

Christian Brothers Congregation (St. Mary's Province)

Response to the Staines Report

'An Assessment of the Health Status of Children Detained at Irish Industrial Schools 1940-1970' for the Commission to Inquire into Child Abuse

Appointment of Dr. Staines

We note from the letter of the Commission to Maxwells Solicitors dated 21.11.2006 with regards to Professor Staines appointment as follows:-

"Professor Anthony Staines was appointed by the Investigation Committee to carry out a report for the Investigation Committee on medical issues relating to children who were in institutions, the basic questions being how well children were cared for in institutions, what records were kept as to their state of health generally as well as any illnesses or fatalities which occurred, questions of nutrition and related issues".

Comment: We note from the summary that "this piece of work" was carried out during 2005 and early 2006. However, the Congregation was not forwarded Dr. Staines report until November 2006 when we were asked to respond in a very short period of time to a report of 139 pages plus appendixes of 57 pages.

We are somewhat surprised that Professor Staines did not visit the archives of the Christian Brothers either at North Circular Road or Booterstown. He did not inspect any original documents relating to residents of the Industrial Schools conducted by the Christian Brothers. Three researchers were sent out to the archives to record on database only very specific and limited information relating to a small percentage of the residents. In the Summary of the Report it is stated that *"Mr. Boilson wrote the first draft of the bulk of the report and the appendices"*. Mr. Boilson was not appointed by the Commission to carry out the report but he seems to have been given the responsibility for *"the bulk"* of it. The question could be asked: Has Mr. Boilson the required academic and medical qualifications and research experience with primary source material to produce a report on the Health Status of Children detained in Industrial Schools?

Original Brief

It is noted from the Summary at line 8 that the original brief was to "study the health of children resident in the schools from 1940 to 1990 using existing records". However, it is admitted that this type of study was not possible "only to a limited degree". The limit or otherwise of what has been done has not been formally set out. However, it is noted that the original brief was altered and that the revised goals were set out in four categories. Despite the fact that the original brief could not be accomplished the report is still headed "An assessment of the health status of children detained at Irish Industrial Schools 1940 to 1990". We cannot understand how the nature and intent of the original brief and

proposed study was ostensibly retained although it was clearly admitted at line 10 to 19 that this could not be accomplished or if capable of being accomplished it was evident that it was only possible to a limited and undefined degree.

The Christian Brothers would submit that the title to this report is wholly misleading and on its own admission is not capable of accomplishing what is stated therein.

The curtailment of the assessment has become so restricted that the specific and broad intent of the original brief is hopelessly compromised and is clearly unscientific.

Revised Goals

It is noted the revised goals adapted and set out in the summary at lines 12-19 are clearly a pale shadow of what was the original intention of the Commission. The revised goals are very restrictive and the first three of them could have been accomplished more clearly and accurately by a historical sociologist and/or historians. The only matter that would need medical or health background is goal No. 4. Our comments in respect of goal No.4 are commented on hereunder. But given the admission that a very small number of children with appropriate records permit the appropriate analysis it is quite startling that this was chosen as the main medical goal of the study.

Comments on the findings, inaccuracies found in the report:

It is clear from page 2 line 20-23 that a small number of children with appropriate records permit growth analysis. Surely this admits that the purpose and intent of even the revised goals is seriously undermined.

Summary Page 2: Finding 3- *“It was possible to estimate the number of resident children year by year. However it was not possible to gather much information about the age distribution of these children”.*

Comment: This is incorrect. The date of birth for each and every resident is recorded on their register page. It would have been possible to gather accurate information about the age distribution of the children. It would have taken time, but it could have been done.

The estimation of the number of resident children year by year made in the report is hugely inaccurate (see section on population data below)

Summary Page 2: Finding 4- *“Boys grew notably less well than girls after admission”.*

Comment: It is normal for girls to grow faster than boys in their early teens (age 12-14). Boys tend to catch up on their female counterparts in the late teens (age 15-20).

The following extract was taken from bbc.co.uk Science and Nature: Human Body and Mind: (see appendix 1)

“The average **boy** is growing fastest between 14 and 15. **Girls** start earlier, growing fastest when 12 and 13. Girls also end their growth spurt earlier at 18, while boys need another two years before they finish growing aged 20”.

