

1. FUNDING

1. The capacity of the congregation's homes in Derry and Belfast and their structures were not in keeping with the size and style of children's homes developed by the newly formed welfare authorities from the 1950s. One of the issues for the Inquiry is what action did the Department of Health and Social Services take to ensure an equitable distribution of resources between the state and voluntary homes to facilitate and require the congregation to make suitable arrangements for children placed in their care.
2. Another striking feature of the evidence to the Inquiry is the inadequate child/staff ratio in the congregation's homes and the wide margin of variation in funding of the congregation's homes in comparison to the state sector.
3. In her submission to the Inquiry Dr Harrison clarifies that the Department had no direct responsibility either to maintain children in voluntary homes or to fund voluntary organisations caring for such children. The power of the Department in relation to the funding of voluntary agencies related to the provision of capital grants and the financial support of staff training.
4. After their establishment in 1950 welfare authorities were financially responsible for supporting children placed by them in voluntary children's homes. Children placed privately by their parents remained the responsibility of the parents. The number of private placements declined significantly from the 1960s onwards and, for instance, in Nazareth House Derry in 1983 and 1986,

four and three young people effectively remained the responsibility of the congregation.

5. Around 1973 a per capita arrangement to fund voluntary children's homes was introduced by boards whereby a weekly capita rate in respect of each child resident was paid irrespective of whether the child had been placed privately or by the boards. This was to be reviewed annually by the boards, the rate being based on the annual running costs of the home minus the voluntary/charitable income that the voluntary organisation was expected to raise, and divided by the number of places to be provided by the voluntary homes.
6. The adequacy of the capitation rate paid to voluntary homes and how it compared to the cost of statutory children's homes has loomed large in modules 1 and 4. What is beyond dispute is that the congregation's homes were severely under funded throughout the relevant period and this had lasting consequences in respect of accommodation, child/staff ratios, staff training and the recruitment of qualified residential child care staff. The Castle Priory Report stated:-

“Neither good premises for children, adequate accommodation for staff to lead a normal life of their own, training to fit the adults for their difficult task or parity of salaries, status and esteem will produce residential work with the standard required if proper consideration is not given to the appropriate ratios of staff to the young people concerned. Children need individual attention and time when they can be a person to another person, not always one of a group, large or small”.

7. It is proposed to give a sample of revenue funding for the Nazareth homes to highlight the grossly inadequate financial support from both the Department and the Boards which the congregation endured throughout the relevant period. The analysis of the comparable costs does not take into account the fact that throughout the relevant period Sisters were not paid for the child care which they provided. In 1985 the voluntary sector argued that *“boards are, in effect, exploiting the voluntary sector. Boards expect professional standards of child care and criticise voluntary homes when they fail to keep up with, or fall short of, modern child care practice, but are not prepared to pay an economic rate for the service”*. The boards conversely argued that the *“many competing demands on their limited resources precluded them in present circumstances from underwriting any substantial increase in the per capita charge levied by voluntary homes”*.
8. In 1985 the financial report of the voluntary sector ranged from £42 to £198 per week, the average being £130. At the same time the average cost per place in the statutory homes was approximately £185 per week in the Eastern Board’s area and over £250 per week in the 3 other Boards’ areas.
9. The 1983 inspection report on Nazareth House Bishop Street noted that the per capita rate of £63.02 per week was the same level set for 1981/1982 as agreement to increase the amount had not been reached with the Western board

and *“by comparison with charges in most other voluntary homes this is modest and it represents no more than one third of the cost of maintaining a child in a board’s home”*. The Panel is referred to the Swag report for the reasons proffered for the low weekly charge. It is not known why the board failed to accept responsibility to fund per capita payments for the four residents who were funded by the Sisters.

10. At the time of the 1983 inspection Bishop Street’s total budget for 1982/83 was £57,000 of which 30% was made up of salary costs which compared with 75-80% in other homes and the congregation had incurred a working debt of £25,000 for that year. The inspector found that by comparison with established staffing levels elsewhere the home was under staffed. It is notable that the Castle Priory report stated:-

“Staffing will, and should be, the most expensive item of any residential community’s budget. To cut the cost in this is to economise in the most important area of expenditure and to risk wasting the benefits of all the rest”.

The inspector recommended increasing staffing to provide *“an acceptable level of supervision to be given and to enable children and young people to receive individual attention”*. The inspector also recommended *“accordingly, it is recommended that the staffing arrangements be reviewed to ensure that adequate cover is provided and that Sisters are not required to work excessive hours (underlining as per the Report). This is particularly important so long as they continue to carry full time teaching posts”*.

11. At paragraph 12.5 of the 1983 Swag report the inspector states:-

“12.4. Some of the recommendations of this report have cost implications, particularly those relating to staffing levels and the present funding arrangement is not such as to enable the Order to recoup from boards sufficient to cover the additional costs involved. It is questionable whether a voluntary organisation, whose sole function is to provide services to boards, should be expected to carry a working deficit of 44% i.e. £25,000 of a total budget of £57,000 in 1982/83.

It is recommended that the Department raise the matter of funding for the Western Health and Social Services Board with a view to determining a more satisfactory method of calculating the per capita charge”. Notwithstanding the financial stresses under which the home was operating and the inspectors’ concern about its continued viability, not least because senior staff held full time posts in two professional settings simultaneously, full time teaching and residential child care, noted *“that this group of young people excel in all that they undertake”*. The inspectors also reported:-

- The standard of physical care was high;
- Children appeared to be settled and a relaxed atmosphere prevailed in the home;

- Young people who were interviewed spoke highly of the standard of care they were receiving and it was evident that their relationship with staff was supportive and enabling;
- Senior staff reacted to requests for service from the boards making few demands for information, consultation or support.

12. The foregoing is testament to the quality of care provided by the congregation. The inspectors also found that some board social workers *“do not provide the level of supervision that is normally expected, nor do they furnish adequate documentation and supportive admissions or at subsequent reviews. To this extent they failed to make a contribution to the involvement of a social work service”*.
13. The 1986 Swag inspection report into Bishop Street continued to raise concerns about the adequacy of staffing levels. It is recorded that a statement has been made to the Western Health Board seeking an increase in the per capita rate of £116 per week and at paragraph 9.2 (4) it was recommended that the staffing level should be brought up to the minimum level recommended by the Castle Priory Report by the recruitment of two additional staff at the children’s home. Thus the acceptable level of supervision raised in the 1983 inspection report does not appear to have improved in the intervening three years. It is open to speculation to what extent this contributed to the two incidents involving allegations of sexual impropriety. However it is noteworthy that the inspectors concluded that the congregation continued to provide a high standard of care for the children living there.

14. By 1987 the SSI inspection report recorded that the home had achieved the Castle Priory staff to child ratio and by 1988 the inspection report noted that the per capita payments made by the board had been increased to a realistic level. The inspectors attributed the increase in funding to the goodwill engendered by a joint meeting between the congregation and the WHSSB in 1985 which was attended by departmental representatives. It is submitted that the Congregation and the children in their care were entitled as of right to the increased funding and ought not to have had to rely on the goodwill of the board, however well-intentioned it was. The interests of the cared for children ought to have been the paramount consideration.

15. The Panel's attention is drawn to paragraph 1.5 of the 1988 SSI report which recorded the congregation's intention to form a management committee:-

"1.5. The aim at (f) above, i.e. "to form a management committee", has yet to be realised. Some work has been done in this area by the administering authority over the past year, but the appointments were postponed until after a convocation of the Sisters of Nazareth met in July 1988. It is recommended that the formation of a local management committee is undertaken by the regional superior as soon as possible". The foregoing is relevant to the timing of the formation of the management committee in 1987 in the Nazareth Lodge.

16. In 1990 the inadequacy of funding reared its head again. The inspector noted that as winter clothing had not yet been purchased, the children were wearing their summer outfits in December and recorded:-

“According to the officer in charge the amount of money made available for the purchase of clothing was constrained by the per capita payments made to the home...”. The inspector also noted at paragraph 40 that pocket money, birthday and Christmas present money should be “reviewed to bring them into line with those enjoyed by other children living in statutory children’s homes provided by the boards”.

At paragraph 53 (d) of the report, the inspector recommended that

“Representatives of the homes administering authority and the Western board should, as a matter of urgency, agree a more equitable and efficient system for funding the home”.

17. At the time of the 1991 inspection the home was receiving *“approximately £272 per week, the rate agreed for the previous financial year. This is the lowest per capita rate paid to a voluntary children’s’ home. When an application was made for an increase a board officer wrote to the home’s accountant expressing surprise at the estimated cost for 1991/92 which in his view ‘could put the home at a significant disadvantage’”*. The report further noted that the staffing level was just above the minimum level required and compared unfavourably with the staffing levels in the Western Board’s homes and the inspector set out three

“compelling reasons why staffing levels at Nazareth House should be increased i.e. i) recent changes in the role and function of the home, ii) a significant rise in the ages of the residents, and iii) the problematic social histories of the children and young people coming into residential care. However, this would add significantly to the running costs of the home which depends entirely on per capita charges for its income. It is recommended therefore that the management reviews the home’s staffing in conjunction with representatives of the Western Board who are the main users of the facility, and should the outcome lead to a staffing increase, we presume they will be prepared to meet the costs”.

18. The inspector also suggested the possibility of an element of night supervision given the risk of peer sexual abuse.
19. Notwithstanding the increasing challenges facing the congregation and its staff, the inspector was impressed by the *“warm, homely, comfortable, environment created by the staff which is greatly appreciated by the children and young people. It provides an atmosphere where the children can relax, grow and develop and take respite from the pressures which led to them coming into care”.*
20. At paragraph 9.4 of the report the inspector concluded:-

“The low per capita payments made by the Western Board and the lengthy delays in agreeing revised rates is a perennial problem which frustrates the management of the home. While board officers are cooperative and value the

service given by the home they seem to be reluctant to pay an equitable rate for the job. The payments made to Nazareth House continue to be much lower than the cost per resident for any similar home provided by the Western Board”.

21. The funding problems continued into 1992 and the inspector concluded:-

“10.5. Current staffing levels are unacceptably low, particularly when one considers the low level of training from the staff group. As the main purchaser of services the WHSSB, as the corporate parent, is responsible for the standard of care and equity of provision experienced by children in residential care within the voluntary and statutory sectors. There should be comparability of provision across sectors. The current capitation funding for each child prohibits the employment of additional staff and is much the average costs both within the statutory and voluntary child care sectors”. The inspector recommended an urgent review of staffing levels. The analysis of funding carried out by the inspector showed that Nazareth House Derry received £113 per week less than the regional voluntary home average and £204 less per week than the Western Board’s own children’s homes. The respective annual consequence of such funding was £135,000 and £244,000. As a consequence of staffing levels children had early bedtimes to facilitate the staff’s working pattern and the inspector made a recommendation regarding the level of supervision available when children were present in the home.

22. A memorandum of 17 September 1984 from Child Care Branch to Finance Division stated that St Joseph's Children's' home had been grant aided on a number of occasions between 1957 and 1974 by the DHSSPS and the former Ministry of Home Affairs to the extent of £64,187 towards renovations and improvements to the property subject to a written undertaking to the effect that if the establishment ceased to operate as a children's' home within a specified period, an appropriate proportion of the grant would be repayable to the Department. At the time of closure, the amount liable to be recovered on foot of these undertakings totalled £52,290. The Panel is referred to the entirety of the memorandum which reveals that legal advice was being sought in respect of claw back and waiver of undertakings given. Ultimately, the congregation was required to repay £2,067.25 as payment of the grant given to Nazareth House Portadown and repayment of the grants in respect of Nazareth House Belfast and St Joseph's Home Termonbacca were waived. The Panel is also referred to correspondence from the solicitor's department to Child Care Branch of 27 September 1984 on the personal liability of Mother Trinity for repayment of the claw back due.
23. When one looks at the potential claw back due for St Joseph's Termonbacca and the absence of any assurance or guarantee during the time that the home was operating that the claw back would be waived, the congregation was faced not only with this liability but also the very substantial deficits which had accrued in St Joseph's. The amount and the effect of these deficits were considered by the Panel in module 1. Commenting on the deficits for Nazareth House Bishop Street, Mr Tinsley stated *"In conclusion the only doubt I have is whether the*

loss that has been incurred in the children's' home can be sustained over a long period by the sponsoring body in London, thus bringing the viability of the home into question. Provided you are satisfied that the continuation of the children's' home is assured, I would agree that Nazareth House is worthy of support on financial grounds of the maximum grant which can be given". The initial reaction of Mr Tinsley had been *"that grants should not be offered at this stage in view of the substantial deficits for the 3 years"* 1982/83, 1984/85 and 1985/86.

24. The Inquiry has heard evidence in the course of module 4 of an all too familiar financial burden in respect of Nazareth Lodge Belfast. In her evidence Felicity Beagon said that had she been aware at the time of her inspection in 1991 that Nazareth Lodge had a deficit of £45,000 (which the board cleared), she would have referred this to the Department's Policy Branch as it called into question the financial viability of the home.

26. The Panel is referred to the WHSSB's memorandum of 15 June 1993 wherein it is recorded that SR2 was advised that the board had now made available the monies for the two additional temporary members of staff. SR2 *"again indicated that this level of funding was unacceptable and she did not want to proceed with it at present. She did not want to give the impression that by accepting the funding for these two additional staff that she was also agreeing to the proposed contract with Foyle Community Unit.*

She was adamant that she wanted Nazareth House to receive the economic rate for the care they provided which is in the region of £596 per week per child. She feels that she requires 3 or 4 additional staff rather than 2”.

And -

“As you know I have always been concerned about the staffing levels in Nazareth House but the present proposed per capita figure of £596 represents a very significant increase”.

The foregoing demonstrates that TL19 had concerns for some time prior to 1993 about the level of staffing in Nazareth House Bishop Street and SR2 was using her best endeavours to secure an equitable level of funding, comparable to the per capita funding of state homes, so that she could employ an adequate number of staff to care for the children in her home. The Panel is also referred to the evidence of TL19 on this issue.

28. In the 1994 inspection report it is recorded that managers were confident of agreeing a funding strategy with the WHSSB by early 1994 although no contract had yet been signed and the home reported financial problems arising from the current funding arrangements which required urgent attention to secure the financial viability of the home and to address the reliance on temporary staff to achieve the appropriate staffing level which placed considerable demands on managers and permanent staff.

29. The 1995 inspection found that the staffing ratio was good but recommended *“that a realistic pre capita charge, incorporating the ‘quality of life’ monies should be negotiated with the board/community unit”*.
30. The foregoing analysis speaks for itself. We refer to HSCB’s closing submissions in module 1 and, in particular, to paras 2.5 et seq. Any reluctance on the part of some of the congregation’s homes during the relevant period to accept state funding had no bearing whatsoever on the gross under funding of per capita payments made by the Western Board to the congregation nor on the *“perennial problem of lengthy delays in agreeing revised rates”*. As the 1991 inspector observed, whilst board officers valued the service provided by the congregation, they were reluctant to pay an equitable rate for the job. On the same note we refer to earlier records of efforts to secure increases in the per capita funding. For instance, in December 1972 Ms Forrest, Mr Coulter and Mr J Irvine from the Ministry of Home Affairs visited Termonbacca. They thought the new building was the best they had seen yet. Mr Irvine promised a further grant of £12,500 and to help with running costs he had promised to write to the local authorities to ask them to pay £11.50 per child per week maintenance for children in the care who were admitted to St Joseph’s. The Council minutes record that the congregation *“trust this will get a successful hearing at all the meetings to be held to discuss it”*. This in stark contrast to the decline of an offer of increased funding made to the Mother Superior of St Joseph’s Babies Home in Belfast (see infra). In November 1972 the Council minutes record that John Hume MP is at present negotiating with Mr Whitelaw’s office for an increase in grant. Mr Whitelaw was the then Secretary of State for Northern Ireland so the

submission that the congregation did not want to accept state funding, whatever the reason, was certainly not extant in 1972.

In respect of HSCB's reliance on the Child Welfare Council reports in the said module 1 closing submission and the reliance upon the summary provided by Dr Hilary Harrison at paragraph 2.7, we refer to the evidence of the latter as follows:-

“I am just thinking back. In the 50s certainly the Child Welfare Council, which – whose work the inspectors would have been very well aware of, and as far as I know the Ministry had observer status in relation to the Council – and at one stage Ms Forrest, one of the children's inspectors, was actually a member of the Council and they were – the Council was raising concerns about poor staffing in many of the larger homes. I would have expected inspectors to be working with voluntary organisations to try to encourage them to work more closely with welfare authorities in order to secure more revenue funding than was available to them” .

31. The Inquiry has heard evidence that the Children's Officer in Belfast in the late 1960s tried to persuade the then Mother Superior of St Joseph's Babies Home to accept an increase in the pre capita payment. Sister Brenda speculated that this refusal at that time may have been because the Sisters thought they may lose their Catholicity and their running of the home. However this is not consistent with the evidence above. Another explanation may be that St Joseph's Babies Home was a diocesan home and, although staffed by Nazareth Sisters, it was

managed under the diocese and welfare. The Panel is referred to the evidence of SR208 in answer to questions from Mr Lane.

