

**THE INQUIRY INTO HISTORICAL INSTITUTIONAL ABUSE 1922-1995**

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**Module 12 – Good Shepherd Sisters**

**Written Closing Submissions on behalf of the Good Shepherd Sisters**

**29<sup>th</sup> March 2016**

**Contents**

1. Approach
2. Records
3. Context of Residential care
4. Professional Development and Training
5. Admission to all those in need
6. Family Contact
7. Education
8. Nature of Complaints
9. Discipline
10. No Corporal Punishment
11. Religious Life
12. Withdrawal of Privileges
13. Other issues
14. Conclusion

## 1. Approach of the Inquiry

- 1.1. The Good Shepherd Sisters (the “**Congregation**”) welcomes this Inquiry. The Congregation is grateful to the Inquiry for the opportunity to explain how it cared for those in need. The Congregation has worked closely with the Inquiry for a number of months. The Congregation has submitted over forty written statements and submissions, in addition furnishing a substantial amount of documentary information. It is not proposed to repeat what is set out in those extensive written Statements. The Congregation has adopted and confirmed those Statements. The Congregation hopes that the voices of all will be heard and listened to.
- 1.2. The Congregation recognises that canonical structures are often complex, and the Congregation is grateful for the manner in which the Inquiry has worked to understand the Congregation’s structure and expression of its charism in Northern Ireland between 1922 and 1995. The Congregation is proceeding on the basis that the Inquiry has been provided with sufficient detail for it to appreciate the framework of Good Shepherd Sisters’ institutions in Northern Ireland. In particular, the Congregation has gone to great lengths to explain the Congregation’s charism, its ethos, and how that shaped its ministry working with women and children in need. This has been particularly important because of the range of services provided in institutions managed by the Congregation during this period in Northern Ireland. These institutions existed to respond to needs which were not being fulfilled by statutory services, and in some cases, those structures do not have neatly comparable equivalents in 2016.
- 1.3. The Panel will have noted that a large number of Sisters attended at the Inquiry every day. The Sisters have taken the Inquiry process seriously. The Congregation acknowledges that attending at the Inquiry and giving evidence must have been stressful for each Applicant. Many Applicants showed great courage in recounting traumatic events from their early childhoods leading up to their arrival with the Good Shepherd Sisters.
- 1.4. The Congregation hopes that each Applicant drew some healing from recounting her story to the Inquiry. The Congregation recognises that not all former residents have positive memories of their time in a Good Shepherd institution, and the Sisters are grateful for the opportunity to reach out to these people. After the Applicants had finished giving their oral evidence, and where they indicated they were receptive to being approached, the Sisters made gentle approaches to renew friendships and offer pastoral support. Above all, the Sisters want to be respectful of each Applicant. The Congregation fully acknowledges that there may be some circumstances where a former resident may not wish to engage with the Congregation in a pastoral context. Accordingly, the Congregation wishes to be sensitive to the former resident’s needs, and endeavoured to engage at a pace that suits them and only if that was something the Applicant wanted.
- 1.5. The Congregation is grateful for the sensitive and respectful manner in which Applicants have been treated by the Inquiry and its staff. During the hearing dates, the Sisters were impressed by the caring approach taken by the Inquiry and its staff towards the Congregation’s former residents. A consistent feature of the Congregation’s work is the Sisters’ ongoing relationship with former residents and their families, often for several years after they have left the Sisters’ care. Many of the ladies have lived with the Congregation for years, and feel close to the Sisters. The Sisters have been there to

support them through the ups and downs of their lives. The Congregation wishes to express its thanks for the compassionate way in which the Inquiry responded to the Congregation's former residents.

- 1.6. Through this process, it has become clear that the Inquiry has provided many Applicants with an opportunity to obtain a better understanding of their personal history. In some cases, it appears to have been the first opportunity an Applicant has had to view their records, and to place their personal narrative within the context of documentary evidence and contemporaneous witness testimony. This appears to have enabled many of them to better understand their own life stories and memories of being in care. It is regrettable that in those cases where contemporaneous records were available, the Applicants do not appear to have been given an opportunity to review those records (with the benefit of appropriate support and counselling) prior to having made their written Statements. The Sisters have witnessed some Applicants drawing great healing from the process of reviewing their records with appropriate counselling and support. The work of the Inquiry's staff in this regard is to be commended.

## 2. Records

- 2.1. The Inquiry's Terms of Reference spans the period 1922 – 1995. Many of the institutions operated by the Congregation which were subject to the Terms of Reference of the Inquiry had been closed for many decades by the time the Inquiry commenced its work. The Congregation was unable to locate many records to assist it in its Module. The Congregation regrets that more records were not available. It is believed that what further substantial contemporaneous records as were in existence at the time of the operation of each institution may not have been retained after the institutions ceased operations, as the purpose for which they were created ceased to exist. For example:

- (a) Sacred Heart Home Derry (in respect of which there were no Applicants) closed in 1952.
- (b) St Mary's Derry (which ceased admitting teenagers in 1980/81) closed in 1994.
- (c) Sacred Heart Home Belfast (in respect of which there were no Applicants) closed in 1962.
- (d) The Adolescent Centre, Belfast closed in 1982.
- (e) St Mary's Belfast ceased admitting teenagers in the early 1970s and operated only for adults thereafter and in or around 1979, it re-registered as a home for persons in need catering for adults only.
- (f) Roseville Hostel opened in 1967 for teenagers and older girls as a support service for those transitioning out of care into independent living. It closed in 1975.
- (g) St Mary's Newry ceased admitting teenagers in the mid/late 1970's and was re-registered as a Home for Persons in Need catering for adults only in or around 1979.

It is of huge regret to the Congregation that the contemporaneous records were not retained to be available for this Inquiry.

- 2.2. The Congregation was frustrated that its ability to respond to a number of the matters raised by the Inquiry was hampered by the paucity of records available to it, particularly from the 1950s and 1960s. The Congregation regrets that many records which would

once have existed are no longer available to be provided to the Inquiry. It is clear from the documentation that is available that substantially more records were created than were retained. It is believed that records were not retained at some point following the closure of the institutions, save for core information recorded in the primary books of entry (particularly, the Admissions Register). It is noted that this mirrors the situation of many other Core Participants in the Inquiry process.

2.3. Notwithstanding the paucity of records, the Congregation has worked hard to gather information from Sisters who worked in the institutions in Northern Ireland. Arising out of that engagement, the Congregation submitted a number of responding statements to the Inquiry. The Congregation relies on the said oral and written evidence and adopts submissions already made within those Statements. In this regard, the Inquiry received the following responding Statements:

- 2.3.1. SR 49 [REDACTED] dated 3rd February 2016 - HIA 007 [REDACTED] (nee [REDACTED])
- 2.3.2. SR 293 [REDACTED] dated 4th February 2016 - Responding Statement to HIA 107-[REDACTED] (nee [REDACTED])
- 2.3.3. SR 283 [REDACTED] dated 3rd February 2016 - Responding Statement to HIA 107-[REDACTED] (nee [REDACTED])
- 2.3.4. SR 49 [REDACTED] dated 3rd February 2016 - Responding Statement to HIA 107-[REDACTED] (nee [REDACTED])
- 2.3.5. Sr. Ethna McDermott dated 18th February 2016 - Responding Statement to HIA 107-[REDACTED] (nee [REDACTED])
- 2.3.6. Sr. Ethna McDermott dated 13th March 2016 - Responding Statement to HIA 107-[REDACTED] (nee [REDACTED])
- 2.3.7. GSC 42 [REDACTED] dated 5th February 2016 - Responding Statement to HIA 124 - [REDACTED] (nee [REDACTED])
- 2.3.8. SR 282 [REDACTED] dated 3rd February 2016 - Responding Statement to HIA 124 - [REDACTED] (nee [REDACTED])
- 2.3.9. SR 295 [REDACTED] dated 11th February 2016 - Responding Statement to HIA 124 - [REDACTED] (nee [REDACTED])
- 2.3.10. GSC 41 [REDACTED] (nee GSC 41) dated 18th February 2016 - Responding Statement to HIA 124 - [REDACTED] (nee [REDACTED])
- 2.3.11. Sr. Ethna McDermott dated 4th February 2016 - - Responding Statement to HIA 175 - [REDACTED]
- 2.3.12. Sr. Ethna McDermott dated 25th February 2016 - - Responding Statement to HIA 175 - [REDACTED]
- 2.3.13. SR 294 [REDACTED] dated 3rd February 2016 - Responding Statement to HIA 202 - [REDACTED] Connolly (nee [REDACTED])
- 2.3.14. SR 49 [REDACTED] dated 3rd February 2016 - Responding Statement to HIA 202 - [REDACTED] (nee [REDACTED])

