

THE HISTORICAL INSTITUTIONAL ABUSE INQUIRY

MODULE 9 – MANOR HOUSE

SUBMISSIONS ON BEHALF OF
THE DEPARTMENT OF HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY
(“The DHSSPS”)

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1. Introduction

- 1.1. Manor House Children's Home ("the Home") opened in 1927. The Children and Young Person Act (Northern Ireland) 1950, (the "1950 Act"), required for the first time all voluntary children's homes to be registered with the Ministry of Home Affairs, ("MoHA").
- 1.2. The hearings in this module have raised three areas which will be addressed within this submission namely, the interaction of MoHA with Manor House prior to 1950, the temporary closure of Manor House between 1953 and 1957 and the subsequent interaction of MoHA, which later became the DHSS, until its closure in 1984.

2. Interaction between MoHA and Manor House pre 1950.

2.1. There is likely to have been contact between Manor House and MoHA in the period between 1927 and 1950. MoHA employed Children's Inspectors from 1922. Whilst the Manor House files from this period no longer exist, evidence available within the Nazareth Lodge module confirmed these Children's Inspectors were inspecting and reporting upon Industrial Schools¹. The frequency of any interaction/inspection is not clear but unlike the situation in England, discussed in the January 1938 report entitled 'The Fifth Report of the Work of the Children's Branch'² (The "1938 Report"), where at that time some homes were unknown to the Home Office, it is inconceivable given the small geographical area of Northern Ireland that this situation pertained here.

2.2. The 1938 Report is illuminative of the practice being applied in England at that time. It is of note that of over a thousand homes that had forwarded particulars to the Home Office (as they first were required to do by the Children and Young Person Act 1933) "*visits have been paid to over 300 homes and in many cases repeated if this seemed necessary.*"³ It is of note the nomenclature used was "visit" rather than inspection, albeit the officials were referred to as "Home Office Inspectors". Further the report suggests a routine visiting pattern had not been established, rather follow up visits occurred only if it was found to be necessary.

2.3. The earliest file (TC 168) which is still available dates from 1948⁴, but it is likely children's inspectors were engaging with the home from when it opened. It can also be seen that the home had ready access

¹ Evidence of Dr. Harrison Day 176, Pg. 10, lines 16-22.

² Submitted to the Inquiry and referred to in evidence by Dr Harrison on Day 176, pgs. 7-9.

³ The Fifth Report of the Work of the Children's Branch' Page 104.

⁴ MNH-2566.

to government ministers at the highest levels. From 1945 there is evidence of contact between the Home and government departments in relation to a proposal to build a crèche facility for children⁵ and suggests contact with Mr. B Maginess whilst he was the Minister for Commerce. Dr. Hay of an unattributed government department took the Matron, Miss Scott, to see a similar crèche building to the one proposed by the Home⁶. A meeting was to be arranged with the Prime Minister *“with a view to obtaining the necessary materials for the new building.”*⁷

2.4. The Reverend Coulter having considered the Board of Management minutes prior to 1950 did *“not recall reading”*⁸ any reference to the home being visited or inspected by anyone from MoHA. It is submitted it is more likely that the visits would have been recorded within the daily log or diaries, which are no longer available having been destroyed by the acting officer in charge following closure of the home⁹. Further the visits would more likely have involved interaction with the officer in charge of the Home rather than the Management Committee¹⁰ and it is of note that a Matron, albeit during a much later period, was described as *“autocratic”*¹¹ and sidelined the Committee.

⁵ MNH-2481.

⁶ MNH-2482.

⁷ MNH-2481.

⁸ Day 175, page 41, lines 2-5.

⁹ MNH-10147, at F.

¹⁰ Dr. Harrison, Day 176, page 11, Lines 3-8.

¹¹ MNH-10151 at B.

3. The temporary closure.

3.1. Prior to having been registered in late June 1950¹² a visit to the Home on the 8th June 1950¹³ recorded it as being *“very clean but shabby. Decorating work is in hand at present. Seemed generally to be run on good lines but handicapped by lack of money.”*

3.2. MoHA requested the fire authority to inspect the premises prior to August 1952¹⁴. The next recorded inspection occurred on the 6th February 1953¹⁵, having been deferred from January 1953 following information from an Antrim Welfare Authority Officer who had an adverse report on the home¹⁶. The conditions had clearly deteriorated from the 1950 visit and the home was immediately orally alerted to the criticisms (this is evident from the note of Miss Forrest who alerted Mrs. Bannister¹⁷).

