in his environment. Not all children or young persons react in the same way to the same set of circumstances. Therefore, an understanding of the young and how they develop especially intellectually, emotionally and socially is important.

It is only recently that human scientists have become aware of the processes involved in a child's intellectual development. It has been established that this development follows a certain sequence and that at the stage of adolescence the person reaches a point where he is capable of questioning the organisation of the world as he sees it and can think of organisations nearer his heart's desire. Therefore, that the young should be questioning is quite normal. This capability is not fully developed at adolescence and the development rate varies from individual to individual. The awareness of this new capability may in itself lead to a certain certainty about his own opinions which leads him to reject the values and attitudes of his elders. This rejection is likely to be accompanied by a heightened emotional tone which may add to the horror of parents or others. Added to that is the social uncertainty of the young person so that he finds his security only among his peers who are probably thinking and acting in the same way.

6.4 There is a need to understand the various environments in which young people live and work. These are the home, the school, the adolescent culture itself and the general adult society. Many changes have occurred in all countries, including our own, over the recent decades and we think it might be worthwhile mentioning some which we think are important.

Parental authority does not seem to be as clear cut as it was.

There are more educational and vocational choices available to young people as well as ever-changing varieties of tastes and manners.

More children are growing up in an urban environment which is perhaps more restrictive and very often more unsafe than a rural or small-town environment.

There is, generally, a complete break between the world of work and the home in the urban environment so that very few children see their fathers at work and the company of the father is not readily available.

Many parents living in poor circumstances may be just too busy making ends meet to have time or energy for their children. Sometimes they may be disabled or ill, the father may be unemployed, one or other of the parents may be dead or have deserted the family,

they may, as parents, have very little to give to their children and in many cases may not know how to cope. We do not wish to suggest that all parents in poor circumstances are deficient in some way as parents, in fact we have mentioned that all parents appear to have less influence over their children nowadays, but the point we wish to make is that parents who have to struggle with poverty and illness and, perhaps, desertion or bereavement are quite likely to find it much harder than others to care for and to help their children.

Having said all this it is necessary to stress that the majority of children reared in poor circumstances do not become delinquent.

#### *Preventing Delinquency*

6.5 First of all we think that treatment and prevention of juvenile delinquency as such cannot be considered completely apart from the general approach to young people. In practice, too, it may not be always possible to make a neat distinction between prevention and treatment.

6.6 The schools have an important role to play. What is taught at school, how it is taught, the standards expected, may be such that they tend to create school "failures". We do not wish to comment in any great detail on what schools might do but we feel we should make some comments.

No educator would agree that the function of the school is to so order things that a certain number of children must become school failures. What is taught in school should have relevance and significance for all of the pupils. What is relevant and significant in some areas and localities may not be so in others. If the main effort of the school is directed towards helping bright pupils achieve a very high standard the average or dull child may be neglected or feel inferior. The school curriculum, which is too narrow, is quite likely to fail to involve some or many pupils because it will not appeal to a wide range of aptitudes and abilities. The school needs to provide guidance for parents and pupils in order to help them make educational and vocational choices and to help detect as early as possible the symptoms which may indicate that a child, or indeed, a family, is in trouble. These symptoms may be poor attendance, a drop in achievements or a change in behaviour.

We welcome, therefore, the changes in the primary school curriculum, the efforts to broaden the scope of the curriculum at post-primary level, the provision of guidance in post-primary schools and making free post-primary education available to all. We think, too, that the efforts being made to avoid early selection of children for one kind of education or another and to eliminate as far as possible the early distinction between vocational and secondary education are worthwhile attempts to change the system so that it will not tend to reject, especially at too early an age, and so create failures. We think

that guidance should be available to parents and pupils in primary schools as well as to those in post-primary schools.

6.7 We think that all those in authority who deal with children in the course of their work should have some extra training which will help them to understand young people better. This applies especially to Garda Officers.

6.8 There is a need to ensure that amenities such as playgrounds, community centres, recreation centres and playing fields are available for use by young people. Not alone should these facilities be made available but arrangements should be made for helping people to use them. For instance, local community centres could be used to accommodate courses which would help parents to cope with family matters. There is a need for increased support for youth clubs and the provision of trained youth club leaders who would help young people organise their activities and, if possible, involve the parents in these activities. We do not wish to go into this in detail but we do think that the provision of out-of-school and out-of-work amenities for youth needs very special consideration in this country. We think that development of this field has very great potential for good especially if it involves a genuine community effort.

6.9 Finally there is a need for having various social and welfare services available. This need has been mentioned in other parts of the Report.

#### *Reformatories*

6.10 The Children Act, 1908, describes Reformatories as Schools for the training of youthful offenders in which they are lodged, clothed and fed as well as taught. They are designed to provide care and training, give classroom or vocational training and exercise remedial influences upon children sent there by the courts. The Act provides for their inspection by the Inspector of Reformatory and Industrial Schools at least once a year.

6.11 There are at present in the State two Reformatory Schools for girls and one for boys. All are run by religious orders and up to the 1st July, 1969, payment was made by the State and Local Authorities on a capitation basis at the rate of £4. 6. 6. in respect of each child. This sum covered all the expenses of maintaining and running the institution.

In the case of the girls' Reformatory at St. Anne's, Kilmacud (which is also certified as an Industrial School), payment is made on a notional number of 40, regardless of the number of girls actually detained there at a particular time. We found, however, that St. Anne's is reluctant to accept girls who are known to be practising prostitution or who, on conviction for an offence, are found to be pregnant. On the occasion of one check of the numbers of girls in the school we

found that only three girls on the rolls were committed by the courts as delinquent. It is obvious, therefore, that St. Anne's is not fulfilling the purpose for which it was originally founded.

6.12 No junior reformatory exists for the detention of youthful offenders under twelve these, on conviction, being normally sent to Industrial Schools. As the bulk of boys of this age-group are, however, sent to the Industrial School at Letterfrack, Co. Galway, it was decided to treat this institution as a junior reformatory.

6.13 A difficulty facing the courts is that, in certain circumstances, managers may refuse to accept certain offenders. As there is no alternative institution to which they may be sent, the only course open to the courts is to place them on probation or to release them. This problem is particularly acute in the case of girls charged with recurring sexual offences or found to be pregnant, as the girls' reformatories are not inclined to accept such girls. From evidence presented to the Committee, it would appear that this situation is becoming known to this type of girl with consequent lack of regard for the authority of the courts.

6.14 No provision is made for the assessment of children before committal to these institutions. The Committee are satisfied that some of the children detained are suffering from defects, either mental or physical, calling for special treatment. They should never have been committed to these institutions in the first place.

Insufficient background information is made available to the institutions, in many cases consisting of little more than the child's name and approximate age. There appears to be a lack of liaison between the courts, Probation Officers and Social Workers on the one hand and the School Managers on the other with the result that all the information available about a particular child is not always made available to the school.

6.15 As already mentioned, young offenders under 12 are normally sent to Industrial Schools, the bulk of the boys going to Letterfrack. They are not segregated from non-offenders in these schools. In Letterfrack on a recent date 64 of those detained had been convicted of indictable offences, 15 were offenders under the School Attendance Acts and 13 were non-offenders. It is noted that many School Attendance Acts offenders had come under notice for other offences though not convicted by the courts. It appears to us that the system by which offenders are mixed with those who have committed no offence cannot but have adverse results.

6.16 No adequate system of vocational training exists in the Reformatories to provide the children leaving with saleable skills to enable them to take their place in society.

Under the present system many children leaving the Reformatories either under licence, on expiry of sentence or on reaching the age of

release, are not provided with suitable employment and accommodation, contacts, money or after care.

#### *Girls' Reformatories*

6.17 The number of girls detained in the two girls' reformatories is small—only 20 on a recent date. The number fluctuates, however, the average number over the five years 1964 to 1969 being 26. During this period the maximum number detained at any one time was 43, the minimum 17. Not all of these had been committed by the courts, about 15% of those detained being voluntary cases who had been admitted at the request of relatives, clergy or Health Authorities. The small numbers are partly due, however, to the fact already adverted to, that certain types of girl offenders are not accepted in these schools. The courts are faced with a difficulty in dealing with such girls.

6.18 In some cases, these girls are placed on probation with a requirement that they reside for a time in one of several convents which accept them; in other cases they are placed on remand from the courts. A number of others considered by parents, relatives, social workers, Welfare Officers, Clergy or Gardaí to be in moral danger or uncontrollable are also accepted in these convents for a period on a voluntary basis. From enquiries made, the Committee is satisfied that there are at least 70 girls between the ages of 13 and 19 years confined in this way who should properly be dealt with under the Reformatory Schools' system.

This method of voluntary arrangement for placement can be criticised on a number of grounds. It is a haphazard system, its legal validity is doubtful and the girls admitted in this irregular way and not being aware of their rights, may remain for long periods and become, in the process, unfit for re-emergence into society. In the past, many girls have been taken into these convents and remained there all their lives. A girl going into one of these institutions may find herself in the company of older, more experienced and more depraved women who are likely to have a corrupting influence on her. In most cases the nuns running these institutions have neither the training nor the resources to enable them to rehabilitate these girls and to deal with the problem. It is accepted, however, that in one institution the handling of this problem is professional and practical because of the existence of trained staff.

No State grants are payable for the maintenance of those in voluntary Magdalen institutions (except in remand cases in respect of whom 7/- per day is paid).

There are generally no proper facilities for the education of these girls many of whom are thought to be retarded; there is a lack of qualified and specialist teachers and the training provided is not geared to getting the girls back into society as quickly as possible as useful citizens. It was noted that as no State grants are made for these purposes there is, consequently, no State control or right of inspection of these institutions.



6.19 The principal form of unacceptable social behaviour which had led to the admission of the girls has been their involvement in prostitution. The great difficulty of rehabilitation and the ease with which the girls slip back into this activity appears to us to be the principal reason for the chronicity which we have detected in these institutions.

6.20 It has come to the notice of the Committee that, owing to the lack of aftercare, some former pupils of Reformatories and Industrial Schools become involved in prostitution on leaving the institution.

The existence of this problem further underlines the inadequacy of the personality formation, social and occupational preparation of these girls prior to their release from these schools. Remedial measures are hampered by the fact that the younger girls involved in this practice are seldom accepted by Girls' Reformatory Schools and that girls who agree in court to go to St. Brendan's Psychiatric Hospital, almost always discharge themselves after a few days. In the case of finding by the court we have been informed that the practice of the girls is to obtain the money to pay the fine by further prostitution. This is obviously a problem requiring immediate full investigation and attention. The girls concerned would not all be suitable for inclusion within a Reformatory School system and there is a necessity for the establishment of homes where their difficulties could be tackled.

6.21 It is, therefore, recommended that a closed psychiatric home for the treatment of teenage girls should be provided as a matter of urgency.

The voluntary bodies at present dealing with prostitution should be helped by the State and local authorities with finance and expertise. Hostels and job-training for these girls should be provided as a joint effort by the voluntary bodies and local authorities.

#### *12-15 Age-Group in Reformatories*

6.22 It was found that there are about 80 boys in the age-group 12-15 at present in Reformatories. This is a minimum estimate and while the number may be reduced by transferring those in need of special treatment, for example the mentally handicapped, to appropriate institutions and by short-term committals to the new Place of Detention to be established at Finglas, it is felt that the numbers would be made up and, perhaps, increased by the fact that Justices would make more committals to an improved system.

It is recommended, therefore, that two Junior Special Schools be set up for boys in this age-group. The schools should be run on "open" lines with a small closed wing for difficult cases. The schools should be situated near the places of origin of the majority of the children and where necessary ancillary services would be available. One school should be located in Dublin.

Sentences should be variable and subject to regular review and the workload should be such that detainees would obtain individual treatment.

6.23 The term reformatory should be abolished. We consider that, as we have made it clear elsewhere that children in these schools should be treated as handicapped, the term Special School would be the most appropriate title for them.

#### *16-17 Age-Group*

6.24 It was similarly established that about 70 boys would fall to be provided for in this age-group and it is recommended that two Senior Special Schools be established to cater for them, boys of 18 and upwards being sent to St. Patrick's Institution. These Schools should be run on similar lines to the Junior Schools and should be located on a similar basis.

6.25 Consideration was given to the question of emotionally disturbed juvenile delinquents. As numbers are small it appears that they should be treated in conjunction with emotionally disturbed juveniles. No provision is at present available for this and it is recommended that a treatment centre be set up to cater for such cases.

6.26 The enquiries made by the Committee revealed that about 120 girls would have to be accommodated in the Reformatory Schools' system. This figure allows for an average of 40 in Reformatory Schools, 70 in convents which deal with this type of case, and 10 in a private hostel.

We, therefore, recommend that two Senior Special Schools for girls aged 15-17 be provided and that two Junior Special Schools be also established for the 12-15 age-group.

6.27 A grave drawback in the present system is the lack of any proper assessment of children sent to Reformatories. All children coming before the courts should be assessed at the Assessment Centre recommended elsewhere in this report and their background investigated. Full information should be available to the court before sentence and this information should accompany the child wherever he is sent. No Manager of a Special School should have the power to refuse admission to a child who has been properly assessed provided that the child can be accommodated there.

6.28 As in the case of Residential Homes there should be adequate staff (including a social worker) in all these schools, fully trained and properly remunerated. There should be adequate educational staff, the full services of the Health Authority should be available including the services of psychiatrists, psychologists, doctors and dentists. The general recommendations on staff training in this Report should apply to training of staff in these Schools.

*St. Conleth's, Duingean*

6.29 This Reformatory is housed in a 200 year old former military barracks. An additional wing was built in the post-war period but the building is basically old and completely unsuitable for the purpose for which it is being used. The kitchen and refectory are situated in what were formerly the stables and are depressing and decayed. On inspection, the toilets were dirty and insanitary. The showers were corroded through lack of use and the hot water system was so inadequate that the boys seldom if ever washed in hot water. When it was first inspected the boys were ill-dressed and dirty and there was a general air of neglect about the place. To be fair, the Committee would point out again that the capitation rate paid was completely inadequate.

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

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

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

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

*The Remand Home System*

6.30 The Children's Act 1908 requires police to provide "places of detention" for juveniles remanded in custody (see Appendix K).

Remand homes are provided for the safe custody of children:—

- (a) who are charged with offences and are not released on bail pending their appearance in court.
- (b) who require to be lodged in a "place of safety"; these are usually children alleged to be in need of care or beyond control who are detained pending consideration of their cases by the court,
- (c) between sittings of the court while the case (including a case where a finding of guilt has been made) is adjourned for inquiries to be completed or reports to be obtained,
- (d) on committal to a remand home for a period of detention not exceeding one month.

The Remand Home should be designed to provide a disciplined environment which will begin the process of rehabilitation of the child at a time when he is experiencing an abrupt break with his familiar surroundings and to enable information to be gathered for the assistance of the courts about his history, background, and personality. These Remand Homes should serve as Observation and Assessment centres.

Reports on the behaviour and character of children while in remand homes should be provided by the Superintendent at the request of the courts and there should be full facilities for proper examination by psychiatrists and psychologists and reports by psychiatric social workers.

Proper educational facilities should be provided and proper use of leisure time should be encouraged.

The Superintendent should be a suitably qualified person.

A Remand Home for girls which should also be an Observation and Assessment Centre, should be provided in Dublin and the question of providing one for the South and West of Ireland should also be considered.

There is a need for greater segregation in Remand Homes to prevent delinquent children mixing with non-delinquents and older children exercising an undesirable influence over younger children. Much could be achieved by adequate staffing and suitable lay-out of buildings.

*Marlborough House, Remand Home and Place of Detention*

6.31 Marlborough House is completely unsuitable for the purpose for which it is being used. The building itself is old and was in fact condemned as dangerous as far back as 1957. It is run by a staff with no special training in child care. The attendants, who are recruited through the Employment Exchanges, are not required to have any qualifications which would make them suitable for the task of caring for children. It is obvious that their function at present is purely custodial.

The recreational facilities are extremely poor. There is a small piece of ground available where presumably the boys could play games or drill but there is no equipment for any such games or drill. Indoor recreational facilities are similarly lacking. Worse still, there are no educational facilities in Marlborough House nor is any trained teacher employed. This, in effect, means that children may be detained on remand or committed there for periods of up to a month, with no useful or healthy way of passing the time.

This position is deplorable and must be altered without delay. Our first reaction is to recommend that Marlborough House be closed forthwith. We understand, however, that a new Place of Detention and Remand Home is being built in the Finglas area and should be ready for occupation by summer or autumn 1970. This will be managed by the De La Salle Order and it is the intention

that it should cater for 46 boys between 10—15 years and 25 between 15—17 years who are placed in detention. In addition there will be places for 14 children on remand. We are not satisfied that 14 places are sufficient to cater for all the boys who may be on remand at the one time since returns received from Marlborough House indicate that during 1968, the average number on remand was 26 and on one occasion the number on remand reached 36.

Despite this the Committee recommends the immediate closure of Marlborough House and the provision of alternative interim accommodation, providing trained staff and adequate recreational and educational facilities.

We should point out that during sittings of the Committee in July, 1969, a written submission to this effect was made to the Minister for Education, who has responsibility for Marlborough House.

#### *St. Patrick's Institution*

6.32 This is an institution which houses young male offenders between the ages of 16 and 21 years and is directly controlled by the Department of Justice. While it does not come within the ambit of the Reformatory and Industrial Schools system, it is closely allied to it. Indeed many of the young persons committed to it have previously been in Reformatories or Industrial Schools, while boys in the Senior Boys' Reformatory found uncontrollable or guilty of absconding may be committed there.

St. Patrick's is an old style penitentiary building with rows of cells, iron gates and iron spiral staircases. Offenders, in the main, occupy single cells. These are small and gloomy and each one has a small barred window almost at ceiling level. Offenders are held in these cells for approximately fourteen hours per day.

As in the case of Daingean we felt that the educational and training facilities were altogether insufficient and primitive. The system of locking young persons into a cell alone for a good portion of the 24 hours can hardly be conducive to rehabilitation. We feel that something should be done to improve conditions there.

The Inter-Departmental Committee on the Prevention of Crime and Treatment of Offenders recommended *inter alia* that an educational psychologist, a specially qualified whole-time primary teacher and qualified part-time teachers of crafts and skills should be provided in St. Patrick's. We feel strongly that these recommendations should be implemented without delay and, in addition, that counselling services should be provided there and that there should be consultation with the Department of Education.

## SUMMARY OF RECOMMENDATIONS ON REFORMATORIES

1. A closed psychiatric unit for the treatment of teenage girls should be provided as a matter of urgency. (6.21)
2. The voluntary bodies dealing with prostitution should receive financial aid and guidance from the State and local authorities. (6.21)
3. Hostels for those released from Special Schools should be provided as a joint effort by voluntary bodies and local authorities. (6.21)
4. Two Junior Special Schools should be set up for boys in the 12-15 age-group. These schools should be run on "open" lines with a small closed wing for difficult cases. (6.22)
5. The term "Reformatory" should be replaced by the term "Special School". (6.23)
6. Two Senior Special Schools for boys in the 15-17 age-group should be established, these to be run on similar lines to the Junior Special Schools. (6.24)
7. Special arrangements should be made for the treatment of seriously disturbed juvenile delinquents. (6.25)
8. Two Senior Special Schools for girls aged 15-17 should be provided and a Junior Special School should also be provided for the 12-15 age-group. (6.26)
9. No manager of a Special School should have the power to refuse admission to a child who has been committed to that school after proper assessment, provided there is a place for the child in the school. (6.27)
10. There should be adequate, fully trained and properly remunerated staff (including a social worker) in all these Special Schools. (6.28)
11. The full range of services of the Health Authority should be available, including the services of psychiatrists, psychiatric social workers, psychologists, dentists, doctors. (6.28)

12. The general recommendations on staff training in this Report should apply to training of staff in the Special Schools. (6.28)

13. St. Conleth's Reformatory, Daingean, should be closed at the earliest possible opportunity. (6.29)

#### *Remand Homes*

14. The Remand Homes System should be designed to provide a disciplined environment which will begin the process of rehabilitation of the child. (6.30)

15. Proper educational facilities should be provided in Remand Homes. (6.30)

16. Proper use of leisure time should be encouraged. (6.30)

17. The Superintendent should be a suitably qualified person. (6.30)

18. A Remand Home for girls which should also be an Observation and Assessment Centre should be provided in Dublin and the question of providing one for the South and West of Ireland should also be considered.

19. There should be proper segregation in Remand Homes to prevent delinquent children mixing with non-delinquent and older children exercising an undesirable influence over young children. (6.30)

20. Marlborough House Remand Home and Place of Detention should be closed down forthwith and replaced by a more suitable building with a professionally trained staff. (6.31)

21. The position in St. Patrick's Institution should be examined particularly with a view to the provision of proper psychological, educational and training facilities. (6.32)

## CHAPTER 7

### EDUCATION

7.1 If the task of integrating children in care into society is to be successful it is essential that those in care for one reason or another should have educational opportunities to the ultimate of their capacities. In view of the availability of post-primary education to all and the raising of the school leaving age to 15, it should be ensured that all such children receive a post-primary education. Where it is considered to be to the child's advantage he should proceed to third level education.

7.2 A high proportion of children in care are educationally backward and the main limitation in the Reformatory and Industrial School educational system is that this fact has not been taken into account in catering for the children's educational needs. The summary of the findings of the survey carried out at our request by the Department of Psychology, University College, Dublin (Appendix F) shows in some detail the extent of the poor educational and general intellectual attainment of the children and the tables at Appendix E give backing to the conclusions drawn. It is obvious from that survey that special educational facilities are needed for deprived children and, bearing this in mind, we have noted the following limitations in the educational field.

There is a lack of organised services which would be readily available to schools to help detect cases of educational backwardness, mental handicap and emotional disturbance and factors likely to affect a child's progress in school. This applies to both Industrial and Reformatory Schools.

There is no service which would provide an educational report for the Courts nor are there organised services which would provide the Courts with psychological, psychiatric and medical reports.

There are no proper facilities for the provision of special and remedial education in both Industrial and Reformatory Schools. The results of the survey carried out by the U.C.D. team indicate the great need for these facilities.

There is no provision of pre-school education in those schools catering for very young children. This is very likely to affect adversely their subsequent level of achievement.

There is no provision of educational and vocational guidance and counselling for children in Industrial and Reformatory Schools.

The range of educational opportunities and facilities available in the Reformatories is very limited bearing in mind the special needs of the children (Appendix E). The education available is at ordinary national school level together with instruction in some practical subjects. In the Boys' Reformatory in Daingean about one-third of the

boys received their education in a national school recognised in 1967. About one-third were offered courses leading to the Group Certificate examination in metalwork and/or woodwork and Irish, English and Mathematics provided by teachers from the local Vocational Education Committee and teachers from the national school. Members of our Committee noted the lack of proper equipment in the classes providing instruction in woodwork and metalwork. The remaining third received some part-time instruction in the basic school subjects and worked on the farm or about the Institution for the rest of the time. Craftwork and art classes have been available from time to time. Education at the National School level, together with instruction in some practical subjects, appears to be the extent of the facilities available in the girls' Reformatories. There is a need for much greater provision of educational opportunities and services of all kinds for children in Reformatories if the process of rehabilitation is to proceed.

These limitations will have to be overcome if the children with whom we are concerned are to be given the opportunities enjoyed by more fortunate children.