Summary Page 3: Finding 5 and 6:

“There were many deaths from Tuberculosis, as expected for the time. It was not feasible for us to investigate the circumstances of these deaths in detail”. “We have access to only a limited number of death certificates, and our analysis suggest that there may be more deaths as yet unidentified in the records so far located. The number of “missing” deaths is probably close to thirty”

Comments: We would submit that the final sentence in finding 5 shows that the study does not constitute a finding. A finding cannot be made where it was “not feasible” to investigate where, because of unfinished research, information is “as yet unidentified in the records”.

It is clear from “finding 5” that the investigation could not be brought other than saying that the mortality of children while resident was within general parameters and an observation that there were many deaths from tuberculosis in the 40’s and 50’s in Ireland. This is a non-finding as this is common knowledge, and no amount of research needed to be undertaken as this knowledge is in the public domain.

Just because the researchers, perhaps because of time constraints, believe they have failed to locate some records of deaths does not make these deaths, if they indeed occurred “missing”. The fact that “there may be more deaths as yet unidentified in the records” does not mean that the “number of missing deaths is probably close to thirty”. This finding which relies on probably and maybe is more akin to a *News of the World* headline than a finding in a serious report.

Later in the report (page 45) the author states that this figure of “28 deaths missing” was arrived at after using a statistical method (in which “*we have limited confidence in its reliability over such a long time period*”) as a guide to estimating how many children were not identified in the records. “*This method applied to our data suggests that there may be another 28 deaths missing*”.

In the findings the figure of 28 was increased to 30 and there is no mention of the estimation and statistical methods used.

The Christian Brothers have supplied the Commission with lists of deaths and causes of death for their Industrial Schools for the period and death certificates where requested.

1 Introduction Pages 7-10

The Congregation notes that very little in the line of primary source material has been used in the introduction. References have been made to the Rafferty O’Sullivan book ‘Suffer the Little Children: The inside story of Irish Industrial Schools’ in the introduction to the report and in the sections on the Industrial School System, the

Inspection of Industrial Schools and the Nutritional State of Children in Industrial Schools. The Congregation wishes to take issue with the comments in Ms. Rafferty's book referred to hereunder.

For example on page 9-
Line 14

"The Inter-Departmental Committee on Crime Prevention and Treatment of Offenders discussed a number of complaints relating to the conditions in [] and Artane in 1962, which the Dept. dismissed as exaggerated".

This information was extracted from the above mentioned book. If the researchers of this report had access to the Discovery documentation held by the Commission in relation to Artane they might have seen the report 'that the Inspector had examined the boy and that there was no evidence of ill treatment' (ART0385-017/1). In a special inspection of Artane in December 1962 the Medical Inspector issued a detailed report on the Medical Services in the Institution. The Report was highly complimentary in relation to all aspects of both the general welfare and medical care of the boys (Art0383-009/3).

We take issue with the view that Dr. McCabe played a more subdued role from 1945 onwards. While it is noted that between 1939 and 1945 Dr. McCabe was very active in relation to improving conditions in the system, however, Dr. Staines report does not go on to say that this activity resulted in improvements in 1945 and into the future. We would also take issue with regards to the contention made that the "survivors" of residential Industrial Schools were hungry. The report only attributes this to Ms. Rafferty's book. Clearly, the resources and information by way of discovery furnished to the Commission either has not been given to Dr. Staines team or that they have willfully refused to use it.

We would also wish to take issue with the conclusions at page 10 line 10 whether the report takes the view that the schools were paid adequate per capita grant per child from the Department of Education. We have set out in our response to the Mazar financial report that this is a completely incorrect assessment and we rely on the response to the Mazar report in these matters.

We would also take issue with the conclusion about inadequate medical attention and inadequate maintenance of diet. The Christian Brothers would direct the authors of the report to the documentation on these matters set out in the general statements of the Congregations both the Letterfrack and Artane modules together with the reports of Dr. McCabe dealing with the schools conducted by the Congregation. It is clear from the documentation furnished in the discovery in respect of Artane and Letterfrack that the medical officers attending those schools were of the highest calibre and that there were permanent nurses available in residence with regard to those schools.

We would also take issue with the comments that pupils were hungry in schools under investigation conducted by the Congregation. We draw your attention to the submissions made or to be made with regard to Letterfrack and Artane in particular and we would take grave issue with the very simplistic and non-sourced comments of the authors of this report.