34. The Panel is also referred to their exchanges in module 1 with Dr Harrison on funding.
35. The Inquiry has heard evidence that the congregation depended upon the collecting Sisters and donations and the Sisters themselves double jobbing and effectively working around the clock. The consequences thereof have been laid bare in modules 1, 2 and 4. At certain times the congregation was forced to rely upon older children to supervise younger children and to rely on former residents to volunteer. The congregation was unable to recruit experienced or qualified staff and it must have been obvious to all that more funding was required. The Inquiry is referred to the evidence of SR2 who explained why more Sisters or increased funding from the congregation was not an option and to her reflection that *“peer bullying would have been fairly easily managed among groups, as we simply could not maintain oversight of the children. I think the development into smaller units where there were higher numbers of staff and better funding was a great advancement to the provision of care for children ...”*
36. SR2 confirmed that the congregation did not have the staff needed to look after so many children. They required a significantly larger number of staff *“although we simply could not have afforded them. I think that the lack of staff was unfair to the Sisters who had to look after the boys. This often meant long hours where the Sisters had to get up early to sort the boys out with their*

breakfast and so on in the morning, getting them off to school and then ensuring that the house itself was kept clean and tidy, clothes were laundered and repaired. They would often be working into the night. I recall on occasions waking up in the bed with sewing or darning in front of me whilst I had simply fallen asleep on my bed whilst trying to do some of the repairs. I also think that it was unfair on the children who could not be shown the level of care, love and affection that they needed, bearing in mind where they came from. The need to maintain a proper and efficient system probably meant that the children did not have the freedom that we would have liked to have given them”.

And -

“Q. Well, in Nazareth House did the Sisters have to rely on the older girls at this stage, 1988, to supervise the younger children or the older boys to supervise the younger children?

A. No. They only had two of the older girls working with us and they were – one was helping the school and the other was with us. She was doing domestic – as she was employed – she was actually employed as a domestic, if I can put it that way, but our other staff were paid staff as well...

Q. So in Nazareth House in 1988 to 1999 you had paid staff? Qualified staff?

A. No, they weren't qualified at that stage. When – it was actually SND453 who came to make a general inspection and it was agreed at that stage I explained to him that we couldn't move forward until we get proper payments for the children and we need money for funding to qualify the staff and it was he who suggested – it was through him we got the funding. We had 7 staff qualified...

Q. Sister, I am going to ask you to just confirm that all the children in Nazareth House in 1988 when you went there had been placed by social services.

Correct?

A. That's right, yes."

Capital Grants

37. In module 1 the Inquiry had the benefit of Mr Aiken's comprehensive analysis of the documents relating to finance including the payment of capital grants in the course of which he opened correspondence between E G McAteer MP and the Ministry of Home Affairs in 1958 on the interpretation of Section 118 (1) and (2) of the Children and Young Persons Act (Northern Ireland) 1950. One of the factors which was taken into account by the Ministry of Home Affairs was the lack of transparency in the accounts of the Mother house and whilst it was acknowledged that St Joseph's Termonbacca *"by its activities as in the past it will in the future relieve the ratepayer and the taxpayer of very considerable sums in child welfare, compared with the proposed grant of £1,000 is a trifle..."* the *"apparent ease"* with which the voluntary home can increase its income when the need to do so is there and the absence of *"certain evidence"* that the transactions with the Mother house described in the accounts and in correspondence as 'loans' are in fact 'loans' in the real sense, the Ministry concluded that the home's financial circumstances did not warrant a grant from public funds.

38. Sister Brenda McCall accepted in evidence in module 1 that the secrecy surrounding the Hammersmith accounts may have held up capital funding for the homes. However, there appears to have been double standards on the part of the Ministry of Home Affairs. We refer to the secret memorandum of 15 January 1965 prepared for the Cabinet on the proposed grant to St Joseph's wherein it is stated that the Department has at no time paid grant to a voluntary organisation under Section 118 (1) of the Children and Young Persons Act (Northern Ireland) 1950 without first enquiring into the financial position of the home concerned. The availability of loans from the Mother house to St Joseph's was considered unique:- *"There has been no evidence of any similar contributions from a parent organisation in the case of any other applications for grant, including those from other homes of the Nazareth Order"*. This contrasts with the grant paid to Rubane, the rationale for which was: - *"although the De La Salle Order was worldwide there is no reason to suppose that it could or would provide financial assistance for this particular home; the establishment of the home was financed largely by means of a bank loan and which a debt of more than £20,000 was still outstanding in 1959"*. In 1965 the Sisters of Nazareth had 65 homes worldwide (list annexed hereto).
39. The September 1988 report records that three new members of staff had been recruited and had special skills which the head of unit is hoping to utilise for the benefit of the children.
40. The failure to meet the Castle Priory recommended ratio during the waking day was not being complied with at the time of the SSI inspection in 1989. The

Castle Priory staff ratio during the waking day was not being met and one of the units was 2 members short. The appointment of a deputy head had been recommended in the previous 3 inspections and this recommendation was renewed. In paragraph 9.2 of the report the difficulty in recruiting qualified staff was noted as was the home's policy of encouraging staff to attend in service and short training courses.

41. In 1991 the staffing level was reported as satisfactory. The per capita rate was £287 per week but this did not cover the actual running costs of the home. It is also noted that Nazareth Lodge had a deficit but precise information about this was not available. By the time of the 1992 SSI inspection the per capita rate had increased to £450 per week, an increase of approximately 57%. In the course of her evidence Ms Beaglan accepted that prior to the increase the per capita payment was very significantly below where it ought to have been. At the same time the Order had accumulated a deficit of £45,000. It is hardly surprising against this background that the congregation could not afford to pay more staff or to recruit more qualified staff. Inevitably this also resulted in a high turnover of staff and the congregation appears to have been able to recruit only new graduates or persons coming straight from school as per the evidence of Ms Beaglan. This also accounted for the high turnover of staff. Meanwhile the Sisters who were heads of the unit were effectively never off duty.
42. It is submitted that the totality of the evidence demonstrates that throughout the period from 1922 to 1995 the congregation operated its homes under extreme financial stress and this was known to the Department and the boards and to

their respective predecessors. Notwithstanding the best endeavours of the Sisters who devoted their lives to caring for children, the consequences of the dire financial straits under which they were operating had an impact on the quality of care which they were able to provide. The history of poor revenue funding of the Nazareth homes is central to every aspect of child care which the HIAI is tasked with investigating.

43. The funding issues in the Derry homes were replicated in Belfast as the following extracts from the inspections of Nazareth Lodge revealed.

44. The 1983 Swag report has proved controversial by reason of the “*aide memoir*” which was initially drafted by one of the inspectors who carried out the inspection. It is not intended to analyse the differences herein, same having been explored fully in evidence. Relevant to funding and staffing levels is the following finding:-

“Staffing levels in the home are low by comparison with those in other homes of comparable size. Allowance needs to be made for the commitment of time by the Sisters, who do not work a conventional 40 hour week. Apart from short periods of leave they are available to the children most of the time and they undertake sleeping-in duties. However, even allowing for this it is considered that the staffing levels are inadequate. Under present arrangements when a member of the care staff is on leave or attending a training course there is often only member of care staff on duty in the unit along with the Sisters. The Castle Priory report guidelines would suggest that a home of this size accommodating

children aged between 3 and 16 years requires at least 18 care staff as well as the management staff. It is understood that agreement has been reached recently in discussion with Eastern Health & Social Services board representatives, to have the pre capita payment increased”.

45. At paragraph 8.2 of the report the inspectors state that the present staffing levels are such that staff do not have enough time to spend on direct work with the children.
46. The monitoring statement for Nazareth Lodge in 1986/87 records that the home has generally kept with the recommendations in respect of staffing levels which have been put forward in success of reports with the exception of the appointment of a deputy head of home. In view of increasing behavioural problems the management committee intends to look at arrangements for night duty supervision. The appointment of a deputy was subject to the availability of funds. The objective of the home was to recruit staff with some relevant qualifications. The composition of the management committee and their respective occupations is contained at SNB14639.
47. The ‘aide memoir’ report recorded that the Eastern Board had recently increased the weekly pre capita payment from £80 to £147 with effect from 1 April 1987 conditional upon 2 additional staff being employed in each group. *“By making this a condition the Board is effectively imposing a staffing level in the home and their action needs to be clarified. Prior to this decision being made the home was incurring a substantial deficit and the board agreed to a deficit*

payment of £45,000 for the year ended 31 March 1982. The capacity of the home has now been reduced to 40 and the fourth group has been closed down. There is obviously concern by the Order about the financial viability of the home and there is little doubt that the low staffing complement is as a result of this. To this extent the board carry some responsibility". In the Mother regional's response of 23 December 1983 to the Department's questions she stated at paragraph 16 that the costs of the Order's homes in Northern Ireland vary in range from £80 per week to £147 per week. However the latter was only increased on 1 April 1983 as aforesaid and it represented a staggering 83.75% increase. This demonstrates the extent of under funding before then and the continued under funding in the other three homes operated by the congregation in Derry, Portadown and Nazareth House, Belfast at that time. The congregation stated that the per capita payment of £80 per week for these homes *"most certainly does not reflect the true cost of maintaining children in a home"*. In the Nazareth homes in Derry and in Belfast it had been possible to subsidise the children's care by carrying substantial elements of costs from the old people's home in the areas of work and maintenance, heating and lighting . The congregation's comment on the increase in costs and their consequences:- *"In more recent times the boards and the Department have sought to increase the numbers of trained staff recruited and this has meant that there has been a trend towards paying the National Joint Council's scale. We are not well placed financially in any of our homes to pay these scales but we have made good progress in closing the gap between the salary scales formerly paid by the Order and those paid within Health and Social Services. All of these trends in the right direction of increasing pre capita rates and our negotiations with*

Health and Social Services boards show that because of the limitation of their own financial resources they are restricted in the degree to which they can respond to our requests for increased payment. This is a very important factor which should be borne in mind when considering the present developments towards improving monitoring standards of care”.

48. The monitoring report for one of the units in May 1988 records grave staff shortages (due to absences it appears) and it is reported that the staff situation is currently very unsatisfactory with no time for individual works. The Panel is referred to further monitoring reports for the same unit in September 1988 and October 1988.

49. The Inquiry is aware that the Congregation had a policy of not turning away any child from their homes irrespective of the extreme financial hardship they were under. Such was the lack of funding for the Nazareth homes that they depended largely on voluntary contributions and door to door collections. The lack of state funding was unconscionable.

2. FOOD

1. Prior to the Children and Young Persons Act (Northern Ireland) 1950 Section 11 (2) (a) and the Children and Young Persons Voluntary Homes Regulations (1952) both of which imposed duties on voluntary homes for the provision of adequate food for children in their care, the Children and Young Persons Act 1933 Part 1 Section 2 (a) provided “*a parent or other person is legally liable to maintain a child or young person, or the legal guardian of a child or young person, shall be deemed to have neglected him in a manner likely to cause injury to his health if he has failed to provide adequate food..., or if, having been unable or otherwise to provide such food...has failed to take steps to procure it to be provided under the enactments applicable in that behalf*”.

2. On the opening day of module 4 Senior Counsel to the Inquiry stated that the Inquiry would hear evidence that food was inadequate; children were hungry and some were force fed;¹ out of date food was provided; ² meat was not of a very good standard; ³.

3. The Home Office Services reports 1927-1933 found:-
 - 1930 Page 28 “*the dietary in most of the schools was good but in one case it was of more variety in meals and the inclusion of fresh vegetables oftener for dinner was suggested*”;

¹ Day 81 43:17

² Day 81 87:7

³ Day 81 86:6:

- 1932 Page 24 inmates are described as being well nourished;
 - 1932 Page 28 *“the satisfactory sanitary conditions of the various schools and the dietary and care given to the children are largely responsible for the general good health enjoyed by almost all the inmates of the school”*;
 - 1933 Page 19 comments that *“attention was paid to the dietary of the children”* and that it was found to be of satisfactory standard;
4. Home Office Services report 1934-1938 found:-
- 1934 Page 21 diet was ample and sufficient;
 - 1935 Page 27 diet was nourishing and sufficient;
 - 1937 Page 22 the inspection of Nazareth Lodge found dietary was satisfactory and nourishing and that *“the institution is conducted in a most satisfactory and efficient manner”*.
5. Home Office Services reports 1939-1946:-
- 1946 Page 27 on inspection of Nazareth Lodge Industrial School *“the dietary appears to be very satisfactory and is varied and ample in quantity”*⁴.
6. Nazareth Lodge ceased to be certified as a training school under the Act in 1951.

⁴ Extract provided

7. In 1956 the Children Welfare Council “*found the food served in children’s homes in Northern Ireland to be on the whole very satisfactory, as were the kitchen accommodation and equipment. We feel however that more attention might be paid to variety in diet. In season, fresh fruit and vegetables should be supplied*”⁵.
8. The 1983 Swag report noted that some of the care staff prefer not to eat the food provided as they do not find it appetising and that although the menus’ record indicates that a balance diet is provided the way the food is prepared and presented may need to be reviewed⁶. However the children whom the inspectors talked to were content with the food in the home. All children received school meals and in addition had a light cooked meal in the evening. This was referred to as supper but they may have toast or cereal before they go to bed⁷. The Inquiry is referred to the interview of Mother Paul about the 1983 Swag report on food:-

“Q. The question of the central feeding situation in Nazareth Lodge has been commented on unfavourably in the Swag report, but a similar situation, I think exists in Derry. Is that correct?”

A. Yes, that is correct.

Q. Yet the Swag report reported in Derry and they did not mention anything about the same situation which appertained there. Is that correct?”

A. Yes.

⁵ HIA1757 Children in Care: NI Child Welfare Council 1956

⁶ SNB-50513/4

⁷ SNB14320

Q. In other words, the very same situation in Derry was not commented on unfavourably, but you get a bit of stick when it came to your situation in Belfast. Is that the position?

A. Yes. I think it was recommended that the children had a more active part in the preparation of meals, which is another preparation for independent living, and we have tried to rectify that situation now. We cook the evening meal 4 evenings in the week in the different units. The children are interested in this and they have made up their own menu, and it is much more appetising for them now, and nicely presented”⁸.

The foregoing illustrates the willingness of the congregation to respond to criticisms and recommendations and to embrace change.

9. In the 1989 SSI inspection report it is recorded:-

“Menus 6.5 a hardback menu book is maintained in each unit, in which are recorded all the meals provided. The menus are drawn up in consultation with the children and staff to ensure that as far as possible likes and dislikes of residents are taken into account. The menus recorded a good variety of food and suggest a well balanced diet, and the meals served during the inspection were both appetising and well presented. The residents spoke very highly of the quality of food and there were bowls of fruit available in each dining room from which children could help themselves”⁹. One of the girls at a mealtime said she did not like the food but *“it turned out that it was basically that she would*

⁸ SNB50753

⁹ SNB14346

*prefer chips with everything*¹⁰. The SSI finding is consistent with the monitoring statement for the period April 1989-March 1990 that children were provided with a well balanced and varied diet¹¹.

10. It was equally positive about the provision of food in the home recording that *“the menus are drawn up in consultation with the children and staff to ensure that as far as possible likes and dislikes of residents are taken into account. The menus recorded a good variety of food and suggest a well balanced diet, the meals served during the inspection were both appetising and well presented. The residents spoke very highly of the quality of food and there were bowls of fruit available in each dining room from which children could help themselves”*¹².

11. In the 1993 SSI report the inspector noted there was a reliance on the main meal of the day being provided at school and that a number of children take lunches or use school self service canteens and this does not ensure that all children receive a main meal each day *“these tend to be snack meals and there is heavy reliance on tinned vegetables, chips, sausages and bacon. Greater variety in the tea menu is recommended, consideration should also be given to making this the main meal of the day”*¹³. Children were encouraged to visit local shops and to make purchases and one unit encouraged young children to accompany staff to the shop to select items for their school lunch and break¹⁴. The 1994 SSI reported that menu books were fully maintained on the 3 units and showed that

¹⁰ SNB14338

¹¹ SNB14194

¹² SNB14175

¹³ SNB15317

¹⁴ SNB15320

meals were “generally nutritious and well balanced, although burgers, pizzas, sausages and chips were in evidence. The meals which the inspector shared were appetising and well presented. However, in the view of the inspector, more fresh vegetables and fruit could be provided. The food for the main meal is prepared in home’s central kitchen for serving at tea time, during term time. During holidays, the main meal was at lunch time....The main kitchen is staffed by helpful staff who are most anxious to offer a balanced, nutritious diet taking the likes and dislikes of children into account. Accordingly, kitchen staff ask children for their likes and dislikes to be made known. However, the children are not involved in the preparation of the main meals. There could be more like a normal domestic environment if the children are able to be involved in preparation of the main meal in the units along with breakfast, lunch and supper. It is therefore recommended that consideration be given to this. The inspector also noted that there were several young people who did not eat the meals provided, preferring cream cakes and other foods”¹⁵. In the following year the inspector observed that since last year, a change has been made and puddings are not provided during the week. Yogurt, ice cream and fresh fruit are now available instead. The recommendation from 1994 to involve the children in the preparation of meals “has not been found possible to implement” due to health and safety constraints¹⁶. It is submitted the foregoing demonstrates the congregation’s continuing commitment to respond to recommendations arising out of statutory inspections.