7.3 The vast majority of children who are in care in Industrial and Reformatory schools are children who are or who have been deprived of conditions which promote normal development. This must affect adversely their educational progress and is a factor in explaining their low attainments and intellectual level. It will be necessary, therefore, to provide them not only with what are regarded as normal facilities but with much extra as well if they are, in fact, to have equality of opportunity with children from normal homes. It will, in other words, be necessary to overcompensate for deprivation. A programme of overcompensation will, as we have mentioned earlier, require a co-operative team approach involving those concerned with residential care and with education.

7.4 On the educational side an approach along the following lines is suggested.

In cases where this is possible every effort should be made to provide pre-school education for very young children who come into care. The teachers should have special training, psychological and other advisory services should be available and graded play equipment which will enrich the early experiences of the children should be provided.

Every effort should be made to provide facilities for early diagnosis of factors likely to affect a child's progress so medical, psychological and social worker personnel should be available. We think that there should be ready access to general medical and specialist facilities and social workers and the Schools Psychological Service of the Department of Education should co-operate in providing special services—assessment, remedial, guidance—for very young children in care.

Schools catering for children coming from Residential Homes should have special and remedial education programmes and psychological services where necessary.

7.5 Special counselling should be available to children in care to help them (a) develop personally, (b) make full use of their opportunities, (c) make educational, vocational and career choices.

Provision should be made to enable homes to provide supplementary education e.g. opportunities to travel, physical education, art, musical and general cultural activity. This could be regarded as part of the general enrichment programme which, while being a preventive measure in early childhood, could help older children to overcome some of their earlier disadvantages. A planned enrichment programme is not a new idea. For instance, the Montessori School was originally designed to provide early education for slum children. More recently this idea has been recommended by the Plowden Committee in Britain and is being put into practice in "Headstart" projects in the U.S. Many of the Homes catering for children in care—both delinquents and non-delinquents—in Britain and elsewhere follow such a programme. We note that practical application of the notion is planned in this country in the Ruland Street project. We feel certain that every effort made to improve and provide extra services for our children in "at risk" areas will yield dividends in happier and more contented families and better adjusted, better educated children and would be an important preventive measure for keeping children out of care. We wish to stress that while we regard the provision of equipment and materials as important, the essential element in any enrichment programme is improvement in the quality of the personal relationships experienced by the children, hence the need for well trained and suitable staff. Furthermore, we would note that while the resources available to us as a community may be limited, the range and complexity of the problems which we face are not as great as those faced in other countries (such as England or America) so the chances of success, through making more resources available for the disadvantaged, are greater.

7.6 We note that the practice of sending children to schools outside the place of residence is quite widespread, especially among girls Industrial Schools. The Senior boys Schools have not adopted this practice to any extent nor do any of the Reformatories. We think that it is important that all non-delinquent children in care should attend schools outside the Residential Home and mix with children from ordinary homes. This would help the children to regard themselves as no different from others and would contribute towards the process of integration. The practice could, we think, apply to delinquent children to some extent too and would help very much towards their reintegration and rehabilitation.

#### *Opportunities for third level Education*

7.7 In many cases students who are in care may not succeed in gaining the normal grants or scholarships for third level education. It should be recognised that a student from a normal family may proceed to a third level institution, provided he satisfies the minimum

requirements of the institution, because his family is willing to support him. We think that the Health Authority and the Department of Education should see to it that no child in care is denied the opportunity to receive third level education if he is likely to benefit. Bearing in mind that the aptitudes, interests and attainments of the child are matters which should be considered when deciding what courses of further study of training are made available for him, we think that the Schools Psychological Service, at present being developed by the Department of Education and the student's school, should be required to advise on what course of action is most likely to be to the advantage of the individual student. The Health Authority should be empowered to assist the student financially to enable him to continue his studies. The gaining of any grant or scholarship or any award made on the advice of the education authorities must not be regarded as relieving the Health Authority of its responsibility for providing for the maintenance of the student.

#### *Education in Special Schools*

7.8 "Most people think of schools as places where 'subjects' are taught—arithmetic, history, geography and the like. Most educationists would conceive of education in much broader terms: 'education for living', 'education of the whole man', 'character training', and so on."<sup>1</sup> So far as Special Schools are concerned it is clear that it is education in the broad sense, properly carried out, that is needed above all. Imparting knowledge and skills is necessary but the vast majority of the children who go to them will need help with problems other than those concerned with learning a subject—problems of social adjustment, their fears and hopes for the future. "They are full of fears, worries, pugnacity, resentment, hatred, revenge. And what is more they did not want to come to the school."<sup>2</sup>

7.9 We consider that children in Reformatories are very likely to suffer from the effects of deprivation too, in fact their presence in a Reformatory is possibly the result of deprivation. The indications are that their levels of intellectual and educational attainments are as low or indeed lower than those of children in Industrial Schools. Special provision needs to be made in this regard and all of the preventive measures discussed above are relevant when considering Reformatories.

7.10 Children in Reformatories are children who have, in the main, dropped out of the general educational stream and we recommend that every effort be made to ensure that they are brought back into the mainstream. We would like to stress that we do not consider that a very general solution e.g. provision of technical education

<sup>1</sup>"Schools for Young Offenders." Gordon Rose, pp. 171-172 (Tavistock Publications).

<sup>2</sup>*Ibid.*

facilities, is the way to meet these children's needs. Every effort should be made to discover latent talents and interests and a variety of methods used to promote them. It may not be always necessary to provide the education and training in the Reformatory. Pilot schemes and experiments which would allow children to go out and to take up part-time employment and receive education outside should be operated.

7.11 The curriculum, besides gearing the child towards a definite goal of Group/Intermediate/Leaving Certificate, should aim at an all round development and should include a wide range of activities likely to cater for the varied interests and needs of the children. Individual pupils might be encouraged to develop special talents such as technical skills, arts, crafts and general educational interests, and the needs of children in short-term detention must be specially examined.

7.12 To carry out these recommendations it will be necessary to enable schools to provide teaching in a wide range of subjects with practical and academic, as well as special and remedial education. This means that the services of psychologists and special and remedial teachers should be available as well as the teachers of various subjects. Therefore, the normal pupil/teacher ratios sanctioned in vocational, secondary and even in special national schools do not meet the needs of these children. In Senior Special Schools it will be necessary to provide teachers capable of teaching a range of subjects, both practical and academic, at the post-primary level. In Junior Special Schools it will be necessary to provide teaching in craft subjects that are usually taught in vocational schools to cater for the interests and aptitudes of the pupils. However, as is evident from the U.C.D. survey, most of the children are likely to be backward in the basic school subjects and they will need extra help in these if they are to attempt to reach levels acceptable for admission to apprenticeships or further courses of study. Therefore, the problem appears to be one of coping with backwardness in the basic subjects, providing subjects which cater for the aptitudes and interests of the pupils and ensuring that any pupil who is capable of following a normal course of study at primary or post-primary level is enabled to do so, and providing courses for children who are detained for short periods.

7.13 The importance of personal counselling cannot be overstressed. The Schools Psychological Service of the Department of Education should ensure provision of special guidance services for these schools. Every school should have at least one counsellor who has had full-time training in counselling psychology.

7.14 Religion should play an important part in the integration of a young offender into society. We feel, therefore, that its practical implications in daily living should be strongly emphasised. We attach great importance to the careful selection of chaplains who

should have a full understanding of the problems involved in dealing with children in Special Schools.

7.15 The Schools should be properly equipped with teaching aids and equipment. The practice of relying entirely on a Local Vocational Education Committee to provide certain teachers, as is the case in Daingean, should be dropped since it is hardly fair to expect any one local authority to be responsible for provision for children who will come from the areas of a large number of authorities. All grants for educational purposes and all teachers' salaries should be paid direct by the Department of Education.

7.16 It is obvious that educational provision for delinquent children is likely to be much more expensive per head than educational provision for other special categories of children. This is an experience common to all countries attempting to make full provision for delinquents who are taken into care. If the cost is not to be prohibitive and the services are to be provided, it is important that Special Schools should be located in large centres where services are readily available and children may be able to attend some classes that are being provided in outside schools.

7.17 Junior Boys Special Schools should be regarded as Special National Schools, in the same way as special recognition is afforded to schools catering for other categories of handicapped children, but with a more favourable pupil/teacher ratio and the provision of counselling. Special and remedial teaching should be provided by specially trained staff.

7.18 All of the teachers in Special Schools, even those who are not special or remedial teachers, should have some extra training to assist them in coping with the extra difficulties they must encounter. They should receive extra remuneration for this work.

7.19 Senior Special Schools should be regarded as Special Post-Primary Schools with special and remedial education for those who are educationally backward.

The schools should have facilities to provide training to major and minor craft level.

Furthermore, it may be necessary to have short courses, perhaps tailor-made to specific vocational areas, if these children are to be satisfactorily placed or given a chance to succeed, especially in view of the fact that there may continue to be a number of short-term detentions.

7.20 The teaching staff should be left free to devote all their attention to educational activities. This should not preclude extra classroom involvement in arts, crafts and games or acting as group leaders on a voluntary basis.

Regular meetings should be held among administrators, teaching staff and residential staff in all Special Schools to discuss policy and current problems. These meetings should help the flow of fresh thought and assist in co-ordinating the work of the various interests concerned.

#### *General*

7.21 At present the Minister for Education has ultimate responsibility for both the Residential and Educational aspects of looking after children committed to care whether as delinquents or otherwise. Under our recommendations the Residential aspect will be transferred to the Minister for Health while the Educational aspect will remain with the Minister for Education. We recommend that there should be a more formal link, medical and otherwise, between the two Departments to ensure that the needs of children in care are adequately met.

## SUMMARY OF RECOMMENDATIONS ON EDUCATION

1. All children whether in Residential Homes or in Special Schools or otherwise in care should be educated to the ultimate of their capacities. (7.1)

2. It will be necessary to provide children in care with more than the normal educational facilities. It will, in other words, be necessary to overcompensate for deprivation. (7.3)

3. A programme of overcompensation should involve a team approach by those concerned with both the residential and educational aspects of the problem of catering for children in care. (7.3)

*The following recommendations could form part of the educational approach to a programme of overcompensation:*

4. Where possible every effort should be made to provide pre-school education and the teachers participating should have special training. Psychological and other advisory services and proper equipment should be provided. (7.4)

5. Every effort should be made to provide facilities for early diagnosis of all the factors likely to affect a child's progress at school. (7.4)

6. Schools catering for children from Residential Homes should be enabled to provide special and remedial teaching and psychological services should be provided. (7.4)

7. Special counselling should be available to help children (a) develop personally (b) make full use of their opportunities (c) make educational, vocational and career choices. (7.5)

8. Provision should be made to enable Homes to provide general activities which would supplement the education received at school. (7.5)

### *Education Outside the Homes*

9. Children in Residential Homes should receive their education with other children in schools located outside the Homes. Children in Special Schools should be allowed, if possible, to attend school, or some classes, outside the Special Schools. (7.6)

### *Third Level Education*

10. Students who are in care should be given every opportunity to avail of third level education. Where they do not succeed in obtaining any of the normal grants, special arrangements should be made to offer them third level opportunities if it is considered to be to their advantage. (7.7)

### *Education in Special Schools*

11. Children in Special Schools are quite likely to be school drop-outs, to suffer from the effects of deprivation and to be educationally backward. Every effort should be made to bring them back into the mainstream of education and to provide them with extra facilities which will help them overcome their backwardness and the effects of deprivation. (7.10)

12. The curriculum should include a wide range of subjects and activities and should aim at all-round development, while providing opportunities for children to get the usual examination certificates. (7.12)

13. Because of the special problems posed by children in Special Schools it will be necessary to allow an even more generous pupil/teacher ratio than is allowed in Special National Schools. (7.12)

14. There is a special need for personal counselling in Special Schools. (7.13)

15. The chaplains should be carefully selected and should have a full understanding of the problems involved. (7.14)

16. The Department of Education should pay teachers' salaries and the cost of educational equipment directly. (7.15)

17. Junior Special Schools should be recognised as Special National Schools and Senior Special Schools should be recognised as Special Post-Primary Schools. (7.17.19)

18. All of those teaching in Special Schools should have extra training for their work and should be paid special allowances when they have completed such training. (7.18)

19. The Minister for Education should retain responsibility for the education of children in care while responsibility for the residential aspect is transferred to the Minister for Health. There should be a more formal link both medical and otherwise between the two Departments to ensure that all the needs of the children are met. (7.21)



## CHAPTER 8

### AFTERCARE

8.1 Children discharged from an Industrial School are liable to remain under the supervision of the school manager until they reach 18 years of age, while those discharged from Reformatories remain under the supervision of the School Managers until they are 19 years. Under the Children Act, 1941, this supervision may be extended to 21 years for both categories of children, where considered necessary.

We are aware that in many cases the School Managers endeavour to keep in touch with children who leave their care and encourage them to return for visits or holidays. This, however, is not aftercare as it is recognised by modern thinking on child care. In practice there is no aftercare machinery and there is no special personnel to do this work.

8.2 Aftercare should, ideally, begin as soon as a child enters into care and should last as long as necessary. When a child has been placed in care in a Residential Home or in a foster home he will, if our recommendations are accepted, have been fully assessed. This means that his problems, his needs, his talents and his background should be reasonably well known to those in whose care he is placed. It should, therefore, be possible at that stage to initiate a plan for his rehabilitation. With this in mind his education should be directed towards making him a good citizen, and there should be close co-operation between those responsible for helping the child plan his education and choose a career, and those involved directly in aftercare.

8.3 At present, however, placement of children who are in care is often very difficult.

One factor which militates against successful placement of some children is the confusion caused in the public mind, in regard to the nature and purpose of institutions, by mixing offenders and non-offenders. About 70% of the boys and 95% of the girls received in Industrial Schools have been committed by the Courts as non-offenders in need of care or have been admitted under Section 55 of the Health Act, 1953. For a child convicted of an offence residential treatment may mean an enforced sojourn in an industrial school. For a child who has not committed an offence, but is considered to be in need of care, it means exactly the same thing.

8.4 The practice of mixing children committed as offenders with non-offenders is defended on the grounds that in so far as background and needs are concerned there is really little difference between the

two groups and that in many cases children sent to Industrial Schools as non-offenders have in fact committed offences. We think that it is sufficient to point out that, while the background and needs may be similar in many respects, there are important differences. Non-offenders are not likely to have been in direct conflict with society and, as well, many of them are received into care at a very early age. While some children who have committed offences may be placed in care as non-offenders we are not satisfied that the practice is so widespread that it would justify making no distinction between the groups. The fact remains, of course, that one group consists of legally innocent children and the other of the convicted.

8.5 We think that non-offenders who are committed to or placed in care, are likely to have enough disadvantages to overcome without having the added one of being confused with those who have committed offences. Apart from the confusion which results there is the danger of delinquent children having a bad influence on others, the possibility of excessive demands being made on staff and the distinct possibility that the real needs of the delinquent may not be recognised with the consequence that proper treatment and care may not be provided. All in all, therefore, we think that offenders and non-offenders should not be accommodated in the one Home. We think that the public should be quite clear about the purposes of Homes providing different types of care, that this will ease the difficulty of placing non-offenders and that it will help too towards providing resources for the treatment of delinquents, which in its turn will help these children to secure a place for themselves in the life of the community.

8.6 Very often, under the present system, a child is discharged from care without any preparation to enable him to cope with life outside the institution. The tendency is, therefore, to drift back to the same conditions which caused him to be placed in care or in detention in the first instance. In order that the time spent in care may not be wasted every effort should be made to ensure that a child is released to conditions more favourable than those in which he lived prior to coming into care. With the closing of a number of Industrial Schools in recent times it was necessary to release numbers of children from those schools and we feel that not all the releases were purely in the best interests of the children concerned. The temptation to give precedence to the solving of an administrative difficulty over the welfare of the child must at all times be avoided.

In order to avoid such dangers it is essential that every Residential Home should have an aftercare agent, who should co-ordinate the work of paving the way for a child's release into everyday life.

8.7 One of the ways in which a child may be helped to cope with the demands of life outside the Home is to place him in a pre-release hostel for some time before actual release, or, alternatively, to place him in suitable lodgings. In the hostel he could be given a greater degree of responsibility and freedom and guided in his search for a

career. This is being done in at least one school in the Dublin area but we think it should be a feature of Residential Centres.

8.8 If a child is being released to his home the aftercare agent in the Residential Home should, in conjunction with the social worker of the child's home area and other interested officers of the Health Authority or Child Care Division, ensure that such support as is considered necessary is given to the child's parents, parent or guardian to help support him until such time as he is in a position to support himself. This will mean not only financial support but guidance and counselling and other allied social service supports.

8.9 In the case of a child or young person who has no home to go to on release the position is even more difficult. In such cases, an aftercare officer should endeavour to obtain suitable lodgings in the area to which he is moving or where these are not available, suitable hostel accommodation. Once again he may need financial and other support to help him over the difficult period between his discharge from care and his settling down to an independent life.

We believe that there should be ample hostel accommodation in the larger centres of population—particularly in Dublin. The position at present is extremely bad. There are very few hostels in the State and those that are there do not receive the support they need. It is imperative that hostels should be provided without delay, that the State should make realistic contributions towards them and that the community in general should take a more active part in supporting them.

8.10 In this latter connection there should be a much greater awareness on the part of the community in general of the need for an aftercare service to help children at-risk and delinquent children. It should be possible to set up local groups of responsible citizens who would co-operate with the social workers and other officers of the Child Care Division and Health Authority in maintaining adequate prevention and aftercare services. We feel sure that there is a fund of goodwill and energy, which could be used to help these services, and all that is needed is that it should operate under professional guidance.

8.11 One of the big problems at present facing children leaving an institution to make their way in the world is that of loneliness. After a childhood living in institutional surroundings in the company of many other children, life in lodgings or in a flat or bedsitter must seem like solitary confinement to them. They must perforce seek their company where they can find it and this is not always the most suitable company for a young person who has been away from normal society for many of the formative years of his life. This is particularly so in single sex institutions. Having had little or no experience of mixing naturally with members of the opposite sex

they have no standards of behaviour by which to judge those whom they meet. The dangers of such a condition need not be emphasised.

8.12 As we mention in our comments later, on preventive measures in Child Care there is a pressing need for youth clubs and community centres which will assist young persons discharged from institutions to integrate into society. Once again we emphasise that this is a community problem and it is the community's duty to solve it. It cannot be solved by legislation—the most the State or Local Authority can do is to provide expertise and a certain amount of financial aid to help local communities in running such clubs and centres.

Regrettably, there is a certain reluctance to admit children or young persons who have been in Reformatory or Industrial Schools to membership of local clubs, but, if the other child services are working properly along the lines suggested in this Report, a person discharged from such a School should be on the road to rehabilitation. In the meantime, all that is needed, then, is that the community at large should play its part in ensuring that circumstances do not force him back into the problem category. The system whereby a suitable, informed and carefully selected local volunteer acts as adviser, confidant and helper to a discharged child works very well in other countries and should be encouraged here. It need hardly be added that the volunteer would at all times work in co-operation with and under the guidance of the professional workers in the field.

8.13 We have been assured that there is no organised discrimination against children who have been in institutions such as Reformatory or Industrial Schools so far as Employers' Associations or Trade Unions are concerned, and we accept that this is so. But this is a passive rather than a positive approach to the problem and we consider that these associations and organisations should actively assist in the placement of such children in employment. The placement services provided by An Chomhairle Oiliuma (ANCO) should also be utilised to the full in this regard.

8.14 Our whole approach to every aspect of Child Care must be based on the fact that we, the community, can no longer hide our social problems behind institutional walls—we must all play our part in solving them.

## SUMMARY OF RECOMMENDATIONS ON AFTERCARE

1. Aftercare should be an integral part of the entire Child Care system. It should begin as early as possible and last as long as necessary. (8.2)
2. A factor militating against the placement of children who have been in care is the mixing of offenders and non-offenders resulting in confusion in the public mind regarding the nature and purpose of the Homes. Offenders and non-offenders should not be accommodated in the one Home. (8.4, 5)
3. Every Residential Home and Special School should have an aftercare agent who should co-ordinate the work of paving the way for a child's release. (8.6)
4. In order to help a child bridge the gap between institutional care and ordinary life he should be placed in a pre-release hostel where he will have to exercise more individuality than formerly. (8.7)
5. Aftercare agents in conjunction with social workers should ensure that families to which children are being released receive such support, guidance and counselling as is considered necessary. (8.8)
6. Before a child is discharged from Residential Care it must be ensured that he will have suitable accommodation. Additional hostel accommodation will, therefore, be necessary particularly in the Dublin area. As an alternative to hostel accommodation subsidised lodgings should be provided in suitable private homes. (8.9)
7. The Community at large should be encouraged to take a more active part in the work of rehabilitating children who have been in care. (8.10)
8. Youth clubs and other community organisations should encourage the membership of young persons discharged from care. (8.12)
9. Contacts should be made with placement officers, employers and trade unions to assist pre-discharged children in obtaining suitable employment. (8.13)

## CHAPTER 9 PREVENTION

9.1 The majority of the children who come into care do so because of some deficiency either in their families or in themselves. Family difficulties, inadequate parents, broken families or illegitimacy on the one hand, or mental or physical handicap on the part of the child on the other, is very likely to result in the authorities being called upon to make provision for the care of children.

The fundamental principle of a Prevention System must be the preservation of the family unit. Adequate financial benefits must be available for families running into difficulties and support must be given to broken families to enable them to stay together. Early identification of such families and of families showing a tendency to delinquency, whether by way of school attendance offences or otherwise, is essential.

9.2 A system of Prevention to be successful must have the backing of adequate social services for the care of the mother and family. Healthy mothers are more likely to produce healthy babies, are better able to cope with the stresses and strains of rearing them and can provide the care and attention, the happy family atmosphere, which enable children to develop normally into well-adjusted, useful members of society.

This presupposes the existence of provisions for the ante-natal and post-natal care of the mother, medical services to provide for the well-being, mental and physical, of both mother and baby and a programme of assistance to enable the family running into difficulties, whether financial or otherwise, to continue to provide such care and attention as is necessary for the well-being of both mother and child.

9.3 A basic difficulty is the early identification of families running into difficulties. Very often such families come to notice at too late a stage. Arrears of rent may have built up, eviction orders may have been made, heavy bills in shops and excessive hire-purchase commitments incurred.

There is a notable lack of social workers in this field at the moment and it will be necessary for health authorities to employ many more. Those should liaise and co-operate with officials such as rent-collectors, Public Health Nurses, School Attendance Officers and members of voluntary organisations such as the Legion of Mary, Society of St. Vincent de Paul, the Irish Society for the Prevention of Cruelty to Children and other visiting organisations, as well as individuals such as doctors, teachers, club leaders and clergy, who are in a position to identify such families.

It is at this stage that the Social Worker can help by intensive assistance to these families: organising public assistance, helping with budgeting, household management, the paying off of arrears and making representations to various interests (hire-purchase companies, housing authorities, shopkeepers) which may be threatening proceedings.

9.4 To develop a rational approach to the problem of the preservation of the family unit, the causation of family break-up must be identified. The principal causes are: desertion, death or prolonged illness of one parent especially the breadwinner, inadequacy on the part of one or both parents resulting in lack of proper care and attention for the children. Families in all of these categories, together with the special case of the unmarried mother and her child, may be saved from break-up by the provision of adequate financial benefits and a system of family support to enable them to overcome their difficulties.