The Congregation would like to comment generally on the heading “The Industrial Schools System”. All of the quotes are sourced from “Suffer the Little Children” by Rafferty and O’Sullivan. It is clear from the summary of the Industrial Schools System as set out in the report that it is a complete and utter distortion; that it gives no description of the school system at all. It is like the authors are completely in confusion, making reference to Magdalen laundries, orphanages, places of detention, modern baby homes and such like. It is a great pity that the Investigation Committee did not direct the authors of the report to the legislation dealing with Industrial Schools, and the rules and regulations issued in respect of them. However, this introduction is typical of very seriously flawed research of the authors of this report and their general understanding of Industrial Schools specifically and generally. It would be our submission that the authors confine themselves to their revised goals set out in the summary as presently constituted.

2 Methodology

-Materials Page 12 line 42.

The Christian Brothers hold the records for 6 Industrial Schools and not 5 as stated. The Christian Brothers also conducted 3 other residential institutions which come within the remit of the Commission.

Admission Registers page 13 line 7

The Admission Registers also record the child’s name, parental details, educational state and also very often the child’s date of Baptism and Confirmation, results in Primary Certificate, character and trade in school and aftercare notes.

Medical Registers page 13

These registers described as ‘Medical Registers’ are most likely to actually be Condition on Admission Registers. These registers recorded the same information recorded on the front of the Medical Form (Condition on Admission) after the initial examination by the Doctor. This is why the “entries observed were limited to the condition of the child’s teeth or whether they had any noticeable skin conditions”. On page 4 of appendix 2 the registers are correctly named Condition on Admission Registers. These Admission Registers dealt with conditions on admission on the obverse of the form the following particulars are also sought; Date of Examination-- Date of Birth Physical Conditions -- Skin Deceases Eyes--Ears -- Speech Mouth/Nose/Throat – Lungs—Heart and Circulation -- Nervous System --- Mental Condition -- General (Tuberculosis/Rickets/Deformities or Defects/Marks of injury or violence) -- Weight and Height on Admission

Incidental Returns Registers page 14

It should be pointed out that there was not a separate column for deaths. Deaths were included in the column 'Discharged, transferred or died during the month'.

3 Population Data Page 15 and 16

Table 'Occupancy of Irish Industrial Schools 1940-1970'

The number of Court Admissions to Christian Brothers' Industrial Schools for the period 1940-1970 is listed as **34,094**. This is grossly inaccurate. The correct number is: **7,929**

This number was calculated by the following method:

School	Admission Number	Totals 1940-1970
Artane: Last Admission 1969:	14817 (14600+217)	
Last Admission 1939:	<u>-11132</u>	3685
Letterfrack: Last Admission 1970:	2751	
Last Admission 1939:	<u>-1463</u>	1288
Salthill: Last Admission 1969:	3392	
Last Admission 1939:	<u>-2525</u>	867
Tralee: Last Admission 1969:	2238	
Last Admission 1939:	<u>-1598</u>	640
Carriglea: Last Admission 1954:	2875	
Last Admission 1939:	<u>-2199</u>	676
Glin: Last Admission 1966:	2883	
Last Admission 1939:	<u>-2110</u>	773
		<u> Total 7,929</u>

4 Archive Results

Christian Brothers Page 20

Line 24

The records of six (not five) Industrial Schools under the care of the Christian Brothers were examined.

Line 34

Documentation for Letterfrack and Artane is kept in the original order in which it was kept in the Industrial schools (all detention orders are in numerical order, all medical cards filed together by year of admission etc.) It is incorrect to say that *“it was not possible to determine the quality of information at the depot for individual children in these schools”*. It is possible and quite simple although it does require time and patience when dealing with significant numbers.

Line 44

Was it necessary to name the archivist of St. Helen's? This was not done with any other Congregation archivist in the report.

Page 21

Line 6

“Only admissions registers for court committals were available at St. Helen's for Tralee”.

This is incorrect. St. Helen's hold court committal admission registers for Tralee, Carriglea and Glin. Tralee is the only School in St. Helen's for which a non-court admission register is held (1948-1967).

Line 10

“Dates of discharge were incomplete for all these schools apart from Salthill”.

This sentence is misleading. Discharge dates are recorded on the majority of the register pages for Christian Brothers' schools. A reason for the non-recording of the discharge date would be that the boy was discharged on the date the school closed. Alternatively a boy could be recorded simply as being 'discharged' and the date of discharge was understood to be the date of the end of the sentence of detention. Form B (the Incidental Returns) could have been used to locate or confirm a date of discharge of an individual boy.

Line 31

“There were also a number of entries in the medical and infirmary registers relating to children who had suffered hand and leg injuries (sprains) and scalds. In the Infirmary Registers this information was accompanied by an explanation that the injuries were sustained as a consequence either of engaging in sports or of an occupational nature”.

This was not always the case. Sometimes explanations were given, the majority of the time they were not.