¹⁵ SNB13885-13886

¹⁶ SNB13836-13837

12. Inspection reports for the period 1984 to 1988 inclusive are not included in the Inquiry bundles. The Inquiry is referred to a report of 21 December 1987 from Mrs Major of Childcare Branch to Ms Beagon enclosing the 1986/87 monitoring statement for Nazareth Lodge which *“is on the whole satisfactory”*¹⁷. The monitoring statement recorded children are provided with a well balanced and varied diet and other support services such as laundry, transport, domestic and maintenance are of a high standard¹⁸.
13. As in the Derry homes, and in virtually all the evidence heard by the Inquiry relating to the Sisters of Nazareth, the evidence on food is a mixed bag. Some witnesses have no complaint to make about the food such as HIA36 (September 1961-August 1968 NL) who told the Inquiry he had *“genuine good times”* and thought they were very well fed: *“I have no complaints about their diet, not one bit, you know and it was always there. We were always fed and always on time, you know, and you did get extras if you needed. If you wanted more, you know, it was no ...there was no discriminating against food or anything. There was nothing held back from you”*.¹⁹ Other witnesses were critical of the food or aspects thereof such as comparing the semolina to frog spawn²⁰ or that the food was basic, rather than poor, such as HIA56 (NL 1959-1968)²¹ and HIA197 who was in Nazareth House for 18 years from 1949 to 1967²². This witness was one of a number of witnesses who gave evidence of being made to eat food that they did not like *“they were told that they weren’t allowed to move from the table until they finished the food in front of them and the girls would be retching*

¹⁷ SNB14039

¹⁸ SNB14044

¹⁹ Day 86 50: 8

²⁰ HIA110 Day 85 18:19

²¹ Day 87 92: 22

²² Day 95 18:19

trying to eat it”²³. The “*clean plate club*” was the beginning of a campaign first established in 1917 in the United States when the US Food Administration promoted this idea to children who attended school with a pledge that read “*at table I will not leave a scrap of food upon my plate and I will not eat between the meals, but for summer time I’ll wait*”. It is intended to teach children to understand the value of food in the difficult economic time that pertained. Even today many families encourage their children to “*clean their plate*”. The congregation accepts that children would have been encouraged to finish their food. If some Sisters or lay staff physically force fed children, it is submitted this was isolated and was not approved of by the congregation and . However it is not surprising that some children perceived they were force fed by being encouraged to eat their food.

14. It is submitted that the evidence does not establish a systemic failing in respect of the provision of adequate food.

15. **Review of the Evidence**

HIA43 was in Nazareth House from 1960 to 1967 compared the food to “*pig swill*”. She refuted the evidence of the congregation that the Sisters ate the same food as the children maintaining that the Sisters had the front of the house and the children the back of the house, comparing the home to “*upstairs, downstairs*”, saying that the children were in the “*dungeon*”²⁴. This evidence should be treated with a good circumspection not least because of her statement

²³ Day 95 18: 8

²⁴ Day 148: 11

that she later found out that the Sisters were getting food donations from places like Marks & Spencers which *“they obviously kept to feed themselves”*²⁵ as Marks & Spencers did not open their first store in Northern Ireland until September 1967 and this applicant left Nazareth House in October 1967.

16. HIA250 was in Nazareth House from 1955 to 1972 and was therefore there at the same time as HIA43. However in contrast to the latter’s evidence HIA250 said the food was ok although they did not have a choice but *“after all, it wasn’t a hotel. We ate what was put on the table, and if we didn’t eat it, we didn’t get anything else. Once the dining rooms were provided, things were better and the food seemed to change”*. She remembered getting a lot of food from Marks & Spencers such as marzipan cakes, huge bags of crisps and meat such as pork pies. When she was asked to comment on the evidence of other applicants that some girls complained they were force fed by some of the nuns, HIA250 testified that she did not experience this nor did she see it in her time.

17. HIA257 (1961-1976) was also in the home at the same time as HIA43 and HIA250. Again, in contrast to HIA43, she had positive recollections of the food, describing being given bread and jam and having sauces, vinegar, salt and pepper on the tables. She recalls the agreement with Marks & Spencers and getting chocolate éclairs, crisps and yogurts. She said there was always plenty of fruit available to them and she recalls how the food would be cooked by both nuns and former residents of the home²⁶.

²⁵ SNB 713

²⁶ Day 100 83:11

18. HIA368 said that the food she received in care was better than what she experienced outside care. She told the Inquiry she hated vegetables and “*you weren’t allowed to leave the table until we finished everything that was in front of us*”. This resonates with the “*clean your plate club*”.

19. Evidence was open to the Inquiry relating to a Social Services investigation of an allegation that Nazareth Lodge used out of date food and meat not being of a very good standard and it is not proposed to repeat same.

3. MEDICAL AND DENTAL CARE

1. Prior to the Children and Young Persons Act (Northern Ireland) 1950 (S11(2) (a)) and the Children and Young Persons Voluntary Homes (Regulations) 1952, the Children and Young Persons Act 1933 Part 1 Section 2 (a) “*a parent or other person legally liable to maintain a child or young person, or the legal guardian of a child or young person, shall be deemed to have neglected him in a manner likely to cause injury to his health if he has failed to provide adequate food, clothing, medical aid or lodging for him or if, having been unable otherwise to provide such food, clothing, medical aid or lodging, he has failed to take steps to procure it to be provided under the enactments applicable in that behalf;*”.
2. On the opening day of module 4 Senior Counsel to the Inquiry stated that one of the complaints of former residents was that children did not receive appropriate medical treatment. This was rejected by the congregation and it is submitted that an examination of the evidence establishes that adequate medical and dental attention was provided. In some instances medical/nursing care was provided by the Sisters themselves, some of whom were qualified nurses.
3. The following extracts from the evidence are not exhaustive and are intended to provide a fair reflection thereof. It is submitted the evidence establishes there was no systemic failing in the provision of medical or dental care during the relevant periods.

4. Moreover the School Health Service (Amendment) Regulations amended the School Health Service Regulations (Northern Ireland) 1948 to substitute a more general provision which enabled health authorities, subject to the direction or approval of the Ministry, to adopt more flexible arrangements with supervising of the health of school children. They revoked regulation 11 of the 1948 Regulations (which relate to the safekeeping and confidentiality of records of the medical and dental condition of school children) so as to enable necessary information to be given in the interests of individual children to the Youth Employment Service Board and to teachers, nurses and others concerned with the well being of the child. Thus it was not just the voluntary homes which had an obligation for the health of children in their care.

5. It is further submitted that there was no evidence that the congregation failed to appoint a medical officer pursuant to Regulation 7 (1) of the Children and Young Persons Voluntary Homes Regulations (Northern Ireland) 1952. On the contrary, the preponderance of the evidence demonstrates that a medical general practitioner provided medical treatment as and when required and that children were taken to a dentist for dental treatment. These respective specialists would have been required to maintain their own records in respect of treatment of the children.

6. The Home Office Service Reports 1939-1946¹ record that on an inspection of Nazareth Lodge industrial school Belfast “*the general physical condition of the*

¹ McClay Library, QUB, JZN 75.R6 page 27 copy extract annexed

children appears to be very satisfactory. The children are weighed regularly and a prognosis increase in weight is the rule. The school medical officer attended regularly and the children are examined also by the staff at the Belfast School Medical Services”.

7. The Home Office Service Reports 1947-1951² record that in 1947 particular attention was paid to the health of the children “*each school has the services of a medical officer who examines each boy/girl on admission to a school and at quarterly intervals throughout the period of detention. Minor ailments are dealt with by the schools and any serious illness by outside hospitals. One of the larger schools has a trained nurse in the staff and the other schools a member of the staff is capable of giving first aid. The medical officers, however, are on call day and night as they live in the neighbourhood of the schools no difficulty is experienced in obtaining medical attention promptly. Where a part-time dentist was not employed the pupils are taken out regularly for dental treatment. Use is also made in a great many cases of the Child Guidance Clinic”.*

8. And at page 18 in respect of inspections in 1950 – “*every effort is made to preserve and improve the health of the children and young persons in the schools. Each child is examined by the school medical officer on admission and thereafter at quarterly intervals”.*

9. The 1983 Swag report recorded that children are registered with a group practice on the Ormeau Road with whom most of the children are registered with. Some

² McClay Library, QUB JZN75.R6 1947 page 20 (extract annexed)

are admitted on a short term basis may stay with their family doctor. *“Most of the files we examined contained a record of a recent medical examination”*³. The 1989 report recorded that medical records were kept in the individual children’s files and that Dr Macauley acts as the medical officer for the home and visits the home every Wednesday and as required. Children have a full medical once a year and medical records are kept up to date⁴. Some of the children got their dental care through the school dental service and others attended local dentists. It is noted that primary workers ensure that regular appointments are made and kept⁵. The panel is referred to a letter from Dr Macauley in 1990 reporting on the health and hygiene in Nazareth Lodge⁶. There are similar entries in subsequent sanitary inspections. The monitoring statement for 1990-1991 recorded that psychiatric and psychological advice was available to the home through the Royal Belfast Hospital for Sick Children and Windsor House as appropriate. It is recorded that a 13 year old girl hurt her arm whilst ice skating and an x-ray revealed no injury. An 11 year old girl underwent emergency surgery for appendicitis. Her mother was present prior to the operation and recovery was quick and successful⁷. Any untoward events for 1991/1992 it is recorded that a 10 year old boy put his fist through a window during a temper tantrum. He was taken to hospital but had not sustained any injury⁸. A 15 year old boy required 4 stitches to his forehead as a result of a

³ SNB14320

⁴ SNB14350

⁵ SNB14350

⁶ SNB13926

⁷ SNB15280/1

⁸ SNB15343

swimming pool accident⁹. The foregoing statutory inspections all record that Dr Macauley was the homes medical officer.

10. In 1992 it is recorded that staff have access to Dr Alice Swan, Dr Leo Mestell and the Childcare Centre. Dr Swan has had a 3 session course on therapeutic intervention for children who have been sexually abused and that a 2 day workshop was planned for the future and Dr Swan now acts as a consultant to the unit¹⁰.
11. In her police interview **NL 283** stated that one of the Sisters would deal with any injuries and would decide whether the child needed to go to hospital or could be treated in the home. If children had to go to hospital they would be taken to either the Royal Victoria Hospital or the City Hospital¹¹. In her police interview in 2012 SR116 stated that **SR 31** was in charge of the infirmary; that doctors would come every week and were all from the same practice. When asked how it was decided who would see the doctor she stated "*anybody who was under the weather or had a cold or if they had you know they were sick or anything like that, usually they kept very healthy and they went you know for colds or whatever*"¹².

Extracts from the evidence

⁹ SNB15345

¹⁰ SNB15254

¹¹ SNB60700

¹² SNB61782

12. HIA89 (1943-1953) recalls an incident in which he was admitted to the Mater Hospital and detained for 2-3 weeks after being scalded by boiling water¹³ after an alleged assault by SR149. On another occasion he was again admitted to the Mater Hospital for treatment of a broken arm and was detained for 3-4 weeks following another alleged assault by SR149. HIA24 (1945-1953) remembers the nit nurse and the dentist coming out to the home¹⁴. HIA361 (1941-1952) remembered having a reaction to a BCG injection and a doctor prescribing a cream for same. She suffered an infection from a splinter in her foot and was admitted to hospital for 2 weeks¹⁵. HIA307 (1948-1953) recounts having either measles, mumps or chickenpox and states he was not seen by a doctor but was left in isolation. Even in 2015 there are currently no specific medical treatments for these viruses which are highly infectious and are common in children. The fact that HIA307 was placed in isolation is clear evidence that the Sisters knew what the applicant was suffering from and how best to manage him. The same witness recalls another incident when he sustained a cut below his right eye and he did not see a doctor¹⁶. However his wound was washed and like any parent, the Sisters caring for the applicant would have had to make a judgment call as to whether or not the wound necessitated medical treatment. HIA298 (1947-1953) was in the home during the same period as the previous 3 applicants and she told the Inquiry about being taken on her own to see the doctor about 3 times and she recalled going to the dentist and having a mould of her teeth taken¹⁷. HIA166 (1948-1960) describes seeing a doctor and about a pharmacy within the home which was run by SR145. She recalled having a splinter removed from her hand

¹³ Day 83 11:15

¹⁴ Day 83 71:11

¹⁵ Day 103 11: 13 and 12: 11

¹⁶ Day 48 8:7

¹⁷ Day 94 10: 16

by SR145 by using boiling water¹⁸. Soaking a finger in hot water to remove a splinter is still recommended by some as an easy means of removing a splinter. This applicant also recalled getting an infection from a splinter in her knee and the doctor attending her and dressing the wound with a poltas¹⁹. She also recalled being taken to the Royal Victoria Hospital to see a doctor about her bedwetting²⁰. HIA197 (1949-1967) remembered visiting the dentist and having a tooth extracted²¹ and having inoculations including one on the arm and a sugar lump for polio²².

13. HIA21 (1973-1982) remembers a Dr McSorley who was attached to Donegall Pass Health Clinic would also have come to the home to treat him for a kidney problem. His recollection was that residents went to a local dental surgery on the Ravenhill Road²³. He described suffering an injury to his toe as a result of an assault by a lay worker ML4 and how one of the Sisters, SR172, dressed the wound and told him to take it easy and he was taken to the local hospital for further treatment²⁴.
14. HIA422 (1963-1969) recalls being admitted to hospital and believes he had his appendix removed and he also remembers going to see a dentist²⁵.

¹⁸ Day 94 37: 4

¹⁹ Day 48 40: 19

²⁰ Day 94 56: 15

²¹ Day 95 32: 15

²² Day 95 30: 18

²³ Day 84 83:1

²⁴ Day 84 90:16

²⁵ Day 85 38:1 and 39: 16

15. HIA36 (1961-1968) was given a medical examination on entry to the babies home²⁶ and medical information on his admission forms provided by a medical practitioner²⁷.

16. HIA423 (1964-1970) alleges she was never given treatment for a cut to her eye from an assault by nuns and that she never saw a dentist or doctor during her time in Nazareth Lodge²⁸. It is submitted that this applicant's memory is flawed and is inconsistent with the weight of the evidence from other applicants who were in the home during the same period. HIA259 (1972-1974) complained of suffering 'one hell of a bruise'²⁹ when he was assaulted by a lay worker NL5 but he never got any medical treatment. It is submitted as hardly surprising medical treatment was not sought for this type of injury. He recalls a lay worker in NL taking him to the dentist, having teeth extracted and being fitted with a brace³⁰.

17. HIA297 (1968-1972) had no recollection of being seen by any medical practitioners in Nazareth Lodge. The medical examination at Nazareth House Portadown identified he needed a tonsillectomy and arrangements were made for him to see a specialist³¹. Records show that in March 1969 audiology tests were performed over concerns about his hearing and that in November 1969 he was admitted to Belfast City Hospital from Nazareth Lodge to have his tonsils removed although he does not remember any of these incidents³². HIA91

²⁶ Day 86 17:24

²⁷ SND30529

²⁸ Day 87 9:1

²⁹ Day 88 104:15

³⁰ Day 88 105:6

³¹ Day 89 12: 16 and SNB5776

³² Day 89 16: 14

(1970-1972) does not remember seeing a doctor but he does remember having an operation in November 1967³³.

18. HIA5 (1982-1985) states he never received any medical attention for assaults by a nun or for a sprained ankle sustained from jumping from the window³⁴. However records show he was medically examined on 31 May 1983 and it is recorded that his state of health was good and no treatment was necessary³⁵.

19. HIA50 (1984) remembers that on 11 March 1984 he was admitted to the School of Dentistry at the Royal Victoria Hospital for an operation on his teeth³⁶ and he

DL40 described the nuns taking him to the ENT clinic at the Royal Victoria Hospital for treatment for infected ears³⁷. HIA52 (1951-1958) recalled a doctor coming in to visit children in Nazareth House and she herself going out to see the dentist and having extractions³⁸. HIA161 (1958-1969) describes a doctor coming into the home. She accepted she was seen by a doctor and was given a pair of tights for a problem with her knees despite claiming that she was never given any medical treatment³⁹.

20. HIA61 (1961-1971) remembered being taken to the Royal Victoria Hospital about her hearing and going back to the hospital for tests and operations and

³³ Day 89 83: 24

³⁴ Day 89 55: 10

³⁵ Day 89 56:9 and SNB40061

³⁶ Day 90 28: 16

³⁷ Day 95 61: 15

³⁸ Day 97 82: 8

³⁹ Day 98 35: 8

always having to wear bandages⁴⁰. HIA63 (1961-1967) recalled going to visit the dentist while at Nazareth House and being asked why she had not been brushing her teeth. She said she recalled being given toothpaste in the home but that hers had run out⁴¹.

⁴⁰ Day 92 21: 14

⁴¹ Day 99 151: 12

4. FAMILY CONTACT

1. The 1952 Home Office Memorandum considered the type and size of children's homes. Its aim when providing new homes for children in long term care was to enable each child to live as a member of a small group in a family group home with numbers varying from 8 to 12. The age range recommended in the family group home was 3-15 years of age with boys and girls growing up together and it would be desirable *sometimes* to include children under the age of 3 in the group where they had older brothers or sisters in the home. In homes accommodating children of a wide age range of both sexes the Memorandum states that the special problems arising in adolescence calls for sympathetic guidance and wise, unobtrusive supervision. It would not generally be right to place in a mixed family group coming into care. This proved remarkably prescient given the subsequent knowledge of peer sexual abuse which accrued in the mid to late 1980s (Chapter 10 of the SoN Module 1 submissions).

2. The Inquiry is referred to a Ministry of Homes Affairs Memorandum dated 2 June 1954¹ on grants to voluntary homes. It is significant in a number of respects:-
 - A grant of £1,000 had already been arranged for extra staff for Nazareth Lodge, Belfast. This is further evidence that the Ministry of Home Affairs was aware throughout the relevant period of staffing levels in the congregation's homes.

¹ SNB16113-5

- Four homes were under consideration, 1) Nazareth Lodge, Belfast, 2) Nazareth House, Derry, 3) Manor House, Lisburn and 4) Rubane. *“However much they plead poverty, I think 1, 2 and 4 ought to pay one third of whatever expenditure is incurred – Nazareth House, Londonderry were talking 10% over a period of 3 years – and I think the same should apply to 3, although Jackson tells me we may be pressed to pay nearly all in this case”*².
- In respect of Nazareth House, Londonderry the author stated: - *“Their idea of contributing 10% over 3 years is, to my mind, ridiculous and, as I have already said, I think they should raise one-third”*³.
- In respect of Nazareth Lodge it was recorded that a *“pretty extensive scheme is desirable, including reorganisation on the family-group system. As you know, however, this is a policy matter in which the Lodge is very largely in the hands of the head house at Hammersmith which is, it seems, not at all in favour of these new-fangled methods such as family-group organisations”*.
- The work to Nazareth Lodge was to be completed in two stages – *“...the kitchen is definitely Stage 1, but as under the family-group system each group would eat in its own “flat”, I don’t think we should agree to substantial expenditure in the big dining room at this stage as it might not be needed at all”*.
- Play equipment, totalling about £400, could wait *“and anyway we might try to talk the Ministry of Education into joining forces on this”*.