#### *Broken Homes*

9.5 The bulk of children coming into care will be the product of broken homes. The main causes for the break-up of families may be listed as follows:—

(1) Desertion by the father. As the law stands, the father working in England who fails to support or inadequately supports his family, cannot be extradited without great difficulty to face charges of neglect, nor can a maintenance order against him be enforced. It is noted that efforts are being made to negotiate a reciprocal agreement with the British authorities which would enable action to be taken in such cases, and maintenance orders enforced.

At present, if the father remains within the jurisdiction, a maintenance order may be obtained against him but courts are at present precluded from making an order in excess of £4 weekly (an increase in this amount is at present under consideration).

No special benefits are available to a woman placed in this situation. She may apply only for Home Assistance. Each case will be assessed on its merits by the Public Assistance Officer and the assistance granted often is, in practice, tied to the non-contributory widow's pension rate payable to a widow in similar circumstances (maximum rate of this pension is 73/6 per week plus 12/6d. weekly in respect of each child). In addition free footwear, free fuel, food and clothing may be provided where necessary.

#### *Death of either Parent*

9.6 Bearing in mind the aim of keeping the family together, the object of assistance where the death of a parent occurs should be to enable the surviving parent to provide the necessary care and attention for the family.

Where the father of a family dies, the widow will normally be enabled to cope with the situation if adequate benefits are available to her. At present, she would be entitled to a widow's pension (contributory: max 77/6d. plus 15/6d. for each of the first two children and 10/6d. for subsequent children. Non-contributory—subject to means test—max. 73/6d., and 12/6d. for the first two children, 7/6d. thereafter, or Death Benefit 105/-, plus similar increases for children where the husband dies as a result of an accident at work). The various forms of Home Assistance such as footwear, fuel, food and clothing vouchers could also be made available.

Where the mother dies added difficulties arise. The father is not at present entitled to assistance to enable him to carry on unless he is eligible for Home Assistance, and the absence of a home-help or nursery service to enable him to continue his employment while having the children cared for during working hours increases his problems.

9.7 *Illness*: The main benefits available to an insured person becoming unemployed through illness are as follows:

	Insured	Adult Dependent	1st Two Children	Further Children
Disability Benefit: (Payable during illness) ..	75/-	62/6	15/6	10/6
Injury Benefit: (Payable for 26 weeks) ..	125/-	62/6	15/6	10/6
Disablement Benefit: (Payable when Injury Benefit ceases) Max. ....	125/-	62/6	15/6	10/6
Unemployment Supplement ..	75/-	---	---	---

An uninsured person in receipt of Unemployment Assistance (Max: 117/6d. with adult dependent plus 12/6d. for each of the first two children and 7/6d. thereafter) must fall back on Home Assistance.

9.8 *Inadequate Parents*: Many children will come into care as the result of lack of attention or proper care on the part of parents unable, for one reason or another, to cope with their responsibility. This may be due to a number of factors—inability to organise and cope with problems, excessive drinking or low intelligence on the part of one or both parents. Early identification and intensive support of such families will often solve the difficulties and prevent complete break-up of the family.

9.9 Benefits at present available to families in difficulties are insufficient to enable the family to be kept together without other sources of income. On the principle that no family should be broken up for lack of financial resources, alone, we suggest that the increase of these benefits to a level which would avoid break up of families

through lack of funds is a first essential. It is pointed out that an overall saving to State funds would result from the payment of increased amounts sufficient to keep a family together where the only alternative would be to maintain children in Industrial Schools or Homes at the present cost of up to £8. 5. 0. a week each.

The provision of financial benefits alone is, of course, unlikely to solve all the problems of families in difficulties. A full family support system must also be provided. This should include the help and advice of social workers and the provision of day nurseries and home helps—the lack of these latter often making it impossible for a surviving parent to carry on.

9.10 *Illegitimate Children*: A large proportion of the children in Industrial Schools are illegitimate children whose mothers were unable or unwilling to keep them. Traditionally, a stigma attached to the unmarried mother at various levels—family, neighbourhood, official—which made it extremely difficult for her to keep her child. Financial and housing difficulties added to the problem.

A trend towards a softening of this attitude in recent years has become apparent. The unmarried mother now meets with more sympathy and understanding than was once the case and everything possible should be done to encourage this trend.

At present there are no special benefits available to unmarried mothers. The various forms of Home Assistance are available and some Health Authorities give special consideration to their accommodation problem, housing them in flats or second-class dwellings ahead of the normal waiting list. Maternity Grants (£4) and Maternity Allowance (77/6d. weekly for 6 weeks before and 6 weeks after confinement) are payable to the unmarried mother if insured and she would be eligible for the non-contributory Maternity Cash Grant (£4) under the usual conditions.

9.11 The need for sympathetic advice and help on the part of welfare authorities and voluntary organisations is a first pre-requisite. The object should be to help the mother to keep her child if at all possible. The alternatives available should be fully explained and sufficient time given to enable her to consider the problem fully.

Adequate benefits will be necessary to enable the unmarried mother to support her child. Housing accommodation is often a problem.

Where the mother is willing to work to support her child there should be facilities to enable her to have the child cared for during working hours where day-nursery services are not available. We have in mind here facilities such as are available in the United Kingdom under the Nursery and Child Minders Regulations Act, 1948. A sympathetic and helpful approach to all problems is essential and any hint of discrimination on the part of authorities, organisations or individuals must be rigorously avoided. Social workers should be available to give advice and support to the mother to the fullest degree.

### *Community Effort*

9.12 The value of the contribution which can be made to preventive work by local organisations cannot be overlooked. As already mentioned, members of visiting organisations such as the Society of St. Vincent de Paul, the Legion of Mary, the Irish Society for the Prevention of Cruelty to Children and similar charitable organisations will often be the first to identify families in difficulties and may help to prevent break-down by timely advice and/or material assistance. Individuals such as clergy, doctors, teachers and club leaders and various officials, not formally connected with social work, may also come in contact with families showing signs of break-down and be instrumental in referring such cases to the welfare agencies in a position to help.

The need for proper channelling of these activities, perhaps through the establishment of Social Centres or on the lines being tried out by the Welfare Service Department of Dublin Health Authority, is evident. Here, the work is directed by a social worker working in co-operation with representatives of the various local organisations, clergy, Gardaí, Probation Officers, School Attendance Officers and individuals interested in such work. The work of the Limerick Social Service Council where voluntary workers work under the direction of trained social workers and in co-operation with State and voluntary organisations in an endeavour to provide a full range of services to those in need of assistance, and the similar work being undertaken by Kilkenny Social Centre might also provide guide-lines in this area. The need for additional Social Workers is, of course, evident.

9.13 Co-ordinating Committees should be set up with the assistance of the Health Authorities and in this way it can be decided how each person or organisation can best contribute to the welfare of a particular case and duplication of services can be avoided. If a voluntary organisation is dealing with a case, and it is within their capabilities to help the family they should continue to assist and, if necessary, call upon the services of other organisations both State and voluntary.

The active involvement of the community in this way is felt to be essential if preventive work is to produce the desired results.

## SUMMARY OF RECOMMENDATIONS ON PREVENTION

1. The whole aim of the Child-Care system should be directed towards prevention of family breakdown and the problems consequent on it. (9.1)

2. Adequate social and medical services, and housing facilities should be available to families where the children are likely to come into care. (9.2)

3. The Child Care Division should have liaison with those likely to encounter at-risk families. (9.3)

4. Where parents are inadequate to cope with their responsibilities a system of identification and support should exist to deal with the problem. (9.3)

5. Every assistance should be given to families in difficulties. This assistance should not only be financial, but should also consist of guidance on budget, domestic and other problems as well as advice on social services available. (9.3)

### *Broken Homes*

6. A reciprocal agreement should be negotiated with the British Authorities to enable action to be taken against absconding husbands for the enforcement of maintenance orders made in Ireland. (9.5)

7. The law should be revised to provide for the making of adequate maintenance orders in cases of desertion. (9.5)

8. Necessary benefits and support should be available to enable the remaining parent to keep the family together. (9.9)

9. Where either parent dies or suffers prolonged illness, necessary benefits should be available to enable the family to be kept together. (9.9)

10. In addition, a system of home-helpers and a nursery-school system should be established. (9.9)

11. An unmarried mother should be enabled to keep her child, if she wishes. Social Workers should be available to help her. To this end all necessary benefits, financial, housing, home-help and day-nursery facilities should be available. ((9.11)

12. The work of voluntary organisations and individuals and of State organisations should be co-ordinated and given effect perhaps through the establishment of Social Centres and local Committees. (9.12)

## CHAPTER 10

### JURISDICTION OVER CHILDREN AND YOUNG PERSONS

10.1 We feel that many changes must be made in the laws relating to the care and treatment of children. All such laws should be examined, brought up-to-date and incorporated into a composite Children Act.

10.2 In the earlier years of the nineteenth century there was no body of law relating to the liability, treatment or welfare of children.

Since that time changes have been brought about by Acts of Parliament so that today the law relating to children and young persons can be regarded as distinct from the law applicable to adults and the Children's Courts are distinct from ordinary Courts in their jurisdiction and procedure.

The Summary Jurisdiction over Children Act, 1884, made it possible for Justices to deal with all children or young persons in a summary manner, but they were, nevertheless, dealt with in the same Courts as adults.

The Children Act, 1908, as amended by the Children Act, 1941, required a Court when dealing with children under 17 years, to sit in a different place or at a different time from the ordinary sittings of the Court and provides that these courts shall be referred to as "Juvenile Courts".

The Courts of Justice Act, 1924, Section 80, provided for such special sittings in Dublin, Cork, Limerick and Waterford to be called Children's Courts. Dublin, which has a full-time Court dealing with children up to 15 years and young persons between 15 and 17 years, is called the Metropolitan Children's Court which suggests a ceiling of 15 years, and it is suggested that the Metropolitan Juvenile Court would be a more correct description.

10.3 Section 111 of the Children Act, 1908, assigns to Juvenile Courts the hearing of all charges against children other than charges made jointly against a child and a person who has attained the age of 17 years. However, the Metropolitan Children's Court in Dublin deals with offences alleged to have been committed by adults where they are charged jointly with a juvenile or charged with an offence arising out of, or related to an offence with which a juvenile is charged. We feel that it is in the children's interests that the Children's Courts should continue to deal with adults and children charged jointly.

Under Section 21 (1) of the 1908 Act the court before which a person is convicted of an offence listed in the First Schedule of the Act should require the child who is the victim of the offence to be brought before the Children's Court as being in need of care unless there are special reasons to the contrary. These offences are mainly serious offences against the person, including offences under the Criminal Law Amendment Acts, 1885-1935.

The jurisdiction of the Children's Court in dealing with juveniles is unlimited except in cases of murder or manslaughter, subject to the right of the juvenile if he is over 15 years of age, or the right of the parent if the child is under 15 years of age, to elect to be tried by a Jury in the case of an indictable offence.

#### *Age of Criminal Responsibility*

10.4 The principles of criminal liability have been worked out and expressed in terms of knowledge of right or wrong. The age at which a person is legally deemed to have gained such knowledge varies in different countries from about 7 to 14 years. For instance, in the UNESCO pamphlet "Juvenile Delinquency" published in 1964, the ages given were 7 in the United States, 9 in Israel, 10 in Great Britain, 12 in Greece, 13 in France and Poland, 14 in Austria, Belgium, Czechoslovakia, the Federal Republic of Germany, Italy, Norway, Switzerland and Yugoslavia. The tendency is to revise this age upwards. For instance, it has since been increased to 12 in Britain. In this country there is an irrebuttable presumption that a child under the age of seven years could not have a guilty mind and so would not have the understanding required for criminal offences. From the age of 7 to 15 there is a rebuttable presumption that a child is *doli incapax*, which means that there is no liability unless the prosecution establish knowledge of the wrongfulness of the act.

The view of this Committee is in favour of raising the age of criminal responsibility but there is insufficient understanding of what would be the effect. Would it mean a line below which no legal proceedings could be brought in respect of the commission of an offence and that children below that line would "get off"? The belief of a particular age giving a dividing line between "getting off" and suffering penalties was essential to the common law, but this is no longer the position. Under the present law, the age of a person determines the kind of legal proceedings that may be taken, but it never gives a total exemption from any proceedings. For example, a child under seven years cannot be prosecuted but circumstances may enable him to be brought before the Children's Court as in need of care or as being beyond control. After seven there can be a prosecution but special provisions as to courts and procedure govern the next stages of seven to fifteen and fifteen to seventeen. The age also determines the punishment or other forms of treatment the court may order. Difficult considerations arise when considering the child's knowledge of right and wrong. We must think in terms of the child in his environment including the climate of opinion in the family group, as well as the physical surroundings. Differing environments may lead to wide variations in the age at which a child comes to this knowledge so that any rule depending on a fixed age cannot be a sure foundation. The age of criminal responsibility cannot be laid down except as part of the whole system of courts and legal procedures which may be involved in protection, control and discipline of children.

Many of us consider that a child has acquired a reasonably full

sense of responsibility by the time he has reached fourteen years but judging by the number of children aged thirteen and fourteen, who appear before the courts, these would appear to be peak-years for juvenile delinquency and must be given practical consideration.

We propose that as an initial step the age of criminal responsibility should be increased to twelve years and that all children under twelve years who are alleged to have committed offences should be brought before the Courts as in need of care, discipline or control with a special jurisdiction designed for the particular purpose. Experience may show that this age limit should be raised at a later stage.

The present provisions under which children may be taken into care are contained in Section 58 of Children Act, 1908, and are set out in Appendix G.

#### *Who May Take Proceedings?*

10.5 It is the duty of the Garda Authorities to take proceedings under Section 58, Sub-Section 1, of the 1908 Act, in respect of any child under 15 years of age in their district who appears to them to come within one of the descriptions mentioned in that sub-section unless proceedings are being taken by the educational authority, or by some other person, or the Garda Authorities are satisfied that the taking of proceedings is undesirable in the interest of the child.

Since the duty laid upon the Garda Authorities is only in respect of proceedings which can be brought under Section 58, Sub-Section 1, there could be numbers of neglected children and young persons never brought before the Court because their cases do not fall within the limited provisions of Section 58, and there is no authority whose duty it is consistently to see that all suitable cases are considered and dealt with. The provisions of this Section are inadequate to protect children where protection is urgently required. Where, for example, parents are not exercising proper care and guardianship over a child, unless that child is found wandering or having committed an offence, there are no grounds under law as it stands in which he can be brought before the Court. In cases where the moral welfare of a child is in danger it has been found impossible to get the child before the Court under any part of the Section.

10.6 This Section should be amended to give the Courts the widest possible jurisdiction to deal with a child or young person up to the age of 17 years who:—

- (a) is not receiving such care, protection or guidance as a good parent might reasonably be expected to give, or
- (b) who is beyond the control of his parent or guardian and the lack of care, protection or guidance is likely to cause him unnecessary suffering, seriously to affect his health or physical development, or
- (c) if he is falling into bad associations or is exposed to moral danger.

This would ensure that the complainant would no longer be faced with proving that the parent or guardian is unfit or unable to exercise, or is not exercising proper guardianship, but only with the tasks of showing that the child or young person is in fact not receiving such care.

Section 58 also enables a parent to bring his child before the Children's Court on the grounds that he is beyond his control. The Committee feels that proceedings under this provision are harmful to family relationships and for the child often a final repudiation by the parent. Essentially the parents are seeking help for themselves and the child. Social and welfare services should exist to meet those needs. We feel that the onus should rest on the Health Authority to bring proceedings, and we recommend that parents' or guardians' power to bring these proceedings should be revoked.

10.7 In the Children's Court the largest numbers of offenders are convicted of indictable offences—mainly larceny, with breaking and entering as the next highest categories. The incidence of serious non-indictable offences, of taking motor cars and motor bicycles without consent and driving uninsured vehicles is rising rapidly. The Justices are, in the majority of cases, faced with a person whose offence is such that, had he been an adult, he could have been sentenced to imprisonment. The methods available to the Children's Court in dealing with such children and young persons are set out in Appendix H.

Juveniles almost always admit the offence with which they are charged in Court. They have usually been caught in the act or have admitted it to the Gardaí following betrayal with full circumstanced details by a friend or co-partner. That part of a Court's work which consists in deciding on the evidence whether a defendant is guilty or not, is, therefore, minimal.

On the other hand the decision as to what should be done with the offender is most important in this Court, because of his youth and because of the bearing of a wise decision upon what might otherwise develop into a criminal character. The emphasis should be rightly placed upon helping the young offender to become a useful and law-abiding member of the community rather than making him pay for what he has done by suffering retributive punishment. At present the Courts are not bound to take into account the child's or juvenile's welfare when dealing with him. We strongly recommend that in dealing with a young offender the Courts should give primary consideration to the welfare of the child or young person.

10.8 In the endeavour to decide what steps it would, in all the circumstances, be best to take, the Court should have the help of a report on the background and home surroundings of the juvenile, to be made by the Probation Officer, and also a report on his education and any known medical history. These reports should alert the

Court to the necessity for obtaining more detailed reports and for more extensive investigation before sentence.

10.9 Power should be given to order a full investigation and assessment of each juvenile before sentence. The further reports required are often medical, psychiatric and psychological. A remand in custody solves difficulties which might arise as to availability of the child for investigation and allows a period for observation of his general behaviour. Since this investigation may take some time power should be given to the Courts to remand for a longer period than 8 days. It is evident that there is a compelling need for greater facilities for examination and observation of young offenders if the Courts are to discharge their functions fully.

#### *Fit Person Orders*

10.10 Under the Children Act 1908, Sections 21, 58 and 59, a juvenile may be committed to the care of a "fit person" if the parent or guardian has been convicted of certain offences, if the child is truant, refractory or beyond control or convicted of his first offence (or of any offence if he is under 15 years), and if the juvenile came within any of the categories of neglect or ill treatment listed in Section 58. Section 38 of the Children Act defines a "fit person" as including a friend or relation or any "society or body corporate established for the reception or protection of poor children or the prevention of cruelty to children." From enquiry this Committee is aware that no "fit person" orders have been made by the Children's Court for many years and the Committee think the failure to make use of the "fit person" procedure was probably due to the unwillingness of friends or relatives to undertake responsibility especially where there is no financial assistance. If friends or relatives did not come forward there might be no one else available, and it was no one's business to find such people.

There seems no difficulty in principle in arranging for some authority to accept responsibility for children in need of care and it is suggested that the Health Authority would be a most suitable body to carry out these functions and to be enabled to act as "fit persons." A Health Authority acting as a "fit person" would have power to board out and maintain the child or place the child in a Residential Home, whichever course is most beneficial to the child. It is also felt that the Health Authority should not have the power to refuse to act on such an Order.

#### *The Health Act*

10.11 The largest group of children deprived of a normal home life consists of those maintained by Health Authorities under Section 55 of the Health Act, 1953, in Industrial Schools or other Institutions approved by the Minister for Health under Section 55 (8) of the



Health Act, 1953. In fact, practically all the Industrial Schools are so approved.

The Health Act Section 55 (1) states: "A Health Authority may provide, in accordance with regulations, for the assistance of a child to whom this Sub-Section applies in any of the following ways, that is to say, (i) by boarding the child out, or by (ii) sending him to a school approved by the Minister or, where the child is not less than 14 years of age, by arranging for his employment or by placing him in any suitable trade, calling, or business."

Sub-Section (1) of this section applies to any child who is eligible for institutional assistance under Section 54 of this Act and who is:—

- (a) A legitimate child whose father and mother are dead or who is deserted by his father and mother or, where one of them is dead, by the survivor, or
- (b) An illegitimate child whose mother is dead or who is deserted by his mother.

A Health Authority may, with the approval of the Minister, assist any person eligible for general assistance within the meaning of the Public Assistance Act, 1939, by doing with the consent of such person and in accordance with regulations, any of the following things in respect of any child whom such person is liable to maintain under the Public Assistance Acts, 1939, that is to say, boarding the child out, or sending him to a School approved by the Minister or, where the child is not less than 15 years, placing him in any suitable trade, calling, or business. Where a Health Authority places under this Section a child in a suitable trade, calling, or business the authority may pay such fee or sum as may be required for that purpose, and may support or contribute to the support of the child during any period (including, with the consent of the Minister, a period after attaining the age of 16 years) during which he is engaged in learning the trade, calling, or business and, where a child is boarded out or sent to a School pursuant to this Section attains the age of 16 years, the Health Authority may, with the consent of the Minister, arrange for the completion of the child's education and for his maintenance while completing his education.

It has been our experience that very few children in Industrial Schools maintained under the Health Acts have been put forward as suitable for further education. In contrast, arrangements have been made for many boarded out children to be assisted to obtain further education and training by the Health Authorities.

#### *Children Acts*

10.12 The next largest group of children deprived of a normal home life are those committed to Industrial or Reformatory Schools under the provision of the Children Acts.

Section 65 of the Children Act, 1908, provides that the detention order shall specify the time for which a child may be detained in any

Industrial School as such time as the court may deem proper for the teaching and training of the child but not in any case extending beyond the time when the child will, in the opinion of the court, attain the age of 16 years. This Section was amended by Section 12 of the Children Act, 1941, giving the Minister power to direct, with the consent of the parents, surviving parent, mother (in the case of an illegitimate child) or guardian of the child, that the time for which any child shall be detained in an industrial school under a detention order shall be extended to such extent as the Minister thinks proper for the purpose of the completion by such child of any course of education or training, but the detention shall not extend beyond the time when such child will, in the opinion of the Minister, attain the age of 17 years.

We have found a number of children committed to Industrial Schools in infancy with whose parents or guardians all contact has been lost. Consequently, if the Minister is unable to obtain the consent of the parent or guardian or the mother of an illegitimate child, to the extension of the Detention Order he is precluded from making such Order. In any event the Order shall not extend the time of detention beyond the age of 17 years.

The child's education and training may not be completed by 17 years of age. Children maintained under the Children Acts should have the same advantages as children taken into care by the Health Authority under the Health Acts.

#### *Attendance of Parents at Court*

10.13 Section 98 of the Act provides that when "a child or young person is charged with any offence or is, for any other reason, brought before the court his parent or guardian may in any case and shall, if he can be found and resides within a reasonable distance, and the person so charged or brought before the court is a child, be required to attend at the court before which the case is heard at all stages of the proceedings, unless the court is satisfied that it would be unreasonable to require his attendance". It is the parent "having actual control" of the child or young person who is required to attend and, if that person is not the father, the father may be required to attend.

When a child or young person is arrested it is the duty of the Garda in charge of the Garda Station to which he is brought, to warn the parents to attend the Court when the child or young person appears.

Though Section 98 appears to give the Court adequate power to secure the attendance of both parents where necessary, frequently only one parent, usually the mother, appears. It is important that parents should appreciate their responsibilities towards their children and when the gravity of the case so warrants, the attendance of both parents should be necessary at Court when their child's case is being heard.

We recommend that Section 98 which refers to "parent" in the

singular should be amended to make it clear that the Court has power to order the attendance of both parents.

Justice for the young should always be swift. We consider it important that there should be no avoidable delay in bringing before a Court a child who has been charged with an offence. It is most important to deal with an offence while it is still fresh in the child's mind.

#### *Appeal from Children's Courts*

10.14 An appeal lies to the Circuit Court against most of the decisions of the Children's Court and appeals against convictions are by way of retrial but the special provisions which govern the constitution and procedure of the Children's Court do not extend to the Circuit Court. We recommend that the Circuit Court should be specially constituted when hearing appeals from Children's Courts. This would, in effect, mean special sittings of the Circuit Court, from which the public would be excluded, to deal with appeals from children.