- 2.3.15. SR 281 [REDACTED] dated 5th February 2016 - Responding Statement to HIA 202 - [REDACTED] (nee [REDACTED])
- 2.3.16. SR 283 [REDACTED] dated 3rd February 2016 - Responding Statement to HIA 203 - [REDACTED] (nee [REDACTED])
- 2.3.17. SR 282 [REDACTED] dated 3rd February 2016 - Responding Statement to HIA 203 - [REDACTED] [REDACTED]
- 2.3.18. SR 283 [REDACTED] dated 3rd February 2016 - Responding Statement to HIA 211 - [REDACTED]
- 2.3.19. SR 293 [REDACTED] dated 3rd February 2016 - Responding Statement to HIA 211 - [REDACTED]
- 2.3.20. SR 49 [REDACTED] dated 3rd February 2016 - Responding Statement to HIA 211 - [REDACTED]
- 2.3.21. SR 294 [REDACTED] dated 3rd February 2016 - Responding Statement to HIA 211 - [REDACTED]
- 2.3.22. SR 281 [REDACTED] dated 5th February 2016 - Responding Statement to HIA 359 - [REDACTED] (nee [REDACTED])
- 2.3.23. Sr. Ethna McDermott dated 18th February 2016 - Responding Statement to HIA 359 - [REDACTED] (nee [REDACTED])
- 2.3.24. SR 282 [REDACTED] dated 1st March 2016 - Responding Statement to HIA377 - [REDACTED] (nee [REDACTED])
- 2.3.25. SR 314 [REDACTED] dated 10th March 2016 - Responding Statement to HIA377 - [REDACTED] (nee [REDACTED])
- 2.3.26. SR 283 [REDACTED] dated 3rd February 2016 - Responding Statement to HIA 387 - [REDACTED] (nee [REDACTED])
- 2.3.27. SR 49 [REDACTED] dated 3rd February 2016 - Responding Statement to HIA 387 - [REDACTED] (nee [REDACTED])
- 2.3.28. SR 281 [REDACTED] dated 5th February 2016 - Responding Statement to HIA 387 - [REDACTED] (nee [REDACTED])
- 2.3.29. Sr. Ethna McDermott dated 4th February 2016 - Responding Statement to HIA 387 - [REDACTED] (nee [REDACTED])
- 2.3.30. Sr. Ethna McDermott dated 4th March 2016 - Responding Statement to HIA 387 - [REDACTED] (nee [REDACTED])
- 2.3.31. Sr. Ethna McDermott dated 9th March 2016 - Responding Statement to HIA 387 - [REDACTED] (nee [REDACTED])
- 2.3.32. Sr. Ethna McDermott dated 14th March 2016 - Responding Statement to HIA 387 - [REDACTED] (nee [REDACTED])
- 2.3.33. Statement of Sr. Ethna McDermott dated 25th February 2016 re congregational structure, governance and finance.

- 2.3.34. Statement of Sr Ethna McDermott exhibiting congregational governance documents – Provincial Minutes, Annals and Visitation Reports dated 29th February 2016
  - 2.3.35. Statement of Sr. Ethna McDermott dated 25th February 2016 re Good Shepherds operations in Belfast
  - 2.3.36. Statement of Sr. Ethna McDermott dated 10th March 2016 – closure of Sacred Heart Home
  - 2.3.37. Statement of Sr. Ethna McDermott dated 25th February 2016 re Good Shepherds operations in Newry
  - 2.3.38. Statement of Sr. Ethna McDermott dated 25th February 2016 re Good Shepherds operations in Derry
  - 2.3.39. Statement of Sr Ethna McDermott re biography of **SR 49** dated 29th February 2016
  - 2.3.40. Statement of Sr Ethna McDermott re biography of **SR 312** dated 29th February 2016.
  - 2.3.41. Statement of Sr Ethna McDermott re biography of **SR 196** dated 29th February 2016.
  - 2.3.42. Statement of Sr Ethna McDermott re biography of **GSC 24** dated 29th February 2016.
- 2.4. In addition, the Inquiry heard oral evidence from many Sisters, many of whom had travelled great distances to make themselves available to the Inquiry. The Inquiry heard from:
- 2.4.1. **SR 281** ;
  - 2.4.2. **SR 283** ;
  - 2.4.3. **SR 295** ;
  - 2.4.4. **SR 293** ;
  - 2.4.5. **SR 294** ; and
  - 2.4.6. Sister Ethna McDermott as the Province Leader of the Congregation in Ireland.
- 2.5. In general, where records exist from whatever third party or State source, they have supported key points made on behalf of the Congregation and have supported the information submitted by the Congregation. The Congregation also wishes to thank the Inquiry for furnishing it with documents from public bodies (PRONI, MOHA etc) as these documents were hugely helpful to the Congregation.
- 2.6. Those records which were retained by the Congregation in respect of the Applicants were made available to the Inquiry. The records which had been found mainly consisted of Admissions Registers and in some cases small files on Applicants who were former residents. Such records that relate to Applicants have been released to the Inquiry pursuant to those Applicants' written authority.

- 2.7. Aside from these Admissions Registers, the Congregation was unable to establish whether any documentation was transferred to a health board or other authority, or whether they were not retained beyond a certain stage following closure of each relevant institution. The Congregation furnished the Inquiry with a document from 1978 ("Report of the Commission on the Apostolate") which states on page (4) "*There should be a uniform system of record-keeping – admission forms, filing and recording. When a girl is transferred from one house to another, all relevant information and documents should be forwarded*".
- 2.8. In the absence of substantial contemporaneous records, the Congregation endeavoured to furnish as much secondary evidence to the Inquiry as was possible. However, the Congregation was prejudiced in doing so due to the fact that so many of its Sisters who worked in the institutions under review by the Inquiry had died long before the Inquiry commenced its work. In respect of some of the Sisters who had worked in those institutions and were still alive, many were unable to attend at the Inquiry to give oral evidence either due to frailty or ill-health. However, the Congregation worked to gather oral evidence from Sisters and made every effort to bring that information to the attention of the Inquiry both in terms of a substantial number of written statements and in terms of the number of Sisters who gave oral evidence over a number of days.
- 2.9. The Congregation is aware that a voluntary visitor was to be appointed to visit the home every month pursuant to
- (a) Regulation 4(2) of the Regulations dated 25 July 1952 pursuant to the Children and Young Persons Act (Northern Ireland) 1950, and
  - (b) Regulation 4(2) of the Regulations made under and Children and Young Persons (Voluntary Homes) Regulations (Northern Ireland) 1975 and
- 2.10. Due to the absence of contemporaneous written records, the Congregation has been unable to establish whether a Voluntary Visitor was appointed to each of the relevant institutions in compliance with these regulations.
- 2.11. The Congregation furnished the Inquiry with copies of a Social Work Advisory Group ("SWAG") Report prepared by the Department of Health and Social Services in relation to an inspection on Marianville Mother and Baby Home, Belfast, on 28<sup>th</sup> and 29<sup>th</sup> February 1984. That Report is available at GSC6388. During hearings, Counsel for the Inquiry noted that at GSC6408, SWAG noted that as at February 1984, formal arrangements had not been made to appoint a voluntary visitor to Marianville pursuant to Regulation 4(2) of the 1975 Regulations cited above. Once the issue was brought to the attention of the Sister in Charge of Marianville, the matter was regularised, and as noted by the SWAG Report for the following year (inspection conducted November 1985) a voluntary visitor had been appointed (see GSC6434). SWAG also gave the Congregation advice as to how to follow best practice with regard to the particulars required to be included in the voluntary visitor's monthly report. So it appears that once the matter was raised, the Congregation took steps to ensure compliance. This suggests that where technical breaches occurred, they were remedied when brought to the attention of the Congregation.
- 2.12. However, it is to be noted that the SWAG Reports referred to above deal only with Marianville Mother and Baby Home, Belfast. The Congregation is unable to say whether someone had been formally appointed to fulfil the role of voluntary visitor in respect of its other institutions. The Congregation acknowledges that there is a data deficit in this regard, and regrets that contemporaneous records are not available to assist it in this



regard, because having copies of the Registers referred to at Schedule 2 of the 1975 Regulations and/or copies of the voluntary visitors' reports as referred to at Regulation 4(2) of both the 1952 and 1975 Regulations would have been of huge evidential assistance to the Congregation in addressing the queries raised by the Inquiry.