² SNB16113

³ SNB16114

3. We refer to our submission in module 1⁴ and to the 1952 entry in the congregation's chapters when the congregation resolved to regroup the children in smaller numbers under the care of a "special sister". All were in favour of this proposal. This is contrary to the foregoing 1954 Ministry of Home Affairs assessment that Hammersmith was not at all in favour of family-group organisations. It is submitted that funding was the primary obstacle to implementing the 1952 memorandum. In Module 1 the Inquiry heard evidence to this effect from Sr 2 as follows:

"Sister, am I right in thinking that there wasn't a lot of contact between Termonbacca and Nazareth House, Bishop Street in terms of the children mixing? No, there wasn't. There wasn't. Again I would say like shortage of staff and somebody providing transport, although the distance wasn't too much, but it was for lack of staff and again that went back to lack of funding." Day 33 93:1

4. The following extract from the 1957 Child Welfare Council report provides an interesting and favourable comparison on family contact in voluntary and welfare homes:

"74. Secondly the voluntary homes keep contact in more cases with the parents or relatives of both legitimate and illegitimate children than do welfare authorities. This can be partially explained by two facts. The proportions of both legitimate and illegitimate children who are placed in care directly by their parents are higher in the voluntary homes than in welfare authority care. The voluntary homes have a greater opportunity of impressing on the parents their

⁴ Chapter 7 and SND-15756 and SNB-15768

responsibilities. The welfare authorities have in their care seven times as many children with no parent or guardian as the voluntary homes and in many cases there is no relative with whom contact may be maintained. It is suggested too that in making the return the voluntary homes would of necessity use a wider interpretation of 'contact' than the welfare authorities who would interpret this strictly as paying visits and making contributions.

76. Appendix 13 gives a detailed comparison of the degree to which contact was maintained with parents or relatives...Of the voluntary homes, Nazareth House Londonderry had the highest figure of 87% followed closely by St. Joseph's Belfast with 83.3%."

4. In 1968 the policy of placing boys and girls together was changed so that both genders could be placed in Nazareth House⁵. HIA132 confirmed this change in policy stating that he remembered brothers and sisters being together when he came back to help out in Nazareth Lodge⁶. The continuing willingness to change is reflected in the 1970 chapter which stated that children should be kept together where possible and even young babies should be in the family group and not accommodated in the nursery section, as such arrangement would not be good for their development.

4. The draft 1983 Swag report was critical of the arrangements for parents to spend time with their children in Nazareth Lodge. The inspectors were told that parents were encouraged to visit their children in the home but that very few availed of

⁵ Day 91 34:2 and SNB4403

⁶ Day 91 34:17

the opportunity. A number of children went home at the weekends and this type of family contact was encouraged. It was recorded that one of the Sisters encouraged parents to assist the children with their homework as she felt they should accept some responsibility for their children but this was the subject of adverse comment by the inspectors⁷. In her response statement the Mother Regional said:-

*“There are no set visiting times to the homes but parents, guardians and friends are encouraged or free to visit any time unless restrictions are imposed arising from a review. Such a restriction would be rare”*⁸. The Swag report considered that greater efforts could be made to encourage parental visiting and recommended that more be done to make parents feel welcome and to encourage them to maintain regular contact with their children⁹. The panel is referred to the evidence of HIA225 (1965-1968) whose social work records show he has regular contact with his family when in NL as he tells Kircubbin staff that he misses this regular contact (SNB 42355) and his visitation record SNB 42369 & 42397 shows visits from his father and sisters frequently, weekly and occasionally from 8/65 until 30/6/67.

The Panel is referred to the transcript of the evidence of the Mother Superior to the Hughes Inquiry and, in particular, the following extracts:-

⁷ SNB14317/8

⁸ SNB14323-14325

⁹ SNB50511

“Q. I just want you to go to the records, first of all in relation to the criticisms in the Swag report about the family atmosphere in the home....Could you read out some of the entries in or about that time?”

A. 31 October 1975. Today was Halloween and the children all had a party, and afterwards they had a big bonfire out in the big field.

Q. Yes?

A. 2 January 1976. was 9 years old today and as there is a birthday on Sunday we combined the two parties together. has his parents up and also his brother and sister, so it really was a family occasion for . Today was another wet day so the children could not go out. Some of them played games or painted in the afternoon. These were some of the games they got for Christmas”.

The foregoing is highly significant evidence bearing in mind the complaints by some residents that their birthdays were not acknowledged and that they were deprived of family contact.

AND –

“Q. You say that that was introduced about a year ago. Certainly from the diary which you were good enough to produce for us it would appear that the home did observe the practice of seeking the permission of the child’s social worker before allowing a child out for a weekend or even for various holidays or whatever. That seems to have been the practice.

A. Yes.

Q. You have explained the introduction of the primary worker system. There was some suggestion that you should make parents feel more welcome, and have you taken active steps to alter the system since 1983.

A. We consider that we always made parents of the children feel welcome.

Q. Does that mean that you thought that the system you were operating did not need any improvement or alteration?

A. There was just one point put to me when I was questioned about this, that perhaps it was trying to involve the parent, say, of the child, to do homework, and that maybe the parent was inadequate himself or herself, and that in that way the parent might not be feeling so relaxed with the child in a situation like that; rather than perhaps if it was a small child, allowing the parent to bath a child and put the child to bed at night, or something like that, you know. It would be better to involve them in that way rather than have them do so something that they were not capable of doing.

Q. Have you tried to encourage parents to come more frequently to the home?

A. Yes. It is really not up to us when the parents visit, really. It is up to the regulation made by the social worker regarding visits to the children.

Q. Yes, but if you have the clearance from the social worker and said to some girl's mother, "why don't you come more frequently, you are always welcome here?" it might achieve that end. They seem to think that parents were not necessarily made to feel as welcome as they might.

A. I do not know how they could get that impression, really because we have always encouraged the parents to come"¹⁰.

¹⁰ SNB50770

5. For the avoidance of doubt, the congregation maintains that throughout the relevant period it encouraged family and sibling contact wherever it was possible and practical.
6. The Management Committee of Nazareth Lodge was established in 1987 and one of its functions was to look at the adequacy of arrangements for communication between children and their parents, relatives and friends. The 1991 SSI inspection report recorded that the Management Committee “*seems to be running very successfully*”¹¹.
7. The 1992 SSI inspection report recorded that Unit 3 has 8 to 10 places for sibling groups to be kept together with a focus on fostering. Unit 4 has accommodation for young people with emphasis on independence training for leaving care. Continuity of care will be provided when the young people leave by the aftercare services¹².
8. The 1993 SSI inspection report noted that 2 units had designated visitors’ rooms which assisted with parental and social work access without disruption to children or staff. “*One unit uses the children’s computer room also as a visitors’ room. At times this could prove inconvenient. Interestingly, parents who responded positively to the way they were received at Nazareth Lodge visited units which had accommodation to facilitate their access. One mother who was particularly critical of her welcome had access in the unit with no*

¹¹ SNB14176

¹² SNB15240

designated visitor room. This factor may, however, be coincidental and other factors may have influenced her perception”¹³.

9. The Inquiry is referred to the 1994 SSI inspection report and in particular to the following extracts:-

“6.6. Parents of the children resident were asked for their views by questionnaire. There was a response rate of 33%. All commented that they were made to feel welcome and had access to a room to meet their children. They confirmed that they all knew how to make a complaint. Other comments included the following remarks:-

“The home is great just the way it is”.

“All the staff are very understanding and very patient regarding my son’s needs which at the moment I cannot give him. I personally feel good knowing they are doing a great job in looking after him”.

“I like my son’s independence and he has school friends who live near to the home”.

“The children and staff seem to get on well together”.

“I really don’t think things could be much better. I would like to see the place much bigger so they could take more children in and look after them and give them such a nice time”.

“Each child gets a lot of attention. They have lots for children to do. Everything seems to be fine with me”¹⁴.

¹³ SNB15309

10. The same inspection report records that comments from field work staff were positive and constructive comments like the following were included:-

- *“Apart from basic care needs I feel it offers good strong boundaries, control, support, social and emotional dimensions to its care role”.*
- *“It works on a one-to-one basis, trying to nurture and stretch children to the best of their ability”.*
- *“Nazareth Lodge provides high standards of physical and emotional care for children – it emphasises treating children as individuals”.*
- *“It delivers a high level of primary care and work in social and personal development despite the adverse structure and layout of the building”.*

The foregoing testimonials speak volumes. The congregation has admitted systemic failings in certain respects as well as failings on the part of some of its Sisters and lay staff which it regrets deeply and has offered its unqualified apology. However, in the interests of justice, and in fairness to those dedicated Sisters who did their utmost for the thousands of children who passed through their residential homes, the congregation should not be condemned to the corner of shame. The following extracts from the evidence illustrate the many contradictory accounts of family contact. There are similar evidential conflicts on other issues before the Inquiry which is faced with the challenges of distinguishing fact from fiction and of judging fact by the standards of the day.

Extracts from residents' evidenceNazareth Lodge

11. HIA307 (NL 1948-1956) said that his carer until the age of 3 called to visit him in Nazareth Lodge after his mother had placed him there. He recounted a hearsay account which he had been told by another boy that on one occasion the said carer had come to visit and he had not been well and that she had complained he was not being looked after properly whereupon on her next visit she was allegedly told she could not see HIA307 and was told not to bother coming back¹⁵. This contrasts with the evidence of HIA183 (NL 1951-1957) who was in Nazareth Lodge for much of the same period as the former. HIA183 describes a positive memory of being visited monthly by a lady named Sheila who was part of a group of people who would come up and visit the boys and he struck up a friendship with her. She also took him out to her house for a day, normally on a Sunday, every 6 or 7 weeks. He also recalled on one occasion a visit from a woman who he believes may have been his mother¹⁶.
12. HIA104 (NL 1963-1974) alleged that visits from his mother were used as blackmail by the Sisters to "*keep him in line*". He said his mother visited once a month and described how they would sit in the staff room chatting or go to the park. He admits that NL 5 never actually carried out her threat to prevent access to his mother¹⁷. HIA36 (NL 1960-1968) overlapped with HIA104 in Nazareth

¹⁵ Day 84 17:1

¹⁶ Day 84 64:18

¹⁷ SNB70645 Day 85 91:15-92:11

Lodge¹⁸. HIA225 (NL 1965-1968) accepted that the Sisters did not have the facilities to keep him and his siblings together when he entered Nazareth Lodge and his sisters entered Nazareth House¹⁹. His father came and visited him weekly while he was in Nazareth Lodge and he was taken up to Nazareth House to visit his sisters²⁰. He stated:-

“Yes there was good encouragement from the Sisters in respect of contact”²¹.

His contact with his family continued when he went to Kircubbin but not as frequently. On one occasion he stated that arrangements were made for him to come up from Kircubbin, collect his younger brother from Nazareth Lodge and take him up to visit their sisters in Nazareth House²². HIA56 (NL 1959-1968) said that his mother visited him twice per week from the age of 5 until the age of 10²³. HIA19 (NL 1958-1966) another resident in Nazareth Lodge from the same period, told the Inquiry about having regular visits from his grandparents who would visit him on a Saturday in Nazareth Lodge and his sister on a Sunday in Nazareth House²⁴. He also recalls spending the occasional weekend with them from the age of 10 or 11.²⁵ When he entered Nazareth Lodge he and his brothers were all placed in the same group. He did not remember visiting his sister during his time in the Lodge and claims his grandmother organised for her to wave to him during lunch breaks and that he would wave back²⁶. In response

¹⁸ Day 86 16:21

¹⁹ Day 87 32:25

²⁰ Day 87 33:7-11

²¹ Day 87 33:22

²² Day 87 56:2

²³ Day 87 97:4

²⁴ Day 88 33:10

²⁵ Day 88 33:24

²⁶ Day 88 59:22

to questions from the Chairman, HIA19 confirmed that his brothers would also have been present for his grandmother's visit on a Saturday and that he would have seen his sister during the weekends when he went out to his grandparent's house²⁷. The account of HIA152 (NL 1958-1966) is impossible to reconcile with the foregoing evidence of other children who were in Nazareth Lodge at the same time. He claimed he was never able to see his sister who was in Nazareth House and that he had never heard of the congregation arranging for bringing the boys and girls of the Nazareth homes together. He alleged that boys in Nazareth Lodge never met the girls in Nazareth House and that they never played together²⁸. He also alleged his grandparents came to visit him but that they were made to feel unwelcome and rudely treated²⁹.

13. Records disclose that HIA297's (NL 1968-1972) elder sister, who had been placed in foster care, was very regularly visiting him and his two brothers in Nazareth Lodge³⁰.

14. HIA5 (NL 1982-1985) is a paradigm example of false memory. He claimed he would see his brother and sister in the dining room in Nazareth Lodge but that he was not allowed to communicate with them. However his records show that his sister was never in Nazareth Lodge but stayed with his parents due to a heart condition.³¹ His brother remained in Nazareth Lodge for only a few months before being returned to his parents and his sister and brother were not fostered out after a week as he claims. He alleged that the Sisters would tell him "you

²⁷ Day 88 65:22

²⁸ Day 88 20:20-21:20

²⁹ Day 88 22:19

³⁰ Day 89 17:14 and SNB5774

³¹ Day 89 39:21

will never see your mother or father again” and that they destroyed letters from his parents; if his mother and father telephoned the Lodge the Sisters did not let them speak to him or his brother³²; he felt the Sisters did not want him to have contact and that they kept his parents away and he claimed that a cook in the home informed him that the nuns did not contact the parents of the children and that they told social services to tell the parents that their children were fine and not to bother visiting³³. However records show that his parents were in fact visiting him in Nazareth Lodge twice per week until November 1982 when they informed social services that they had no money to visit³⁴. The records also show that he was visited regularly by his Aunt _____ and since November 1982 regular contact had been maintained between HIA5 and his parents and that he went home to his parents every second Saturday³⁵. The contemporaneous records provide confirm the congregation’s evidence from the outset of the Inquiry that every effort was made to facilitate family contact where possible and practical. See also the evidence of HIA91 (NL 1970-1972) whose records reveal that efforts were made to place him, his brothers and his sister together in Nazareth Lodge³⁶. The Superior of Nazareth Lodge is thanked for her part in keeping the family together³⁷.

15. HIA41 (NL 1968-1973) claimed that he and his siblings were separated when they were put into Nazareth Lodge but records show that this was done because they were described as being very demanding and the Sisters felt this was the

³² Day 89 45:10

³³ Day 89 45:20

³⁴ Day 89 46:9 and SNB40046

³⁵ Day 89 47:15 and SNB40057

³⁶ Day 89 83:20 and SNB4403

³⁷ Day 89 86:5 and SNB44422

only way to exercise some control over them. HIA41 accepted that before he and his siblings entered Nazareth Lodge they were running wild³⁸. Despite claiming that he and his family never had visitors it is recorded by his social worker that he and his siblings were visited regularly by their mother and that they enjoyed these visits³⁹. He was placed in a different group to his brother and sister at Nazareth Lodge but he was offered the option of spending weekends at Kircubbin with his older brother which he did not want⁴⁰. He is also noted as being reluctant to go to his mother on Sundays preferring to stay in Nazareth Lodge⁴¹.

Nazareth House

16. HIA85 (1945-1960) told the Inquiry her mother visited her every Thursday although she alleged that she visited her brother only once in 15 years in Nazareth House and that contact between them was not encouraged⁴². This is not accepted by the congregation and it conflicts with other evidence which the Inquiry has heard.
17. HIA166 (NH 1948-1960), in response to a question from the Chairman, said there was contact between Nazareth House and Nazareth Lodge; the girls would have walked from the House to the Lodge so that families would be able to meet up with each other. She stated that those without brothers in the Lodge would have played in the big field at Nazareth Lodge and she described learning to

³⁸ Day 89 99:9-100:2 and SNB40761

³⁹ Day 89 163:4,162:25 and SNB30622

⁴⁰ Day 89 164:24

⁴¹ Day 89 165:3

⁴² Day 106 61:19

play cricket and using skipping ropes. She said she would have been free to run about the field and that boys would have been waiting in the field for their sisters to arrive⁴³.

18. HIA124 (NH 1965-1966 and 1969) claimed that contact between her and her sisters was discouraged because they were in a different group to her. She also claimed that no arrangements were made for her to visit her brothers who had been placed in Nazareth Lodge⁴⁴. She remembered her aunt coming to visit her but claimed that SR31 would have sat in on these visits on most occasions⁴⁵. It is not accepted by the congregation that Sisters would have remained during family visits. In the same vein HIA117 (NH 1965-1975) told the Inquiry that she and her sisters were separated from their brothers on entry to Nazareth House and that they were not encouraged to visit their siblings⁴⁶. However records show that she and her sister were receiving frequent visits from family members⁴⁷. These included visits from her mother, father and grandfather, sometimes weekly. However she had no memory of seeing her mother and father after she went into Nazareth House. The records also show that her brother had come to stay with her and her sisters one weekend per month during the holidays. She was also recorded as having infrequent contact with his two brothers⁴⁸. However HIA117 claimed that she never saw her brother again the day after they were all put into care⁴⁹.