#### *Fines and Compensation*

10.15 The present limits on the amounts that Courts may impose in fines upon or award as costs or compensation, against children or young offenders, seem to us to be unrealistic. For example, the maximum fine which may be imposed on a child under 15 years is £2; and on a young person of 15 or over the maximum fine is £10.

Similarly, where a probation order is made at the same time as an order for damages or compensation, the maximum damages which may be awarded are £10.

These limits are now too low and should be raised substantially.

#### *Period of Detention*

10.16 The period for which a child may be legally detained in an Industrial School is called the period of detention and is determined by the Court.

Section 65 of the Children Act provides that the period of detention shall be such time as the Court may deem proper for the teaching and training of the child but not in any case extending beyond the time when the child will, in the opinion of the Court, attain the age of 16 years.

Section 12 of the Children Act, 1941, provides that the Minister for Education may extend this time to 17 years with the consent of the parents, surviving parent, mother (in the case of an illegitimate child), or guardian of the child to whom such direction relates.

10.17 The period for which a youthful offender may be legally detained in a Reformatory School is called the period of detention and is determined by Statute, i.e. Section 65 of the Children Act as

amended by Section 11 of 1941 provides that the period of detention shall be not less than two years and not more than four years, but not in any case extending beyond the time when the youthful offender will in the opinion of the Court, attain the age of 18 years.

10.18 The period for which a child may be legally detained in an Industrial School under the School Attendance Act, 1926, appears to be the same as under Section 65(b) of the Children Act, 1908, but, in practice, the Courts appear to hold that detention may not extend beyond the date when the child will, in the opinion of the Court, attain the age of 14 years.

10.19 One anomaly which exists in the present system is that three youthful offenders may receive three different sentences for the one offence, the least guilty receiving the longest sentence. For example, a 12 year old, a 14 year old and a 16 year old may commit an offence which will lead to the 12 year old being committed to Letterfrack, Galway, for 3 years, the 14 year old to St. Conleth's, Daingean, for 2 years, and the 16 year old to St. Patrick's, Dublin for one year. This type of case obviously leads to resentment because it is difficult for a child to realise that the purpose behind his committal should be to rehabilitate rather than to punish.

On the other hand we have received complaints that in many cases sentences are not long enough to allow any remedial action to be carried out so that children or young persons are returned to their original environment in as bad if not a worse condition than when they left it.

It is clear, therefore, that no hard and fast rule can be laid down as to length of committals and that they should vary to suit the individual cases. For this reason we recommend that the minimum limit of 2 years laid down in Section 65 of the Children Act, 1908, should be removed so that in special cases a child may be committed for less than 2 years.

#### *Release*

10.20 There are different ways in which a child or young person who has been committed may be released from Industrial and Reformatory Schools.

- (1) By discharge to Parents or Guardian.
- (2) On Licence.
- (3) On Supervision.
- (4) By Order of the Minister.

#### *Release on Licence*

10.21 This applies to youthful offenders who are released by the school manager before their period of detention has expired. Unless

the licence is revoked he remains on licence until such time as his period of detention would have expired. The legal position regarding release on licence is that where a youthful offender or child is detained in a Certified School the Manager of the School may at any time with the consent of the Minister for Education or after the expiration of 6 months without any consent, by licence permit the offender or child to live with any trustworthy and respectable person named in the licence and willing to receive and take charge of him.

Any licence so granted shall be in force until revoked or forfeited by the breach of any of the conditions on which it was granted.

From the figures shown at Appendix E it is apparent that the licensing system is being used only in very rare cases. This may in some instances be due to the difficulties which managers experience in contacting, without the aid of an aftercare service, suitable persons to accept the child or it may be due to a reluctance to release a child and suffer a reduction in the capitation fee payable to a school. Whatever the reason, it is obviously regrettable that the licensing system is not used more extensively and it is an aspect of the system to which the Child Care Division should pay particular attention.

#### *Supervision Certificate*

10.22 This applies to a youthful offender who is released from care after his period of detention has been completed.

The legal position is that every youthful offender sent to a Certified Reformatory School shall remain under the supervision of the Managers of the School up to the age of 19 years, and if the Minister for Education, after consultation with the Managers of the School, directs that it is necessary for the protection and welfare of the youthful offender that the period of supervision should be extended for a specified period not exceeding 2 years, he shall remain under the supervision of the Managers for the period so specified.

10.23 Every child sent to an Industrial School shall remain under the Supervision of the Managers of the School from the expiration of the period of detention until he attains the age of 18 years and, if the Minister for Education, after consultation with the Managers, directs that it is necessary for the protection and welfare of the child that the period of his supervision should be extended for a period specified in such direction not exceeding three years, he shall remain under the Supervision of the Managers for the period so specified.

10.24 Where the Managers have granted a Supervision Certificate to any person under their supervision, they may recall such person, if of the opinion that the recall is necessary for such person's protection, and such person may be detained in the School for a period not exceeding three months and may, at any time, be again placed out on a Supervision Certificate.

The Minister for Education may, at any time, order a child or youthful offender under the care of the Managers of a Certified School to be discharged and the Managers have no further responsibility for him.

10.25 The School Managers should have a duty to release a youthful offender or child on Supervision Certificate as soon as he has made sufficient progress in his training, and the Managers should take a deep personal interest in the progress of each child committed to their care with a view to granting Supervision Certificate as early as possible.

We have commented elsewhere on the limitations of the present aftercare system and the steps necessary to make it effective.

## SUMMARY OF LEGAL RECOMMENDATIONS

1. All laws relating to Child Care should be examined, brought up-to-date and incorporated into a composite Children Act. (10.1)

2. Metropolitan Children's Court should be renamed Metropolitan Juvenile Court. (10.2)

3. Where a child is found guilty of an offence other than homicide by a Court other than a Children's Court, the Court should remit the child to the Children's Court to be dealt with, unless there is a special reason to the contrary. And a Court before which a person is convicted of one of the offences listed in the First Schedule to the Children Act, 1908, should, if it has reason to believe that the child who is the victim is in need of care or protection, direct that he be brought before the Children's Court to be dealt with, unless there is a special reason to the contrary. (10.3)

4. The minimum age of criminal responsibility should be raised to 12 years. A child under 12 should no longer be liable to be prosecuted and convicted of an offence. Such children might be committed to Special Homes. (10.4)

5. There should be a new procedure for children under 12 years who commit offences and for all children who are in need of care or protection or are beyond control. (10.4)

6. Section 58 of the Children Act, 1908, should be amended to give the Courts the widest possible jurisdiction to deal with children under 17 years who are not receiving such care, protection or guidance as a good parent might reasonably be expected to give, or who is beyond the control of his parents or guardian, and the lack of care, protection or guidance is likely to cause him unnecessary suffering, seriously to affect his health or physical development, or if he is falling into bad company or is exposed to moral danger. (10.6)

7. A parent's or guardian's power to bring his child before the court as beyond control should be revoked. (10.6)

8. Courts should have regard to the welfare of the child or young person in deciding what course to take in sentencing such child or young person. (10.7)

9. Observation and Assessment for Children brought before the Courts should be established. Power should be given to the Court

to order a full investigation and assessment of every child before sentence and to remand in custody for a period of three weeks to enable the investigation to be conducted. (10.9)

10. Health Authorities should be defined as "Fit Persons" and should employ appropriately trained staff for this work. (10.10)

11. Children charged with offences should be dealt with while the offence is fresh in the child's mind and there should be no avoidable delay in bringing the child before the Court. (10.13)

12. Section 98 of the Children Act, 1908, should be amended to make it clear that the Court has power to order the attendance of both parents in Court. (10.13)

13. Circuit Courts should be specially constituted when hearing appeals from Children's Court. (10.14)

14. The present limit of a fine which may be imposed on a child or a young person guilty of an indictable offence should be increased. (10.15)

15. The amount of damages or compensation which may be awarded where a Probation Order is made should be increased. (10.15)

16. The minimum limit of 2 years laid down in Section 65 of the Children Act, 1908, should be removed so that in special cases a child may be committed for less than 2 years. (10.19)

## CHAPTER 11

### MISCELLANEOUS

#### *Boarding Out*

11.1 Most child care workers now believe that Boarding-Out is to be preferred to placement in a Home and this is the policy of the Department of Health. Some health authorities make every effort to arrange for this, as laid down in the Boarding-Out of Children Regulations, 1954.

At present, there are approximately 1,100 children boarded out under the provisions of the Health Acts and a further 300 under the provisions of the Children Acts. The health authorities select the foster parents, place the children and visit the foster homes at regular intervals. This work is supervised by two Department of Health inspectors who visit the local authorities from time to time. The rates paid by the various local authorities in respect of boarded-out children vary from £50-£80 a year. In addition a clothing allowance of £20-£26 per annum is paid and pocket money may be allowed.

The regulations governing the care of boarded-out children allow of the upper age limit of 16 years being extended to include children receiving full-time training or education and those children may be maintained and clothed, their school fees paid, school books provided, and transport costs defrayed where necessary.

11.2 We have referred elsewhere in this Report to the need for an efficient prevention system which would often obviate the necessity for placing children in care whether by boarding-out or otherwise. Where it appears necessary to board-out a child, however, every effort must be made to ensure the success of the placement, the suitability of the foster-parents and the regular inspection of the child's progress. Each case should be reviewed at intervals by the Child Care Division, bearing in mind the possibility of the return of the child to his family at the earliest possible date, where this is feasible. As things stand at present the responsibility for boarding out rests with the Health Authority. In some instances the County Manager or County Secretary may deal directly with cases, in others, they may delegate the authority to other officers on the staff, e.g. a Children's Officer, a Staff Officer or a Public Health Nurse. We are satisfied that the standard of the boarding-out system varies considerably in different areas and this must at all costs be avoided. A failure in boarding-out may have a traumatic effect on a child because it means, in fact, that for a second time at least, he is being rejected.

Cases have come to the notice of the Committee in which children had been boarded-out with unsuitable families. Every effort should be made to avoid such placings. Families applying for children

must be carefully investigated and child and family matched as far as possible. Children, before placement, should be medically and mentally assessed and those in need of special treatment sent to the appropriate institution. It is felt that an increase in maintenance allowances is necessary but every care should be taken to ensure that a child is not being accepted for boarding-out because a profit might accrue to the foster-parents.

11.3 *School Attendance*: On a recent date there were 27 children in Industrial Schools who had been committed under the provisions of the School Attendance Acts. The Committee considered submissions and oral evidence with regard to the provisions of the Acts and their implementation.

The School Attendance Act, 1926, provides for (1) the issue of a warning notice to parents failing to send children to school, (2) the fining of parents who fail to comply with such warning, (3) the committal of the child to an industrial school or to the care of a fit person if the court so decides.

It would appear from the state of illiteracy of many children reaching institutions that they have not attended school regularly and that the Act is not being fully enforced.

In country areas, a member of the Garda Síochána is appointed to perform the functions of School Attendance Officer. In view of the many and diverse duties which a Garda is called upon to do it seems inevitable that such a function as looking after school attendance must suffer. In some cities School Attendance Committees appoint individuals to act in this capacity. In Dublin, for instance, there are five such Committees each administering its own area of the city and acting independently of each other. These Committees employ twenty-nine School Attendance Officers to carry out the work. A difficulty is that School Attendance Officers may not operate outside their own Committee's area even for the purpose of following up offenders who change residence from one area to another. So far as we can ascertain they do not co-operate with one another. This means that if a child has missed school for, say, six months and his family moves to another area, he can start afresh absenting himself from school in that area just as if he had never been absent before.

It has been represented to us that certain sections of the Acts are not enforceable and it is recommended that the Acts be reviewed in the light of experience. The format of Form No. 3, which is completed by teachers in respect of absentees, requires simplification and all teachers should be fully instructed in its use. A revised Warning Notice should be designed regarding non-attendance of children. The Notice should be helpful and explanatory rather than threatening.

However, where fines on parents are imposed these should be realistic. There is a need for greater liaison between teachers and School Attendance Officers. It is felt that School Attendance

Officers should have some training in Social Work and that their title be changed to School Welfare Officers.

11.4 Persistent absence from school may be one of the early warning signs of the existence of families and children in difficulties. Such difficulties may be physical, psychiatric or psychological. Early identification of and treatment of the causes will, therefore, be necessary if break-up of the family is to be avoided. Other possible causes are many and varied. Illness, inadequate parents, unemployment of the father and the mother working, indifference of the parents to education may all lead to absence of one or more of the children from school. The child may be experiencing difficulties at school, may have physical disabilities such as hearing or sight defects. Backwardness may make it difficult for him to keep up with his class, unsuitable home conditions may make it impossible to prepare homework with consequent reluctance to attend school.

Such cases must be identified at the earliest stage and referred to the appropriate agencies for assistance whether by way of family support or medical or psychiatric treatment of the child. The School Psychological Service, which should be developed further, could play an important part in this field.

The problem of School Attendance will become more acute with the raising of the school leaving age to 15 this year and will be experienced more at the Post-Primary level than at present.

It is obvious that the present School Attendance system needs to be re-examined and a more efficient system evolved.

## SUMMARY OF MISCELLANEOUS RECOMMENDATIONS

### *Boarding-Out*

1. In the case of boarding-out or fosterage particular care should be taken to ensure that the interests of the child are paramount and that there is no question of his being exploited. (11.2)

2. In the case of a break down in a boarding-out case there is grave danger that the feeling of being doubly rejected will have a traumatic effect on a child and so the full resources of the Child Care Department should be put into operation to ensure that children being boarded-out are placed in suitable homes. (11.2)

### *School Attendance*

3. The School Attendance system is not working satisfactorily and requires re-examination. The School Attendance Acts should, therefore, be reviewed and revised where necessary. (11.3)

4. School Attendance Officers should have some training in social work and their title should be changed to School Welfare Officer. (11.3)

5. Truancy or non-attendance at school are often the earliest signs of family break down. All such cases should, therefore, be investigated without delay. (11.4)

## APPENDIX A

FUNCTIONS OF MINISTER FOR EDUCATION UNDER THE CHILDREN ACT, 1908, THE CHILDREN ACT, 1941, AND THE CHILDREN (AMENDMENT) ACT, 1957.

1. Certification of Schools.
2. Withdrawal of Certificates.
3. Approval of School Rules.
4. Approval of Alterations etc. to buildings.
5. Making of Regulations for the conduct of certified schools, in particular regulations making provision in relation to the education and training to be given to children there and the safeguarding of their health. These regulations may be framed so as to apply to one or more certified school or any class or classes of schools.
6. Making of Regulations prescribing the remuneration of officers of certified schools.
7. Discharge conditionally or unconditionally of a child under detention.
8. Revocation, where deemed necessary, of a conditional discharge.
9. Extension of detention of a child for the purpose of completing an educational course.
10. Discharge from supervision or extension of period of supervision up to 2 years after an offender in a reformatory reaches 19 years of age.
11. Transfer of a child from one Industrial School to another, or from a Reformatory to an Industrial School or from an Industrial to a Reformatory School.
12. Subject to the approval of the Minister for Finance, fixing the amount of direct Government contributions towards the maintenance and education of children detained in these schools, and with the consent also of the Minister for Local Government fixing the amounts payable by Local Authorities for children for whom they are liable.
13. Remission of payments ordered to be made by parents.
14. Sending youthful offenders conditionally pardoned to Reformatory Schools.
15. The making of various orders and regulations.

## APPENDIX B

### SUBMISSIONS RECEIVED BY COMMITTEE

1. Mr. Michael McGrath, 12 McDonagh Street, Nenagh.
2. Miss Rebecca M. Ryan, "Roseville", The Grove, New Line, Dungarvan.
3. Mr. Richard Power, 41 Roekenham, Ferrybank, Waterford.
4. Miss M. C. Prendergast, St. Patrick's Hospital, James's Street, Dublin.
5. Mrs. Alys Goodbody, Clara, Offaly.
6. Mr. Brendan O'Donoghue, 87 Silchester Park, Glenageary, Dublin.
7. Industrial and Reformatory School Resident Managers' Association.
8. Los Angeles Society, 26 Arran Quay, Dublin.
9. Galway Health Authority.
10. Knights of St. Columbanus, Ely House.
11. Society of St. Vincent de Paul.
12. St. Mary's Adoption Society, Killarney.
13. Church of Ireland Social Service, 39 Molesworth Street, Dublin.
14. Civics Institute of Ireland, 20 North Frederick Street, Dublin.
15. St. Joseph's School, Mercy Convent, Mallow.
16. Irish Medical Association, 10 Fitzwilliam Place, Dublin.
17. Nazareth House, Sligo.
18. St. Colman's School, Rushbrooke, Cork.
19. St. Michael's Industrial School, Convent of Mercy, Wexford.
20. Irish Association of Social Workers.
21. Knights of St. Columbanus (Supplementary Report).
22. A Group of North Dublin City Youth Clubs.
23. Mr. Ian Hart, Economic and Social Research Institute.
24. Bardas Atha Cliath (Roinn Freastail Scoile).
25. Mr. Brian Doolan, 26 Glenabbey Road, Mount Merrion, Dublin.
26. William A. Tormey, District Justice, Athlone.
27. Galway God-Parents' Association.
28. T. G. A. Burke, District Justice, Galway.
29. Industrial and Reformatory Schools Resident Managers' Association. (Proposals for immediate implementation.)
30. Society of St. Vincent de Paul (Probation and Aftercare Association), Cork.
31. Irish Society for the Prevention of Cruelty to Children.

32. Voluntary Advisory Body, St. Joseph's, Killarney.
33. M/S Donohoe and Doyle, Welfare Services Department, Dublin Health Authority.
34. Dublin Institute for Adult Education.
35. Incorporated Law Society of Ireland.
36. Fr. Leo McCormack O.P., Dominican Boys Home, 20 Lower Dominick Street, Dublin.
37. Very Rev. William O'Brien, Provincial, Oblates of Mary Immaculate.
38. Association for Child Psychology and Psychiatry (Irish Branch).
39. Dr. R. A. McCarthy, Medical Superintendent, Our Lady's Hospital, Cork.
40. Mr. John McLaughlin, Chief Clerk, Dublin Metropolitan Children's Court.
41. Mr. James McLoone, Diagnostic and Assessment Clinic, Renmore, Co. Galway.
42. Institute of Professional Civil Servants, Welfare Officers' Branch, 64 Adelaide Road, Dublin.

*Oral Submissions*

43. Mr. G. Lamb, Information Officer, Department of Social Welfare.
44. Miss E. Murray, Children's Section, Department of Health.
45. Officers and Members of the Adoption Board.
46. Rev. Fr. O'Doherty, Professor of Logic and Psychology, University College, Dublin.
47. Mrs. Alys Goodbody and Mrs. Dunne, Offaly Irish Countrywoman's Association.
48. M/S F. J. Donohoe and J. J. Doyle, Welfare Services Department, Dublin Health Authority.
49. Mr. Brian Callinan, Secretary, and Mrs. McPartland, I.S.P.C.C.
50. Mr. Noel Clear, Welfare Officer, St. Patrick's Institution.
51. Mr. Martin Tansey, Welfare Officer, Mountjoy Prison.
52. Very Rev. Fr. Pierce, P.P., Chairman, Catholic Youth Clubs Guild Association.
53. Rev. Fr. Carey, Secretary, Catholic Youth Clubs Guild Association.
54. Representatives, Irish Congress of Trade Unions.
55. Messrs. Sweeney, Farley and Officials, National Rehabilitation Board.
56. Messrs. O'Neill, Farley, and Leonard, Department of Labour.

APPENDIX C

DOCUMENTS, BOOKLETS, ETC.

1. Abandonment of Children Act, 1861.
2. Acht Freastail Scoile, 1926.
3. Acht na Leanaí (Children Act), 1929.
4. Acht na Leanaí (Children Act), 1934.
5. Acht na Leanaí (1941).
6. Acht na Leanaí (Leasú), 1949.
7. Acht na Leanaí (Leasú), 1957.
8. Acht Sláinte, 1947.
9. Acht Sláinte, 1953.
10. Administration of Children's Homes, 1951. (H.M.S.O.)
11. Administration of Children's Homes (Scotland) Regulations, 1959.
12. "Adolescent Girls in Approved Schools" (Routledge and Kegan Paul).
13. American Sociological Review—various issues.
14. Annual Report 65/66—Liverpool Catholic Children's Protection Society.
15. Annual Report—National Council for the Unmarried Mother and her Child.
16. Bille Sláinte, 1969.
17. Booklets, "Adoption Procedures," Telling the Child (Catholic Protection and Rescue Society).
18. Booklet—Practical Training in Approved Schools for Boys (Home Office).
19. Boarding-Out of Children (Scotland) Regulations, 1956.
20. Booklet "Protection de la Mere et de L'Enfant."
21. Bulletin: World Union of Organisations for the Safeguard of Youth.
22. "Case Work in Child Care"—Jean Kastell (Routledge and Kegan Paul).
23. Children Act, 1908. (H.M.S.O.)
24. Children and Young Persons Act, 1933. (H.M.S.O.)
25. Children and Young Persons Act, 1956. (H.M.S.O.)
26. Children and Young Persons Act, 1963. (H.M.S.O.)
27. Children Act, 1948. (H.M.S.O.)
28. Children Act, 1958. (H.M.S.O.)
29. Children in Trouble—Proposals for Reforms in the Law, 1968. (H.M.S.O.)
30. Children and Young Persons Boarding-Out (N.I.), 1950.
31. Children and Young Persons—Welfare Authorities (N.I.) Regulations, 1950.



32. Children and Young Persons—Voluntary Homes (N.I.), 1950.
33. Children and Young Persons—Children's Officer (N.I.) Regulations, 1950.
34. Children and Young Persons—Summary Proceedings (N.I.), 1950.
35. Children and Young Persons Act (N.I.), 1950.
36. Children and Young Persons Bill, 1969. (H.M.S.O.)
37. Child Welfare Act of Sweden.
38. "Childhood and Adolescence." J. A. Hadfield (Pelican Books).
39. "Childhood and Society." Erik Erickson (Pelican Books).
40. "Child Care Needs and Numbers." Dr. Jean Packman (Allen and Unwin).
41. "Child Victims of Sex Offences." T. C. N. Gibbins and Joyce Prince. (I.S.T.D.)
42. Courts of Justice Act, 1924.
43. Commission of Inquiry into the Reformatory and Industrial Schools System, 1934-1936.
44. "Comprehensive Education in England and Wales." T. G. Monks. (N.F.E.R.)
45. Criminal Law Amendment Acts, 1885-1935.
46. Criminal Justice Administration Act, 1914.
47. Criminal Justice Act, 1948. (H.M.S.O.)
48. Criminal Justice Act, 1961. (H.M.S.O.)
49. "Denmark—A new look at Crime." James B. McWhinnie. (I.S.T.D.)
50. Education Act, 1944. (H.M.S.O.)
51. "Effectiveness of Punishment and Other Measures of Treatment" (Council of Europe).
52. Explanatory Leaflet—Reformatory and Industrial Schools.
53. Family Allowance and National Insurance Act, 1956. (H.M.S.O.)
54. Federal Probation Magazine 3/68, 9/68, 3/69, 6/69.
55. Foster Home Care—Facts and Fallacies. Rosemary Dinnage and M. L. Kellmer Pringle (Longmans).
56. "Handling of Juveniles from Offence to Disposition." Vols. 1, 2, 3 (U.S. Department of Health).
57. Home Office Pamphlet—Residential Care of Children and Young Persons.
58. Home Office Memorandum—Juvenile Offenders and those in need of Care, Protection and Control (England and Wales).
59. Inter-Departmental Committee on the Prevention of Crime and Treatment of Offenders. Summary of Recommendations (1963).