### 3. Context of Residential care

- 3.1. The Inquiry is asked to take cognisance of the context in which the Congregation delivered its ministry. In the early years of the Congregation's ministry in Northern Ireland, before the introduction of the Welfare State, the Sisters were expected to provide care to those in need where there were few statutory services doing so.
- 3.2. Prior to the Second Vatican Council ("**Vatican II**") which was concluded in 1965, religious life was more cloistered. The Sisters were semi-enclosed and lived a monastic lifestyle. For that reason, until the mid-1960s, the Sisters carried out their ministry caring for women and children on Congregational property in a residential setting.
- 3.3. In later years, after the introduction of the Welfare State, when the State began to assume a statutory role in caring for those in need, the statutory services began to respond to social needs in an organised way. The Sisters welcomed that evolution, as it ensured that those in need could receive the assistance they deserved to lead a dignified and independent life. Furthermore, the Congregation was at the forefront of developments in child care and social work internationally. The Sisters of the Irish Province actively sought opportunities to acquire greater knowledge and training internationally, before such training was available in Ireland or Northern Ireland. The Sisters welcomed the move away from caring for people in institutionalised settings, towards greater linkage with the outside world and more encouragement of individuality and preparation for independent living.
- 3.4. After Vatican II, Congregations were urged to have a fresh look at the original vision of their founders. *"Where are you going? I suppose to the church to mumble your prayers before the statues; and then you will be highly pleased with yourselves thinking you are very devout. You would do better if you would build a house for these poor girls who will be lost for want of direction and resources."* These words, spoken by Madeleine Lamy to St. John Eudes, led to the establishment of the Order of Our Lady of Charity on 25 November 1641, in Caen, France. The founders' visions were radical and progressive. Post Vatican II, the Congregation embraced these ideals afresh. From the 1960s onwards, the focus of the Sisters' work shifted from the provision of residential services to outreach work, and a process of encouraging independence for those who had been living in a residential setting. Greater emphasis was placed on caring for people within their families, and supporting families in conjunction with the statutory services. A parallel priority for the Congregation has been to challenge unjust structures in society which oppress women and children. Its status as a NGO in special consultative status with ECOSOC, United Nations, is an important means for this.

### 4. Professional Development and Training

- 4.1. It is clear that the Congregation invested continually in order to deliver progressive standards for those in its care. Capital investments were made in the physical buildings to convert larger dormitories into smaller sleeping arrangements. Investment was also made to train and educate the Sisters: as soon as courses became available, significant emphasis was placed on sending Sisters for professional development and training.

- 4.2. Prior to 1960, emphasis was placed on sending Sisters on professional training programmes in areas which supported specific aspects of the Congregation's work. In the main, this training was focused towards vocational careers such as nursing, midwifery, and teacher training.
- 4.3. Sr Mary of St. Ursula Jung was Superior General of the Congregation during the period 1940 to 1960. She had worked hard to progress best practice in childcare in Good Shepherd Sisters' institutions worldwide. In 1954, Sr Mary of St. Ursula Jung was awarded the French Legion of Honour award for her pioneering work in the development of childcare throughout the Congregation, particularly in France. It was during her term as Superior General the Sisters in the Irish Province began to be sent for training courses.
- 4.4. SR 311 (SR 311 ) was Provincial of Ireland throughout most of the 1950s and 1960s with just one three-year break. Throughout her years as Provincial, SR 311 did her utmost to ensure that the quality of the services provided by the Sisters in Ireland matched those provided by the Congregation elsewhere in the world. In 1955 and again in 1961 she and at least one other sister from Ireland visited Good Shepherd programmes in the USA to witness the innovative and progressive philosophies of social work and residential care, and to see how those could be implemented throughout the Irish Province. When social work and child care courses started to become available in England, Sisters were sent to those courses in order to obtain professional qualifications to support their work. By 1961, it had become established practice for Sisters to be sent to London for social work and child care training (as no courses were available in Northern Ireland, or the Republic of Ireland at that time). Thereafter Sisters visited their Sisters in other houses, and met at Province Chapters and General Chapters to share experiences and build on best practices in the areas of social work and child care. Since those early days, the province leadership within the Congregation in Ireland demonstrated an enlightened commitment to ensuring their Sisters were up to date with educational development and training.
- 4.5. As the Panel will have heard during the oral testimony of various Sisters, each Sister was sent for training to support the ministry of the Congregation, and to support the Sisters in delivering services to those in their care. The majority of the Sisters who were working in residential care institutions in Northern Ireland from the late 1950's onwards received some form of recognised training in residential social care or child care. Many of the Sisters also had additional qualifications in other areas such as nursing, midwifery and teaching. Those Sisters who were engaged in the provision of support services, such as cooking, received appropriate training in catering and domestic science.

## 5. Admission to all those in need

- 5.1. At various periods during the Inquiry's terms of reference, the Congregation ran homes which were specifically child orientated, catering only for specified age-groups of children. For example, the Sacred Heart Home Derry (1936-1952) and the Sacred Heart Home in Belfast (which closed in 1962) catered only for those under 16-years of age, and the Adolescent Centre in Belfast catered for a specified age-range of teenagers.
- 5.2. The Congregation has always had a ministry for caring for women and children in need, providing a place of refuge for those abandoned by society, bereaved, or abused by others. It is part of the ethos of the Congregation, and indeed is the fourth vow of "zeal" that each Sister takes, that one should never give up on any individual. It is clear from the evidence presented to the Inquiry that the Congregation, on occasions, accepted

teenagers into homes which were mainly for adult women and which were not specifically designed for teenagers. If the Congregation did not have a specific child-focused facility but was asked to take in a teenager, the Sisters endeavoured to accommodate that teenager and provide a place of refuge. The Sisters tried to adapt arrangements within the home to safeguard the interests of such teenagers, and the Panel heard evidence of the steps that were taken in that regard. It was a central tenet of the Congregation's ministry that it would offer refuge to all those who sought it regardless of age, religion or background.

- 5.3. This principle of refusing no-one was based on an edict issued by the Congregation's foundress, St Mary Euphrasia, and recorded in the Book of Conferences. See page 16 of the copy of same furnished to the Inquiry wherein it says: "*I just loved our girls always, and I loved them with all the strength of my soul! I even made a vow never to refuse anyone because they couldn't pay, and you see, my dear daughters, in spite of that we are none the poorer.*"
- 5.4. This approach was also expressed in the Practical Rules which states (on page 176) that that the Sisters are required "*to take, if possible, all who present themselves; to refuse none, however poor they may be*". This philosophy appeared to be grounded on the charitable premise that if the Sisters could not refuse a woman refuge, because the person may have nowhere else to go.
- 5.5. This approach was referred to a number of times by Sisters in their oral evidence. For example, during her evidence on 15<sup>th</sup> March 2016, Sr. Ethna McDermott referred to the incident in St Mary's Derry where a Social Worker turned up on the doorstep without notice, bringing with her a teenager with Down Syndrome. The Social Worker informed the Sisters that she had been asked to deliver the teenager to the Good Shepherd Sisters. The Sisters informed the Social Worker that they could not cater for a teenager with special needs, as they did not have appropriate facilities. The Social Worker responded by saying she had been told to take the teenager there, and that she would be leaving the teenager with the Sisters. Sr Ethna informed the Panel that the teenager was accepted by St Mary's Derry, was greatly loved, and was mothered by the Sisters and the other residents. This was not an isolated example.
- 5.6. However it indicated a practice of accepting crisis admissions out of the Sisters' concern that the person would have nowhere else to go. This in turn appears to have earned the Sisters a reputation which facilitated the civil authorities placing women and teenage girls with the Good Shepherd Sisters if there was nowhere else for them to go. The Sisters appear to have been relied upon by the civil authorities to supply *ad hoc*/emergency accommodation for those teenage girls or women who were temporarily homeless, particularly at a time before the establishment of out-of-hours statutory services.
- 5.7. The Inquiry has seen the handwritten note contained in the DHSS Child Care Branch file at GSC 5327 which states that "*Stranded young girls who came to the door or who are brought by Police are also accommodated*". The handwritten letter on the previous page written by Mr Kirkpatrick dated 19<sup>th</sup> November 1973 (GSC 5326) confirms also that the Congregation "*Good Shepherd (as had happened in the past) have a policy whereby they will not refuse people in need, no matter what their religion is*".
- 5.8. The Congregation accepts that there were transitional periods in relation to institutions within the Good Shepherd Sisters in Northern Ireland when there was no specific child-focused facility, and yet teenagers were placed with the Sisters during that time. During

those times, teenagers were being accepted into facilities which had a large number of adult women.