⁴³ Day 94 69:3-18

⁴⁴ Day 96 66:18

⁴⁵ Day 96 67:9

⁴⁶ Day 96 79:11

⁴⁷ Day 96 92:4 and SNB6293

⁴⁸ Day 96 107:5

⁴⁹ Day 96 107:19 and SNB6311

20. HIA43 (NH 1960-1967) said her father visited her in the home but she alleged that SR31 would deliberately keep her father from visiting her and would laugh and taunt her about this and that her father was forced to throw sweets over the walls of the home to her and that the Sisters made her feel humiliated and ashamed⁵⁰. She alleged that no arrangements were made for her to have contact with her sister or her brothers in Nazareth Lodge⁵¹. This is in stark contrast to other evidence which the Inquiry has heard and, for example, to HIA103 (NH 1960-1965) who was in the home at the same time as HIA43. She had regular contact with her father who took her out at weekends and in the summer her father would take her to her grandmother's house for holidays⁵².
21. HIA368 (NH 1969-1971) did not remember her mother visiting Nazareth House although she remembered going to her mother's house but the records show that both she and HIA175 were being visited by their mother weekly⁵³.
22. HIA141 (NL 1977-1981) was taken home by her mother for weekend visits; she was also visited regularly by her mother and elder sister who lived with her mother and she is recorded as having frequent visits with the rest of her siblings although she disputes the frequency of contact between her and her siblings⁵⁴.
23. The absence of the contemporaneous records has prejudiced the Congregation in their conduct of the Inquiry generally, not just on the issue of family contact. In

⁵⁰ Day 96 144:17

⁵¹ Day 96 146:20

⁵² Day 99 181:24; 183:6 and 182:14

⁵³ Day 101 10:13 and SNB6450

⁵⁴ Day 107:97:20, 98:1

many instances, where available, contemporaneous records have contradicted the testimony of some applicants across all issues:

“Memory likes to play hide and seek, to crawl away.

It tends to hold forth, to dress up, often needlessly.

Memory contradicts itself;

Pedant that it is, it will have its way.” Gunter Grass

5. BEDWETTING

1. The congregation repeats its acceptance given in module 1 that for part of the relevant period post the 1951 Home Office memorandum¹ was not complied with. The nature and extent to which it was not complied with is far from clear given the conflicting evidence which the Inquiry has heard from former residents and the congregation.
2. The evidence in this module revealed that as long ago as 1927 that members of the congregation thought punishment was the correct way to deal with enuresis. This also appears to have been the opinion of the reporting police officer who said that in the circumstances the beating was justifiable to a certain extent². A representative of the Ministry of Home Affairs advised the Sister and manager of the home that “*punishment is not the proper way to deal with these cases but on the contrary is liable to make them worse*”³.
3. There is no evidence that the Ministry of Home Affairs monitored Nazareth Lodge following the 1927 incident which had been brought to their attention. Given the passage of time it is not known what the response of the congregation was and whether the advice given by the Minister was accepted and disseminated or rejected.
4. Where Sisters did use corporal punishment for bedwetting in the decades to follow may have reflected societal attitudes of the day as reflected by social

¹ HIA470 para 24

² SNB13663

³ SNB13660

services investigation into the punishment of a child for bedwetting by his foster mother⁴. This was in 1975 50 years after the aforesaid 1927 advice and 25 years after the Home Office memorandum. The social worker recorded the following history:-

had no hesitation in telling me she had beaten with a stick on both Wednesday and Friday mornings for wetting the bed. She said it was the only way she got to stop. I explained to her that the bruising was much too severe and any way it was not the correct form of punishment. She listened and said she would not beat him again but try talking to him. I told her that bedwetting at this stage is generally due to some emotional problem and needs love and understanding. Perhaps her GP could give useful medical advice and that a buzzer/alarm system could always be arranged with the health department. agreed to take to the doctor. I told her if necessary all the boys could be removed from her care that afternoon and if at any time in the future she felt she could not cope she had only to contact us. She understands this and said this had been the arrangement when she first undertook to foster the boys.

In all honesty did not think anything wrong in what she did, she believed it was the only way to cure the boy. has a large household and maybe 10 children is too much for her. had been lying in a wet bed for a fortnight before she knew of it so obviously she does not go around each

⁴ SNB43451

child's bed every day and I don't think a 9 year old can be expected to look after his bedroom without regular supervision".

There is no evidence that social services advised or trained foster parents on how to manage bedwetting and what is significant about the 1975 social work records is the acceptance of corporal punishment and her objections were to its use for bedwetting and that the bruising was much too severe. This is likely because of societal acceptance of corporal punishment at this time and the Panel is reminded that corporal punished was still lawful in schools at the time SR30 abolished it when she became school principal. The latter was in keeping with the congregation's policy of no corporal punishment.

5. Corporal punishment was not sanctioned by the congregation and efforts were made to manage bedwetting by referring children for medical, the use of prescribed medication, a buzzer/alarm system, mackintosh sheets and by lifting the children during the night.

Nazareth Lodge

6. In his statement to the Inquiry HIA110 (1959-1967) told the Inquiry that NL4 put you in "*these big washing machines, put the lid down and pretended to turn it on*" when you wet the bed but he retracted this in his evidence and said NL4 threatened to do this but never did it. This contradicted the very different account he gave to police in his police statement⁵ in which he claimed he was

⁵ SNB60910

made to climb into the washing machine by NL4 for wetting the bed and he pleaded with her and promised he would not wet the bed again. HIA19 persisted with the allegation that NL4 and NL5 would take the bedwetters to the laundry and put them into the machine and close the lids for a few minutes saying they were going to turn it on⁶. NL4 denied the allegation and asserted that HIA19 was not in her group nor did she work with NL5 other than in the dining room. She also said that children were not allowed in the laundry⁷. NL5 testified that NL178 ran the laundry and no-one else had keys to it. Staff would bring down whatever they had to get washed in the morning and collect them when they were washed. HIA16 was the third person to allege NL4 threatened to put him in the washing machine which she denied. In his first statement of complaint to the police about Nazareth House⁸ he made no allegation about the washing machine but did so subsequently⁹. A lay member of staff who remembered HIA 16 informed the police¹⁰ that children who wet the bed would be lifted during the night and taken to the bathroom until they were trained. SR208 (NL1965-1966) told the Inquiry that the lay worker who worked full time in the laundry was very territorial about her work there and she had no recollection of children bringing their sheets to the laundry¹¹.

7. HIA91 (1970-1972) recalled being beaten for wetting the bed in foster placement but made no mention of being beaten for wetting the bed in Nazareth

⁶ Day 88 48:7-23

⁷ SNB80042

⁸ SNB60725

⁹ SNB60817

¹⁰ SNB61540

¹¹ Day 112 54:12

Lodge nor had she any complaint about Nazareth Lodge¹². His brother HIA297 (1968-1972) said that he never remembered being beaten in Nazareth Lodge but he did remember being beaten in the foster home. His recollection was that punishment for doing something wrong in Nazareth Lodge was being sent to the dormitory¹³.

8. SR30 (1974-1980) testified that she did not remember a policy on how to deal with bedwetting but she certainly did not make a big issue of it. If children wet the bed they took their sheets in the morning and put them in the laundry basket. Staff washed the sheets and the children got a bath and that was it¹⁴.

9. SR46 (1977-1985) also said that the congregation did not have a policy on bedwetting although she remembered a few children who did wet their beds, particularly one who was a teenager. She used to call her last thing at night before she herself went to bed and when she got up in the morning she would ask her did she want to go to the bathroom. There were one or two younger children whom she used to lift and put on the toilet. She had no knowledge during her time in Nazareth Lodge of any child ever being punished for wetting the bed.

Nazareth House

10. HIA166 (1948-1960) told the Court that she was provided with an electronic device attached to a tray containing tin foil in which she was required to sleep

¹² Day 89 89:4-19

¹³ Day 89 20:19 – 21:10

¹⁴ Day 93 117:20

for up to 2 weeks. It was connected to a battery and alarm and she received a shock when she wet the bed. It did not work and after 2 weeks this treatment was stopped. She was taken to the Royal Victoria Hospital for assessment of her bedwetting¹⁵. It was only when she was asked by Inquiry Counsel about evidence from other residents that they had been beaten for wetting the bed did the applicant say that she was probably beaten too. However she made no such complaint in her statement and it is clear that she has no such recollection. This evidence demonstrates that in the 1950s the Sisters in Nazareth House knew that enuresis was a medical problem but they sought medical treatment and tried accepted methods of treating the problem. It may also be evidence that the Sisters in Belfast were aware of and took heed of the advice contained in the 1952 Home Office memorandum.

11. HIA20 (1952-1967) testified that the nuns put a buzzer under your sheet which sounded an alarm if you wet the bed. If the bed was wet in the morning, you had to strip your bed, rinse the sheets in cold water in the bathroom and take them to the laundry. They did not actually have to wash the sheets themselves. She recalled the lady who worked in the laundry whom she described as fine and would simply say "*Put them in the bucket. Put them in the bucket*". She also recalled being taken twice to the Ulster Hospital for treatment for her enuresis. She said that the only punishment for bedwetting was from older girls who were annoyed when the buzzer system woke them up at night¹⁶.

¹⁵ Day 166 54:10

¹⁶ Day 107 20:322:15

12. HIA124 (1965/1966 and 1969) also explained receiving medical treatment for bedwetting. She believed she was prescribed medicine and those children who wet the bed lined up to receive it. It was called "*wet the bed medicine*"¹⁷. She also described the buzzer system and said the problem for deep sleepers was they did not waken but the buzzer wakened other children. She was also aware of other children using the buzzer system. She alleged it was a regular occurrence for bedwetters to kneel outside SR31's cell¹⁸.

13. HIA250 was in Nazareth House for 17 years from 1955 to 1972. She did not wet the bed but she recalled that when a girl did wet the bed, a red mackintosh was put on it to protect the mattress and as time progressed a buzzer was used. She never remembered the sheet being placed over anyone's head¹⁹. Residents have said a sheet was put over their head (see below). The congregation denies that ever occurred. It is such an appalling act of cruelty that if it did occur one would have expected all children to have remembered such an act. It is submitted that such allegations are erroneous memories.

14. HIA195 (1971-1977) said that her brother DL59 was hit for wetting the bed. However she made no such complaint to her social worker whereas she did complain to her social worker about SR31 being violent in school²⁰. Moreover the Sisters informed social services about children who wet the bed and this is recorded in respect of DL59²¹. Of particular significance is the social work

¹⁷ Day 98 50:2

¹⁸ Day 96 60:20

¹⁹ Day 100 58:10

²⁰ SNB46676

²¹ SNB46665

record for 7 April 1979²² *“there was an initial problem with the children bedwetting but this is no longer apparent except in DL59. It is interesting that he bed wets now on the Friday...but is quite dry on the Saturday and Sunday”*.

15. HIA175 (1969-1971) claimed in her police interview²³ that when her brother HIA368 wet the bed, SR31 would make him put wet sheets over his head and that she had to wash her brother’s sheets in the bath and wash him with Jeyes fluid. SR31 denied these allegations when interviewed by the police in 1996²⁴. Fortunately for the congregation there are contemporaneous social work records which reveal that HIA175 told her social worker about her brother wetting the bed but she made no report whatsoever of mistreatment by the nuns²⁵. The social work records also record that SR31 reported HIA368 bed wets but has improved lately. It is submitted that the evidence of HIA175 and HIA368 is another illustration of false memory syndrome and without the contemporaneous social work records, the Sisters would be able only to issue a bare denial.
16. SR46 (1977-1985) testified that children were not punished for bedwetting²⁶. She also stated that if you corrected a child, they would say they were going to ring their social worker.
17. As with most of the contentious issues before the Inquiry, there is a wide range of wildly varying evidence on how bedwetting was managed.

²² SNB46673

²³ SNB60311

²⁴ SNB60348

²⁵ SNB43953

²⁶ SNB60233 and Day 93:40

6. BATHING AND JEYES FLUID

Nazareth Lodge

1. The Inquiry heard a range of complaints about bathing and the use of Jeyes fluid. Childhood experiences associated with bath time are recalled by residents such as having hair combed for nits, the washing of scabs, being scrubbed with a brush, water turning cold, dirty water due to being last in the bath. There is much evidence on the use of Jeyes fluid.
2. There was profuse and widely varying evidence on these issues. Bathing facilities and practices changed over the years and this is considered in the review of the evidence below. It is submitted that bathing facilities were consistent with the standards of the day as was the use of Jeyes fluid. Whilst some residents maintain they were required to line up naked, there is a body of evidence that steps were taken to give residents privacy when bathing and there was an emphasis on modesty. There is a consistent theme that children were bathed at least weekly and consistent with much of the evidence in module 1, there is evidence that once children reach puberty, they bathed themselves. There is also a body of evidence that it was the responsibility of older children to supervise bath time and take responsibility for younger children. There is also evidence that during certain periods, in the 1940s and 1950s, of nuns supervising bath time in Nazareth Lodge. Having regard to the totality of the evidence it is submitted that there is no evidence of systemic failings.

3. HIA204 (NL 1929-1936) spoke of the bathing hour and the responsibility of the older boys to bring the younger boys into the bathroom where they would wash and dry them with towels before they were sent to bed¹. HIA99 (NL 1937-1941) suggested the older boys would have had responsibility for supervising the washing but nuns would also be present on occasion to “*see that everything was going to plan*”². HIA49 (NL 1943-1953) describes there being only “*one*” bath in the Lodge and having to line up naked to get into the bath. He claimed they were bathed once every 6 weeks and that jeyes fluid was used in the bath. However HIA87 (NL 1946-1952) was in Nazareth Lodge during the same period as HIA89 and he stated there were “*three baths*” on their floor. He said that they were made to strip and wait in line and SR118 would hit them if they were carrying on in the line. They were required to get into the bath two at a time and given a sheet to dry themselves with even if the sheet was wet. He did not mention the use of jeyes fluid³. From the same period HIA24 (NL 1945-1953) described how they were made to strip naked and stand in a queue for the bath and that two nuns were present, one on either side of the bath. Although he stated that these nuns were SR118, SR36 and SR100, he accepted it was unlikely SR36 would have been present given that she was a catering nun and was not in charge of the children⁴. Also from the same period, HIA159 (NL 1948-1957) said that jeyes fluid was used to keep heads clean from infestations⁵. HIA307 (NL 1948-1956) described the bathroom as a “*massive room with claw foot baths*”. He believed jeyes fluid was used to remove lice and described it as a strong detergent which he also believed was used to mop the floors and wash

¹ Day 82 5:2

² Day 82 79:11

³ Day 83 31:23-36:25

⁴ Day 83 72:12-73-4

⁵ Day 83 98:6

the tiles in Nazareth Lodge⁶. He described that older boys acting as helpers who got the younger boys in and out of the bath. He alleged the older boys sexually abused them when taking them in and out of the bath but *“it wasn’t done in a way that could be seen”*⁷. He said a Sister supervised baths though not at all times. HIA33 (NL 1951-1953) said that after wetting the bed he was taken to the bathroom and bathed in jeyes fluid by SR118⁸. He said Friday night was bath night and described there being five baths for 40 boys. The water was cold and dirty for the last boys in the bath and jeyes fluid would have been put in the bath water and carbolic soap was used to wash them⁹. In respect of the 1960s HIA422 (NL 1963-1969) alleged they were not bathed on a regular basis. He did not remember having baths in Nazareth Lodge and described a square shower area with large taps. He believed that there were charge girls who supervised the bath time in the home¹⁰. HIA36 (NL 1961-1968) said that the nuns in Nazareth Lodge were not hands on but that they would have helped out at bath time. He said the children did not see a lot of the Sisters¹¹. HIA423 (NL 1964-1970) described the bath as being a tub with wooden steps leading up into it because it was so high. She described being made to strip and wait in line before going up the wooden steps into the bath and alleged that the nuns would scrub them with brushes which would have been used to scrub the floor and that they would all share the same bath water¹². The latter’s allegations about nakedness and the use of the floor scrubbing brush are rejected by the congregation. As summarised elsewhere herein, the sisters were acutely

⁶ Day 84 5:1

⁷ Day 84 13:4

⁸ Day 96 9:21

⁹ Day 96 13:15

¹⁰ Day 85 36:8

¹¹ Day 86 44:5

¹² Day 87 7:16

conscious of modesty. HIA225 (NL 1965-1968) said that during bath time a female member of staff would pull off their towels and laugh at their penises; she would flick damp towels at them and encourage the older boys to do the same¹³. In contrast HIA210 (NL 1973-1981) described being given a bath every 2 or 3 days¹⁴.

Nazareth House

4. HIA335 (1937-1947) said that they were allowed to bath every night, they shared the bathwater and older girls would have inspected their underwear every morning¹⁵. The practice of inspecting underwear appears to have continued for a number of decades up to the late 1960s. The congregation does not know why this was done and accepts it would have been humiliating for children. The congregation can only speculate that this practice started at a time when children of a certain age were required to wash their underwear and that this practice survived for a number of decades. HIA439 (1939-1948) said that Jeyes fluid was used in the bath and she described that there were two girls at each side of the bath who would hold up a sheet while she washed and that the girls were not allowed to look at her while she washed. She said the nuns would never have let them run naked and said "*you daren't have been seen naked*". When they finished their bath the sheet was wrapped around them. There are further references below to the congregation's emphasis on modesty and it is submitted the weight of the evidence bears this out. HIA20 (1952-1967) told the Inquiry that bath time was on Tuesdays and Fridays; the bath water contained Jeyes

¹³ Day 87 36:7

¹⁴ Day 91 55:4

¹⁵ Day 98 79:4

fluid and another white substance; in summer they washed their hair outside in tubs of water containing Jeyes fluid; their underwear was inspected prior to bathing¹⁶. HIA37 (1956-1965) recalls being bathed once or twice a week containing water and Jeyes fluid. She denied that Jeyes fluid was used to wash hair and said that DET was used which was a white solution. The older girls checked hair for lice and nits using a fine comb. They presented their underwear at bath time for inspection¹⁷.