5 Health Status

Page 25

Line 27

“There were numerous entries in the infirmary registers pertaining to injuries sustained by children while under the care of the Christian Brothers at Artane ie. hand and leg injuries (sprains) and scalds”.

“A number of entries” mentioned on page 21 has been changed to *“numerous entries”* on page 25. Exactly how many is numerous? Is “numerous” considered an excessive number or simply a few? One would expect there to be a “number of” or indeed “numerous” minor sports and occupational injuries each year in a school housing up to 800 teenage boys.

The authors of the report fail to place these injuries in context. Boys working with machinery or in kitchens did most of the work manually, thereby more likely to suffer minor injuries. No comparator has been referred to.

6 Report on Heights and Weights

Page 34

“These children are very short, quite underweight, but with little evidence of wasting. The comparison group, American children measured between about 1965 and 1975, are considerably taller and somewhat heavier than this group”.

It is grossly inappropriate to compare the children of American parents of increasing wealth in 1965-1975 with children from working class Irish backgrounds in 1940-1970. Surely, a more sensible comparator would be children in either Ireland or Northern Ireland who were not in institutions and/or children in similar institutions in Northern Ireland or in the United Kingdom and/or non-residential children in those jurisdictions. It seems farcical to choose the wealthiest county in the world as a comparator with Ireland in the same period 1940-70. The authors of the report were going through the motions and no serious effort or thought went into the comparators and/or methodology of similar reports which are available in the United Kingdom and other jurisdictions.

The following extracts were taken from **Booming Economic, Inequality, Falling Voter Turnout** *Income gaps have grown* **By Holly Sklar:** (see appendix 2)

“During the 1960s, male median income grew five times as much, gaining 25.2 percent from \$20,337 in 1960 to \$25,459 in 1968 (in 1997 dollars).

During the 1960s, women’s median income grew more than twice as fast, rising 36.8 percent from \$6,285 in 1960 to \$8,595 in 1968”.

What if American children were compared with Irish children of the same age today? It would be interesting to see if similar results were found. Most Irish people would generally consider American children to be “considerably taller and somewhat heavier” than the Irish.

Conclusions of report on heights and weights

Page 43

“Our analysis show three striking features. These children are very short, both on admission and discharge, they are underweight, but not proportionately to their height. They grew a little, boys much less than girls, during their stay in residential care. Boys

tended to loose weight for age, and boys admitted after the age of 10.5 (the median age of admission for boys) lost substantially more.”

These “striking” features should be qualified here with the fact that these Irish children in 1940-1970 were compared with American children in 1965-1975 (see page 34 and notes above regarding the inappropriateness of this). The usual differences between the growth of boys and girls should have been pointed out (see note above on finding 4 of the summary). The author himself does not show confidence in the findings *“there is no way to know how representative these records are of the general population of children in residential institutions”*. The accuracy of conclusions drawn on mathematical calculations in this report must be called into question (see section on population data and notes above regarding the hugely incorrect figures arrived at in the report on pages 15-16).

7 Report on Deaths in Irish Residential Homes

It should be pointed out that the majority of deaths of residents “resident” in the Christian Brothers Industrial Schools between 1940 and the closure of the schools actually occurred in hospital or hospices. The report fails to point this out in relation to all Institutions. It does point out that *“these figures only relate to deaths that occurred while the child was a resident”* but it does not point out that boys were still listed as “residents” if they were sent out to hospital or if they were at home on holidays. The report is misleading in that it gives the impression that all of the deaths listed actually occurred at the schools. (see comments below on appendix 1 -Death Records for each school -p.14-16 of these notes)

Page 45

“A statistical method, Poisson regression analysis, allows us to do this calculation for the three sources of records on deaths, there are many approximations in this method (Jarvis et al. 2000), and we have limited confidence in its reliability over such a long time period”.

The report has little confidence in its own methods of concluding that *“there may be another 28 deaths missing”*. Earlier in the report the author stated *“It was not feasible for us to investigate the circumstances of these deaths in detail”*. *“We have access to only a limited number of death certificates, and our analysis suggest that there may be more deaths as yet unidentified in the records so far located. The number of “missing” deaths is probably close to thirty”*.