- 5.9. Due to the structure of records, it has been challenging for the Congregation to obtain reliable data in relation to numbers in their care, and the proportion of adults to teenagers in their St Mary's institutions. The Congregation has a database which is used to assist in locating records; the database is not of assistance in relation to extracting statistical information relating to age of those on admission due to the format of the database, and due to the fact that not all data was collected in the hard-copy initial books of entry (Admissions Registers). However, from the documentation furnished by the Inquiry to the Congregation, it would appear that the numbers in each of the St Mary's institutions during periods in the 1960s was as follows:

5.9.1. **St Mary's Belfast**

- (a) As at 31<sup>st</sup> March 1963 (GSC5789) – 123 in residence, of whom 40 are under 18 years (GSC5844) (4 under 15 year olds, and 36 between the ages of 15 – 18 years).
- (b) As at 31<sup>st</sup> March 1964 (GSC5838) – 25 under 18 years olds in residence.
- (c) As at 31<sup>st</sup> March 1965 (GSC5825) – 26 under 18 years old (3 under 15 years, and 23 between the ages of 15 – 18 years)

5.9.2. **St Mary's Newry**

- (a) As at 31<sup>st</sup> March 1963 (GSC5797) – 40 in residence, of whom 4 are under 18 years (GSC5844) all between the ages of 15 – 18 years.
- (b) As at 31<sup>st</sup> March 1964 (GSC 5838) – 4 under 18 year olds in residence.
- (c) As at 31<sup>st</sup> March 1965 (GSC5825) – 4 under 18 years old (between the ages of 15 – 18 years).

5.9.2.1. **St Mary's Derry**

- (a) As at 31<sup>st</sup> March 1963 (GSC5805) – 97 in residence, of whom 10 are under 18 years old (2 under 15 year olds, and 8 between the ages of 15 – 18 years).
- (b) As at 31<sup>st</sup> March 1964 (GSC 5838) – 10 under 18 year olds in residence.
- (c) As at 31<sup>st</sup> March 1965 (GSC 5825) – 8 under 18 years \*of whom 3 are under 15 years, and 5 are aged between 15 – 18 years).
- (d) According to GSC 5327 (note by Mr Kirkpatrick, Child Care Section DHSS) the following numbers were in Derry from the period 1960 to 1973:

Year	Total	Of which under 18	Notes
1960	97	5	
1963	100	6	(3 of school-going age)
1964	92	6	(None of school-going age)

Later 1964	91	7	(16-18 years)
1965	90	8	(3 girls of school-age)
1966	80	3	
1968	98	7	
1969	97	7	
1971		8	
1972	76	8	One girl under 15 going out to school – 7 in employment outside Home.
1973	65	2	

- 5.10. The Congregation accepts that having teenagers living with adult women was not ideal, but in fairness, those transitional periods appear to have occurred during periods when the Congregation was putting steps to put more progressive child-focused structures in place (for example, the Adolescent Centre in Belfast, the Teenage Section in Derry). In the interim, efforts were made within the existing facilities to make suitable safeguarding arrangements for those teenagers, such as dormitory arrangements, etc. A number of those placements of young teenagers during those said transitional periods were made by the State and civil authorities, so it may have been that among those civil authorities there was recognition that the Congregation would take on the most challenging cases, including those who had been sexually abused. It may have been that other children's homes would not have been willing to accept such teenagers.
- 5.11. Any criticism of the Congregation in this regard must be tempered by the fact that there was a limited range of options for these teenagers, particularly in terms of State provisions. It is also to be noted that during that era, it had only started to be recognised by State authorities that there should be a separation of facilities for teenagers and adults in statutory services, such as in hospitals, tuberculosis clinics<sup>1</sup>, psychiatric facilities etc. The Inquiry is asked to take cognisance of the context in which the Congregation delivered its ministry, before the statutory services had developed appropriate support systems for those in need of care. Indeed, the limited number and the mild nature of the complaints made must be regarded as indicative of the Sisters meeting the standards which were expected of them in their child care work, notwithstanding the less-than-ideal facilities.

## 6. Family Contact

- 6.1. The Panel heard evidence of the efforts made by the Sisters to keep siblings together, to maintain links with siblings living outside the institution, and with the wider family and social network.
- 6.2. The Panel heard evidence regarding the Sisters' attempts to facilitate parental contact (where that was appropriate and supported by social workers, having regard to the fact that in some cases, the reason for the teenager's admission to the Good Shepherd Sisters was due to familial abuse, in some cases sexual abuse). In particular, the Panel heard evidence from **SR 295** that for some teenagers, having their parents

<sup>1</sup> See "Brice Clarke (1895 – 1975) and the control of tuberculosis in Northern Ireland, Ulster Med. J. 2009 September 98(3); 179-184 available at <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2773593/>

visit while they were in an intoxicated state was humiliating and upsetting for the teenager. The Sisters did their best to meet the needs of the child, and prioritise the needs of the child over the needs of others. As SR 295 said in her oral evidence on Monday 14th March 2016: “*The child had to be consulted and we had to meet her needs, not the father’s needs or other family members’ needs first. The child came first for us*”.

## 7. Education

- 7.1. The Inquiry has heard evidence of how Sisters promoted educational opportunities for residents, and tried to encourage their ladies to participate in same. In respect of those admitted beyond school-leaving age, where possible, the continuing education of residents was encouraged and actively supported. Residents were facilitated in obtaining both academic schooling and vocational training outside the home.
- 7.2. The majority of those who were admitted to St Mary’s Belfast, St Mary’s Derry, or St Mary’s Newry were beyond compulsory school-going age. The raising of the school-leaving age from 14 years to 15 years as prescribed by the Education (Northern Ireland) Act 1947 was intended to come into effect on 1<sup>st</sup> April 1948. However, it appears to have not been brought into operation until 1957<sup>2</sup>.
- 7.3. The Inquiry was furnished with details of the approximate age-ranges which were accepted by the Congregation to each of those institutions, and saw State returns noting the numbers being accommodated at various periods. In general, children who were admitted to Good Shepherd Sisters institutions were sent to the local school which was outside the Convent grounds.
- 7.4. **Belfast:** in the case of the Sacred Heart Home in Belfast, the children were sent out to the local primary school or secondary school. This was confirmed in the evidence given by SR 283 who worked in the Sacred Heart Home, Belfast until its closure in 1962, and also in the report prepared by Kathleen Forrest 28<sup>th</sup> April 1953 GSC-5002 which states that in relation to Sacred Heart Home Belfast: “*Have singing, elocution, dancing classes and girls go out to ordinary schools*”. Furthermore, in the case of the

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<sup>2</sup> See “Introduction Ministry/Department of Education Archive” produced by the Public Records Office of Northern Ireland 2007, at page 16 where it says: “*The raising of the school leaving age was deferred until 1957 when it was raised to 15 years*”. Available at [www.proni.gov.uk/introduction\\_education\\_archive-2.pdf](http://www.proni.gov.uk/introduction_education_archive-2.pdf). See also “Education and Enmity: The Control of Schooling in Northern Ireland 1920 – 1950” by Donald Harman Akenson. Published by Routledge Press Revivals. First published 1973. Edition republished 2013. “*The complexity of bringing into operation the 1947 Education Act should not be underestimated. While it was a relatively simple matter to have most ancillary features of the Act in effect by the end of 1948, a great deal of effort and planning was necessary to effect the raising of the school leaving age to fifteen and to establish a full network of intermediate schools. The raising of the leaving age and the creation of a new form of schooling were intertwined problems; and the difficulty of achieving simultaneously these two ends was several times greater than the difficulty of achieving either end by itself. The Ministry of Education estimated that 100 county and ninety voluntary intermediate schools would be needed. Yet, by the end of the academic year 1950-51, only twelve intermediate schools were in operation [...] None of these were specifically constructed for the purposes but were converted primary and technical schools, and, in one case, a former private residence. The first specifically constructed intermediate school was not opened until September 1952. The Ministry of Education had a difficult task in overcoming the educational conservatism of the Northern Ireland populace, especially in rural areas. This rural conservatism more than any other factor explains why counties Armagh and Tyrone were without a single intermediate school for seven years after the Act was passed and County Fermanagh for eight. As a corollary of this slow progress in reorganising the schools, it was necessary continually to postpone raising the school leaving age, since the bulk of the incremental student population was to be allocated to intermediate schools. The 1947 Act set a deadline of 1 April 1951 for raising the age, but in 1951 the date was deferred by parliament until 1st April 1953. And in 1953 it was further deferred to 1 April 1957 when it finally became operative.*”

Adolescent Centre, Belfast, all the teenagers were attending schools; most attended the local secondary school, St Monica's Secondary School on the Ravenhill Road, although as stated in evidence (14<sup>th</sup> March 2016) one of the teenagers attended St Dominic's Grammar School which was a bus journey away. Those residing in St Mary's Belfast were generally over compulsory school-going age, however any residents of school-going age were sent to school outside the premises (generally the local secondary school, St Monica's Secondary School on the Ravenhill Road) and in this regard, the Inquiry furnished the Congregation with document GSC 5847 being a State return from 31<sup>st</sup> March 1963 which stated that there were 40 teenagers under 18 years in St Mary's Belfast, of whom 4 were of compulsory school-going age and who were stated to be "*at school full-time*" "*outside the Home*". The Congregation also refers to GSC5828 which is a State Report as at 31<sup>st</sup> March 1965 which shows there were 26 teenagers under 18 years in St Mary's Belfast at that time, of which 2 were of compulsory school-going age and were recorded as being "*at school full-time*" outside the Home. Furthermore, the Inquiry furnished the Congregation with GSC 5791 which stated there were 4 girls in St Mary's Belfast attending St Monica's Secondary School, and also GSC5793 which states that the "*girls attending school have a special room for study and reading*". Finally, for those who were beyond school-leaving age who were living in St Mary's, the Sisters brought in external teachers to give classes on the premises, and in this regard the Inquiry furnished the Congregation with a copy of a State return (GSC5859) which refers to there being 5 teachers employed in the "Further education centre", and in GSC5840 those people are described as "*5 part-time teachers (further education)*".