60. "Juvenile Courts, the Child and the Law." W. B. Cavanagh (Pelican Books).
61. "Juvenile Delinquency." William C. Kvaraceus (UNESCO).
62. "Juvenile Delinquency and Youth Crime." U.S. Task Force Report.
63. Legal Status of The Putative Father—International and Comparative Law Quarterly.
64. "Maladjusted Boys." Otto L. Shaw (Allen and Unwin).
65. Memorandum on Children's Homes (Scottish Home Department).
66. Memorandum on the Boarding-Out of Children (Scottish Home Department).
67. Mental Health Act, 1959 (H.M.S.O.)
68. Ministers and Secretaries Act, 1924.
69. National Organisation for Rehabilitation—Report.
70. "Normal Child, The." C. W. Valentine (Pelican Books).
71. Nurseries and Child Minder's Regulations Act, 1948. (H.M.S.O.)
72. Offences Against the Person Act, 1861.
73. Oideas: Iris na Roinne Oideachais. Fomhair, 1968.
74. "Penal Practice in a Changing Society." (I.S.T.D.)
75. Prevention of Crime Act, 1908.
76. Probation of Offenders Act, 1907.
77. "Present Conduct and Future Delinquency." D. J. West (Heinemann).
78. "Psychometric Assessment of the Individual Child." R. Dudley Savage.
79. Public Assistance Act, 1939.
80. "Punishment" (The Church Information Office).
81. Reception Centres—Home Office Memorandum, 1948.
82. Reformatory Schools (Youthful Offenders) Act, 1854.
83. Reformatory Schools Acts, 1858.
84. Report: Catholic Protection and Rescue Society.
85. Report of An Bord Uchtala. 31/12/66.
86. Report on the Work of the Children's Department, 1964-66. (H.M.S.O.)
87. Report of the Care of Children Committee, 1946. (H.M.S.O.)
88. Report: Children and Young Persons: Scotland.
89. Report: International Children's Centre, 1966.
90. Report: Residential Care of Children and Young People—Home Office Pamphlets.
91. Report: Residential Child Care, Facts and Fallacies. Rosemary Dinnage and M. L. Kellmer Pringle (Longmans).
92. Roinn Leasa Shoisialaigh—Tuascail (1963/66).

93. Role of the Voluntary Homes (Scottish Education Department).
94. "Schools for Young Offenders." Gordon Rose (Tavistock Publications).
95. Sexual Offences Act, 1956. (H.M.S.O.)
96. Social Deviancy Among Youth (National Society for the Study of Education).
97. Short-term Methods of Treatment for Young Offenders (Council of Europe).
98. Social Work and the Community (Scottish Education Departments).
99. Social Work (Scotland) Act, 1968.
100. Summary Jurisdiction over Children Act, 1884.
101. Summary of Social Insurance and Assistance Services.
102. Summary of the Health Services.
103. Summary of Welfare Authorities (N.I.). Returns at 31/3/67.
104. Summary of Voluntary Homes Returns (N.I.) at 31/3/67.
105. "Stamford House Remand Home"—Architect's Journal, January, 1969.
106. "Suspended Sentence, Probation and other alternatives to Prison Sentences" (Council of Europe).
107. Training Schools (N.I.) Rules, 1952.
108. Training Schools (N.I.)—Explanatory Leaflet.
109. Training Schools (N.I.)—Finance.
110. Tuairim Report—"Some of Our Children."
111. Vandalism and Juvenile Delinquency. Report of Joint Committee, 1956/57.
112. "Young Offender, The." W. J. West (Pelican Books).
113. Yugoslavia—A New Look at Crime. Nancy Goodman. (I.S.T.D.)

#### APPENDIX D

##### GROUPS OR ORGANISATIONS TO WHOM THE COMMITTEE WROTE SEEKING INFORMATION

1. Adoption Societies, Industrial Schools and Reformatories.
2. Association of Managers of Reformatory and Industrial Schools.
3. Association of Secondary Teachers.
4. Association of Social Workers.
5. Catholic Protection and Rescue Society.

6. Catholic Social Welfare Bureau.
7. Children's Department, Cork Health Authority.
8. " " " " Dublin Health Authority.
9. " " " " Limerick Health Authority.
10. " " " " Waterford Health Authority.
11. " " " " Galway County Council.
12. Church of Ireland Social Service.
13. Church of Ireland Representative Body.
14. Civics Institute of Ireland, Ltd.
15. Concilium, Legion of Mary, North Brunswick Street, Dublin.
16. Council for All Ireland, Society of St. Vincent de Paul.
17. District Court Clerks' Association.
18. District Justices.
19. Dr. R. A. McCarthy, Medical Superintendent, Our Lady's Hospital, Cork.
20. Dublin Institute of Adult Education.
21. Dublin Solicitors' Bar Association.
22. Government Departments.
23. Harding Boys Home, Dublin.
24. Housing Welfare Section, Bardas Atha Cliath.
25. International Children's Centre, Bois de Boulogne, Paris.
26. Irish Countrywomen's Association.
27. Irish Medical Association.
28. Irish National Teachers' Organisation.
29. I.S.P.C.C., 20 Molesworth Street, Dublin.
30. Knights of Columbanus.
31. Local Authorities.
32. Los Angeles Society.
33. Metropolitan District Court Clerks' Association.
34. Members of Roman Catholic and Church of Ireland Hierarchy.
35. Mrs. Smyly's Homes, Grattan Street, Dublin.
36. Place of Detention, Marlborough House, Dublin.
37. Probation Administration Officer, 3 Lower Ormond Quay, Dublin.
38. Protestant Child Care Association.
39. Rev. Patrick Simpson, S.J., Milltown Park, Dublin.
40. St. Patrick's Guild, Haddington Road, Dublin.
41. St. Saviour's Orphanage, 20 Lower Dominick Street, Dublin.
42. St. Stanislaus Youth Club.
43. Vocational Teachers' Association.
44. Voluntary Homes.
45. Youth Council, Catholic Social Service Council.

APPENDIX E

SUMMARY OF RETURNS TO QUESTIONNAIRE ISSUED BY THE COMMITTEE TO REFORMATORY AND INDUSTRIAL SCHOOLS AND OTHER RELEVANT DATA

TABLE 1

Population of Reformatory Schools since 1949/50 showing No. of schools and Nos. under detention.

	Number of Schools		Numbers under detention		
	Boys	Girls	Boys	Girls	Total
1949/50	1	2	172	38	210
1950/51	1	2	178	36	214
1951/52	1	2	174	24	198
1952/53	1	2	150	25	175
1953/54	1	2	149	24	173
1954/55	1	2	129	28	157
1955/56	1	2	140	32	172
1956/57	1	2	169	39	208
1957/58	1	2	155	37	192
1958/59	1	2	173	35	208
1959/60	1	2	191	35	226
1960/61	1	2	178	27	205
1961/62	1	2	155	22	177
1962/63	1	2	127	27	154
1963/64	1	2	144	31	175
1964/65	1	2	116	22	138
1965/66	1	2	126	19	145
1966/67	1	2	104	28	132
1967/68	1	2	121	30	151
1968/69	1	2	110	7	117

Source: Department of Education.  
Figures given refer to the numbers in the schools on the last day of the school year.

TABLE 2

Offences of which those committed to Reformatories were convicted since 1949/50

	Larceny and Receiving			Housebreaking			Miscellaneous (Malicious Damage etc.)			Totals
	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total	
1949/50	40	8	48	40	—	40	6	3	9	97
1950/51	36	10	46	46	—	46	8	4	12	104
1951/52	36	2	38	37	—	37	6	1	7	82
1952/53	27	10	37	36	2	38	7	—	7	82
1953/54	24	8	32	49	—	49	8	—	8	89
1954/55	28	3	31	24	—	24	8	3	11	66
1955/56	30	6	36	49	—	49	8	—	8	93
1956/57	39	9	48	48	1	49	9	4	13	110
1957/58	35	9	44	51	—	51	6	4	10	105
1958/59	39	9	48	61	—	61	12	4	16	125
1959/60	45	4	49	63	—	63	7	9	16	128
1960/61	40	16	56	51	—	51	18	6	24	131
1961/62	21	9	30	49	—	49	12	24	36	103
1962/63	23	11	34	32	2	34	9	7	16	84
1963/64	26	9	35	66	1	67	5	3	8	110
1964/65	36	5	41	25	—	25	15	4	19	85
1965/66	32	5	37	41	—	41	10	1	11	89
1966/67	29	10	39	31	2	33	23	9	32	104
1967/68	39	10	49	45	—	45	18	8	26	120
1968/69	25	1	26	53	—	53	19	5	24	103

Source: Department of Education.

TABLE 3

Mode of Release of those discharged from Reformatory Schools since 1949/50

	To Employment or Service	Returned to Parents/Friends	Abseanded and did not return	Miscellaneous	Total
1949/50	71	62	—	7	140
1950/51	57	37	1	6	101
1951/52	55	38	—	9	102
1952/53	55	44	3	8	110
1953/54	48	38	1	7	94
1954/55	51	39	5	3	98
1955/56	45	27	1	16	89
1956/57	38	29	—	16	83
1957/58	58	57	5	10	130
1958/59	35	66	9	6	116
1959/60	15	79	16	13	123
1960/61	11	111	11	19	152
1961/62	8	99	6	18	131
1962/63	7	83	5	12	107
1963/64	3	66	5	15	89
1964/65	9	92	15	8	124
1965/66	6	72	8	12	98
1966/67	4	78	39	15	136
1967/68	3	59	30	13	105
1968/69	6	94	33	4	137

Source: Department of Education.

TABLE 4

Type of employment taken up by boys discharged from Reformatory Schools to Employment since 1959/60.

	Farm Work	Trades	Defence Forces
1959/60	2	—	6
1960/61	2	2	3
1961/62	2	2	—
1962/63	2	—	—
1963/64	1	—	2
1964/65	5	—	2
1965/66	4	—	1
1966/67	1	—	—
1967/68	1	—	—
1968/69	—	—	—

Source: Department of Education.

TABLE 5

Type of employment taken up by girls discharged from Reformatory Schools since 1959/60.

	Domestic	Shop Work
1959/60	7	—
1960/61	4	—
1961/62	4	—
1962/63	3	—
1963/64	—	—
1964/65	3	—
1965/66	2	—
1966/67	3	—
1967/68	1	1
1968/69	6	—

Source: Department of Education.

TABLE 6

Numbers of children, committed by the Courts, in Industrial Schools since 1949/50, showing No. of Schools and Nos. in care, or under detention.

	Number of Schools		Numbers in care or under detention		
	Boys	Girls	Boys	Girls	Total
1949/50	15	36	2,819	3,165	5,984
1950/51	14	36	2,724	3,120	5,844
1951/52	14	36	2,627	3,052	5,679
1952/53	14	36	2,536	2,912	5,448
1953/54	14	36	2,370	2,758	5,128
1954/55	14	36	2,190	2,643	4,833
1955/56	14	36	1,999	2,471	4,470
1956/57	14	36	1,951	2,377	4,328
1957/58	14	35	1,913	2,222	4,135
1958/59	13	35	1,865	2,129	3,994
1959/60	13	35	1,796	2,009	3,805
1960/61	13	35	1,752	1,934	3,686
1961/62	13	35	1,675	1,842	3,517
1962/63	13	35	1,588	1,652	3,240
1963/64	13	30	1,463	1,504	2,967
1964/65	13	30	1,355	1,353	2,708
1965/66	13	28	1,248	1,208	2,456
1966/67	10	26	1,088	1,032	2,120
1967/68	10	23	946	885	1,831
1968/69	10	23	731	782	1,513

Source: Department of Education.

Figures given refer to the numbers in the schools on the last day of the school year.

TABLE 7

Numbers of children in care in Industrial Schools, placed by Local Health Authorities

	Boys	Girls	Total
1949/50	136	186	322
1950/51	149	190	339
1951/52	195	204	399
1952/53	193	196	389
1953/54	218	202	420
1954/55	230	212	442
1955/56	231	224	455
1956/57	253	218	471
1957/58	239	218	457
1958/59	221	220	441
1959/60	276	204	480
1960/61	157	231	388
1961/62	228	224	452
1962/63	232	233	465
1963/64	210	208	418
1964/65	178	175	353
1965/66	234	199	433
1966/67	206	212	418
1967/68	184	283	467
1968/69	201	260	463

Source: Department of Education.

Figures given refer to the numbers in the schools on the last day of the school year.

TABLE 8

Numbers of Children in care in Industrial Schools placed voluntarily i.e. by Parents or Guardians, since 1949/50.

	Placed Voluntarily		
	Boys	Girls	Total
1949/50			
1950/51	11	61	72
1951/52	11	78	89
1952/53	10	83	93
1953/54	15	80	95
1954/55	11	93	104
1955/56	16	94	110
1956/57	9	96	105
1957/58	11	101	112
1958/59	16	88	104
1959/60	21	85	106
1960/61	21	85	106
1961/62	24	75	99
1962/63	16	82	98
1963/64	21	73	94
1964/65	17	75	92
1965/66	28	86	114
1966/67	26	97	123
1967/68	10	95	105
1968/69	23	87	110
	16	81	97

Source: Department of Education.

Figures given refer to the numbers in the schools on the last day of the school year.

TABLE 9

Total number of children in care in Industrial Schools for each year since 1949/50

	Boys	Girls	Total
1949/50	2,966	3,412	6,378
1950/51	2,884	3,388	6,272
1951/52	2,832	3,339	6,171
1952/53	2,744	3,188	5,932
1953/54	2,599	3,053	5,652
1954/55	2,436	2,949	5,385
1955/56	2,239	2,791	5,030
1956/57	2,215	2,696	4,911
1957/58	2,168	2,528	4,696
1958/59	2,107	2,434	4,541
1959/60	2,093	2,298	4,391
1960/61	1,933	2,240	4,173
1961/62	1,919	2,148	4,067
1962/63	1,841	1,958	3,799
1963/64	1,690	1,787	3,477
1964/65	1,561	1,614	3,175
1965/66	1,508	1,504	3,012
1966/67	1,304	1,339	2,643
1967/68	1,153	1,255	2,408
1968/69	950	1,123	2,073

Source: Department of Education.

Figures given refer to the numbers in the schools on the last day of the school year.

TABLE 10  
Grounds of Commital for those committed to Industrial Schools by the Courts since 1949/50

	School Attendance		Indictable Offences		Lack of Proper Guardianship		Not having any Home*		Uncontrollable		Total
	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	
1949/50	49	10	59	56	322	360	682	—	17	19	36
1950/51	59	2	61	73	277	359	636	—	9	10	19
1951/52	48	7	55	70	259	334	593	—	8	6	14
1952/53	43	4	47	68	235	266	501	—	9	7	16
1953/54	31	3	34	55	204	239	443	—	12	1	13
1954/55	33	4	37	54	192	259	451	—	9	2	11
1955/56	60	1	61	47	213	263	476	—	6	4	10
1956/57	31	6	37	54	211	263	474	—	—	—	—
1957/58	45	11	56	61	212	246	458	—	12	3	15
1958/59	53	9	62	63	218	265	483	—	4	4	8
1959/60	64	5	69	72	218	260	478	—	—	—	—
1960/61	55	7	62	50	220	280	500	—	5	4	9
1961/62	41	3	44	69	246	280	526	—	—	—	—
1962/63	43	4	47	79	253	256	509	—	13	7	20
1963/64	30	3	33	68	246	237	483	—	11	4	15
1964/65	39	2	41	70	155	168	323	—	14	2	16
1965/66	29	3	32	100	118	76	194	—	61	37	98
1966/67	27	1	28	93	119	97	216	—	20	20	40
1967/68	22	3	25	78	61	69	130	—	16	10	26
1968/69	15	1	16	65	42	37	79	—	3	3	6

\*This Category not given until 1964/65, before that children under this heading were included under "lack of proper guardianship".  
Source: Department of Education.

TABLE 11  
Mode of Release of those Discharged from Industrial Schools since 1949/50

	To Employment	To Parents/ Friends	Abandoned Did Not Return	Miscellaneous (Emigration, Adoption, Medical Etc.)	Total
1949/50	—	—	—	—	—
1950/51	631	258	5	100	994
1951/52	553	275	4	109	941
1952/53	560	268	3	97	928
1953/54	498	270	4	98	870
1954/55	437	277	12	108	891
1955/56	414	303	10	110	860
1956/57	314	362	5	191	972
1957/58	294	322	4	162	802
1958/59	249	355	9	133	791
1959/60	267	339	3	185	776
1960/61	267	421	12	146	846
1961/62	214	387	17	153	771
1962/63	177	448	18	173	816
1963/64	190	504	12	182	888
1964/65	135	415	23	144	717
1965/66	157	419	14	111	701
1966/67	129	373	15	153	670
1967/68	153	366	19	73	611
1968/69	90	246	22	130	506
	114	257	37	72	480

TABLE 12  
Type of Employment taken up by boys discharged from Industrial Schools to employment since 1959/60.

	Farm Work	Factory Work	Hotel Work	Trades	Office Work	Defence Forces	House-boys	Labourers	Shop Work	Other
1959/60	40	3	43	27	—	9	—	—	—	20
1960/61	50	2	25	28	—	2	—	—	—	9
1961/62	30	4	32	19	—	—	—	—	—	—
1962/63	24	1	34	20	1	—	—	—	—	—
1963/64	15	5	15	15	—	—	—	—	—	—
1964/65	23	9	27	18	—	—	—	—	—	—
1965/66	13	2	27	9	18	—	—	—	—	—
1966/67	10	—	15	19	9	2	—	5	—	—
1967/68	3	—	13	15	3	—	—	—	—	8
1968/69	10	—	30	8	1	—	9	—	—	1

Source: Department of Education.

TABLE 13  
Type of Employment taken up by girls discharged from Industrial Schools to Employment since 1959/60.

	Factory Work	Hotel Work	Domestic	Trades	Office Work	Nursing	Shop Work	Other
1959/60	5	3	84	—	2	13	2	16
1960/61	—	2	80	—	4	5	—	7
1961/62	—	5	68	—	5	14	—	—
1962/63	—	8	80	—	6	16	—	—
1963/64	—	3	71	—	5	6	—	—
1964/65	1	2	59	—	1	7	—	—
1965/66	—	3	63	5	1	4	—	—
1966/67	—	3	49	9	9	14	—	—
1967/68	—	3	32	7	7	4	—	—
1968/69	1	3	24	6	8	3	—	3

Source: Department of Education.

## COMMITTEE'S SURVEY

The Committee considered that it should seek to collect certain extra information not readily available from official sources about the children in Industrial and Reformatory Schools. The purpose of this survey was to help provide a full description of the population in the schools and of the facilities.

School managers were requested to complete three questionnaire forms relating to the children and the facilities available. One of these forms sought information on overall admissions and discharges, releases, transfers and recalls together with general information on staffing and other facilities available. To get more detailed data on staffing, schools were asked to fill another, separate, form for each full-time member of staff. The information collected by these two forms is presented in Tables 14 to 34. This information refers to Industrial and Reformatory Schools combined. A total of 30 schools out of a possible 34 representing 2,159 children who were in the schools on the date of the survey completed and returned both forms.

A third form was designed to collect information about each child in the schools. School managers were requested to fill one of these forms for each individual child in their respective schools. All schools completed and returned these forms although some did not complete all the form fully. Where there was no reply to a question this is indicated in the tables. All of the Industrial and Reformatory Schools, 34, representing 2,476 children participated in the survey. The date used was 1st February, 1968.

TABLE 14  
*Releases*

Released on Order of the Minister .. .. .	131
Adopted* .. .. .	33
Released on Licence .. .. .	32
Boarded Out .. .. .	7
Other—to Parents, Friends etc. .. .. .	384
<b>Total number discharged or released .. .. .</b>	<b>587</b>

\*One school mentioned that they did not record all their short-term cases adopted so this figure may be a little low.

TABLE 15

<i>Recall</i>
Total number recalled 16

TABLE 16  
*Transfers*

To Special Schools (for Mentally Handicapped) .. .. .	9
To Other Industrial Schools .. .. .	23
To Reformatories .. .. .	10
<b>Total transferred .. .. .</b>	<b>42</b>

*Source:* Committee's Survey.

TABLE 17

Transfers to Industrial Schools	Reasons for Transfer
11 Cases	Boys over 10 years from Girls Schools
6 Cases	Absconding and bad Conduct
5 Cases	Family Reasons
1 Case	Educational

TABLE 18

Transfers to Reformatory Schools	Reason for transfer
6	Absconding/ House-breaking/ Other bad conduct
4	Other bad conduct

TABLE 19

*New Admissions*

Total Number of new Admissions	554
--------------------------------	-----

*Source:* Committee's Survey.

TABLE 20

*Facilities for Educationally Backward and Mentally Handicapped*

Facilities	Number of Schools Replying
Special Schools Available Locally .. .. .	14
School has none and copes as best it can .. .. .	10
Special facilities (remedial teacher and/or special class) and use of local facilities .. .. .	4
None required (no children in these categories) .. .. .	3
No reply to question .. .. .	1

*Source:* Committee's Survey.

TABLE 21  
Vocational Guidance Facilities

	Numbers of Schools Replying
(a) No formal arrangements .. .. .	31
(b) Formal Arrangements .. .. .	1

Of number of schools replying at (a), numbers giving other arrangements made for vocational guidance

	Numbers of Schools Replying
(i) Teachers in Primary/Postprimary Schools help .. .. .	8
(ii) Talks/Lectures arranged .. .. .	4
(iii) Help given by residential staff .. .. .	8
(iv) No help available .. .. .	10

Source: Committee's Survey.

#### AFTERCARE ARRANGEMENTS

In this case, individual schools listed various ways which they used to provide aftercare. Frequency of response for the various methods reported is the method used to record these replies rather than the number of schools.

TABLE 22

Method of Aftercare	Frequency of Response
Holidays and Regular Visits .. .. .	17
Correspondence (letters, etc.) .. .. .	12
Contact kept informally .. .. .	8
Visits paid by school staff .. .. .	7
Outside, Voluntary, Societies help .. .. .	5
Visits by Local Authority Officers .. .. .	3
Hostel planned .. .. .	3
Hostel and club provided .. .. .	2
Free board/lodging offered until child established in job .. .. .	1
Member of staff engaged full-time in Aftercare work .. .. .	1

Source: Committee's Survey.

#### STAFFING

There is some difficulty in acquiring and presenting information about the actual staffing position in the schools since so many of the staff members are teaching either in a national school confined

to the children from the institution or in national or secondary schools run by the community in a particular locality. These teachers spend quite a number of hours on residential work, in most cases as many hours again as they spend teaching. Another difficulty is that certain domestic and outdoor staff provide services for the community as a whole, including national, secondary and industrial schools. The following table gives some indication of the staffing position in the schools.

TABLE 23a

	Religious	Lay
Staff engaged full-time in Administration or Supervision of Residential activities .. .. .	27	---

(All of the numbers given above appear to be trained teachers about 12 of whom are retired.)