3.3. As a result of the MoHA concerns the Children’s Inspectors paid close attention to the home. A follow up visit occurred on the 12th February 1953¹⁸ and it is of note that some work had been taken to remedy the situation in that the home had been thoroughly cleaned. The assessment of the Inspectors was bleak but not without hope. It was suggested, *“The children were all well-nourished and I thought happy and active... Given money and additional staff it would be possible to convert the premises into a satisfactory children’s home.”*¹⁹ On 17th April 1953 MoHA officials visited, met with the Management Committee and took the opportunity to carry out a *“...survey of the*

¹² MNH-2927.

¹³ MNH-2939.

¹⁴ See MNH-3322 dated 29th August 1952, which refers to the Fire Authority having inspected. A ‘second follow up’ visit occurred in and around May 1953; see MNH-2730.

¹⁵ MNH-2894 & 2895, the 6th February 1953 was a Friday.

¹⁶ MNH-2908. This adverse report was in relation to a rumour that was ultimately unsubstantiated.

¹⁷ MNH-2898.

¹⁸ MNH-2877.

¹⁹ MNH- 2877.

premises and found conditions reasonably clean if somewhat spartan...” Inspection visits occurred on 22nd May, 3rd July and 10th July 1953. The latter two visits being as a result of a decision to inspect weekly until the children were dispersed or the conditions were satisfactory.²⁰

3.4. Despite the bleak conditions during the period from February to July 1953 effort (albeit limited not least by virtue of lack of funds) was being made by the home to improve the conditions. Significantly whilst the physical conditions were unsatisfactory the children appear to have been happy and healthy. On 22nd May 1953 Miss Forrest noted *“The children looked well and healthy. They seemed quite happy...”* She again noted on 8th July, *“The children looked well and healthy...they are tidy and better dressed”*.

3.5. It is clear that by May 1953 at the latest MoHA officials were discussing withdrawal of the home’s registration and discussed alternatives with members of the Management Committee such as transferring the home to the local Welfare Authority²¹. The removal of the children from the home in early July 1953 was undoubtedly as a result of pressure being applied by MoHA.

3.6. As a consequence of the MoHA action the home was closed, albeit temporarily. Any assessment of a governmental decision must consider whether it was within the reasonable band of decisions that might have been made. It is clear there was ministerial involvement in this decision (most likely from the minister at the time B Maginess), however it would be wrong to categorise this as ‘intervention’, albeit that may have been how at least one official felt. A Minister is ultimately responsible for any decision taken by his or her Department. Provided a Minister has taken all relevant matters into account he or she can determine the weight to be given to them. In the

²⁰ MNH-299.

²¹ MNH-2855.

circumstances of this decision, the decision ultimately made was entirely reasonable. Account was clearly taken of inter alia lack of consensus amongst the MoHA officials as to what was the correct way to proceed²², the close supervision undertaken by MoHA inspectors, the home's attempts to improve conditions, the health and wellbeing of the children, the imbalance in the number of homes of differing denominations²³ and the home's evinced intention to withdraw the children pending the completion of satisfactory works²⁴.

3.7. The 1950 Act required MoHA to register 22 children's homes. The duties of the officials, many of whom were new to their posts, not only included registration and inspection of children's homes and training schools but also a range of other duties for example providing advice and guidance on policy in relation to the implementation of the whole of the 1950 Act. In the context of the 1950s, the other duties on the children's inspectors and the fact the new 1950 Act did not mandate inspections but rather provided a discretionary power to inspect it was reasonable for the inspectors not to formally inspect the home between June 1950 and February 1953. Given the limited power of MoHA to provide financial support, any earlier inspection would have allowed for earlier professional advice but was unlikely to have affected the ultimate requirement for the home to close for a period.