7.5. **Newry:** those admitted to St Mary's Newry were generally 15 years and upwards. For example, the Inquiry furnished the Congregation with a State return (see GSC5828) as at 31<sup>st</sup> March 1965 which shows that there were no children of school-going age in Newry. The Inquiry received written evidence (see statement from Sr Ethna McDermott referred to at 2.3.37 above) about a Sister who recalled enrolling a 14½ year old teenager in St. Mary's College in Canal Street Newry in September 1972, and enrolling her older sister in the local Technical College for evening classes to enable her to sit her O-level English examination. Those two girls left St. Mary's Newry in June 1973. The Sisters gave special help and classes were given to any of the teenagers or ladies who may have been illiterate upon their arrival in St Mary's. Aside from this, the lessons which were given by the Sisters to the ladies in St Mary's Newry related mostly to cooking and baking classes, craft classes including knitting, crotchet, cane work. The focus was to ensure that the teenagers acquired the necessary domestic and life skills to ensure they would be independent and self-sufficient when they left St Mary's Newry. There were also music classes, Irish dancing lessons, and drama classes

7.6. **Derry:**

7.6.1. As the Inquiry heard, in respect of Derry, when the Sacred Heart Home Derry was in operation (1936- 1952) and accepted children under 16 years, those children of school-going age went out to local schools. The Inquiry was furnished with document GSC5492 which stated that in respect of the Sacred Heart Home Derry, during its period of operation 1936 – 1952, "*The children followed a recognised school curriculum, attending the local school, and received basic lessons in home crafts within the Convent*". See also GSC5501 "*lessons in home crafts, some attended local primary school*". So it appears that during the period 1936 – 1952, those of school-going age attended the local school according to their age, and that in addition, the children were given basic lessons in home crafts and cooking by the Sisters at home.

- 7.6.2. In respect of St Mary's Derry, a local secondary school opened in the Waterside of the city on Trench Road in 1966. That school was called St Breacan's Girls' Secondary School. Post-1966, those in St Mary's Derry who were of school-going age and who were not eligible for enrolment in a grammar school due to the Eleven Plus selection procedure were generally enrolled in St Breacan's Secondary School or in the local Technical College on the Strand Road (now called the North West Regional College).
- 7.6.3. However, there may have been reasons for some of compulsory school-going age not to be enrolled in a local school (generally, if their stay was expected to be a short-term arrangement). For any teenagers who were not enrolled in a local school, or were beyond school-leaving age, the Sisters delivered lessons and also employed external teachers to come in to St Mary's to deliver classes. In the State return as at 31st December 1963 it states that St Mary's Derry employs 3 people who are "*recognised school teachers and are employed as such*" (available at GSC 5860). Furthermore, a State Return for St Mary's Derry relating to 31st March 1963 states that there are 17 child care staff in post as at 31st December 1963 and the entry is marked with an asterisk, followed by a remark which states: "includes 3 teachers" (available at GSC5840). Finally, in the State Return for 31st March 1963, it notes that St Mary's Derry has 3 girls "*of compulsory school age (5-15) and at school full-time*" and notes that they are "*educated within the precincts of the Home*". See also GSC5828 being a State return as at 31st March 1965 shows there were 8 teenagers under 18 years in St Mary's of which 3 were of compulsory school-going age "*and at school full time*". This was during a period when the Eleven Plus selection procedure restricted those who were admitted to Grammar Schools and at a time when there was no Catholic intermediate school for girls in the Waterside of Derry city. An intermediate school had opened in the Creggan area of Derry in 1959 (St Mary's Intermediate School, Creggan, run by the Sisters of Mercy) but accessing same would have been two bus journeys away from the St Mary's site at the Dungiven Road, in the Waterside area of the city.
- 7.6.4. Furthermore, the Inquiry heard evidence from SR 294 and SR 293 as to the classes which they delivered to residents in St Mary's in the classroom in the building, which classes included English, Geography and typing skills. In addition, in the early 1960s, and were engaged in teaching activities. From 1967 onwards, there was also another Sister with teaching experience living in the community, SR 318 ("SR 318") who took up a role in St Mary's Derry teaching mathematics. The Inquiry also received a written statement from Sr Ethna McDermott confirming that the Sisters had undertaken extensive research in order to identify those external teachers who had been brought in to St Mary's Derry to delivered classes: those included: and . The Sisters made contact with some of those teachers, who confirmed that their work was arranged through the Technical College in Derry, now known as the North West Regional College. The then principal, , arranged with , the principal of the above-mentioned St. Mary's Intermediate School, Creggan, Derry, for three of the teachers in of that school to be employed to teach in St. Mary's at Good Shepherd Convent, Derry. The classes taught by those teachers



included needlework, cookery, Mathematics, and English. Those lady teachers advised the Sisters that it was their recollection that all residents of St. Mary's Derry who were interested would have attended the classes, regardless of their age. In the later 1960s, two lay-teachers ( [REDACTED] [REDACTED] who was recalled by Applicant HIA211 who gave evidence on Tuesday 8th March 2016, and [REDACTED] ) taught in St Mary's Derry. It appears to be the position that the Applicant would have been enrolled at Derry Technical College, with lessons provided on the premises of St. Mary's Derry at Good Shepherd Convent, by teachers from St. Mary's Intermediate School, Creggan, Derry. It would also appear that further tuition (including classes in music, Irish dancing, and elocution) was provided by lay volunteers and Good Shepherd Sisters.

- 7.6.5. During the hearings, Applicant HIA107 informed the Panel she had received no formal schooling. That Applicant, together with her two friends, was sent to St Mary's Derry by the Court when she was [REDACTED] years old on foot of a Fit Person Order. The Sisters were surprised that such young children were sent to the Good Shepherd Sisters by the courts, because at that time the Good Shepherd Sisters in Derry generally only accepted children over compulsory school-going age. Having regard to the circumstances, the point may be made that the Applicant and her friends should not have been admitted at all to St Mary's Derry given that they were only [REDACTED] years old, and that it was inappropriate for the Court or the police to send her to St Mary's Derry. It may well be that there were limited options available for the statutory services at the time. The Congregation has furnished the Inquiry with documentary evidence in its possession which appeared to cast further light on the matter, and in particular the representations which appear to have been made by the police to all parties (including the girls' parents) that the girls' stay would be very short term. The Congregation accepts that ideally the Applicant would have been sent out to external school outside the institution. There are no records available which assist in determining the rationale for the decision not to do so, such as whether for some particular reason it was considered impossible or undesirable. There is ample evidence of other residents of compulsory school-going age in Good Shepherd Sisters' institutions in Derry during other periods attending external schools. Having researched the situation extensively, to the best of its ability given that almost 60 years have elapsed and limited records remain at this remove, the Sisters believe that the Applicant was not sent out to an external school. The Sisters have established that alternative arrangements were put in place to deliver education within the institution, including extern teachers being brought in to St Mary's Derry from local schools for this purpose. The Congregation regrets this failure to ensure that these three girls were not sent out to external schools. However, it is clear that the Congregation took considerable steps towards the provision of education at a time when the Applicant was resident in St Mary's. The significant efforts made by the Congregation to arrange such educational facilities within St Mary's Derry strongly suggest a realisation of the importance of education and continuing education. The Congregation believes it is also appropriate for the Inquiry to have regard to the evidence which was furnished to the Inquiry regarding the involvement of the police and other civil authorities in the care of these three teenagers.