	Religious	Lay
Staff engaged full-time in child-care work (usually referred to as Housemothers) .. .. .	21	20

(In the case of the religious mentioned here, 4 had taken the Home Office course in Child Care, the rest, both religious and lay, did not appear to have any qualification, teaching or other).

	Religious	Lay
Teachers engaged part-time in child-care work or supervision of activities .. .. .	116	---
Qualified nurses engaged full-time .. .. .	6	6
Qualified catering staff engaged full-time* .. .. .	3	2

\*These are mainly persons who have taken the Institutional Management courses in Cathal Brugha Street).

	Religious	Lay
Staff engaged in supervision of trades, etc. .. .. .	---	12

(These appear to be qualified tradesmen--in tailoring, carpentry, shoemaking, etc.)

	Religious	Lay
Full-time Domestic and Outdoor Staff (Catering, Cleaning, Laundry, Maintenance, Gardening, etc.) .. .. .	29	72
Part-time Domestic and Outdoor staff .. .. .	---	58

TABLE 23b  
Visiting Professional Staff

	Number
General Medical Practitioner	34
Nurse	13
Dancing Teacher	11
Music Teacher	10
Psychologist	9
Speech Therapist	7
Home Economics Teacher	6
P.E. Instructor	6
Psychiatrist	5
Elocution Teacher	4
Dentist	2
Other Medical Doctors	2
Art Teacher	2
Catering Instructor	2
Remedial Teacher	1
Crafts Instructor	1
Placement Officer	1
Other Teachers	2

Three of the schools situated in or near Dublin account for most of the professional visiting staff (other than general medical practitioners)—psychiatrists, psychologists, speech therapists, etc.

TABLE 24  
Ages of Children in Industrial Schools

	Boys	Girls	Total
Under 1 year	4	6	10
1+	15	16	31
2+	17	21	38
3+	32	29	61
4+	40	34	74
5+	46	53	99
6+	77	59	136
7+	56	67	123
8+	64	70	134
9+	80	77	157
10+	107	90	197
11+	100	112	212
12+	128	114	242
13+	150	140	290
14+	117	129	246
15+	83	116	199
16+	7	47	54
17+	—	3	3
18+	—	6	6
19+	—	—	—
Age not stated	12	9	21
TOTALS	1,135	1,198	2,333

Source: Committee's Survey.

TABLE 25  
Ages of Children in Reformatories

	Boys	Girls	Total
11+	—	2	2
12+	—	2	2
13+	6	3	9
14+	11	5	16
15+	33	17	50
16+	37	1	38
17+	16	8	24
18+	2	—	2
19+	—	—	—
TOTALS	105	38	143

Source: Committee's Survey.

TABLE 26  
County of Origin of Children

County or Place of Origin	Industrial Schools		Reformatories	
	Boys' Schools	Girls' and Junior Boys' Schools	Boys' Schools	Girls' Schools
Louth	4	33	6	—
Meath	5	17	—	—
Longford	7	13	2	—
Westmeath	12	19	—	—
Laois	5	13	—	—
Offaly	18	43	1	—
Carlow	13	18	—	2
Kilkenny	18	32	1	—
Wexford	3	56	2	1
Wicklow	15	6	6	—
Kildare	4	14	—	—
Dublin	157	236	46	11
TOTAL Leinster	261	500	64	14
Waterford	23	41	5	—
Cork	38	188	10	4
Kerry	21	94	2	2
Limerick	34	71	15	1
Clare	15	33	1	1
Tipperary	40	80	2	1
TOTAL Munster	171	507	35	9
Galway	7	29	2	—
Mayo	4	28	1	—
Sligo	9	12	—	—
L Leitrim	1	9	—	—
Roscommon	2	5	—	1
TOTAL Connaught	23	83	4	1

Source: Committee's Survey.



TABLE 26 continued

County or Place of Origin	Industrial Schools		Reformatories	
	Boys' Schools	Girls and Junior Boys' Schools	Boys' Schools	Girls' Schools
Donegal .. .	8	7	—	2
Cavan .. .	1	8	—	—
Monaghan .. .	1	3	1	—
TOTAL Ulster (part of) .. .	10	18	1	2
Great Britain .. .	20	66	—	3
Other .. .	—	4	—	—
TOTAL Great Britain and Other .. .	20	70	—	3
No Home .. .	12	154	—	1
Not Known .. .	16	64	—	—
No Fixed Abode .. .	11	96	1	3
No Reply .. .	127	190	—	5
TOTAL No Home, etc. .. .	166	504	1	9
TOTAL in Schools .. .	651	1,682	105	38

Some Background information about the children

TABLE 27

Whether Mother and Father Alive

Mother and Father:	Industrial Schools			Reformatories		
	Boys' Schools	Girls' and Junior Boys' Schools	Totals	Boys' Schools	Girls' Schools	Totals
Alive .. .	540	1,519	2,059	104	31	135
Dead .. .	6	29	35	1	1	2
Don't know .. .	105	134	239	—	6	6
TOTALS .. .	651	1,682	2,333	105	38	143

Source: Committee's Survey.

TABLE 28  
One Parent Deceased

One Parent Deceased or alive	Industrial Schools			Reformatories		
	Boys' Schools	Girls' and Junior Boys' Schools	Totals	Boys' Schools	Girls' Schools	Totals
Mother Dead .. .	69	292	361	10	2	12
Don't Know .. .	137	167	304	2	7	9
Mother Alive .. .	445	1,223	1,668	93	29	122
TOTALS .. .	651	1,682	2,333	105	38	143
Father Dead .. .	78	259	337	15	3	18
Don't Know .. .	166	711	877	5	13	18
Father Alive .. .	407	712	1,119	85	22	107
TOTALS .. .	651	1,682	2,333	105	38	143

TABLE 29

Whether Mother and Father Married

Mother and Father Married	Industrial Schools			Reformatories		
	Boys' Schools	Girls' and Junior Boys' Schools	Totals	Boys' Schools	Girls' Schools	Totals
Yes .. .	443	983	1,426	93	15	108
No .. .	56	384	440	5	5	10
Don't Know .. .	142	200	342	—	18	18
No Reply .. .	10	115	125	7	—	7
TOTALS .. .	651	1,682	2,333	105	38	143

Source: Committee's Survey.

TABLE 30

Whether Mother and Father Alive, Married and Living Together

Mother and Father Alive/ Married/living together	Industrial Schools			Reformatories		
	Boys' Schools	Girls' and Junior Boys' Schools	Totals	Boys' Schools	Girls' Schools	Totals
Yes .. .	189	232	421	68	11	79

TABLE 31  
Father's Occupation

Father's Occupation	Industrial Schools			Reformatories		
	Boys' Schools	Girls' and Junior Boys' Schools	Totals	Boys' Schools	Girls' Schools	Totals
Farmer	4	42	46	—	—	—
Higher Professional	—	7	7	—	—	—
Lower Professional	—	9	9	—	—	—
Employer/Manager	—	4	4	—	—	—
Commercial Worker (e.g. Agent)	—	12	12	—	—	—
Clerical Worker	10	29	39	3	—	3
Intermediate Non-Manual Worker	27	85	112	4	1	5
Skilled Tradesman	44	118	162	6	1	7
Semi-Skilled Worker	34	122	156	12	5	17
Agricultural Labourer	22	76	98	1	1	2
Non-Skilled Worker	43	268	311	27	3	30
Unemployed	39	169	208	16	—	16
Disabled	6	67	73	5	1	6
Itinerant	11	51	62	4	1	5
"In England" Occupation	10	71	81	4	—	4
Unknown	95	349	444	3	1	4
No Reply	306	203	509	20	24	44
TOTALS	651	1,682	2,333	105	38	143

TABLE 32  
Mother's Occupation

Mother's Occupation	Industrial Schools			Reformatories		
	Boys' Schools	Girls' and Junior Boys' Schools	Totals	Boys' Schools	Girls' Schools	Totals
Farmer	1	1	2	—	—	—
Higher Professional	—	—	—	—	—	—
Lower Professional	8	21	29	—	—	—
Employer/Manager	—	—	—	—	—	—
Commercial Worker (agent, etc.)	—	—	—	—	—	—
Clerical Worker	1	21	22	—	—	—
Intermediate Non-Manual Worker	32	224	256	1	4	5
Skilled Trade Semi-Skilled Worker	2	5	7	—	1	1
Agricultural Worker	21	30	51	14	1	15
Non-Skilled Worker	—	—	—	—	—	—
Unemployed	2	—	2	—	—	—
Disabled	10	61	71	4	—	4
Itinerant	7	41	48	1	1	2
"In England" House Duties at Home	26	77	103	—	—	—
Occupation Unknown	205	225	430	71	16	87
No Reply	151	497	648	1	6	7
	185	479	664	13	9	22
TOTALS	651	1,682	2,333	105	38	143

Source: Committee's Survey.

INSTITUTIONS APPROVED BY THE MINISTER FOR HEALTH FOR THE RECEPTION OF CHILDREN

In order to get an overall estimate of the number of children in residential care, institutions approved by the Department of Health were requested to indicate the number of children in care in various age-groups on 2nd May, 1969. The Committee wishes to acknowledge gratefully the help given by the Department of Health in this matter.

TABLE 33

Number of Institutions Approved by the Minister for Health

Number of Institutions Approved by the Minister for Health	Number of Replies	Numbers in various age-groups			
		0-2 Years	2-14 Years	14-18 Years	Total
18	16	278	328	73	678
Numbers from one Institution not given by age-groups					30
TOTAL					708

#### VOLUNTARY HOMES WHICH HAVE NOT SOUGHT APPROVAL BY THE MINISTER FOR HEALTH

Efforts were made too to discover how many children were cared for in Voluntary Homes. The Committee advertised and, as well, contacted all such institutions known to members. In all, 24 homes were contacted and 20 provided the information requested. The data received relating to numbers in the homes on 2nd May, 1969, is given below.

TABLE 34

Number of Voluntary Homes Contacted

Number of Voluntary Homes Contacted	Number Replying	Numbers of various age-groups			
		0-2 Years	2-14 Years	14-18 Years	Total
24	20	66	571	365	992

Source: Committee's Survey.

#### APPENDIX F

SUMMARY OF SURVEY CONDUCTED BY THE DEPARTMENT OF PSYCHOLOGY, UNIVERSITY COLLEGE DUBLIN AT THE REQUEST OF THE COMMITTEE OF ENQUIRY ON REFORMATORY AND INDUSTRIAL SCHOOLS

##### Terms of Reference

The terms of reference laid down were to conduct:

- (1) A survey of the extent of mental handicap and educational backwardness in Industrial and Reformatory Schools.
- (2) A survey of facilities available for the education of children in such schools.
- (3) A survey of the extent of educational problems in Industrial and Reformatory Schools.

##### Discussion of Terms of Reference

It may be helpful here to summarise some of the concepts inherent in the terms of reference.

The report of the Commission of Inquiry on mental handicap, 1956, classified as being mentally handicapped those people, including adults, "who by reason of arrested or incomplete development of mind, have a marked lack of intelligence and, either temporarily or permanently, inadequate adaptation to their environment." In terms of measurement by intelligence testing, a person with an I.Q. of less than 70 would be regarded as mentally handicapped. To distinguish within the population of mentally handicapped persons the categories of mild mental handicap (I.Q. between 50 and 70), moderate mental handicap (I.Q. between 25 and 50), severe mental handicap (I.Q. less than 25) and borderline mental handicap (I.Q. between 70 and 85) are used. Children who are mildly mentally handicapped cannot be expected to benefit educationally by attending at an ordinary school where the curriculum is unsuited to their needs. Children who are moderately mentally handicapped need special teaching, supervision, and support. Children who are severely mentally handicapped are unable to provide for their personal needs and require constant supervision. Children who are generally termed borderline mental handicap or dull may be accommodated in the ordinary school if opportunities are provided so that they can progress according to their intellectual ability.

The educationally retarded child is one who is not performing at a level commensurate with his capacity, in one or more school subjects. The educationally backward child is one whose performance in one or more of the three R's falls markedly below that expected for his age group. Educational backwardness may be either general or specific. Where children are backward primarily because of intellectual deficiency, as in the case of the mentally handicapped, their backwardness is usually general. Specific backwardness may result from specific intellectual factors, lack of opportunity and retarding physical emotional and environmental influences. Because these factors can operate on all children it follows that children of even the greatest capacity can be backward.

As a measure of backwardness we use reading and arithmetic quotients which show whether a child's performance in reading and arithmetic falls below the average performance for his age group.

In surveying the facilities available for the education of children in Industrial and Reformatory Schools we were concerned with the quantity rather than the quality of such facilities, nor did we evaluate the use made of such facilities. Some information on general facilities in primary schools was available (Kellaghan and Gorman, 1968) so we concerned ourselves with institutions which had confined schools, and wherever possible compared primary schools with the confined schools.

Educational problems result from mental handicap, educational backwardness and retardation. As we are concerned in this survey

with the quantification of mental handicap and educational backwardness we will deal with the educational problems related to these.

#### *Deprivation and Children in Care*

The culturally deprived person is one who is not viable within his culture; he cannot meet and deal adequately with the demands which his culture makes on him. These demands impinge on the whole range of human behaviour; they influence a person from early childhood onwards at emotional, social and intellectual levels; they enter into his private and public conduct, into his religious beliefs and into his occupation; they influence him as a person and as a member of the community.

In a broader sense a person is culturally deprived if he is unable to survive in an international context. While this latter statement is not of immediate relevance it should be kept in mind as a general background, against which any discussion of deprivation should take place.

In general, what kind of conditions give rise to or are conducive to the development of such inadequate persons? Research on the topic shows that the most important factor in childhood and later development is the quality and quantity of personal relationships available to the child. By having good inter-personal relationships the child, and later the adolescent, is enabled to develop good relations with other persons in a broader context than his immediate family. Conversely, the child who lacks the right kind of personal contacts, will in turn be lacking in emotional, social and intellectual stability and development. The conditions which give rise to these deviations from the normal pattern are many: socially and culturally inadequate parents, families where there is some emotional neglect, serious mental or physical illness or where for any reason there is only one remaining parent, families where permanent or periodic financial crisis obtains.

Institutions for the care of children, such as we are dealing with in this survey, are not normal family situations. They care for children who have in many cases come into care because of the inadequacy of their family situations. Some of these children are illegitimate, some are orphans, some are children of large families or of inadequate parents, and some are young offenders.

Dinnage and Pringle (1967) point out that deprivation is generally ascribed to three different conditions: first, residential care for some time, with corresponding deprivation of normal family life; second, rejection by one or both parents with consequential emotional deprivation; and third, homes which are educationally and culturally unstimulating. In our institutions these three conditions exist, in the first case because they are institutions and in the other two cases because of the home background of the children. The conditions are not mutually exclusive, nor do they describe types of deprivation, but they are sufficient for the purposes of this study in that any one, or a combination of more than one of them can give rise to a

condition of life which will not enable the person to meet the demands of his culture adequately.

In operational terms, to function adequately at a basic level, an individual must have attained a normal standard in terms of general intellectual development, language development with which intellectual development is closely related, reading attainment, attainment in numbers, and emotional and social development. If it is seen, from a study of our institutions of care, that our children have not a competence in these areas of development which is up to the standard attained by the majority of the population then we can speak of cultural deprivation in such institutions as a fact, rather than speaking of a theoretical relationship between the conditions which give rise to cultural deprivation and the existence of such institutions. Such a statement would have no implications as to the conditions which obtain within our institutions.

Not much evidence is available on the intellectual capacity and scholastic attainment of children in Industrial and Reformatory schools. Rose (1967), reviewing research work done in Approved Schools in Britain, which schools correspond broadly to our Reformatory Schools, found intelligence and attainment scores much lower than in the normal population. In Ireland, no published research work is available but Hart and Sr. Cabrini Delahunty, in separate private studies in Industrial Schools, found the I.Q. scores of these children much lower than children in a normal population.

#### THE POPULATION OF INDUSTRIAL AND REFORMATORY SCHOOLS

This chapter consists of a description of the child population of Industrial and Reformatory Schools and for this purpose it will be convenient to describe both populations separately.

##### *Industrial Schools*

Children are admitted to Industrial Schools for reasons of lack of proper guardianship, of being homeless, school inattendance and indictable offences. It has been customary to classify these children as follows:

1. *Children committed under detention.* Such children account for approximately eighty per cent of the population in Industrial and Reformatory Schools. They are committed through the Courts and the Minister for Education and the Health Authority are jointly responsible for the cost of their maintenance in these schools.
2. *Children maintained by Health Authorities.* Such children make up about sixteen per cent of the population. These children are not committed through the Courts, but are admitted to the schools, under the Health Act, through the Health Authority. The cost of their maintenance is covered jointly by the Department of Health and the Health Authority.

3. *Children maintained on a voluntary basis.* Such children account for about four per cent of the population in these schools. The cost of their maintenance is borne by those who obtain admission for them (often the parents) having found that temporarily or permanently they are not in a position to look after them at home.

It would appear from discussions which we had with various interested authorities that the main reason for distinguishing between committed children and Health Act children is the channels through which they arrive in these schools rather than their background.

When this survey commenced in June, 1968, there were thirty-three Industrial Schools in the country, for which the Ministers for Education and Health had responsibility. All schools are administered by religious orders. The numbers for which these schools catered varied enormously—some schools having as few as ten children, while one was catering for approximately two hundred and fifty. Eight of these schools catered exclusively for boys only. Fourteen schools catered exclusively for girls up to the age of sixteen, and the remaining eleven schools were catering for girls and boys in varying proportions.

The following table shows the number of boys and girls in Industrial Schools as on the 31st December, 1967, distributed by category of maintenance.

*Number of boys and girls in Industrial Schools by category of maintenance as on 31st December, 1967*

Sex	Number of Children Committed Under Detention	Number of Voluntary Children	Number of Health Act Children	Total
Boys ..	1,006	18	179	1,203
Girls ..	942	82	221	1,245
TOTAL	1,948	100	400	2,448

From this table it can be seen that the Industrial Schools cater for approximately the same number of boys and girls. Many schools have children from each of the three previously mentioned categories.

Children are admitted to Industrial Schools up to the age of fifteen years. They usually leave at the age of sixteen but may, with the Minister's permission, remain on for another year.

#### *Reformatory Schools*

Anyone over twelve years of age and less than seventeen years who is convicted, whether on indictment or by a District Court, of an offence which is punishable in the case of an adult with penal servitude or imprisonment, may be sent to a Reformatory School. Such people may be detained until the age of nineteen. As on the 31st December,

1967, 124 boys were being detained in St. Conleth's, Daingean, and eighteen girls were being detained in each of the two girls' reformatories, St. Joseph's, Limerick, and St. Anne's, Kilmacud.

#### *Research Design*

In deciding on a research design which would achieve the aims of the survey it was necessary to consider the suitability of available tests, the numbers to be tested, and the availability of research workers, time and finance.

Where possible, tests which had been standardised on an Irish population were used. Otherwise, tests which had comparative data for Irish children or which had been found to be valid in clinical practice were used. Verbal intelligence tests were used. To measure attainment in arithmetic, both mechanical and problem arithmetic tests were used. In reading, a test of ability to recognise and articulate words was used. This test would provide an indication of the extent of the child's ability to approach the more technical aspect of reading, without the acquisition of which, comprehension reading is unlikely to progress.

While it would have been desirable to test every member of the population in Industrial and Reformatory Schools and so obtain a complete profile on each individual, the limiting factors of finance, time, and staff necessitated the use of samples drawn from various age groups.

A stratified sampling procedure was adopted: Industrial and Reformatory Schools were regarded as separate populations; boys and girls were sampled separately; age groups disposed at almost regular intervals were selected as it was felt that whatever inferences might be made about these age groups might also apply to the intervening age groups as a result of this procedure. Sample sizes ranged from sixteen per cent to eight per cent approximately.

#### *Summary of Test Results*

The results of intelligence tests are considered separately for Industrial Schools and Reformatory Schools. For all other tests the results for both types of school are taken together.

#### **INTELLIGENCE**

On the assumption that the Stanford-Binet and W.I.S.C. norms are suitable for use with Irish children (and these are the instruments which are used to assist in placing children in schools for mentally handicapped), the sample results highlight a number of factors. The first is the generally depressed scores obtained by children in Industrial Schools indicating that 11.9 per cent are mentally handicapped compared with approximately 2.5 per cent in the population, and that 36.6 per cent are borderline mentally handicapped compared with approximately 12.5 per cent in the population in general. This leaves 51.5 per cent who are of average or above average intelligence compared with about 85.0 per cent in the population at large.

Another observation is the particularly high incidence of mental handicap (36.8 per cent) found among fifteen year old girls and its absence among six and ten year old girls. Although the mean I.Qs. of six year old and ten year old girls are slightly higher than for boys, the mean I.Q. of fifteen year old girls is significantly below that of fifteen year old boys. It is difficult to say why this should be so. Examination of the Verbal and Performance I.Qs. indicates that at the ten year level girls score somewhat higher than boys in both Verbal and Performance scales, while at the fifteen year level the boys' scores are higher than girls' scores and the difference is significant in the case of the Performance scale. It is this very poor ability in the Performance sub-tests which contributed mostly to such a gloomy picture of intellectual capacity among the fifteen year old girls. The possibility of this sample being inadequate was considered. However, it was drawn from thirteen different schools and there is no evidence that it is less representative than other samples tested on individual intelligence tests.\*

The incidence of mental handicap (38.4 per cent) and of borderline mental handicap (46.2 per cent) is much higher for boys and girls in Reformatory Schools than in Industrial Schools. This leaves 15.4 per cent of those tested who are of average or above average intelligence compared with approximately 85 per cent in the population in general. The mean Verbal and Performance I.Qs. are slightly higher for boys than for girls, but the samples here are probably too small for generalisations.

#### PERCEPTUAL ABILITY

The results of Raven's Matrices indicate that backwardness, based on the revised norms, is fairly evenly distributed throughout the various age groups and between sexes. The highest incidence of backwardness is among eight year old boys (66.7 per cent) and the lowest among twelve year old boys (40.7 per cent).

The extent of backwardness (50.3 per cent) on the perceptual abilities tested in this test must be viewed against the figure of 15.0 per cent in the School Studies from which our norms are derived, and these norms are considerably lower than the test norms.

That these tests are largely independent of verbal ability indicates the poor development of observation and clear thinking among children in Industrial and Reformatory Schools.

#### VERBAL REASONING

Success on verbal reasoning tests demands the ability to read and the possession of good verbal skills. Results in the W.I.S.C. Verbal Scale show that 30.4 per cent and 66.7 per cent are backward at the ten and fifteen year age levels respectively. So as not to confuse inability to reason verbally with inability to read, ten and twelve year olds with reading ages less than eight years and fifteen years old

\*Perhaps work of a bigger sample might vary this result.

with reading ages less than ten years have been excluded from the numbers used to calculate the extent of backwardness in verbal reasoning. In all 54 or 17.7 per cent of the samples were excluded on these grounds.

As the two tests used do not necessarily measure the same abilities it is best to consider them separately. The incidence of backwardness was higher among boys than among girls. Ten year old boys showed a profound inability to reason verbally with 74.2 per cent backwardness, while the figure for twelve year old boys was 53.6 per cent. Ten year old girls (31.3 per cent) were somewhat better than twelve year old girls (37.5 per cent). At the fifteen year level the incidence of backwardness was approximately the same for boys and girls (40.0 per cent and 39.0 per cent respectively). Combining the rates of backwardness the incidence figure is 54.9 per cent for boys and 36.4 per cent for girls or 45.4 per cent for the total. Taking into account the large numbers of non-readers excluded, the results compare most unfavourably with the figure of 15.0 per cent for the population.