5. HIA361 (1941-1952) described having to queue at bath time, there being two baths, the second of which contained Jeyes fluid. after washing they were made to show their hands, arms, neck and ears to the Sisters and because she had a swarthy neck, SR145 made her rewash her neck 8 times¹⁸. Other residents also complained of having their neck scrubbed including HIA10¹⁹.
6. HIA85 (1945-1960) recalled asking once for warm water and being given it; she stated it depended on the mood the nuns were in. Jeyes fluid was put in the bath and they were bathed by the nun on duty. However after puberty they were allowed to bath themselves and use normal soap. She remembered Jeyes fluid being used to wash hair and this would have been done by the older girls. She alleged that on one occasion an older girl poured Jeyes fluid directly into her ear causing her eardrum to burst²⁰. HIA250 (1955-1972) said they were bathed on a Saturday and one of her responsibilities was to stoke the furnace fires to provide enough hot water for the baths. She described there being 4 baths and 4 rows of

¹⁶ Day 107 22:16-23:18

¹⁷ Day 107 99:9-23)

¹⁸ Day 103 10:1

¹⁹ HIA10 (1977-1980 and 1982-1985) Day 104 25:10-

²⁰ Day 106 62:12-63:3

sinks and she hated bath time because they were made to wear a cloth for modesty. She also described two girls holding up a sheet for modesty and said they would have bathed quickly because of limited hot water. The water would have been changed after a few girls had bathed and they would use carbolic soap. The nuns would not have bathed the girls but older girls would have helped younger girls wash and dry property. She did not remember Jeyes fluid being used in the bath but remembered that her head would be checked for lice before they were bathed and again the older girls would have helped the younger girls with this. She said that she felt like a “*spoilt brat*” when she left the convent because they had running water, baths and indoor toilets²¹. HIA103 (1960-1965) says that SR122 bathed them in Jeyes fluid and iodine if they had sores and accepted that this was seen as a way to help sores heal. HIA62 (1961-1974) described bathing in a hospital gown like bathing robes to protect their modesty²². She remembered that initially they bathed in tin baths outside before bathing indoors. Her sister, HIA63 (1961-1967) described 3 tin baths outside, one for each group in the home. She remembered the water being warm but never changed. She said that Jeyes fluid was put into the bath and they wore a pinafore to protect their modesty and were dried with a sheet. DET was used to treat head lice and older children would have looked after each other’s hair²³.

7. HIA124 (1965-1966; 1969) described a type of mentoring scheme within Nazareth House in which an older girl would be responsible for a younger girl and this included making sure the younger girls were brought to the bathroom,

²¹ Day 100 34:7-35:4 and 56:20

²² Day 99 84:20

²³ Day 99 148:5

washed, dressed and ready for inspection²⁴. This is corroborated by HIA117 (1965-1975). She said that she bathed the younger children and in response to a question from Mr Lane, she said that they would wear a hospital like garment during bathing²⁵.

Jeyes Fluid

8. The foregoing review contains a history from numerous residents that Jeyes fluid was used at bath time. It has been disputed by others including HIA30 (NH 1944-1960) who was in Nazareth House from 2-18 years of age and she said Jeyes fluid was used for cleaning only and was not used in the bath²⁶. SR116 also denied using Jeyes fluid in the bath²⁷ as did NL114 who also said that the older children would have used showers and residents would have their own bubble baths and shampoos²⁸. However SR31 said Jeyes fluid was sometimes used when washing hair and when children were admitted into the home. She denied that it would have been used on a regular basis and that a careful check was made of how much was used²⁹.

9. The Inquiry is referred to correspondence from Jeyes fluid manufacturers³⁰ which provides the following information:-

- Jeyes fluid has been on the market in Britain since 1877.

²⁴ Day 96 64:16

²⁵ Day 96 120:6

²⁶ SNB759

²⁷ SNB61978

²⁸ Day 104 106:19

²⁹ SNB60379

³⁰ SNB1667-100673

- Over the decades the formulation has changed. During the relevant period of the Inquiry there were very few rules or regulations concerning the labelling or classification of products such as Jeyes fluid.
- Since 1986 when the classification and labelling regulations first came into operation for products throughout Britain and Europe, the products carried the required health warnings and today the product is classified and labelled as *“harmful on contact with skin and if swallowed. Risk of serious damage to eyes. Irritating to skin. May cause sensitisation by skin contact”*.
- This contrasts with the marketing from 1906 which states the product can be used as a mouthwash or in the bath (diluted 1: 100).
- The earliest label available dates from the 1960s and the product is labelled for outdoor uses with no mention of use for bathing or as a mouthwash.

7. CHORES

1. Paragraph 32 of the 1952 memorandum provided guidance on “*Help in the Home*” and recommended that boys and girls should be expected to take a moderate share in the daily running of the home and that older children, in assisting them members of staff, should progress from light routine tasks, such as dusting, bed making and washing up to skilled work such as cooking, bottling, ironing and making things for the home.
2. The congregation maintains that children were required to do no more than age appropriate chores. As in module 1 the evidence on chores varied greatly and it is submitted that selective memory, revisionism and childhood perception of chores influenced the more extreme descriptions of chores in the Belfast homes.

Review of the Evidence

Nazareth Lodge

3. HIA24 (NL1929-1936) said they had daily chores and that the dormitories were kept very clean: “*Q. Well, can I also ask you – one of the things you talked about was you had chores to do every day also, cleaning the dormitory and that, and you and your friends? A. Oh, yes. Q. Turned that into a game and had races to see who could do it. A. Yes. Q. Quickly. A. The dormitories were kept very clean, polished, floors were polished and you would race under the beds and see who would win the race, you know. That was acceptable, because you were really cleaning up the place*”.

4. In his statement to the Inquiry HIA99 (NL 1937-1941) said that polishing floors was part of the normal routine and he did not feel threatened when doing them. A Sister supervised them as they polished¹. However in oral evidence he claimed that he felt threatened when polishing the floors: *“Q. You talk about polishing the floors, but you didn’t consider that – you quite enjoyed that? A. Well, I took that in my stride, because I felt I was on my own group of boys and was doing something. The only – I always tried to make it in the middle of the group that was on the floor so as I wouldn’t have been on the outside and somebody would take a kick. I always felt vulnerable on the outside...”*².
5. HIA24 (NL 1945-1953) told the Inquiry that they were supervised as they cleaned the dormitories for which they used a heavy polishing machine and if it was not done properly *“you’d get a clout”*³. He said they had to scrub the floor the odd time but his memory on this was vague.
6. HIA422 (NL 1962-1968) said they always had chores to do. He had good memories of SR150 whom he remembered with fondness. She used to help out by brushing up the linen room⁴. On one occasion he was given a wire brush to clean the chimney. In his statement to the Inquiry he stated that the Sisters reprimanded NL4 for picking on him to brush the floor in the dinner hall. He described NL4 as a bit of a bully and was wicked if she caught him out of bed

¹ SNB279 para 20

² Day 82 1:11

³ Day 83 77:8

⁴ Day 85 40:21

and in his statement said that one of the nuns reprimanded her and she was nice from then on⁵.

It is submitted that great weight should be attached to this evidence. It demonstrates the reasonableness of the chores which were expected of the children and also the readiness of the Sisters to correct lay staff for mistreating children.

7. HIA56 (NL 1959-1968) was in Nazareth Lodge during the same period as HIA422 and it is submitted that this evidence is also significant in bringing perspective to the nature of the chores which were expected of children. He told the Inquiry that they had to do chores in the home once a week. *“The floors in the chapel had to be waxed. The chapel was on the first floor. Some boys had to put orange wax on the floor and then we put a blanket around our feet and ran up and down the corridors. It was fun at the time but you had to do it a lot”*⁶. He said he also did the odd job in the kitchen that allowed you to stay up an extra two hours. He washed up and cleaned the floors and was allowed to eat snacks.
8. HIA147 (NL 1960-1966) told the Inquiry that they had to make their own beds, clean the baths and polish the corridors and floors with an orange wax using bits of blanket. He did not accept the chores were age appropriate. This evidence contrasts with that of HIA422 in respect of the same period. It demonstrates the challenges which the Panel face having regard to the spectre of false memory.

⁵ Day 85 51: 8

⁶ Day 87 93:25

People remember events differently from the way they happened and in some cases remember events that never happened at all. Such memories can be very vivid and can be expressed convincingly.

Nazareth House

9. HIA387 (NH 1953-1961) told the Inquiry they were worked like little slaves. She described how they would clean and polish the floors and stairs with cloths tied to their feet; do the washing; gather wet sheets up and take them to the laundry and kneel at the top of the dormitory darning socks. She said that Sisters “*were trying to break us down*” and she thought she may have been made to do these chores because the nuns saw her as being defiant⁷. This evidence stands in stark contrast to that of HIA250 (NH 1955-1972) who was in the home during the same period as HIA387. She described in her evidence how everyone had to do chores and the older girls were responsible for making sure all the younger ones did their chores. “*That would be common practice. Someone washed the dishes. Someone else dried them*”⁸. In the earlier days they had to polish the floors at the weekends. “*We turned it into a game. We put the wee ones on the cloths and ran them up and down the floors and eventually we got a big buffer*”. She described how at the age of 14 she did chores in the old people’s home: “*when I say work, I was only going to set the tables with the china for their tea or high tea and things like that*”. She described how they served the old people their meals and sometimes provided entertainment for the elderly including drama, dance, music and choir. She was

⁷ Day 92 69:4

⁸ Day 100 31:6/7

asked by Inquiry Counsel about other complaints to the Inquiry of being required to work in the old people's home at a younger age: "*Q. I was talking to you earlier and I was saying to you that some people had complained to us that at a much younger age they were expected to go over and help out in the old people's section. In fact some of them had to actually wash the dead bodies. Q. Do you ever remember anything like that? A. Absolutely not, No. Q. Do you ever remember any of the elderly dying and being taken to see them? A. Yes. No. because, do you see, the only experience that children now would have had in that would have been when the coffin was left in the chapel, because it was left open. You know the way – that's my experience of it. I didn't know what death was all about because there was very little of it in my time*".

10. It was HIA117 (NH 1965-1975) who claimed she worked with dead bodies. She recalled the shock of her first experience and the matron saying to her "*HIA117, don't worry about the dead. They'll not hurt you. It's the living that's hurting you*"⁹.

HIA 161

⁹ Day 96 98:14-20

For the avoidance of doubt these allegations are emphatically rejected by the congregation. Another witness from the same period as HIA117 who made similar allegations about washing dead bodies is HIA257 (NH 1961-1966 and 1966-1976). It is submitted that the following extract from the evidence reflects the true nature of the chores which children were expected to carry out and how the Sisters wanted the best for children in their care:-

“But I wanted to win the prize. The whole thing, you know, that I tried to point out to you earlier is that everything was a competition. Everything that we did with each other was to see who was best from cleaning the floors to singing, to whatever, to dancing - Q. Well, on the subject of chores. A. And we were encouraged as well. Whatever we were good at we were always encouraged. Q. The nuns encouraged you to be the best you could be at whatever it was you wanted to do. A. Yes, yes. I mean, I was allowed to take the record player in. I used to go into SR199's classroom on my own and take the record player with the Irish dancing tunes and I would have danced every day on my own. Q. In paragraph 15 of your statement you talk about chores and there is a number of matters that aren't in the statement that I just from our discussion earlier I want you to explain to the Panel, because the Panel has heard a lot of evidence about the extent of chores that were required and the - as I said to you, the Order have said to the Inquiry again in your replying statement, paragraph 7, 2039 -- they say yes, chores were engaged in, but they weren't excessive. That's something you 2 agree with. The point you were making to me earlier was³ that it was on a Saturday that there was the polishing⁴ of the floors --

5A. Absolutely.6 Q. -- that took place.7A. Yes.8Q. The one aspect of polishing that took place on a Friday9 was the school classrooms.10A. Classrooms, yes.11Q. So the school classrooms were done after school on12 a Friday.13A. Yes.14Q. Then the rest of the home, including the chapel, was15 done on a Saturday.16A. Yes.17Q. But there was no floor polishing going on during the18 week.19A. No.20Q. Also there was -- 21A. Sorry. That's not to say that we didn't tidy up during22 the week.23Q. Yes, but --24A. We tidied up. Obviously you had the dishes to do or25 whatever and everybody had their job you were allocated, whatever it was that you were asked to do, but the floor polishing itself was a Saturday and a Saturday only. The, come Easter, it would have been -- because Easter -- the Easter calendar within the church is one of the most important times of the year. So therefore before Easter we would have been washing the walls down, sometimes standing on top of chairs, sometimes using mops with rags over them -Q. Yes. Just -A. -- doing the walls. Q. -- you got ahead of me there. A. Sorry. Q. You're okay. I was just about to say to you there was a deep clean, as it were, which the kids helped out with at Easter - A. Yes. Q. -- which included the likes of cleaning down the walls and so on. A. Yes. Q. The point you made to me this was just on a grander scale than you might get your own children to do. A. Absolutely. Q. The floors, you pointed out a number of them weren't the parquet floors. They were, in fact, marble floors. A. That's right. All the hallways were marble.

They were dealt with -A. With a mop and maybe a scrubbing brush as in a deck scrub with a handle, but we didn't have to get down on our hands and

knees and do that, no. We usually used a mop. If there had been a stain or something, you would have got it out. Don't forget the school basically went through the large hallway. So there might have been chewing gum, things like that there. So you would have got a knife and scraped it or tried to scrub it with a scrubbing brush by hand, but in general we didn't have to get down and mop the marble stone floors, no. Q. So you didn't see the cleaning role you were asked to perform as a punishment? A. Not at all. Q. You saw it as that's what has to be done to keep the place in good shape? A. It obviously helped me for later life, as I feel it is important for my own children to take a role in their house to help them, that when they get married or whatever, they'll be able to keep house. It teaches you cleanliness or whatever. So -- and when we polished the floors, it was a game. It was an absolute game. Someone polished the floors. It was a big thing to see who was going to -- we all lined up. A square room. We all lined up at the top once the floor was polished and it was to see who got down on their hands and knees to the bottom. Q. Miss Turley has just reminded me that you mentioned to me earlier about baking. It is not in your witness statement, but that that was something that you had an interest in. You were encouraged and they helped you learn. Just when you talk about being in a position to keep house -A. Yes. Q. -- baking was something that you learned. A. Yes. Basically I used to bake at school. You had to bring the ingredients. You had to go up and get the stuff weighed out or whatever. So I asked if I could bake whenever, Saturday or whatever. I was never told no. In the end I didn't ask. I just went and did it¹⁰."

¹⁰ 100:85:4 to 89:16

8. SEXUAL ABUSE

1. In her opening address in module 1, Senior Counsel to the Inquiry stated:-
 - Prior to the late 1970s and early 1980s sexual abuse of children was not a topic for discussion and many people were unaware of its existence;
 - Until the abuse of children was accepted as occurring within the community generally, the chances of a complaint of abuse in residential care being believed or taken seriously would have been much lower than today and this *“accords with reactions received by those individuals who have come forward to this Inquiry, who allege they did tell staff members about the fact that they were suffering sexual abuse but who were not believed”¹*.

2. Knowledge gained since the 1980s reflects the breadth and scale of child sexual abuse in society. NL180 told the Inquiry that child sexual abuse was not part of her initial social work training and it came to prominence around the mid 1980s and even then there was a lot of confusion about the management of reports of child sexual abuse. She said the mid 1980s was marked by a shift in emphasis within social work towards believing children. She testified that this resulted in a thorough investigation into each complaint, no matter how minor it may have appeared, and as a consequence this damaged staff moral. She proffered this as a reason why child residential care was not an attractive option for social

¹ Day 1 19:25-20

workers. Since then it has become a more professionalised service whereas previously not all staff would have been professionally qualified².