## 8. Nature of Complaints

- 8.1. There are no complaints of sexual abuse against any Good Shepherd Sister.
- 8.2. The complaints heard by the Panel related to the use of the “Black Book” (a book recording wrongdoings), standing at meals as a form of punishment, silence at meals, lack of educational opportunities, and failure to meet emotional needs.
- 8.3. The Congregation cared for thousands of individuals within Good Shepherd Sisters institutions in Northern Ireland during the period 1922 to 1995. The Inquiry received statements from 12 Applicants (of which one was an adult at the time of her stay in the Good Shepherd Sisters, and accordingly only 11 fell within the Inquiry’s terms of reference). Of those eleven, only ten Applicants proceeded within this Module. Although the number of Applicants was small, each complaint was a source of considerable sadness and distress to the entire Congregation. The Congregation treated each complaint with the utmost seriousness.
- 8.4. Every single Applicant was heard, and listened to by the Sisters with respect. St. Mary Euphrasia, had a saying which has been adopted as a statement of ethos for the Congregation: “*one person is of more value than a whole world*”. It is the sincere hope of each Sister that the Applicants will draw some healing from recounting their stories to the Inquiry. Many of the Applicants came from complex or abusive family backgrounds, and deserve compassion and support.
- 8.5. A large number of Sisters attended at the Inquiry every day. The Sisters have taken the Inquiry process seriously.
- 8.6. Even amongst those Applicants who came forward to the Inquiry to discuss their time in Good Shepherd Sisters’ institutions, there was a general consensus that the “regime” in place in each institution was mild and often homely. Many of the Applicants speak fondly of their relationship with particular Sisters who reached out to them during their time in care, even if they were critical or resentful of their time spent in the institution itself.
- 8.7. The Inquiry also heard oral evidence from a number of Applicants (see HIA007 on Tuesday 8<sup>th</sup> March 2016) and received written Statements from former residents, who spoke positively of their experiences in institutions run by the Good Shepherd Sisters.
- 8.8. While there may be things that the Congregation would do differently if they were approaching the work with current training and modern facilities and the support of the statutory agencies, it is beyond doubt that in the past the Sisters demonstrated a overwhelming commitment, both in terms of attitude to their work, and in terms of financial investment, to providing a compassionate and caring refuge for those girls and women who had nowhere else to go. This intention is confirmed in a number of the reports furnished to the Congregation by the Inquiry. These reports (such as that dated 28<sup>th</sup> April 1953 from Kathleen Forrest available at GSC 5002) clearly show that in accordance with the standards applicable at the time, the Good Shepherd Sisters’ institutions had good material conditions and a happy atmosphere.
- 8.9. For those who complained that the food was “tasteless” or that the porridge was “lumpy”, the food was simple (sometimes grown on the property by the Sisters) but it was good quality and prepared with care by people with appropriate training in cooking, catering, and domestic science.

- 8.10. Some Applicants complained about rules, or chores. Any assessment of these complaints must make an allowance for the fact that in the 1950s and 1960s onwards, most children living in the family home would have been expected to assist in household chores. In addition, many residents were coming to the Good Shepherd Sisters from chaotic family backgrounds where rules, and proper parental supervision had been absent. Similarly references to lack of freedom must be seen in the context of young people who required protection having come from troubled backgrounds who may have been considered vulnerable.
- 8.11. For those who complained about a general lack of freedom, or lack of social development including not being allowed to go out to dances at night, it is to be recalled that many Applicants resided with the Good Shepherd Sisters at the height of the Troubles, when many prudent parents may have been reluctant to allow their teenager-daughters out at night. It was noted at many stages during the hearings that teenagers were allowed to go down the town to spend their pocket money in the local shops, or go for tea and cake in a local café, but that if they were young they were accompanied by an older person. The Sisters did their best to facilitate freedom, in accordance with the civil unrest and security situation in Northern Ireland at the time.
- 8.12. Complaints about being given clothing should be viewed in light of the fact that some teenagers who came to the Good Shepherd Sisters came in poor condition, sometimes from poverty stricken households. In some cases the Sisters gave them new clothes which fit them properly and were appropriate to the season. It is important to note that no one was given a “uniform”, and in the documentation set before the Inquiry, the Panel will have seen guidance about allowing for girls to express their individuality by way of selection of their own clothes (see further the Handbook for the Groups at page 5 which refers to Sisters arranging “for individuality for the older girls” in regards clothing and shoes). There are references in the Applicants’ and other witnesses’ statements to girls each having a good Sunday dress, shopping trips to buy clothes or cosmetics, and to the provision of age-appropriate clothing reflecting a girl’s individuality. These are reliable indicators of the success of the Sisters in making proper provision for those in their care, when viewed against the then-prevailing standards. The Inquiry heard from witnesses (see the Statements provided by GSC 42 and GSC 41 ) where they recounted their experiences of being taken on shopping trips by the Sisters for new clothes and being allowed to buy what they wanted. The Inquiry also heard from Applicant HIA007 where she spoke about one Sister buying her a particular pair of shoes that she really wanted.
- 8.13. Complaints about the work should be viewed in light of the fact that the Sisters worked too, alongside the ladies. Prior to the development of the Welfare State, the Good Shepherd Sisters often operated laundries to bring a reliable source of income to cover the expenditure incurred caring for the ladies and teenagers in their care. The income generated was applied to cover the costs of food, clothing, medical care and medicines, electricity, utilities and holidays etc for those in their care. As the Inquiry will have seen from other Modules, where institutions relied on fundraising efforts and sporadic charitable donations as the financial basis to care for large numbers on a residential basis, those sources proved unsustainable. In later years, with the introduction of the Welfare State, the State began to assume a statutory role in caring for those in need. Thereafter when social workers placed a child in the care of the Good Shepherd Sisters, the State paid a maintenance payment in respect of that child. However, those maintenance payments were not sufficient to cover the true costs of caring for a person, and in this regard the Inquiry will have seen GSC5809 dating from 31<sup>st</sup> December 1963 which states: “*some welfare payments are not always adequate to meet the expenses*”

*actually incurred per capita*"; and the Inquiry's attention is also drawn to GSC5841 which states that at 31<sup>st</sup> December 1963, the actual cost of maintaining a child in St Mary's Derry was £5, but the "cost to welfare authority" was £2.10. Furthermore, as the Inquiry will have noted, the majority of admissions to Good Shepherd Sisters were "voluntary" and therefore in the main the State did not assume financial responsibility for their maintenance. The Inquiry will have seen records relating to the closure of the laundry facilities in St Mary's Belfast around 1977, and at GS-5027 it states: "*Closure of laundry facilities came about at a time when the State sector was prepared to take more financial responsibility for those in our care so that we have been freed to a large extent of the financial demands*".

- 8.14. The Panel will have heard of the substantial efforts made by the Sisters to provide recreational facilities, including television, concerts, participation in music and choirs, private music lessons, speech and drama, elocution classes, sports, youth clubs and the arranging of day trips and annual holidays. All of these are in-keeping with the expressed determination of the Sisters to create a homely environment for those in their care.
- 8.15. Complaints about being made to go to Mass should be viewed in light of the fact that the pattern of religious life for the Sisters influenced the daily routine in the institution. It was emphasised to the Panel that certainly from the 1960s onwards, it was not compulsory to attend Mass every day. Furthermore, it is to be noted that Regulation 6 of the Regulations dated 25<sup>th</sup> July 1952 under the Children and Young Persons Act (Northern Ireland) 1950 stated: "*the administering authority shall secure that so far as is practicable each child in the home attends such religious services and receives such religious instruction as are appropriate to the religious persuasion to which he belongs*". Therefore, the Regulations themselves anticipated attendance at religious services in accordance with the person's religious denomination.

## 9. Discipline

- 9.1. During the course of the Inquiry, a small number of Applicants raised complaints about some disciplinary measures employed within some of the institutions.
- 9.2. There are no complaints of sexual abuse against any Good Shepherd Sister. There were four allegations of slapping, all of which were rejected by the Sisters, and this issue was most properly examined by the Inquiry. These allegations were taken very seriously by the Congregation. In respect of two Applicants who had made allegations of hitting in their written statements (HIA203 and HIA387) which allegations were denied by the Congregation, those Applicants appear to have conceded during oral evidence that the impugned treatment was something other than hitting. HIA203 initially alleged in her written statement that she was "*hit [...] on the back with a big bunch of keys*", but then during Day 184 (9 February 2016) in an exchange with Counsel for the Inquiry, it was stated that "*it wasn't a striking you with keys in the terms of assaulting you. No. It was mostly pushing into my back. (Gesturing.)*" HIA 387 stated in her written statement that she had been slapped by a Nun, but during evidence during Day 191 (10 March 2016) when asked if it was a slap across the face, the Applicant responded by saying that it was "*a clip round the ear*".
- 9.3. The complaints heard by the Panel also included other disciplinary measures and rules. It is entirely understandable that some of the children who came to the Good Shepherd Sisters found it difficult to come to terms with a residential setting with rules and structures. Some of these children had been exposed to very difficult backgrounds prior to coming to the Good Shepherd Sisters: some came from families where there was no

proper parental responsibility being exercised, some had suffered neglect, many came from traumatised or and sexually abusive backgrounds.