3.8. The ministerial decision not to withdraw the home's registration was ultimately justified. The Maconachie Committee visited the home²⁵ and thereafter approved the eligibility of the home for a grant. The new Management Committee of the home defied the expectations of MoHA officials to raise the required funding and recruit suitable and sufficient staff. As a result MoHA authorized the Management Committee to

²² MNH-304, statement of Dr. Harrison, paragraph 2.14.

²³ MNH-2738, MNH-2662 and HIA-1464.

²⁴ MNH-2724.

²⁵ MNH-2671, a letter of October 1956.

reopen the home in December 1957²⁶. During this period MoHA officials paid close attention to the home. Records suggest inspections/visits on the 25th January²⁷, 12th November²⁸ and 2nd December 1957²⁹.

²⁶ MNH-2584.

²⁷ MNH-2635.

²⁸ MNH-2602.

²⁹ MNH-2585.

4. Post 1950 interaction.

4.1. Given the events during the early 1950s the Inquiry is entitled to conclude that it is likely MoHA paid close attention to this home. Following its reopening notes suggest, “...the Ministry’s inspector will shortly carry out a formal inspection of the Home and give a comprehensive report giving complete data. (This should be placed on the new file for inspector’s reports (T.546)”.

4.2. Whilst the inspection file is no longer available, what records that have survived suggest Miss Forrest and (later) Miss Hill, continued to inspect³⁰ and be concerned with matters such as difficulties filling vacant staff positions³¹.

4.3. Manor House was included in the Hughes Inquiry, which addressed the period from 1977 to 1983. The Hughes Inquiry identified Social Work Advisory Group, (“SWAG”), inspections in July 1978 and September 1981. In addition the home was visited in January and August 1978, in July 1979 and a follow up to the 1981 inspection occurred in December 1982³². The Hughes Inquiry found that

“The 1978 report followed the pattern established in 1976; the 1981 report reflected the greatly extended scope of inspections from 1980. We find the frequency of inspections for the 1978-1983 period to be no more than adequate...In any event SWAG’s inspections could have had no direct bearing on the prevention of such incidents.”³³

4.4. The Hughes Inquiry appears not to have the benefit of information in relation to all of the visits of SWAG to the home. A 1985 note from Mr.

³⁰ MNH-2042 (an inspection of 12th September 1966) and MNH-2056 (an inspection of September 1970).

³¹ MNH-2037.

³² MNH-10277, paragraph 12.18.

³³ MNH-10277, paragraph 12.19.

Walker to Dr. McCoy of SWAG indicates SWAG inspections and visits in 1982 on 20th May, 22nd July, 22nd September, 14th, 15th and 23rd December, in 1983 on 29th June, 26th July and 12th August and in 1984 on 17th and 22nd February, 6th March, 3rd May and 29th October³⁴.

4.5. The evidence given on behalf of the home to the Hughes Inquiry suggests that the interaction between SWAG and the home was effective in that areas identified would normally be addressed. It noted Miss Forrest was a regular visitor who would offer criticism where she saw problems³⁵ and that following the 1981 SWAG report corporal punishment was abandoned³⁶.

³⁴ MNH-2251.

³⁵ MNH-10162, evidence of Mr. Johnston of the Management Committee.

³⁶ MNH-10160.

5. Conclusion

- 5.1. The DHSSPS has not sought to directly challenge any complainant in relation to abuse. Whilst the Inquiry will undoubtedly turn a forensic eye to each allegation, the DHSSPS regrets any abuse that did occur and condemns both the perpetrators and any others who by act or omission allowed abuse to take place.
- 5.2. The Inquiry is aware of the dangers of hindsight in considering systemic failings. It is respectfully reminded, however, that the appealing but misguided tendency to look back and see things as blindingly obvious must be tempered by considering the social, policy and practice context in which the events occurred.
- 5.3. The system of inspection and engagement with the home in place during the relevant period was consistent with the practice and policy of the day. Judged by the standards of today the policy and practice can be criticised as not being sufficiently robust or adequate but it was very much reflective of the prevailing state of knowledge and the policy was in accordance with what was considered to be appropriate at the time. These factors must weigh heavily in any consideration of whether proper steps were taken at any particular time.

Dated this 26th day of January 2016.

Andrew McGuinness

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