3. NL191 qualified as a social worker in 1976. The focus during her time in child care was on physical abuse (non accidental injury), neglect or emotional abuse of children rather than child sexual abuse other than in incest. Child sexual abuse in other settings did not become a major issue until the mid 1980s. She said guidelines on child sexual abuse did not develop until after she left child care in 1987.
4. In 1972 the Castle Priory Report "*Residential Task in Child Care*" stated that residential child care must now be recognised as a professional task which is different from the traditional concept of substitute parenthood and that residential staff needs to be better trained in communicating with children. The Hughes Inquiry noted the considerable difficulties which had been experienced in the recruitment of staff to work in children's homes and hostels including unsocial hours, the requirement to live in, the stress of caring for disturbed children, low professional status and low pay³. In its evidence to the Hughes Inquiry the DHSS advised "*there were a few (and possibly no) professional qualified people in either the statutory or voluntary residential care sector in the 1960s*"⁴.
5. The accepted barriers to children reporting sexual abuse or help seeking are illustrated by the evidence to the Inquiry. With singular exceptions, those who

² Day 104 61:7-64:2

³ The report of the Committee of Inquiry into Childrens Homes and Hostels, 1986 Page 21 para 2.37

⁴ Ibid Page 21 para 2.38

were victims of sexual abuse did not report this to the Sisters or day workers. Grooming and predatory behaviours would not have been picked up until at least the 1980s. There are isolated accounts of nuns witnessing sexual abuse such as HIA41 and HIA50 which are flatly rejected. The former alleged that Brendan Smyth sexually abused children in the presence of SR62 whilst she was knitting⁵. The latter alleged that SR2 witnessed Brendan Smyth subject him to anal rape. He said that SR2 locked Brendan Smyth and him in a room (from the outside); unlocked the door and looked in as he was being anally raped before shutting the door quickly after saying “*Oh, I apologise*”⁶. This is in stark contrast to the evidence of DL40 who said that Smyth’s abuse was never perpetrated in the presence of others and he made sure that he was alone with his victims⁷. He received correspondence from Brendan Smyth but the sisters did not enquire why Smyth was writing to him; he thought that the nuns were just glad that people were writing to the children. He testified that sexual abuse did not come up as an issue and everyone knew it was off everybody’s radar. He said that Smyth did not give any cause for concern and had “*a persona of a man of kindness*”. Even today, there remain significant challenges to professionals investigating allegations of child sexual abuse given the paramount interest of child protection whilst at the same time protecting adults from false accusations. The Panel is referred to the evidence of HIA10 and her dramatically differing versions of alleged abuse. In her statement to the Inquiry she alleged that SR46 took her on one occasion to meet Brendan Smyth when he sexually assaulted her by touching her. In other words this was confined to one incident of indecent assault. When interviewed by the police in August 1995 she said she did not

⁵ Day 89 122:8

⁶ Day 90 34:11-41:19

⁷ Day 85 80:15-95:90:6

recall a priest by the name of Father Brendan Smyth and yet in 2007 she instigated a criminal injury compensation claim in which she alleged that she was “*systematically abused sexually and groomed for sex...forced into intimately touching and giving oral sex to Father Smyth. I was raped on numerous occasions. I can remember trivial details like humbugs being given to me by the priest but can’t remember how many times I was raped. I would estimate (conservatively) 10-20 times with other sexual acts happening about the same number of times. This occurred over a period of one year*”. In August 2012 the applicant asked the Compensation Agency to destroy her criminal injury file. Fortunately it was not destroyed and hence the evidence before the Inquiry⁸. The Panel is also referred to the unreliable evidence of HIA48⁹. She too made allegations against Brendan Smyth but in her police statement of July 1995 she said “*during my time there I was never sexually abused by anyone. Although I got the odd slap on the ear for wrong doings, I have no complaint to make about anyone in the home about my treatment there. I don’t have very clear recollections about my time there and do not recall Father Brendan Smyth*”. This witness was also prepared to wrongly accuse the nuns as being responsible for her withdrawal of evidence in a criminal prosecution against an adult male who lived near Nazareth Lodge and with whom she had a sexual relationship.

6. The Inquiry Panel will bring its own expertise to bear on the aforesaid issues. To avoid unnecessary repetition, we refer to our submissions in Module 1(chapter 10) that the sisters were keeping pace with the developing knowledge of child

⁸ Day 104 29:4-30:13

⁹ Day 108

sexual abuse and that it was not aware of peer sexual abuse or sexual abuse by adults in the home until disclosures made in recent years. If the Inquiry is satisfied reports of sexual abuse were made to individual nuns or lay staff prior to the 1980s, consistent with Inquiry Counsel's opening as aforesaid, it is not surprising that any such reports were not believed. Applying the standard of the day, it is submitted there was no systemic failing by the congregation in its management of sexual abuse.

Review of the Evidence

Nazareth Lodge

7. HIA204 (1929-1936) told the Inquiry he suffered sexual abuse at the hands of older boys and that the nuns were unaware that this was taking place¹⁰. HIA99 testified that he did not think the Sisters would have been aware of sexual abuse happening in the home¹¹. HIA24 said he did not know whether the Sisters in charge knew of peer sexual abuse. In answer to a question from Ms Doherty HIA24 (1945 to 1953) said that sexual abuse was probably not done when the Sisters were about¹². HIA89 (1943-1953) also told the Inquiry that he did not know whether the nuns would have known of peer sexual abuse¹³. HIA36 (1960-1968) told the Inquiry that the nuns and staff would definitely not have been aware of sexual abuse in the home¹⁴. He also told the Inquiry that he did not feel he could talk to anyone about the sexual abuse because of it was vile

¹⁰ Day 82 7:4-8:20

¹¹ Day 82 71:17

¹² Day 83 90:4

¹³ Day 83 16:19

¹⁴ Day 86 21:5-36:8

and disgusting. The same sentiments were expressed by HIA147¹⁵. HIA147 said that upon his return to Nazareth Lodge to visit in 1979 he told NL5 what had happened to him but she told him not to tell the nuns. NL5 denied having any conversation with HIA147 about sexual abuse¹⁶.

8. HIA56 (1959-1968) said that he pointed out NL116 and told SR47 that he had “*done dirty things*” to him but he did not know how she reacted¹⁷. HIA19 (26 February 1968-16 August 1968) stated that he reported an indecent assault to SR47 and that she brushed it off and did not believe him. HIA19 believed that the boy who had abused him was aged around 16 or 17 at the time whereas he would have been 11 years of age.

Nazareth House

9. HIA161 told the Inquiry of being sexually abused when staying with a family during the summer. The offender was a married father and was a well respected member of the community. The Hughes Inquiry found that there was no evidence that children had complained about him or that children had presented as distressed. The Hughes Inquiry also stated at para 9.7 (SNB 50346 – 50350) that prior to 1972 there was no statutory procedure relating to the public visiting children’s homes and taking children out socially and it was not until July 1972 that Mr Bunting, the then children’s officer in Belfast, wrote to Nazareth Lodge asking the home to ensure that the welfare department was *notified* and couples or families *approved* before children were allowed out of the home even for day

¹⁵ Day 87 72:20

¹⁶ SNB80041

¹⁷ Day 87 121:23-127:2

visits. *“Mother Paul, the current Sister in Charge, gave evidence that the home was aware that procedures had been laid down by the Board that no child could receive a visitor nor could a visitor take a child away from the home without the prior approval of the field social worker responsible for the child. Such approvals were generally sought from the social worker by telephone rather than in writing. Where it was pre-arranged that the child could be taken from the home at specified intervals, no further permission was sought from the social worker for subsequent regular visits or outings. Only if the visitor wished to take the child from the home on an extra occasion would the social worker be contacted again”*¹⁸.

10. HIA195 (1971-1977) alleges she told SR31 of being abused by Brendan Smyth but this was denied by SR31 during police interview¹⁹.
11. The panel is referred to the evidence on how expertly and carefully the congregation dealt with a complaint by NL164 in 1994 of inappropriate sexual behaviour by another resident. Social services and the police were notified and following an investigation the North and West Trust assessed the incident as relating to adolescent behaviours. The congregation was dissatisfied with this outcome and referred the matter to its management committee. NL164’s social worker said there was clear evidence of actions being taken by the congregation to safeguard NL164 and by immediately removing him to another unit to ensure there was not contact with the perpetrator (see SNB 6095/6 and Day 105 61:5). The latter precaution also highlights the separation of the three distinct homes in

¹⁸ SNB50346-50350

¹⁹ Day 101 66:4-70:22

NL at that time and is consistent with the evidence of the congregation that generally the groups did not mix and the sister in charge of one unit would not know how the sisters in charge of the other homes discharged their employment and in particular how they were caring for the children in their unit. This is further corroborative evidence that a sister in one unit would not have known of excessive corporal punishment being administered in another unit unless it was reported to her.

12. The Panel is also referred to the manner in which the congregation responded to the sexual assault of HIA141 by an adult male trespasser²⁰. The incident was reported immediately to police; HIA141 was examined by a doctor and social services were informed. The senior social worker reported that children had been allowed outside again after tea because it was such a nice evening. The children were playing in the small field bordered on the right by the larger field in which older children played and, on the left, by tennis courts belonging to the local RCC. These were accessible by the general public. An adult male approached the children through the tennis courts and sexually assaulted HIA141. The social worker noted the exceptional circumstances in which this offence occurred. Normally the younger children would not be outside on their own but in this evening the older children were at a display in Ormeau Park. Usually they would have been in the larger field²¹. It is recorded that the House Mother and the Sisters were shocked by what had happened and they would be much more careful in the future. Social services considered the overall care in the home was good although sometimes there was tardiness in notifying the

²⁰ SNB46637

²¹ SNB46639

board of incidents and the home was a little vague about procedures to follow²².

It is also observed that the building is extremely extensive which makes the actual run of the home very difficult.

²² SNB44319

9. PHYSICAL ABUSE

1. The Inquiry has emphasised the importance of not judging past events by today's standards. Practices in child care have developed and changed over the years. This is as relevant to physical chastisement as it is to other systems failures.

2. We have provided a spreadsheet of all the Sisters who cared for children in the Belfast homes during the relevant periods. We have endeavoured to list the number of complaints against each Sister. If there are omissions, this is inadvertent. The purpose is to demonstrate that no complaints of physical abuse were made against the vast majority of Sisters. We are mindful of the phrase "*lies, damned lies, and statistics*" and it is a matter for the Inquiry what it extrapolates from these statistics but we submit, that having regard to the thousands of children who passed through the Belfast homes, the vast majority did not suffer excessive physical chastisement and the congregation's policy of no corporal punishment was, in the main, complied with.

3. The congregation has concerns about the reliability of some of the evidence which the Inquiry has heard. It is at a disadvantage by reason of the absence of contemporaneous records throughout the relevant period. In the following paragraphs we provide a sample of some of this evidence. We acknowledge the Inquiry is not making findings of civil or criminal liability. However in order to determine whether there is a systems failure in respect of physical abuse, whether by reason of monitoring Sisters and lay staff or by failing to act in the knowledge, or means of knowledge, of physical abuse, it is necessary to

consider what weight to attach to the allegations which have been made. This is not to diminish or to detract from the unreserved acceptance by Sister Brenda on behalf of the congregation that some children did suffer physical chastisement. However, we do submit that much of the evidence requires to be treated with circumspection. The Congregation does not accept it had knowledge of excessive physical chastisement and the panel is referred to the evidence of Sr Brenda Mc Call on this issue.

4. HIA195 (NH 1971-1975) testified that she was treated as a “*punch bag*” by SR31 although there were good times as well as bad times with SR31. HIA195 and her sister did complain to their social worker about how SR31 treated them. They felt that she had picked on them in front of the group and they accused her of being violent towards them. The social worker stated: - *“Again it is difficult to know whether the children are exaggerating or if they have developed a persecution complex that SR31 is against them. She has always talked to me about the girls with affection although she implies that they have to be corrected all the time as they tend to be the instigators in group arguments etc”*. SR31 was interviewed in 1996 about these allegations which she denied and said that HIA195 was considered by other children in the group as her pet and they would tease me that HIA195 *“couldn’t do wrong”*¹.
5. The social work notes establish that HIA195 and her sister did feel able to report SR31 to their social worker and yet, despite the history of repeated physical abuse, this is the sole complaint which they made. We respectfully submit that

¹ SNB60335

if the physical abuse was to the extent alleged, HIA195 and her sister would not have hesitated to report same to their social worker.

6. HIA5 (NL 1982-1985) told the Inquiry that SR46 terrified him when he was in Nazareth Lodge. She nipped him on the arms and thighs, poked him and beat him across the back of the legs with a walking stick causing him cuts and bruises for which he did not receive any medical treatment². In her evidence SR46³ told the Inquiry that she was in her 30s when HIA5 was in Nazareth Lodge, that she did not use a walking stick nor has she ever done. She did not wear steel rosary beads as alleged, her rosary beads were made from light wood and they were not worn when on duty. She denied that she ever nipped or pinched children nor did she ever witness this taking place.

The contemporaneous social work notes of 18 November 1982 state:- *“HIA5 is a lot more settled than (his brother) but tends to be very nervous. He can be very quiet and takes fits of screaming usually in the early part of the morning. He gets on well with the children, he is quite popular”*⁴. These sound like night terrors which are not necessarily related to anxiety nor are they necessarily related to his treatment in the home.. The Panel is referred to the November 1983 review⁵ which records that HIA5 is much more settled and confident in himself at school. He accepts and gives affection freely and is always *“coming for love”*. He is easily upset if not noticed. *“He is friendly and natural, normally talkative, may open conversations. Does what he is asked to do and is*

² Day 89 43:16-44:8

³ Day 93 55:1-58:10

⁴ SNB40050

⁵ SNB40061/2

always willing to help. He is honest with things, tells lies mainly to avoid rebuke". The review also records that like his brother, HIA5 "is very happy in his day to day living both at home and at school. He looks forward to his visits with his parents at the weekends but is quite happy to return to NL and shows no emotional upset in his return".

HIA5's social worker, NHB136, told the Inquiry that social workers needed to be vigilant always and she felt that both HIA5 and his brother trusted her enough to confide in her. She took them for medicals and the doctor did not report anything untoward. She saw the boys a lot, driving them backwards and forwards to their home. She had a close relationship with the school they attended and she felt that if the teachers had noticed anything untoward they would have told her if a child had come to school with a bruise.

7. NL92 alleged physical abuse. Social Services investigated and a GP reported that her marks were not consistent with her account.
8. HIA149 (NL 1968-1977) alleged that **SR29** witnessed him being sexually abused by Brendan Smyth in 1971. This was denied by Sister **SR29** who was not in Nazareth Lodge in 1971. Moreover in his criminal injury claim a police note that HIA149 did not give any witness details⁶. This is a paradigm example of erroneous memory.

⁶ SNB32014

9. IN 1995 HIA 154 (NL 1973 to 1975) said she did not suffer any physical abuse but changed this in 2012 to alleging she did suffer physical abuse but did not remember their names.⁷

10. In January 1995 NL8 in her initial interview by the police made no formal allegations of either physical or sexual abuse against any person whilst any person while she was in Nazareth Lodge and she could only recall one matter worthy of mention regarding a minor incident which occurred in the girls toilets involving a male member of staff being present at the same time. However in July 1995 she changed her account to make a number of serious allegations of assault against a lay member of staff. She also alleged NL48 was also beaten but the latter had no recall of same when she was interviewed by the police⁸.

Complaints Procedures

11. There were in existence many formal and informal avenues for children to make complaints about their treatment in the home. For some there was ongoing contact with family and relatives. There was contact with teachers and voluntary visitors and there have been some instances where children simply presented themselves to police stations. There were voluntary workers, lay workers and in later years social workers, key workers and voluntary visitors. Telephones were also available. When asked did children complain, SR30

⁷ Day 113:132:15 to 21

⁸ SNB60472.

replied that they complained all the time about everything but that there were no major issues or complaints⁹.

12. NL233 testified that in the 1980s there was a complaints mechanism which allowed the children to get in touch with their social worker between visits¹⁰. NL164 would have phoned the social worker and NHB136 testified that social workers were always vigilant and she felt that HIA5 and his siblings would have trusted her enough to make complaints to her¹¹. The Panel is referred to the social work assessment of NL97 and his siblings¹² *“the younger siblings seemed to look forward to social work visits and the trips out in the car. They talk incessantly and appear not to have too many problems”*.
13. There were many examples in the evidence of complaints and reports being made to social workers directly by children. For example HIA195 complained about SR31 in 1973¹³. HIA175 reported her brother’s bedwetting to the social worker in 1969: *“HIA175 mentioned that (her brother) bedwets but SR31 says he has improved lately”*. SR156 told the Inquiry that the children were free, if they had a complaint to ring their social worker¹⁴.
14. The 1990/1991 monitoring report stated the arrangements for visiting fieldwork staff are considered to be excellent¹⁵.

⁹ Day 93 118:24

¹⁰ Day 105 55:13-16

¹¹ Day 106 27:25

¹² SNB44324

¹³ SNB46676

¹⁴ Day 93 43:3-5

¹⁵ SNB1440

15. NL97's mother complained to the Mother Superior and to the police about an incident involving SR62 who admitted spanking him twice with a stick for indecently assaulting a girl¹⁶. The background to this was that the previous week NL97's mother had complained to the Mother Superior about his immoral habits¹⁷. In August 1980 his social worker recorded that he was liaising with the Reverend Mother at Nazareth Lodge about allegations made by NL97 about a staff member which proved false¹⁸. In his police statement NL97 stated: "*There were other occasions when I was beaten by staff at Nazareth Lodge maybe for misbehaving. I didn't mind if I deserved it*"¹⁹. In October 1971 the social worker reported: "*I have a high regard for the staff in general – SR62 is in charge of the younger children and has been very helpful and understanding. She has difficulty coping with [NL97'S mother] and said she was a disruptive influence. She remarked that the mother undoes all the good in one afternoon what she tries to do all week. I am sure that this is true but I pointed out that the mother must have access to her children and tried to show her that she gives [NL's mother] more of her time and attention she won't be so disruptive...The Sisters admit that they have never had a more difficult family or a more difficult mother to handle...In my opinion the children, in spite of all the mishaps have gained from residential care*"²⁰. NL's mother is described as being very aggressive verbally and having a very unsettling influence on the children whom she had taught to be deceitful and cunning. The conditions of their home are

¹⁶ SNB60084

¹⁷ SNB60083

¹⁸ SNB44346

¹⁹ SNB60624

²⁰ SNB44320

described as appalling. The foregoing is an illustration of the challenges facing the Sisters in respect of some of the children who came into their care.

16. Prior to complaints procedures being formalised, SR30 dealt with the complaints from children about how they were being treated at school and, in particular, how a teacher said *“the home children can pick up rubbish in the playground”*²¹. The 1983 Swag report recorded that incidents of misbehaviour by children were dealt with in a variety of ways including the withdrawal of privileges and the inspector’s considered that the forms of discipline about which they were informed were not excessive other than the practice of reducing pocket money for misdemeanours²²
17. The 1989 monitoring statement recorded that there was no corporal punishment in the home and that control and discipline is necessary as exercised by the temporary removal of privileges²³.
18. The 1992 SSI inspection reported that a complaints procedure had been established in Nazareth Lodge since 1985 and had been updated in light of the Board’s new complaints procedure. One complaint had been received since the last inspection and was a complaint from a parent alleging that her child had been beaten by staff. The staff concerned had restrained the resident as advised by the Child Care Centre and child psychiatry *“it was thoroughly investigated both by the Sister in charge, the team leader and the unit of medical staff. After discussion with the parents she withdrew the complaint and said she was*

²¹ Day 93 125:2-18

²² SNB50513

²³ SNB14376

satisfied with the explanation given. The complaint was fully written up and there was a letter on the file from the unit and management saying that they are satisfied with the explanation and felt that the complaint was grounded"²⁴.