9.4. While it is right and just that each complaint should be fully investigated, it is submitted that significance should be drawn from number of complaints, and the nature of those complaints. Many of the Applicants complained of emotional abuse, such as being unduly sheltered from the real world, not having their emotional needs met, not being allowed to go out at night to dances, or religious practices (such as attending Mass) being “forced” on them. It must be acknowledged that some of these complaints relate to the culture in Northern Ireland at the time, rather than any “failing” on the part of the Congregation. It is to be noted that the Applicants’ times in the institutions run by the Good Shepherd Sisters in Northern Ireland relate to the period 1955 – 1978<sup>3</sup>. It is important to be mindful of the social and cultural context of the time:

- Post World War II era of food rationing and rigid rules of morality
- Social turmoil and civil unrest (civil rights marches etc)
- The impact of the Troubles on ordinary life in Northern Ireland from 1969 onwards.
- Undue deference to those in authority (the Police, the Courts).
- The absence of specialist training and non-availability of any training courses in Northern Ireland
- State oversight, inspection, regulation and assistance was limited
- The availability of State finance or grants was limited
- That “institutionalised” settings were generally accepted throughout wider society at the time, including in main-stream education (eg. boarding schools) and hospitals
- Lack of statutory services for those with special educational needs including intellectual disabilities
- Lack of statutory services for anyone who had suffered child sexual abuse (particularly in a family setting)
- Lack of choice in terms of the provision of care for children exhibiting challenging behaviour (including those suffering from the trauma of child sexual abuse)
- Early stage in the evolution of child psychology and the impact of early child trauma on a child’s development

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HIA 007 December 1976 to January 1977, and 2 November 1978 – 22 November 1978

HIA107 November 1960 – February 1965

HIA124 June 1971 – March 1974

HIA175 November 1971 – April 1972. Then May to August 1972.

HIA202 August 1973 –1975

HIA203 September 1964 – November 1964.

HIA211 October 1963 until 1972

HIA359 1955 – 1961

HIA377 1963 – 1966

HIA387 June 1962 – September 1964

- Lack of any statutory guidance in relation to the appropriateness of age groupings.
- 9.5. It is acknowledged and accepted by the Sisters that some of the complaints may also be attributed to the Sisters being over-protective of those in their care.

## 10. Corporal Punishment

- 10.1. There was no corporal punishment regime in place in any Good Shepherd Sisters institutions in Northern Ireland.
- 10.2. In its adoption of *“Definitions of abuse and systemic failings”* the Inquiry is bound to consider matters *“in accordance with standards acceptable at the time”*. Therefore, it is important that revisionist standards are not imposed on institutions which operated many decades ago, having regard to current standards of best practices of child care in 2016. It is not appropriate for any institution to be judged with the benefit of hindsight, or held to a higher standard than that which was acceptable at the time.
- 10.3. For example, both the Voluntary Homes Regulations of 1952 and 1975 permitted corporal punishment in voluntary homes. Both of those regulations prescribed in what now appears to be horrifying detail the number of slaps which might be inflicted with a cane on a child under 10 years old, and permitted a disabled child being corporally punished if the medical officer sanctioned same.
- 10.4. This is obviously contemptible by modern standards, but those were the statutory standards developed by the legislature at the time. Corporal punishment was not effectively abolished in all grant aided schools in Northern Ireland until 1987<sup>4</sup>. Therefore, it is submitted that the Inquiry must accept that during the time the Congregation was operating its institutions in Northern Ireland, the Government and the legislature accepted corporal punishment as an acceptable form of discipline. However, for the avoidance of any doubt, the Congregation also wishes to clarify that as a matter of policy corporal punishment was not used within its institutions in Northern Ireland.
- 10.5. Having regard to those statutorily imposed standards which were in place in Northern Ireland at the time, the Congregation draws the Inquiry’s attention to the following:
- (a) The written policy in place in the Congregation which explicitly stated that a Sister shall not strike a child. This edict was issued by the foundress of the Good Shepherd Sisters, Saint Mary Euphrasia Pelletier. During her lifetime (31 July 1796 to 24 April 1868) her sayings were transcribed by her Sisters and compiled into a collection of guidance notes which the Congregation refers to as the *“Book of Conferences”*. The Book of Conferences is still in active circulation among the Congregation, and the Congregation furnished the Inquiry with a copy of same. This edict is also referred to in the 1897 document issued to the entire Congregation, entitled *“Practical Rules for the Use of the Religious of the Good Shepherd for the Direction of the Classes”*. It is submitted that the Practical Rules was an enlightened, progressive document for its times. It informed the practical expression of the Congregation’s work with those in residential care. It appears that the Practical Rules (last published in 1943) was superseded post-Vatican II by more progressive documents (including the *“Handbook for the Groups”* published in 1971, a copy of which was furnished to the Inquiry).

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<sup>4</sup> See *“Education Law, Policy and Practice in Northern Ireland”*, Laura Lundy. SLS Legal Publications (NI). 2000 Edition, at page 217.

- (b) The “Nil returns” submitted quarterly under the Children and Young Persons Act (Northern Ireland) 1968, available at GSC-6950 to GSC-6962 and GSC6970 to GSC6982.
  - (c) The letter dated 7<sup>th</sup> May 1979 submitted to the DHSS by the Local Superior in St Mary’s Derry (available at GSC6963) which states: *“corporal punishment is forbidden in the Hostel. No member of staff is allowed to administer such punishment”*.
  - (d) GSC6844 being a Booklet relating to Marianville which states: *“Marianville does not have a list of rules for the residents, but we expect girls to show consideration for others and to avoid undue noise during rest periods and at night. For legal reasons, Marianville is registered as a Children’s Home, and therefore, we are expected to specify what sanctions may be used should a young person misbehave. However, as a matter of policy, we do not in fact apply sanctions to young people in residence; the approach of the Sisters of the Good Shepherd to their task is one of kindness, understanding and love. Nevertheless, a girl’s behaviour may sometimes be so disturbed that it becomes a threat to others in the group, and in those circumstances it may be necessary to make a change of residence”*.
- 10.6 The Congregation accepts that sometimes people do not always adhere to the high standards expected of them. However, having spoken to dozens of Sisters during the course of preparation for the Inquiry’s work, all Sisters confirmed to their Province Leader that during their work in the Congregation’s institutions in Northern Ireland they had never seen another Sister hit or strike a child, nor had they hit or struck a child themselves. The importance of refraining from physical punishment was strongly imbued in all Sisters during their religious formation, and during their training for ministry. If any Sister breached these rules, it would have been a serious divergence from the Congregation’s commitment to those in its care. It is also of extreme importance to note that out of the 7 Applicants from whom the Inquiry heard from by way of oral evidence, 4 of those Applicants confirmed during their oral evidence that there was no hitting or slapping by any Sister. Applicants HIA 007, HIA107, HIA124, and HIA175, all confirmed that there was no hitting or slapping by any Sister during their time in a Good Shepherd Sisters’ institution.
- 10.7 Furthermore, as stated above, where two Applicants (HIA203 and HIA387) had, in their written evidence, complained of being hit or slapped, this appears to have changed on oral evidence.

## 11. Religious Life

- 11.1. Even in modern times, it is generally understood by child care and educational professionals that discipline is necessary for maintaining good order<sup>5</sup>. Subject always to the statements set out at (10) above, the discipline system administered within the Congregation’s institutions in Northern Ireland appears to have been influenced by milder versions of practices in religious life (such as acknowledging wrongs), and other more commonly accepted standards which are still applied by prudent, caring parents in 2016,

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<sup>5</sup> *“Discipline is necessary for both the effective functioning of a school and for the pupils’ personal development. To a lay person, the notion of discipline in schools is often synonymous with the imposition of punishment. In the educational context, the term is interpreted in its broadest sense and is considered to refer to the general good order of the school. There are a number of measures which schools can take to promote orderliness”*. Take from “Education Law, Policy and Practice in Northern Ireland”, Laura Lundy. SLS Legal Publications (NI) 2000, at page 199.

such as verbal correction, withdrawing privileges or withholding treats when someone misbehaved. Systems of discipline varied from house to house, and the personality of the Sister in Charge at any particular time set a particular “tone” in the institution. For example, all the Applicants recognised that SR 49 taking over as Sister in Charge in Derry in brought a significant relaxation to the rules which had been in place. There were certain historical practices referred to during the Module:

