

THE INQUIRY INTO HISTORICAL INSTITUTIONAL ABUSE 1922 - 1995

SUBMISSIONS

1. The Inquiry is an inquiry into institutional abuse. It will of course be obvious the Inquiry will look at the conduct of individuals, particularly Nuns, between relevant periods.
2. We represent the interests of SR6 in respect of allegations that have been made against her.
3. The Inquiry has read the statement of SR6, which deals with all of the allegations against her, except those in respect of which she had late notice and which she dealt with in the course of her oral evidence.
4. The result of this was that the people who had made allegations have given evidence without any input from SR6 or her representatives. Some of this material only came to her on the morning of the hearing and she did not have a great deal of time to consider it. It would appear that the reason for this delay appears to be that the Inquiry had been misinformed that SR6 was dead. The late receipt of this material naturally put SR6 at some disadvantage.
5. Although our primary duties are to defend SR6 against the allegations, which are made against her, it is of course necessary to consider the broader picture, which is what the regime was during the time in which she was in Termonbacca.
6. It is described by some people as cold, strict and devoid of any bonding, affection or regard between the carer and the child. Other people take a very different view as can be seen at SND 14872-3 where it is stated, "My experience at Termonbacca was a good one, nobody did me any harm and I do not have any bad memories of the place." At SND 18321 the statement of **SND 194**

and SND 18322-18324 the statement of **SND 76** would rebut the allegations not only about SR6 but also what the regime in the home was like.

7. Children who are young and defenceless can wind their way around the hearts of most normal, decent people. This type of bond does not happen where a child's behaviour, in the eye of an adult, is so obnoxious that the child is disliked.
8. Children may of course harbour resentment against an individual because of the general way that they perceive they have been treated by an individual and perhaps, in particular, because of the way that they have been treated.
9. The Inquiry, in our respectful submission, ought to be alert as to the dangers of fabrication and exaggeration in an effort to work off a grudge against an individual.
10. Few people have perfect recollection, particularly with things that happened, or they believe happened, some time ago in their childhood. They may convince themselves that something happened when in fact it didn't. No doubt the Inquiry will be alert as to all of these possibilities in assessing the evidence.
11. The Inquiry will be aware of the allegations made against SR6 and what her attitude was. In summary, the allegations were:
 - (i) That she was a hard-hearted "evil woman" who displayed no affection or caring attitude whatsoever.
 - (ii) That she gratuitously struck children with her knuckles and beat them with a long thin instrument, sometimes described as a curtain rail and by another as a fishing rod.
 - (iii) That she had a heartless attitude to bedwetting.
 - (iv) That she compelled children to engage in arduous tasks, like scrubbing floors etc.
 - (v) That she washed children's mouths out with cleaning fluid.

- (vi) That she forced children to finish whatever porridge they had been served at breakfast and if they failed to do so they were deprived of food for a full day.
- (vii) She attempted to impose a punishment on one child of standing in a corner all day.

12. This material has been largely dealt with in her statement except the additional detail she dealt with in oral evidence when it was put to her.

13. In summary, she claims that she did care for the children. She denies everything except that on one occasion when she used a wooden spoon because she caught one boy abusing a younger child. She has alleged to have throttled one child and in the course of a Social Service report admitted that she had lost her temper. She does not, however, say in that, that she had actually throttled him. The author of the report had no recollection of the incident and her memory of it was dependent entirely upon reading the report. What the report means is of course a matter for the Panel and she ought not to have been invited to construe the report as if they admitted an actual assault. She admitted that she did, from time to time, shout at the children, more than any parent might do when children are being annoying. The picture painted of her by the children who made allegations was of a bizarre individual who ill-treated children on every occasion.

14. As a result of records not been available the Inquiry is not aware of any other reports. If there had been other reports it is highly likely that these would have been dealt with very differently from the first report that was clearly regarded as a one off incident. One would have expected that if the incident had raised serious concern she would have been monitored. The Social Worker no doubt was in a position to examine her attitude and came to the conclusion that this was a one off matter that did not call for immediate action.

15. Most if not all of the children in the Home came from unhappy home backgrounds where they may well have been neglected or abused. This may have inculcated in them hostility to “grownups” in general and lead to what would normally be regarded as misbehaviour.
16. The carers should of course be alert to this and make allowances in handling the children. It is inevitable, however, that in some situations they would, to use a cliché, “*try the patience of a Saint*” and provoke anger as would many, if not most parent / child relationships, even in a normal environment.
17. The Inquiry ought not, in our respectful submission, criticise individuals if, from time to time, they did become angry as a result of which they would shout at children and possibly even smack them.
18. However, the question for the Inquiry is whether there was in these Homes a regime of childcare which was unacceptable judged by the ordinary standards of what the relationship between a child and a carer should be by individuals and whether those responsible for managing the Homes were rather indifferent to this, or failed to take any steps that they ought to have taken to protect the children from this behaviour.
19. The Inquiry has noted that there was a higher ratio of staff in other homes than that at Termonbacca.
20. **SND 21** complains about the chores the children were meant to do; this included setting the table and clearing the dishes. It is unlikely that anyone would regard this as abuse of the children in question. They might well have taken some satisfaction in being of help and of clearing the dishes off the table.
21. Although she is critical of SR6s attitude, she never actually saw her hitting anyone.

22. Her evidence ought to be treated with considerable circumspection. She was obviously very unhappy during her time in Termonbacca. She doesn't refer to any redeeming features whatsoever, nor does she point out any Nun who would be regarded as behaving in a caring and decent fashion to the children. According to her, there was friction between her and the other Nuns, because as a young person she came in with a qualification and felt the Nuns should defer to her. It would hardly be surprising, if this were her attitude, that this may have caused some resentment in the Nuns who felt they had a great deal more experience than she had.
23. The account that she gave is biased and she is prepared to draw any adverse inference that she could against the Nuns generally and SR6.
24. Although she specifically states she never saw any acts of assault that the striking of the children with the knuckles really happened because "it is the sort of thing she would have done". This is a striking example of how far she is prepared to go to damage SR6, whether it was because she felt she herself had been badly treated by the Nuns or otherwise, it does not matter.
25. She describes one instance where she made a child stand in the corner and the child be allowed on the outing. She does not say how long the child was standing in the corner. She has no recollection of having to pull SR6 off one of the children.
26. There were virtually no complaints that she was aware of made by the children, although she accepted that they had free access to the late **SND 33**.
27. She claimed that at one stage the Nuns intimidated her, but after the incident about standing in the corner that she became more outspoken.
28. Her initial description of SR6 was that she was a "go-getter" and was initially complimentary. It is difficult to reconcile this description with what she subsequently said.

29. She said inter alia effect they were sick listening to the Sister playing the accordion. One would have thought that the children, or some of them, might have enjoyed this, although no one else ever complained of SR6 playing the accordion.
30. It was inconceivable that if SR6 was behaving in the way that is being generally alleged against her by some of the children and by **SND 21** that it would not have come to the knowledge of others. There must have been “decent Nuns” who would not have tolerated this sort of behaviour in another Nun. SR6 herself says that other Nuns such as **SR 1** would not have tolerated conduct of this sort.
31. It should be noted too that although she dealt with large numbers of children only a handful made allegations against her. Even those who claimed that their lives were miserable made virtually no complaints about her to other persons.
32. SR6 was born in the West of Ireland and came from a large family. From a very early age SR6 had been involved with the Order of Nazareth and had little or no experience of the outside world.