#### READING

The results of the reading tests show that the mean reading quotient of all samples is less than 85, except in the case of 12 year old girls. The extent of backwardness is very pronounced varying from 50.0 per cent in the case of twelve year old girls to 83.3 per cent for eight year old boys. Girls score better than boys at the eight, ten and twelve year levels (the extent of their superiority being significant at the eight and twelve year levels), while boys score slightly better than girls at the fifteen year age level.

#### ARITHMETIC

In arithmetic there is a higher incidence of backwardness among boys at the eight, ten and twelve year levels, while the incidence is higher among girls at the fifteen year level. At no age level is the difference between the scores significant.

#### TEST SCHEDULE FOR INDUSTRIAL SCHOOLS

- 6 year olds: Estimated population: 90  
Test one child on Stanford Binet Intelligence Scale.
- 8 year olds: Estimated population: 120  
Test 50 per cent on Raven's Coloured Progressive Matrices  
Sets A, Ab, B.  
Test 50 per cent on Marino Graded Word Reading Test.  
Test 0 per cent on Wirral Mechanical Arithmetic Test IA.

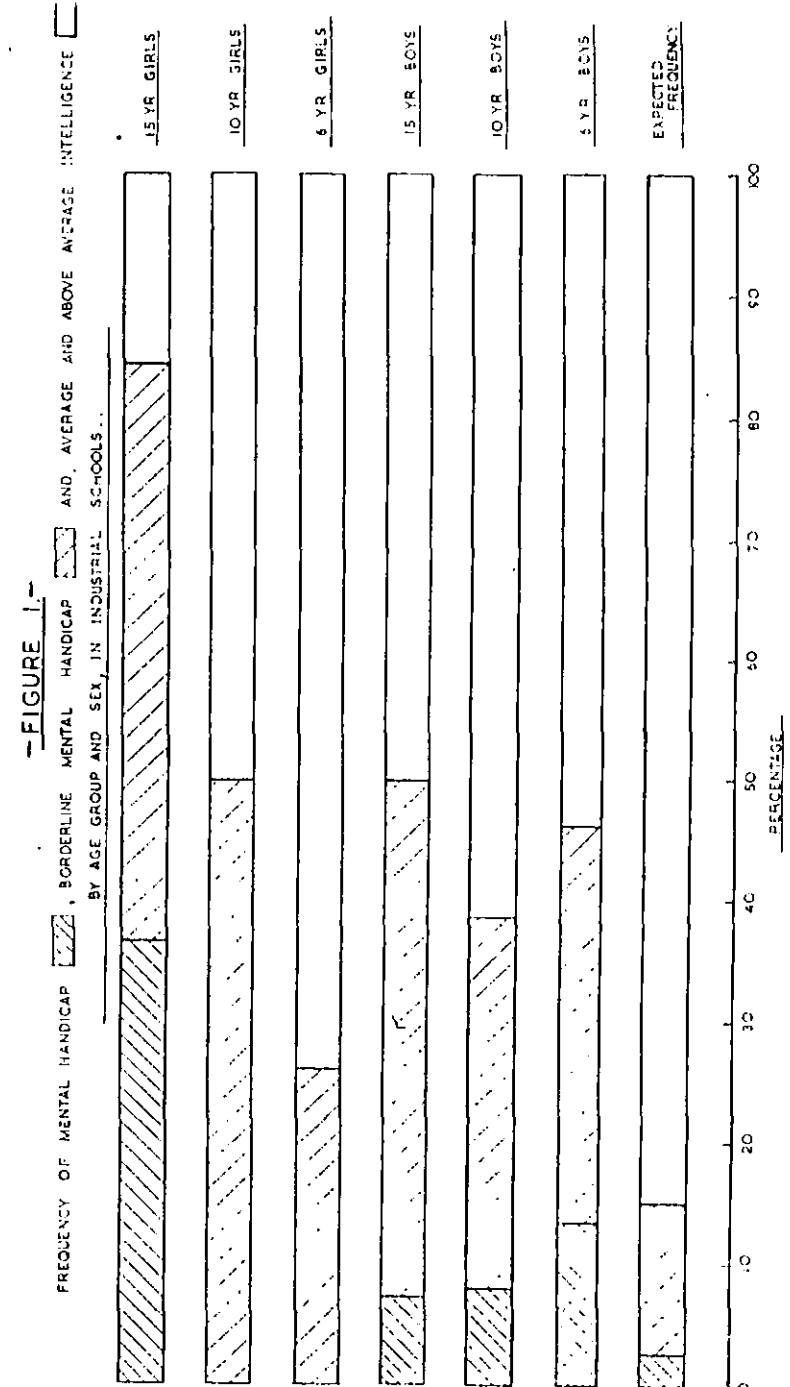
10 year olds: Estimated Population: 180  
 Test 50 per cent on Raven's Coloured Progressive Matrices  
 Sets A, Ab, B.  
 Test 50 per cent on Marino Graded Word Reading Test.  
 Test 50 per cent on Vernon Graded Arithmetic-Mathematics Test.  
 Test 50 per cent on Drumcondra Verbal Reasoning Test 1.  
 Test 15 per cent on W.I.S.C. (Welchsler Intelligence Scale for children).

12 year olds: Estimated population: 220  
 Test 50 per cent on Raven's Standard Progressive Matrices  
 Sets A, B, C, D and E.  
 Test 50 per cent on Marino Graded Word Reading Test.  
 Test 50 per cent on Mathematics '67 Test.  
 Test 50 per cent on Drumcondra Verbal Reasoning Test 1.

15 year olds: Estimated Population: 300  
 Test 30 per cent on Raven's Standard Progressive Matrices  
 Sets A, B, C, D and E.  
 Test 30 per cent on Marino Graded Word Reading Test.  
 Test 30 per cent on Vernon Graded Arithmetic-Mathematics Test.  
 Test 30 per cent on Group Test 33.  
 Test 15 per cent on W.I.S.C.

**REFORMATORY SCHOOLS**

Because of the small number of children in the fifteen year age group in Reformatory Schools, it was decided to extend the sample size to 50 per cent. Consequently, thirteen children were tested on all tests. The same thirteen children were not tested on all the tests.



— FIGURE 2 —

FREQUENCY OF MENTAL HANDICAP, BORDERLINE MENTAL HANDICAP AND AVERAGE AND ABOVE AVERAGE INTELLIGENCE AMONG FIFTEEN YEAR OLDS IN REFORMATORY SCHOOLS.

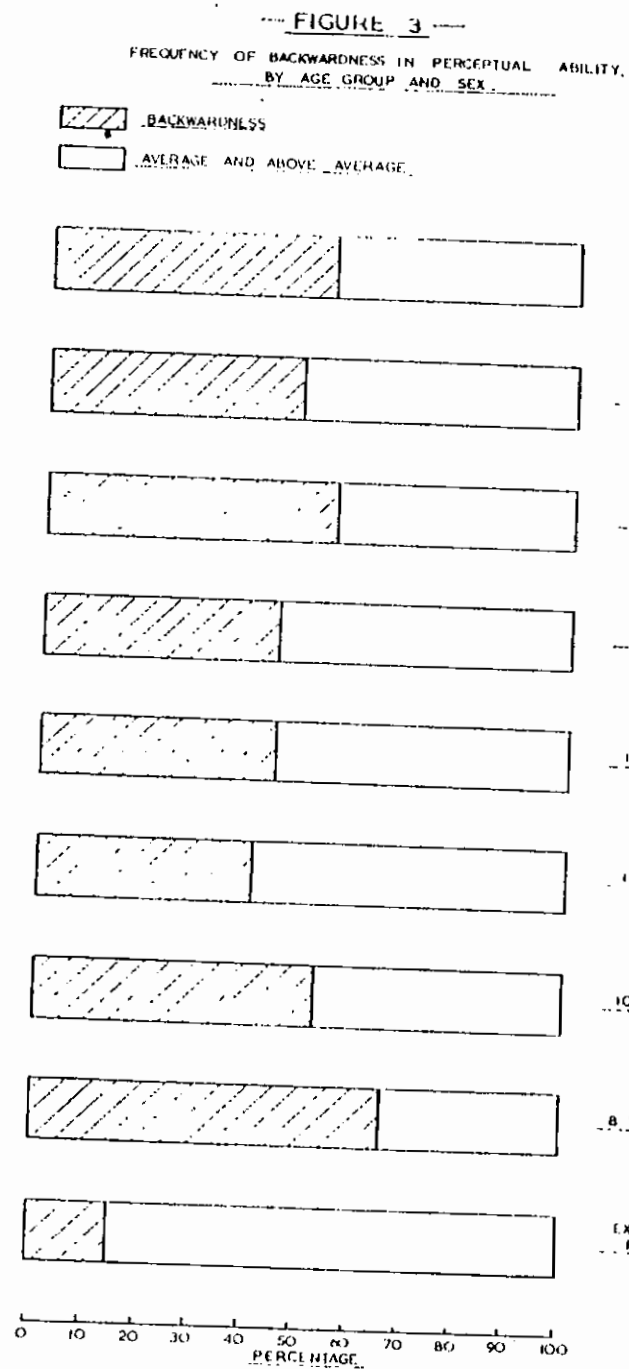
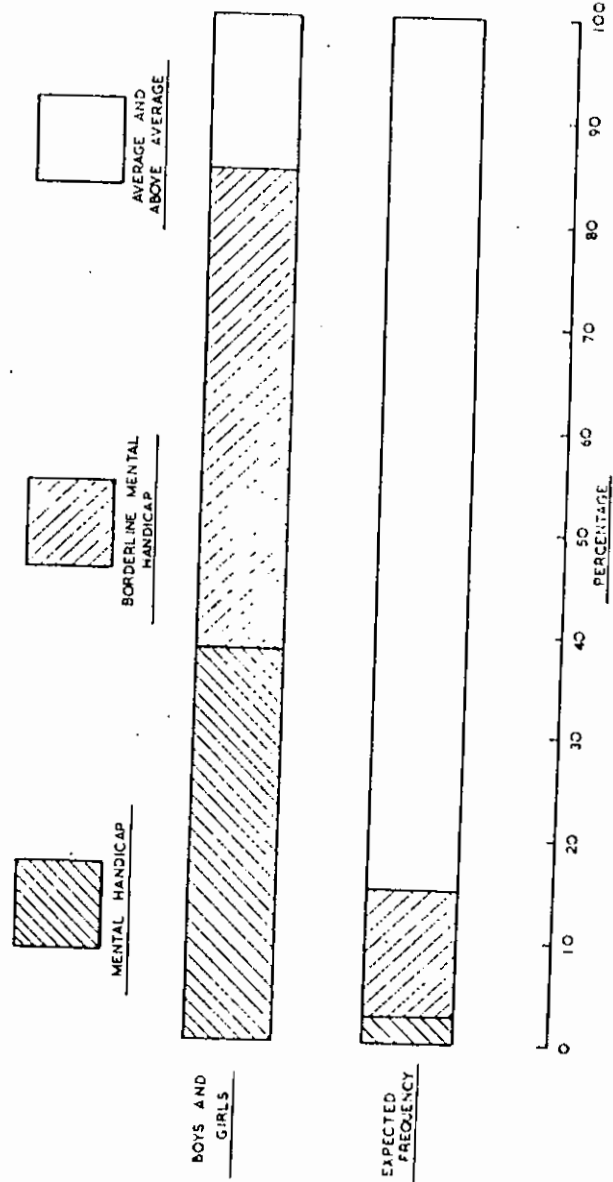




FIGURE 4  
 FREQUENCY OF BACKWARDNESS IN VERBAL REASONING  
 BY AGE GROUP AND SEX

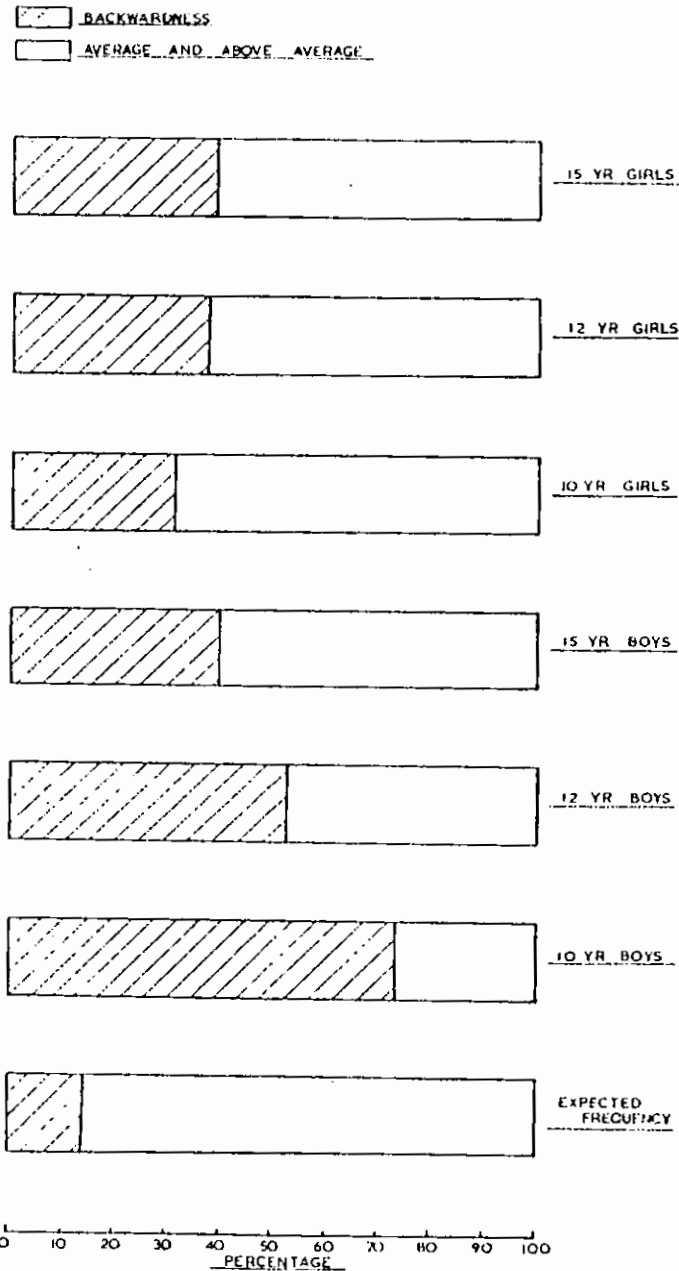
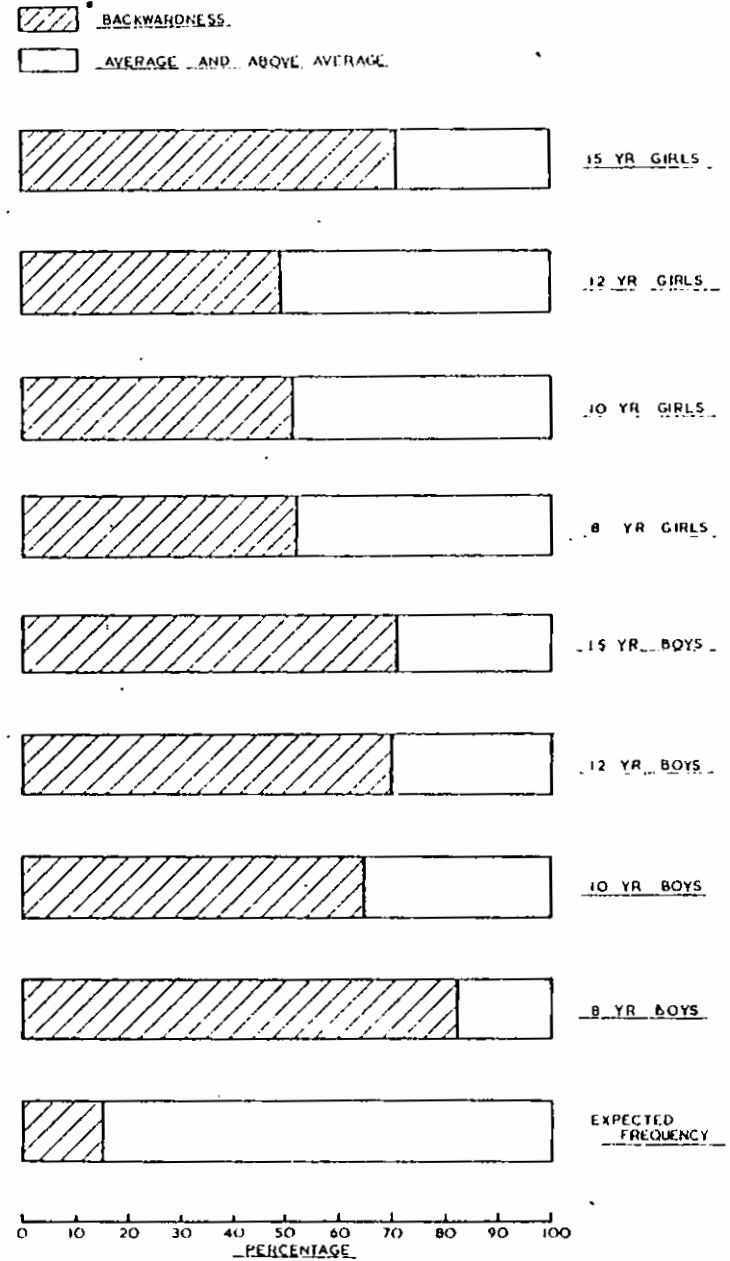
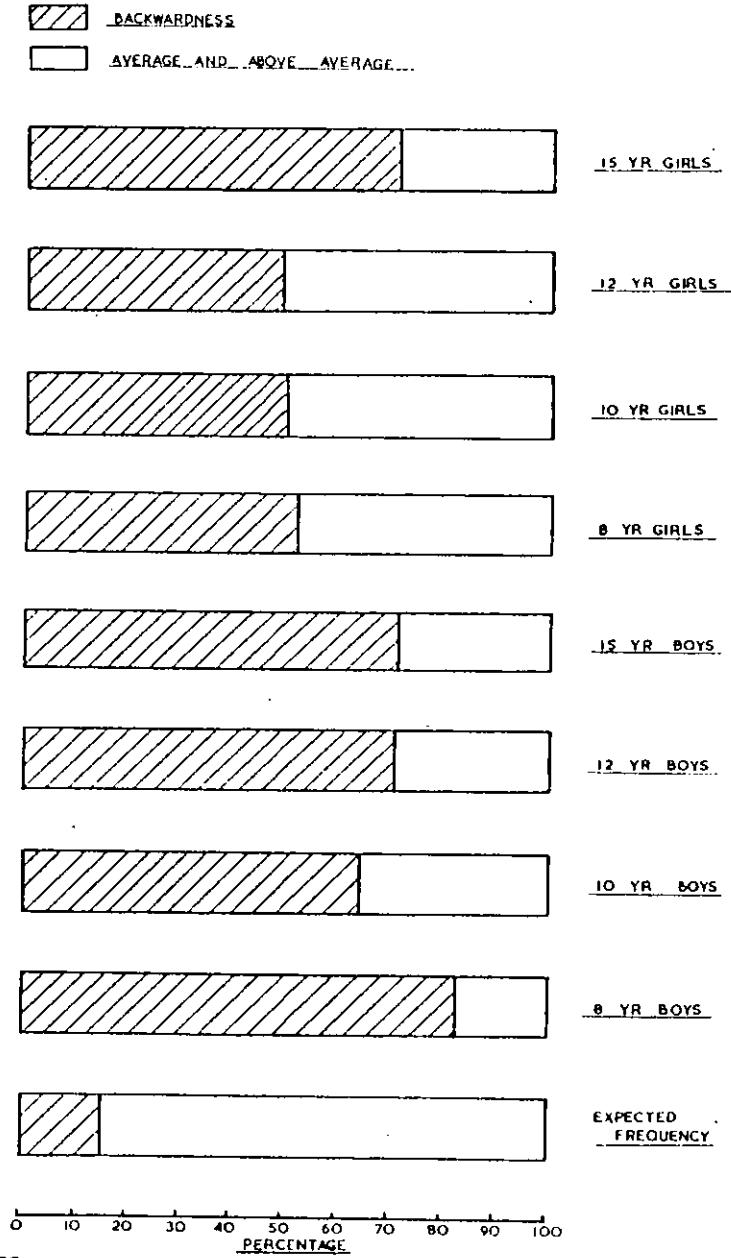


FIGURE 5  
 FREQUENCY OF BACKWARDNESS IN READING  
 BY AGE GROUP AND SEX

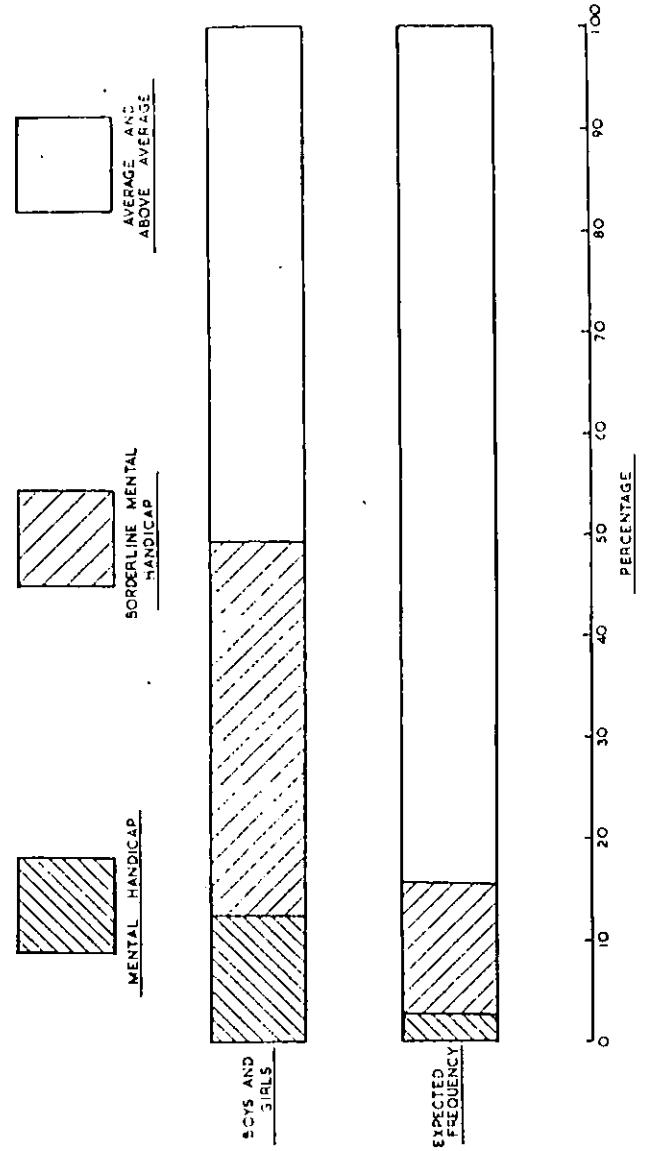


**—FIGURE 6—**  
**FREQUENCY OF BACKWARDNESS IN ARITHMETIC**  
**BY AGE GROUP AND SEX.**

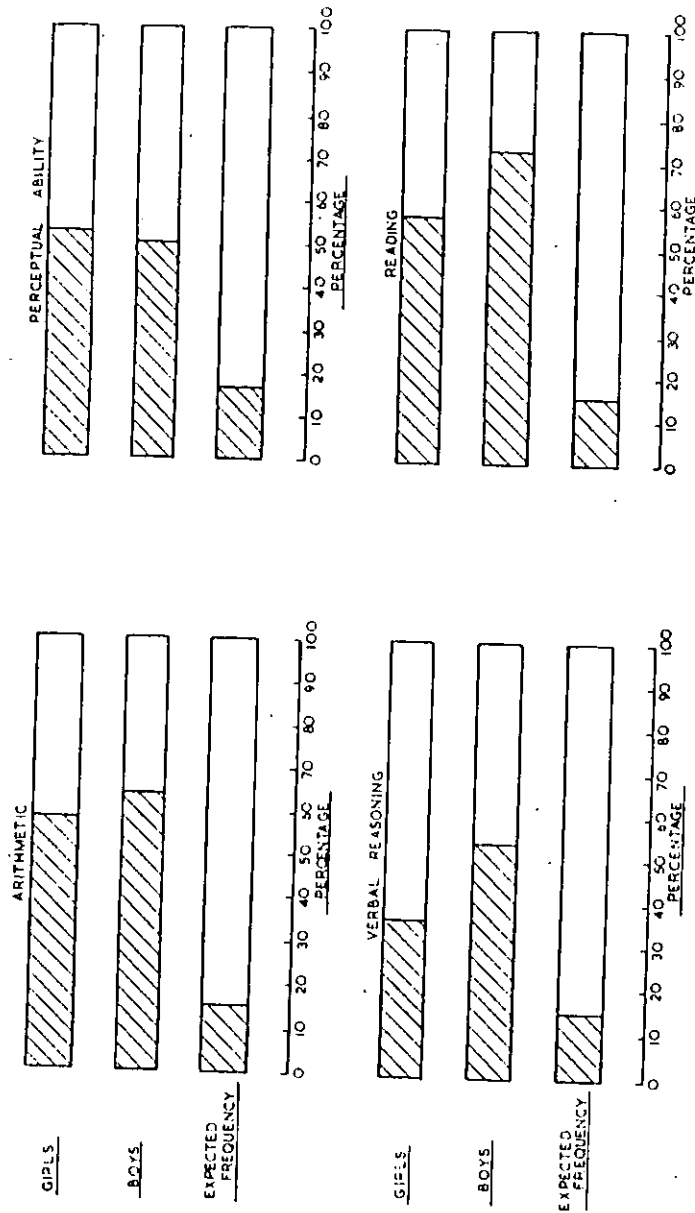


**—FIGURE 7—**

FREQUENCY OF MENTAL HANDICAP, BORDERLINE MENTAL HANDICAP AND AVERAGE AND ABOVE AVERAGE INTELLIGENCE  
 AMONG CHILDREN IN INDUSTRIAL SCHOOLS.