11.1.1. **Black Book:** The Sisters accept that in St Mary’s Derry there was a historical system of using the “Black Book” as a form of punishment. This historical system was not used in any other Good Shepherd Sisters institution in Northern Ireland. It was a system whereby if someone misbehaved, their name would be written in a book kept by the Sister in Charge in Derry. Then once a week, the names in the Black Book would be read out in a group on a Saturday morning. Some Applicants complained that this made them feel bad in front of their peers. In some cases, if a person’s name was in the Black Book they may have had some privileges withdrawn, such as not being allowed to watch television for a day. It is accepted that by today’s standards, this historical form of discipline would not be acceptable. It is also accepted that some Sisters in Derry in the 1960s felt uncomfortable at its use, and felt that it would be hurtful to the teenagers’ feelings. However, given that this occurred in an institution catering for large numbers which forbade the use of corporal punishment (at a time when corporal punishment was accepted by the legislature as an appropriate form of punishment for children, and commonly utilised in schools and family homes) it must be considered in the context of the times. It is submitted that in many institutions in Northern Ireland during this period, including mainstream schools, severe physical brutality was commonplace. By stark contrast, this was an institution which expressly forbade any Sister striking a child. Similarly, during that era and for many decades after that time, mainstream schools in Northern Ireland utilised techniques which in today’s terms would be considered to be humiliating, such as requiring a disruptive student to stand in the corner of a class wearing a hat with a “D” on it, or requiring child who had forgotten their PE kit to participate in the sports wearing their underwear<sup>6</sup>. As recently as 1989<sup>7</sup> the Committee chaired by Lord Elton recognised that humiliating practices were being utilised in schools, and advised the Secretary of State for the Department of Education and Science that the Committee: “*recommend[s] that headteachers and teachers should avoid punishments which humiliate pupils*”<sup>8</sup>. It is submitted that the use of Black Book as a form of punishment for wrongdoing would be inappropriate by today’s standards. It is accepted that some Sisters felt uncomfortable about its use at the time, and that when the opportunity arose they abolished its use. However, by comparison with the legislative standards in place at the time which approved of corporal punishment in schools, the use of the Black Book must be viewed in the context of the standards in place at the time. Furthermore, it appears that the Black Book was only in use in living memory in St Mary’s Derry. From enquiries made of Sisters who worked in other locations, no one can

<sup>6</sup> Both examples taken from “Education Law, Policy and Practice in Northern Ireland”, Laura Lundy. SLS Legal Publications (NI) 2000, at page 217.

<sup>7</sup> Elton Report into Discipline in Schools, 31<sup>st</sup> January 1989.

<sup>8</sup> See page 101 of the Elton Report at paragraph 60.



remember it being used in Belfast or Newry or anywhere else in the Irish province.

11.1.2. **Standing:** The Sisters accept that in some cases until around the 1960s, there appears to have been a practice of making a teenager stand to eat her meal as a form of punishment for wrongdoing. During oral evidence, [REDACTED] SR 294 explained to the Panel that she vaguely recalled one teenager being asked to stand to eat her lunch after she had damaged a light fitting during a ruckus in the Blue Room. The Sisters accept that by modern standards, this is not acceptable treatment for a teenager. However, given that this occurred at a time when corporal punishment was accepted by the legislature as an appropriate form of punishment for children including those under 10 years old, and commonly utilised in schools and family homes during the same period, the Congregation submits that asking a person to stand to eat a meal as a form of punishment must be viewed in the context of the standards in place at the time.

11.1.3. **Silence at meal times:** The Sisters accept that until around the 1960s, there was a practice that silence be maintained at some meals. During oral evidence, it was explained that this was a practice that would have been in place at the Convent for the meals taken by Sisters. In addition, it was also explained that when catering for large numbers, sometimes silence was used to maintain order and harmony among a large group. Silence at meal times was not considered to be a form of punishment.

## 12. Withdrawal of privileges

12.1. In the main, the evidence heard by the Inquiry showed that the manner of imposing discipline revolved mainly around verbal correction, or the withdrawal of privileges if a teenager misbehaved. The Panel heard evidence that the greatest punishment a Sister could impose on the teenagers in Belfast was denying them permission to attend the youth club. The Panel heard evidence from SR 295 on 14<sup>th</sup> March 2016 when she said: *“that was very serious punishment actually from their perspective, [...] especially on a Sunday night, because there was a disco on on a Sunday evening, and they used to spend the evening beautifying themselves to catch the eyes of the boys as they used to say to me, and it would be very, very disappointing if they weren’t allowed to go for some big misdemeanour”*.

12.2. In this regard, the Inquiry’s attention was also drawn to the letter from GSC 21 [REDACTED] to the Department of Health and Social Services Statistics Branch dated 11<sup>th</sup> January 1978 wherein she states: *“Within this approach, it is possible to be very firm and to correct individuals – girls can be deprived of club attendance if misbehaviour is grave.”*

## 13. Other issues

During the course of the Inquiry, some Applicants complained of other issues, which are dealt with below:

13.1. **Changing names:** It is accepted that until around the 1960s, there was a practice of changing women’s names when they arrived in the Good Shepherd Sisters. For the avoidance of doubt, this appears to have applied to older residents, and was not something applied to younger children in the care of the Good Shepherd Sisters in their institutions in Northern Ireland. The rationale for changing a person’s name and allocating them a “class” name was to protect the person’s privacy. The Congregation’s

ethos was strongly respectful of an individual's right to privacy. That ethos has been clearly explained by a number of Sisters in their written and oral evidence to the Inquiry. The philosophy of the time was that by giving someone a new name, their past life and all the painful issues which had brought them to the Good Shepherd Sisters would not follow them once they had sought refuge. In the Practical Rules (at page 175) it is stated that when ladies arrive with the Good Shepherd Sisters they are *"in general, crushed and despondent or reckless. The best means of bringing them to good, is to make them understand that the past is quite past, that with a new name they are to commence a new life, that they will be judged and esteemed only by their conduct in the house"*. In this way it was believed that giving a lady a new name would give them a fresh start. It was believed that the person could chose to tell others of her background at her own election, and would not be forced to do so if she did not want to. The Sisters regret any impact that this had on individuals, and wish to state that the rationale was very well intentioned. The process was never intended to undermine a person's identity, but rather protect her privacy. The practice appears to have operated worldwide throughout the Congregation, and appears to have fallen into abeyance in the early 1960s.

13.2. **Not speaking about a person's past:** This practice was related to the Congregation's historical practice of not asking a person about their past. It appears that once Sisters began to engage in professional development by way of social work training, at a time when society began to recognise the importance of talking therapy, there was a move away from this too. However, historically, the Congregation had a policy of not asking a person about their past for fear that it would upset or distress them. In particular, the Practical Rules (on page 175) state: *"when a child is presented for admittance we should if possible....make inquiry from the person who recommends her, as to her antecedents, etc. in order to know how to treat this new sheep; but we should never question the child herself on her past life nor let her suspect that we have received any information about her"*.

13.3. While neither of these practices would be considered particularly progressive by modern standards, they were not out of step with the standards in place at the time.

#### 14. Conclusion

14.1. The Congregation accepts that it is incumbent upon the Inquiry to scrutinise the allegations received, and consider all the evidence put before it. The Congregation is assured that there will be fairness and justice for all in the Inquiry's approach. The Inquiry will have noted that the allegations against the Congregation are few in number, and while they have been taken very seriously by the Congregation, they are at the mild end of the spectrum. Having so few allegations made against the Congregation would suggest that the Good Shepherd Sisters discharged their child caring ministry with care and devotion, and met the standards of care expected of them.

14.2. Furthermore, the complaints which are made are not indicative of systemic failings by the Good Shepherd Sisters in their duties towards those children in their care. At no stage did the Sisters engage in abusive child care practices, nor encourage nor condone abusive child care practices. Indeed, the evidence suggests that Sisters succeeded in fostering a homely, safe environment for those in need, and in most cases exceeded the standards of care expected at the time. The Sisters cared for large numbers, without resorting to a regime of corporal punishment as was usual within schools and family homes during the period of the Inquiry's terms of reference. There is a danger that the focus on allegations of "abuse" (giving that term its broad definition) may tend to distort a qualitative assessment of the care provided by the Good Shepherd Sisters to a huge

number of children during the relevant period. In short whatever isolated failings there were, the Congregation did a great deal right. For the overwhelming majority of residents and in almost every aspect of care the Sisters made a very positive contribution to childcare in Northern Ireland during the period in question. In this regard they appear to have fulfilled their objective of delivering their ministry with kindness, understanding and love.

- 14.3. It is significant, for example, that until this Inquiry was established (resulting in a report being made to the PSNI in respect of a serious allegation against an unnamed Priest) no former resident complained to the police about any aspect of care provided by the Congregation.
- 14.4. When one considers the number of residents over the period, their complex and difficult backgrounds, the circumstances giving rise to their admission, the absence of a corporal punishment regime, and the over-arching policy of refusing no-one in need, one will better understand the context for the Applicant's stories. The Sisters have made clear their wish that each Applicant's story will be heard in the hope that they will derive some healing from the process. It is not in any way disrespectful to the Applicants to suggest that the matters raised must be seen in the context of the background circumstances, and the social and cultural environment then prevailing. The Sisters have heard the evidence given by each Applicant and listened to them with great respect. The Sisters accept that the recollections being recounted by each person relate to events many decades ago.
- 14.5. The Congregation has found its engagement with the Inquiry a positive experience. The Sisters have been grateful for the opportunity to renew contact with former residents and to make renewed offers of friendship and pastoral outreach.
- 14.6. The Congregation trusts that it will be consulted by the Inquiry prior to it completing its work, and will be given an opportunity to engage further with the Inquiry prior to its Report being finalised.