19. The 1993 SSI inspection recorded that no sanctions book was maintained in the units and in their absence, sanctions should be recorded either daily or in individual logs.

20. The 1994 SSI inspection made a number of positive comments about the standard of care in Nazareth Lodge: *"It works on a one-to-one basis, trying to nurture and stretch children to the best of their ability. Nazareth Lodge provides high standards of physical and emotional care for children – it emphasises treating children as individuals. It delivers a high level of primary care and work in social and personal developments despite the adverse structure and layout of the building"*²⁵.

21. The 1995 SSI inspection recorded that Order was maintained by personal influence and behaviour was dealt with by a range of sanctions e.g. time out in bedroom, additional chores, deprivation of a personal possession, outing or TV programme or a minimal fine or making payments towards restitution.

²⁴ SNB15252

²⁵ SNB13877

10. CLOTHING AND NUMBERING

Numbering

1. The terms of reference of the Inquiry require it to consider whether abuse *took the form of adopting or accepting policies and practices such as numbering children*¹.

Section 11 (2) (a) of the Children and Young Persons Act (Northern Ireland) 1950 included a failure to provide adequate clothing in its definition of neglect. It is submitted that having regard to the totality of the evidence in this module and in module 1 that allegations of children being known only by their numbers is a myth which should be dispelled on the basis that numbering was used solely for the purposes of laundry. As a matter of common sense, it would be virtually impossible to remember each child's number and there is no suggestion that children were called by number when at school. Bearing in mind that for a substantial part of the relevant period a number of Sisters were full time teachers as well as carers, it would not have been feasible for them to switch from numbers to names and vice versa. We highlight the evidence of HIA250 who was in Nazareth House from 1955 to 1972. She did not remember ever being called by a number but did recall that the children all had their own hand made cloth toiletry bag with their name written on it which she still has to this day and she showed same to the Inquiry². HIA61 (NH 1961-1971) said they were all given numbers the nuns could use to identify them but at a later stage the Sisters

¹ HIA043

² Day 100 23:16-25

started to call them by their surnames³. It is submitted that this applicant's memory on the use of numbers is erroneous.

2. HIA63 (NH 1961-1967) was asked about numbering as follows: *“Q.You were given numbers in the home and you were number 14. I was asking about this because as you are aware, the congregation said that numbers were only used for putting out laundry to make sure that you got the items back that you normally wore. Would you accept that? A. Well, for myself, Yes because I was addressed by my name or “Miss HIA63” whatever the case may be but I cant speak or I don’t know about other people but for myself I was addressed by my name. Q. Did you remember the number 14 being used? A. Yes I do Yes. Q. You will accept that was used when the laundry was being distributed? A. Yes, Yes. Q. You said there that depending on what the circumstances were you were either called “HIA63” or “Miss HIA63”. Is that right? A. Yes. If you had been naughty or done something wrong or in trouble, it was “Miss HIA63”.*

Clothing

3. With regard to clothing, the standard applicable is adequate. Some residents have complained about the quality of clothing. The congregation assert that throughout the relevant period they provided the best clothes possible having regard to their funding and the standards of the day.

³ Day 99 7:6-15

4. The Council books in Nazareth Lodge record that on 21 September 1924 it was thought necessary to get jerseys and clogs for the boys⁴. More clogs were purchased on 7 May 1925⁵ and on 16 March 1925 the Council voted to give boots and slippers for the boys⁶ and a set of over coats was necessary. On 13 February 1922 the Council notes record it was considered necessary to buy a set of shoes for the children, material for dresses and pinafores and also some sheeting. On 13 July 1931 the Council records "*it was decided to get some veiling and some cashmere for the Sister's use, also material for a set of winter dresses for the children and a set of winter hats too*". HIA 387 (NH 1953-1961) complained that their clothing was not warm enough for the winter days. There were a few such complaints to the Inquiry but, ironically, fast forward to 1990 at a time when the Boards were funding the children in the Nazareth homes that the SSI inspection report noted that the children were wearing their summer outfits in December, winter clothing having not yet been purchased as the amount of money made available for the purchase of clothing was constrained by the pre capita payments to the home⁷. Whilst this may have been an exception, this was not the fault of the congregation and it is ironic that the children in their care at the beginning of the century had adequate winter clothes at a time when they had no public funding in contrast to the end of the century when funding was the responsibility of the Boards. The policy in the early years was very much making do and mend and like most large families, a lot of

⁴ SNB11778

⁵ SNB11780

⁶ SNB11780/11782

⁷ SND9722 para 39 and chapter 1 para 16 herein

clothes were hand-me-downs⁸. As social workers became involved they took children to buy clothes using their clothing allowance.

5. HIA99 (NL 1937-1940) had no complaint about the clothes other than his pants being too tight for him⁹. HIA21 (NL 1957-1968) felt the clothes were of a reasonable standard¹⁰ and HIA422 (NL 1962-1968) described various pieces of clothing provided, corduroy shorts, trouser suit and old clothes given to the children to play in up the back fields¹¹.

6. HIA36 (NL 1960-1968) said: *“We were sort of kind of a way privileged, you know, and we had sort of maybe more outings, we got more places, we were looked after kind of a bit better and dressed better. I suppose my mother would have knitted a lot of stuff for me and you know you kind of a way you had your own clothes and all. Q. Because you were allowed to keep the clothing she sent in. A. Well it wouldn’t have been the first time that somebody else would have been going out wearing my clothes and she wouldn’t have been coming in you know but that was just the way things were you know. It was... Q. But the Sisters didn’t keep clothing from you? A. No. Q. You were able to keep... Q. Maybe other boys took your... That was... they would have just dressed anybody up in what was available like. I mean that’s the way it was, you know”*.

7. HIA259 (NL 1972-1974) complained that they were always dressed the same which made her feel ridiculous and they never got to wear what they wanted and

⁸ HIA24 Day 83 71:7-14

⁹ Day 82 80:2

¹⁰ Day 84 78:10

¹¹ Day 83 35:10-17

were just basically given what they were told to wear and that was it¹². However SR30 said *“Now they didn’t stand out, you know, in the sense that they had all the same uniforms or clothes or anything like that. We tried to make everything as normal as possible for them and even when – like for the girls especially, when they were doing home economics, we made sure they had every single thing they needed so that they weren’t standing out, you know, as children from the home. Same with their uniforms. They were always the best kept, but you didn’t – I didn’t – I was very protective of the children in the group”*¹³. HIA223 (NL 1951-1965) told Mr Lane that the Sisters made school blouses for them¹⁴.

8. HIA368 (NH 1969-1971), the brother of HIA175, alleged that someone from social services would take them out to buy clothes and whatever else they needed but as soon as they went back home, their purchases were removed from them and that they tried to tell the social workers what was happening. However the Board confirmed to the Inquiry that they have no record of any such complaints which are denied by the congregation.
9. The 1983 Swag report recorded that primary workers attended to the material needs which was helping young children choose their own clothes¹⁵ and that the Sisters undertook much of the purchasing of clothes for the children although staff may accompany the young people on shopping trips. Older residents were able to make their own purchases and if they wished to use some of their savings

¹² Day 88 98:8-18

¹³ Day 93 156:11-23

¹⁴ Day 95 140:15-19

¹⁵ SNB50510

for the purchase of certain clothes this is accepted¹⁶. In their response of December 1983 the congregation said that clothing is provided and replaced as necessary. The response also stated that the standards of pocket money paid to the children in some of the congregation's homes were the same as in the Boards' homes and in others the rates are close to the Boards' rates as funds permit and that the Order is moving towards the adoption of Board standards in all of its homes¹⁷.

10. The SSI inspection 1993 records that children expressed satisfaction with their clothing and pocket monies although the inspector noted that a practice had developed of children using clothing money to purchase other items.
11. The foregoing highlights the overarching impact of inadequate funding throughout the relevant period.

¹⁶ SNB50514

¹⁷ SNB14327

Sister	Designation	Years present	Complaints made by	Total Number of Complaints
		1922 - 1928		
SR 149	SR 149	1922 - 1931		
		1922 - 1923		
		1922 - 1928		
		1922 - 1928		
		1922 - 1925		
SR 177	SR 177	1924/1938 - 1941/ 1947 - 1956	HIA 335 HIA 85	2
		1925 - 1947/1965 - 1973		
		1925 - 1930		
		1926 - 1928		
		1928 - 1930		
		1928 - 1931		
		1928		
SR 112	SR 112	1929 - 1952	HIA 335 HIA 140 HIA 439 HIA 32 HIA 361	5
SR 184	SR 184	1929 - 1950	HIA 439	1
		1929 - 1936		
		1931 - 1956		
		1932 - 1934		
SR 178	SR 178	1933 - 1947		
		1936		
SR 145	SR 145	1938 - 1956	HIA 85 HIA 166 HIA 361 HIA 95 HIA 30	5
		1937		
SR 183	SR 183 SR 198	1945 - 1961	HIA 439 HIA 224 HIA 234 HIA 30	4

Sister	Designation	Years present	Complaints made by	Total Number of Complaints
		1948		
		1948		
		1949 - 1953		
SR 189	SR 189	1949 - 1959	HIA 161 HIA 20 HIA 85 HIA 166 HIA 224 HIA 234 HIA 95 HIA 30	8
		1955 - 1959		
SR 134	SR 134	1954 - 1970	HIA 9 HIA 29 HIA 28 HIA 37 HIA 103 HIA 14 HIA 161 HIA 20 HIA 166 HIA 223 HIA 234 HIA 328 HIA 387 HIA 95 HIA 62 HIA 63 HIA 197 HIA 43 HIA 84 HIA 30 HIA 61 HIA 171 HIA 327 HIA 430 HIA 52 HIA 316 HIA 124 HIA 117 NHB 57 NHB 58	30
SR 59	SR 59	1957 - 1960	HIA 37 HIA 20	2
SR 31	SR 31	1959 - 1970/1981 - 1982	HIA 9 HIA 29 HIA 28 HIA 37 HIA 103 HIA 14 HIA 161 HIA 175 HIA 195 HIA 20 HIA 39 HIA 74 HIA 223 HIA 224 HIA 234 HIA 328 HIA 387 HIA 63 HIA 197 HIA 43 HIA 84 HIA 61 HIA 171 HIA 327 HIA 430 HIA 124 HIA 117 NHB 58 NHB 88 NHB 93 NHB 95	31
SR 180	SR 180	1959 - 1964	HIA 62	1
SR 122	SR 122	1960 - 1990	HIA 9 HIA 28 HIA 103 HIA 14 HIA 122 HIA 328 HIA 62 HIA 63 HIA 197 HIA 43 HIA 171 HIA 327	12
SR 116	SR 116	1961 - 1967/1988-1990	HIA 9 HIA 29 HIA 28 HIA 37 HIA 14 HIA 161 HIA 20 HIA 223 HIA 224 HIA 234 HIA 257 HIA 328 HIA 95 HIA 63 HIA 197 HIA 61 HIA 430 HIA 52 HIA 316 NHB 27 NHB 95 NHB 96	22
		1961 - 1966		
		1965		
		1965		

Sister	Designation	Years present	Complaints made by	Total Number of Complaints
[REDACTED]		1968		
SR 199	SR 199	1969 - 1980	HIA 134 NHB 85 NHB 13 NHB 82	4
SR 153		1971 - 1973		
SR 18	SR 18	1973 - 1977	HIA 62	1
SR 47	SR 47	1975 - 1985	NHB 88	1
		1976 - 1978		
		1978		
		1979		
		1979 - 1980/1984 - 1985		
		1981 - 1983		
SR 30	SR 30	1982 - 1995		
		1982		
SR 2	SR 2	1983		
		1984 - 1987		
		1987 - 1995		

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Sister	Designation	Years Present	Compalints by	Total Complaints
[REDACTED]		1922		
[REDACTED]		1922		
[REDACTED]		1922 - 1930		
[REDACTED]		1922/1935 - 1950		
SR 118 [REDACTED]	SR 118	1922/1929 - 1954	HIA 33 HIA 408 HIA 87 HIA 99 HIA 192 HIA 204 HIA 24 HIA 89 HIA 183 HIA 427 HIA 448	11
[REDACTED]		1923		
[REDACTED]		1923		
[REDACTED]		1923 - 1929		
[REDACTED]		1923 - 1924		
[REDACTED]		1924 - 1926		
[REDACTED]		1925		
[REDACTED]		1925		
[REDACTED]		1927 - 1932/1947 - 1949		
[REDACTED]		1927 - 1928		
SR 100 [REDACTED]	SR 100	1929 - 1954	HIA 408 HIA 87 HIA 99 HIA 24 HIA 89 HIA 427 HIA 159	7
SR 186 [REDACTED]	SR 186	1931		
[REDACTED]		1934 - 1940/1973 - 1986		
SR 183 [REDACTED]		1934 - 1939		
[REDACTED]		1934 - 1941/1947 - 1948		
[REDACTED]		1935 - 1953		

Sister	Designation	Years Present	Compalints by	Total Complaints
[REDACTED]		1936 - 1951		
[REDACTED]		1937 - 1939		
[REDACTED]		1941 - 1959		
[REDACTED]		1941		
[REDACTED]		1947 - 1949		
SR 101	SR 101	1947 - 1948	HIA 192	1
SR 9		1947 - 1951		
[REDACTED]		1949 - 1950		
[REDACTED]		1949 - 1950/1967 - 1995		
[REDACTED]		1950 - 1951		
SR 154		1950 - 1954/1971 - 1976		
SR 151	SR 151	1950 - 1952	HIA 427	1
[REDACTED]		1951 - 1952		
SR 134		1951 - 1953		
[REDACTED]		1951 - 1952		
[REDACTED]		1952 - 1958		
SR 34	SR 34	1953 - 1973	HIA 307 HIA 422 HIA 16 HIA 19 HIA 36 HIA 41 HIA 64 HIA 104 HIA 110 HIA 152 HIA 183 HIA 225 HIA 259 HIA 379 HIA 427 HIA 132 HIA 159 HIA 247 HIA 160 HIA 388 DL 45 NL 128	22
SR 200		1953 - 1970/1977		

Sister	Designation	Years Present	Compalints by	Total Complaints
[REDACTED]		1953 - 1956		
[REDACTED]		1953 - 1954/1970 - 1971		
[REDACTED]		1954		
SR 71	SR 71	1954 - 1978	HIA 159 HIA 307 NL 128	3
[REDACTED]		1954 - 1960		
[REDACTED]		1954 - 1957		
[REDACTED]		1954		
SR 152	SR 152	1955 - 1960	HIA 159	1
[REDACTED]		1955 - 1957		
[REDACTED]		1955 - 1957		
SR 47	SR 47	1955 - 1975	HIA 422 HIA 41 HIA 64 HIA 152 HIA 379 HIA 159 NL 132 NL 128	8
[REDACTED]		1956 - 1962		
[REDACTED]		1957 - 1958		
[REDACTED]		1957 - 1959		
SR 121	SR 121	1957 - 1971/1977 - 1985	NL 142 NL 8	2
[REDACTED]		1960 - 1962		
[REDACTED]		1961 - 1964		
[REDACTED]		1961		
[REDACTED]		1962		
SR 173		1962 - 1964		

Sister	Designation	Years Present	Compalints by	Total Complaints
[REDACTED]		1962 - 1964/1985 - 1995		
[REDACTED]		1962 - 1965		
[REDACTED]		1962 - 1964		
[REDACTED]		1964 - 1966		
SR 209		1965		
SR 156	SR 156	1965 - 1966/1975 - 1980	HIA 41	1
SR 28	SR 28	1965 - 1975	HIA 423 NL 96	1
[REDACTED]		1965		
SR 62	SR 62	1965 - 1984	HIA 141 HIA 41 HIA 210 NL 57 NL 97 NL 133 NL 68 NL 98 NL 87 NL 30 NL 99 NL 145	12
SR 208		1966/1975 - 1983		
SR 228		1967 - 1970		
[REDACTED]		1971 - 1976		
[REDACTED]		1971		
SR 157	SR 157	1971 - 1975	HIA 33	1
[REDACTED]		1972		
SR 27		1973/1976		
SR 153	SR 153	1973 - 1974	HIA 41	1
SR 30	SR 30	1975 - 1980	HIA 397 HIA 41	2
SR 31	SR 31	1975 - 1980	HIA 397	1
SR 52	SR 52	1976 - 1995	NL 1	1
SR 29	SR 29	1977 - 1983	HIA 5 HIA 141 HIA 149 HIA 10 HIA 363	5

Sister	Designation	Years Present	Compalints by	Total Complaints
[REDACTED]		1977		
[REDACTED]		1977 - 1980		
SR 46	SR 46	1978 - 1985	HIA 5 HIA 41 HIA 10 NL 89 NL 90 NL 91 NL 92	7
SR 45	SR 45	1981 - 1995	HIA 5	1
SR 148	SR 148	1981 - 1995	HIA 10 NL 86	2
[REDACTED]		1982		
[REDACTED]		1983		
SR 2	SR 2	1984 - 1986	HIA 50 HIA 10 NL 2	3
SR 222		1986 - 1995		
SR 18	SR 18	1987 - 1995	NL 168 NL 164 NL 173 NL 265 NL 173 NL 266	6
SR 2		1991		