--FIGURE 8--  
 FREQUENCY OF BACKWARDNESS IN SCHOLASTIC ATTAINMENT AMONG CHILDREN IN INDUSTRIAL AND REFORMATORY SCHOOLS, BY SEX.



REASONS FOR WHICH A CHILD MAY BE TAKEN INTO CARE UNDER SECTION 58 OF THE CHILDREN ACT, 1908

A child is in need of care or control if he is under the age of 15 years and is:

- (a) found begging or receiving alms whether or not there is any pretence of singing, playing, performing, offering anything for sale, or otherwise, or being in any street, premises or place for the purpose of so begging or receiving alms; or
- (b) is found not having any home or settled place of abode, or visible means of subsistence, or is found having a parent or guardian who does not exercise proper guardianship; or
- (c) is found destitute being an orphan or not being an orphan and having both parents or his surviving parent, or in the case of an illegitimate child his mother, undergoing penal servitude or imprisonment; or
- (d) is under the care of a parent or guardian who, by reason of reputed criminal or drunken habits is unfit to have the care of the child; or
- (e) is the daughter, whether legitimate or illegitimate, of a father who has been convicted of an offence under Section one or two of the Criminal Law Amendment Acts, 1885 to 1935 in respect of any of his daughters, whether legitimate or illegitimate; or
- (f) Frequents the company of any reputed thief, or any common or reputed prostitute; or
- (g) is lodging or residing in a house or the part of a house used by any prostitute for the purpose of prostitution, or otherwise living in circumstances calculated to cause, encourage, or favour seduction or prostitution of the child.
- (h) If under the age of 12 years and charged with an offence, punishable in the case of an adult by penal servitude or less punishment.
- (i) If it is shown to the satisfaction of the court that the parent or guardian is unable to control the child.
- (j) If Guardians of a County Home notify the court that a child is refractory or is the child of parents either of whom is convicted of an offence punishable with penal servitude or imprisonment and that it is desirable that the child be sent to an Industrial School.
- (k) If found guilty of a contravention (second or subsequent offence) of the provisions of any bye-law as to Street Trading made under the Employment of Children Act, 1903.

- (l) Failure to comply with the provisions of the School Attendance Acts, 1926-1968.
- (m) Any child in respect of whom any of the offences mentioned in the First Schedule of the Act has been committed.

#### APPENDIX H

##### PUNISHMENTS APPLICABLE TO A CHILD UNDER LAW

The law relating to the punishment of persons under 17 years of age is contained in the Children Acts, 1908 to 1957.

No such person can be sentenced to death or penal servitude. If under 15 years of age he cannot be imprisoned at all and if between 15 and 17 years only under exceptional circumstances i.e. unless the Court certifies that the young person is of so unruly a character that he cannot be detained in a place of detention under Part V of the Children Act and, having regard to Section 106, the sentence shall not exceed 1 month.

(1) The Court may discharge the child on his entering into recognisance with or without sureties to be of good behaviour and to appear for conviction and sentence when called on at any time during a specified period not exceeding three years: and may impose a further condition that the child be under the supervision of any person named in the order (for probation purposes). The Court may also order payment of damages for injury, compensation for loss, or costs

or

(2) If the child appears to be under 12 years the Court, if satisfied on inquiry that it is expedient so to deal with the child, may order him to be sent to a Certified Industrial School for such time as the Court may deem proper, not extending beyond the time when the child will attain 16 years,

or

(3) If a child appears to be over 12 years and under 15 years of age and *has not previously been convicted* and the Court is satisfied that the child should be sent to a Certified School but, having regard to the special circumstances of the case, should not be sent to a Reformatory School and is also satisfied that the character and antecedents of the child are such that he will not exercise an evil influence on other children in the school, the court may order the child to be sent to an Industrial School willing to receive him.

or

(4) If the child appears to be under 15 years the Court may make an order committing the child to the care of a relative or other " fit

person" named by the Court with or without the supervision of a probation officer,

or

(5) If the child is in the opinion of the Court over 12 years the Court may in addition to or in lieu of other sentence order the child to be sent to a Reformatory School for a time to be specified in the order being not less than two or more than 4 years,

or

(6) The Court, if it considers that one of the other methods in which the case can be legally dealt with is suitable, may commit the child in custody in a place of detention for such term as may be specified in the order, but in no case exceeding one month,

or

(7) If of the opinion that the case would be best so met, the Court may impose a fine, damages or costs with or without other punishment. *The amount awarded shall be ordered to be paid by the parent or guardian of the child unless the Court is satisfied (1) that such parent or guardian cannot be found or, (2) that he has not conduced to the commission of the offence by neglect to exercise proper guardianship.*

(8) The Court is given a general power to order the parent or guardian of a child offender to give security for the good behaviour of the child.

##### PUNISHMENTS APPLICABLE TO YOUNG PERSONS

(1) The Court may discharge the young person on his entering into a recognisance with or without sureties, to be of good behaviour and to appear for sentence when called on at any time during a specified period not exceeding three years, and may impose a further condition that the young person be under the supervision of any person named in the Order (for probation purposes). The Court may also order the payment of damages for loss, or costs,

or

(2) The Court may in addition to or in lieu of other sentences order the young person to be sent to a Certified Reformatory School for a time to be specified in the order being not less than two and not more than four years.

or

(3) The Court, if it considers that none of the other methods in which the case may be legally dealt with is suitable, may commit the young person to custody in a place of detention for such time as may be specified in the Order but in no case exceeding one month.

Such young person may be committed to prison notwithstanding the Children Act, 1908, in any case in which the Court certifies:

- (1) that he is of so unruly a character that he cannot be detained in such place of detention;
- (2) that he is of so depraved a character that he is not a fit person to be so detained.

or

(4) If of the opinion that the case would be best so met, the Court may impose a fine, damages and costs with or without other punishment. The amount awarded may be ordered to be paid by the parent or guardian of such young person unless the court is satisfied,

- (1) that such parent or guardian cannot be found;
- (2) that he has not conducted to the commission of the offence by neglecting to exercise due care of the young person.

(5) The Court is given a general power to order the parent or guardian of a young offender to give surety of the good behaviour of such young offenders.

(6) If the young offender is 16 years or over he may be sentenced to a maximum of 12 months in St. Patrick's Institution.

#### APPENDIX K

*Places of Detention under Section 108 of Children Act, 1908*

Description of Premises	Class of Children who may be detained on Remand	Number of Remand Places
Place of Detention, Marlborough House, Glasnevin, Dublin.	Male Children (Catholic and non-Catholic) under 17 years of age.	50
St. Joseph's School, Highpark, Whitehall, Dublin.	Female children under 17 years of age.	20
St. Anne's School, Kilmacud, Stillorgan, Co. Dublin.	Certain type of girl under 17 years of age.	12
St. Joseph's Industrial School, Clonmel.	Male children and young persons under 17 years of age.	8
*St. Joseph's School, Clifden, Co. Galway.	Female children under 15 years of age.	6
St. Joseph's School, Letterfrack, Co. Galway.	Male children under 15 years of age.	3
*St. Joseph's School, Tralee, Co. Kerry.	Male children between ages of 6-14 years.	4

*Places of Detention under Section 108 of Children Act, 1908*

Description of Premises	Class of Children who may be detained on Remand	Number of Remand Places
*Pembroke Alms School, Tralee	Female children under 15 years of age.	10
*Benada Abbey School, Ballymote, Co. Sligo.	Female children under 15 years of age.	4
St. Conleth's Reformatory, Daingean, Offaly.	Male Young Persons	12
St. Donnick's School, Waterford	Female children under 15 years of age.	6
*Mount Carmel School, Moate, Co. Westmeath.	Female children under 15 years of age.	10
*St. Joseph's School, Killarney, Co. Kerry.	Female children under 12 years of age.	20

\*The Managers of these premises are prepared to accept only children who are on remand awaiting committal to Industrial School.

#### APPENDIX L

##### CERTIFIED INDUSTRIAL SCHOOLS

The certificate of approval of an Industrial School was originally issued by the Chief Secretary of State and is now issued by the Minister for Education or a duly authorised officer of his Department. When a school has been certified a notification to this effect is published in *Iris Oifigiúil*. The rules and regulations for certified Industrial Schools are shown hereunder.

##### RULES AND REGULATIONS FOR THE CERTIFIED INDUSTRIAL SCHOOLS IN SAORSTÁT ÉIREANN

Approved by the Minister for Education, under the 54th Section of the Act, 8 Edw. VII., Ch. 67.

##### 1. Name and Object of School

*Date of Certificate.*

*Number for which Certified.*—Accommodation is provided in this School for only \_\_\_\_\_ children. This number shall not be exceeded at any one time.

##### 2. Constitution and Management

### 3. *Conditions of admission*

Being sent under the provisions of the Children Act, 1908, or the School Attendance Act, 1926, or the Children Act, 1929, or otherwise as the Management may determine.

### 4. *Lodging*

The children lodged in the School shall have separate beds. Every decision to board out a child, under the 53rd Section of the Children Act, 1908, shall have received previous sanction from the Minister for Education, through the Inspector of Industrial Schools.

### 5. *Clothing*

The children shall be supplied with neat, comfortable clothing in good repair, suitable to the season of the year, not necessarily uniform either in material or colour.

### 6. *Dietary*

The children shall be supplied with plain wholesome food, according to a Scale of Dietary to be drawn up by the Medical Officer of the School and approved by the Inspector. Such food shall be suitable in every respect for growing children actively employed and supplemented in the case of delicate or physically under-developed children with such special food as individual needs require. No substantial alterations in the Dietary shall be made without previous notice to the Inspector. A copy of the Dietary shall be given to the Cook and a further copy kept in the Manager's Office.

### 7. *Literary Instruction*

Subject to Rule 8, all children shall be instructed in accordance with the programme prescribed for National Schools, Juniors (that is, children under 14 years of age) shall have for literary instruction and study not less than four and a half hours five days a week and Seniors (that is, children of 14 years of age and upwards) shall have for the same purpose not less than three hours, five days a week; at least two-thirds of the periods mentioned to be at suitable hours between breakfast and dinner, when the most beneficial results are likely to be obtained. Religious Instruction may be included in those periods, and, in the case of Seniors, reasonable time may be allotted to approved general reading. Should the case of any individual pupil call for the modification of this Rule it is to be submitted to the Inspector for approval. Senior boys shall receive lessons in Manual Instruction which may be interpreted to mean training in the use of carpenter's tools.

### 8. *Schools*

The Manager may arrange for children to attend conveniently situated schools, whether Primary, Continuation, Secondary or Tech-

nical, but always subject to (a) the sanction of the Inspector in each case, and (b) the condition that no increased cost is incurred by the State.

### 9. *Industrial Training*

Industrial employment shall not exceed three and a half hours daily for Juniors or six hours daily for Seniors. The training shall, in the case of boys, be directed towards the acquisition of skill in and knowledge of farm and garden work or such handicraft as can be taught, due regard being given to fitting the boys for the most advantageous employment procurable. The training for girls shall in all cases be in accordance with the Domestic Economy Syllabus, and shall also include, where practicable, the milking of cows, care of poultry and cottage gardening.

Each school shall submit for approval by the Inspector a list setting forth the occupations which constitute the industrial training of the children and the qualifications of the Instructors employed to direct the work. Should additional subjects be added or any subject be withdrawn or suspended, notification shall be made to the Inspector without delay.

### 10. *Inspection*

The progress of the children in the Literary Classes of the Schools and their proficiency in Industrial Training will be tested from time to time by Examination and Inspection.

### 11. *Religious Exercises and Worship*

Each day shall be begun and ended with Prayer. On Sundays and Holidays the children shall attend Public Worship at some convenient Church or Chapel.

### 12. *Discipline*

The Manager or his Deputy shall be authorised to punish the children detained in the School in case of misconduct. All serious misconduct, and the punishments inflicted for it, shall be entered in a book to be kept for that purpose, which shall be laid before the Inspector when he visits. The Manager must, however, remember that the more closely the School is modelled on a principle of judicious family government the more salutary will be its discipline, and the fewer occasions will arise for resort to punishment.

### 13. *Recreation*

Seniors shall be allowed at least two hours daily, and Juniors at least three hours daily, for recreation and shall be taken out occasionally for exercise beyond the boundaries of the school, but shall be forbidden to pass the limits assigned to them without permission.

Games, both indoor and outdoor, shall be encouraged; the re-

quired equipment shall be provided; and supervision shall be exercised to secure that all children shall take part in the games.

Fire Drill shall be held once at least in every three months, and each alternative Drill shall take place at night after the children have retired to the dormitories. A record of the date and hour of each Drill shall be kept in the School Diary.

#### 14. *Visits (Relatives and friends)*

Parents, other relations, or intimate friends, shall be allowed to visit the children at convenient times, to be regulated by the Committee or Manager. Such privilege is liable to be forfeited by misconduct or interference with the discipline of the school by the parents, relatives, or friends. The Manager is authorised to read all letters which pass to or from the children in the school, and to withhold any which are objectionable.

Subject to the approval of the Inspector, holiday leave to parents or friends may be allowed to every well-conducted child who has been under detention for at least one year, provided the home conditions are found on investigation to be satisfactory. Such leave shall be limited to seven days annually.

In a very special or urgent case, such as the serious illness or death of a parent, the Manager may also, at his discretion, if applied to, grant to any child such brief leave of absence as will enable the child to spend not more than one night at home: the circumstances to be reported forthwith to the Inspector's Office.

#### 15. *Children placed out on licence or apprenticed*

Should the Manager of a School permit a child, by licence under the 67th Section of the Children Act of 1908, to live with a trustworthy and respectable person, or apprentice the child to any trade or calling under the 70th Section of the Act, notice of such placing out on licence, or apprenticeship of the child, accompanied by a clear account of the conditions attaching thereto shall be sent, without delay, to the Office of the Inspector.

#### 16. *Provision on Discharge*

On the discharge of a child from the school, at the expiration of the period of detention, or when apprenticed, he (or she) shall be provided, at the cost of the Institution, with a sufficient outfit, according to the circumstances of the discharge. Children when discharged shall be placed, as far as practicable, in some employment or service. If returned to relatives or friends, the travelling expenses shall be defrayed by the Manager, unless the relatives or friends are willing to do so. A Licence Form shall be issued in every case and the Manager shall maintain communication with discharged children for the full period of supervision prescribed in Section 68(2) of the Children Act, 1908. The Manager shall recall from the home or from employment any child whose occupation

or circumstances are unsatisfactory, and he shall in due course make more suitable disposal.

#### 17. *Visitors*

The school shall be open to visitors at convenient times, to be regulated by the Committee (or Manager), and a Visitors' Book shall be kept. The term "visitors" means members of the public interested in the school.

#### 18. *Time Table*

A time table, showing the hours of rising, work, school instruction, meals, recreation, retiring, etc., shall be drawn up, shall be approved by the Inspector of Industrial Schools, and shall be fixed in the schoolroom, and carefully adhered to on all occasions. All important deviations from it shall be recorded in the School Diary.

#### 19. *Journals, etc.*

The Manager (or Master or Matron) shall keep a journal or diary of everything important or exceptional that passes in the school. All admissions, discharges, licences and escapes shall be recorded therein, and all record books shall be laid before the Inspector when he visits the school.

#### 20. *Medical Officer*

- I. A Medical Officer shall be appointed who shall visit the school periodically, a record of his visits being kept in a book to be provided for the purpose.
- II. Each child shall be medically examined on admission to the school, and the M.O.'s written report on the physical condition of the child should be carefully preserved.
- III. A record of all admissions to the School Infirmary shall be kept, giving information as to ailment, treatment, and dates of admission and discharge in each case. Infirmary cases of a serious nature and cases of more than three days duration shall be notified to the Inspector's Office.
- IV. The M.O. shall make a quarterly examination of each child individually, and give a quarterly report as to the fitness of the children for the training of the school, their general health, and the sanitary state of the school. The quarterly report shall be in such form as may be prescribed from time to time by the Minister for Education. Application shall be made to the Minister for the discharge of any child certified by the M.O. as medically unfit for detention.
- V. Dental treatment and periodic visits by a dentist shall be provided and records of such visits shall be kept.

In the event of the serious illness of any child, notice shall be sent to the nearest relatives or guardian and special visits allowed.

21. *Inquests*

In the case of violent death, or of sudden death, not arising in the course of an illness while the child is under treatment by the M.O., a report of the circumstances shall be at once made to the local Gardaí for the information of the Coroner, a similar report being at the same time sent to the Inspector.

22. *Returns, etc.*

The Manager (or Secretary) shall keep a Register of admissions and discharges, with particulars of the parentage, previous circumstances, etc., of each child admitted, and of the disposal of each child discharged, and such information as may afterwards be obtained regarding him, and shall regularly send to the Office of the Inspector the Returns of Admission and Discharge, the Quarterly List of Children under detention, and the Quarterly Accounts for their maintenance, and any other returns that may be required by the Inspector. All Orders of Detention shall be carefully kept amongst the Records of the School.

23. *Inspector*

All books and journals of the School shall be open to the Inspector for examination. Any teacher employed in the School who does not hold recognised qualifications may be examined by the Inspector, if he thinks it necessary, and he shall be informed of the qualifications of new teachers on their appointment. Immediate notice shall be given to him of the appointment, death, resignation, or dismissal of the Manager and members of the School staff.

24. *General Regulations*

The officers and teachers of the School shall be careful to maintain discipline and order, and to attend to the instruction and training of the children, in conformity with these Regulations. The children shall be required to be respectful and obedient to all those entrusted with their management and training, and to comply with the regulations of the School.

25. *Removal to a Reformatory*

Whenever a child is sent to a Reformatory School, under the provisions of the 71st or 72nd Sections of the Children Act of 1908, the Manager shall, without delay, report the case to the Inspector.

26. *Child not Professing Religious Persuasion of the Manager to be Removed from the School*

In order to ensure a strict and effectual observance of the provisions of the 66th Section of the Children Act of 1908, in every case

in which a child shall be ordered to be detained in a School managed by persons of a different religious persuasion from that professed by the parents, or surviving parent, or (should that be unknown), by the guardians, or guardian of such child; (or should that be unknown) different from that in which the child appears to have been baptised or (that not appearing), different from that professed by the child, the Manager or teachers of such School shall, upon becoming acquainted with the fact or having reason to believe that such is the fact, give notice in writing, without delay, to the Inspector, who will thereupon immediately take any necessary steps in the matter.

27. *Escapes*

Should any escape from the School occur, the Manager shall, with as little delay as possible, notify the particulars to the nearest Gardaí Station, to the Garda Superintendents of the county and adjoining counties, and to the Inspector's Office.

These Rules have been adopted by the Managers of.....

.....Industrial School .....

.....  
Corresponding Manager.

.....19.....

Approved under the 54th Section of the Children Act of 1908.

.....  
Minister for Education.

.....19.....

RESERVATIONS

I have two minor reservations.

- (i) The first relates to the proposal in Chapter 5, paragraph 5.1 that An Bord Uchtála and its functions should be transferred to a proposed new child care division in the Department of Health. As the Committee does not regard the question of adoption as being, strictly speaking, a matter for it, I do not feel called upon to express a view on the proposal. However, since the matter is mentioned, I think it ought not be overlooked that the Board is an autonomous body, judicial in character and independent of the executive in the making of adoption orders. It has not been suggested, and it can scarcely be contemplated, that any alteration should be made in this independent status. Accordingly, so far as concerns the supervision of placements, the evaluation of adoptive homes and the other "child care" aspects of adoption, the choice of Department under whose aegis it



should function seems to me not to be of particular significance. On the other hand, adoption raises important issues of parental rights and duties, consents to adoption, inheritance rights and so on and it is the Minister for Justice who would be responsible for promoting legislation on those aspects of the law. As the Committee's reason for making this proposal is that adoption "is an important part of the child care system", it should perhaps also be made clear that, once an adoption order has been made in relation to a child, the child ceases to be "in care" and no question of further inspection by the Board arises.

- (ii) As regards the references in Chapter 6, paragraph 6.32 to St. Patrick's Institution, I would make the point that this institution, unlike a reformatory or an industrial school, is for the detention of young offenders who are liable to imprisonment and who, before the passing of the Criminal Justice Act, 1960, would have been sent to prison. The great majority of them have had a number of previous convictions, and those who are first offenders have normally been convicted of grave offences. Safe custody is an important consideration. The Institution has shortcomings. A considerable improvement in the education of inmates should result from the proposed appointment in the near future—already announced by the Minister for Justice—of a psychologist to organise educational programmes geared to individual requirements. However, the fact must be faced that there are inherent limitations to what can be done in any institution where the average period of stay is no more than 4 months, where a substantial proportion of the inmates are educationally backward and where a significant proportion are below average in intelligence.

RISTEARD MAC CONCHRADHA.