Here the authors state that it is *“not feasible for us to investigate”* and *“there may be more deaths as yet unidentified in the records so far located”*. The authors state that although they have located records they believe that they have not identified all deaths in these records. This means that the research was unfinished and as a result the statistical method was used in order to arrive at a number of *“missing deaths”*. The use of the word “missing” here is inappropriate as these deaths are not missing. No evidence has been provided to show that these 30 deaths occurred. If they did not occur, they cannot be “missing”. The use of this kind of language:- *“missing deaths”* is misleading and

insensitive to the remaining relatives and friends of residents of Industrial Schools who did die in the schools or as residents in the schools and whose records are complete.

The majority of death certificates were found in the General Register Office. Time and patience is required to carry out thorough investigations. The research team found 161 out of 224 deaths in the General Register Office. This is 71.8% of the deaths. If they take their total number of 289 they found 55.7%. The report could have stated which decade certificates were not located for. The Christian Brothers found that certificates of deaths for the 1950s and 1960s were easily found and death certificates for the 1940s were slightly more difficult to locate. The misspelling or slight changing of a name could result in a death certificate not being located.

The highest number of deaths (224) was gathered from annual reports held by the Department of Education, abstracted and furnished to the Commission by the Chief State Solicitors Office. This figure is most likely to be closest to the correct one. Adding 30 “missing” deaths to this on the grounds of a statistical method in which “*we have limited confidence*” is inappropriate.

Page 47 line 45

“Two deaths may have been related to medical treatment-one is coded as ‘acute myocardial failure following gastric operation’. The other is only partially legible, but appears to say ‘cardiac and respiratory failure secondary to acute congestion of the lungs following [illegible] by general anaesthesia and probably [illegible].’

The second death referred to here is the death of Patrick Flanagan in Artane in 1951. The Coroner’s report has been supplied to the Commission by the Christian Brothers. Patrick Flanagan’s death is also referred to in Br. Michael Reynolds submission to the Commission in relation to Artane. The full cause of death as recorded by the coroner is:

‘cardiac respiratory failure secondary to acute congestion of the lungs following the injuries accelerated by general anaesthesia and probably predisposed to the presence of an enlarged thymus gland’.

Page 53 line 5

“We have located death certificates for just over 60% of the deaths.”

How did the research team arrive at this percentage? Which total are they using? If using the CSSO figure of 224 they found 71.8% (161) of the deaths. If they take their own total number of 289 they found 55.7%.

8 Discussion

Heights and weights

Page 55 line 25

“The findings suggest that children who entered these institutions, were on average, both very short, and, more or less, proportionately underweight when compared with American norms from the 1960s”.

It was stated previously in the report that the comparison group was “*American children measured between about 1965 and 1975*” and not “*the 1960s*”. The inappropriateness of this comparison has been discussed above.

“The limited data available on growth suggest that girls grew as expected after admission, but that boys did not. Those boys whose data are included were admitted at a substantially later age than the girls...there was evidence that, considering age at admission, older boys grew less well than younger boys, while for girls the opposite was the case”.

As mentioned above in relation to finding 4 of the Summary and in the Conclusions of report on heights and weights the usual differences between the growth of boys and girls should have been pointed out in the report. No reference has been made in the report to the normal stages boys and girls grow at i.e. girls grow at an earlier stage in their teens than boys. This has already been referred to above and in appendix 1.

Mortality Data

Page 55 line 34

“The biggest approximation in this analysis is our estimation of the resident population in each institution”.

As stated above the population data on pages 15 and 16 of the report is grossly inaccurate. In the case of the Christian Brothers the estimation is more than 4 times the correct number. There was no need to estimate the numbers admitted to the schools as the correct figures can be easily calculated using admission numbers.

“It would be desirable to make estimates for the resident population by age and sex also, but there seems no practical way of doing this”.

Again there is no need to estimate figures for the resident population by age and sex when correct figures could be gleaned from the admission registers. Again this would require time and patience.

Conclusions of the report

Page 56

The Conclusions on page 56 are identical to the findings in the Summary on Page 2:

See notes on the findings outlined in the Summary (pages 2 and 3 of these notes)

It is clearly noted that the conclusions of the report are set out on page 56 and are identical to the summary on page 2. We would like to make a number of simple comments using the numbering of the conclusions:

1. The surviving records and documents available to the authors have not been described either properly or cogently. The registers have been misdescribed and a number of admission records, voluntary registers, incidental returns have either been misdescribed or not used. There is a glaring omission of the primary certificate results and correspondence in relation to residents of Artane which are extensive and are at the archive at St. Mary's.

No effort was made to correlate the regulation guidelines which are stated to have been promulgated in 1930's with regards to these schools. The particular rules and regulations are not identified, no detail is given of any discrepancies between the regulations and the records held by way of school or Congregation. Neither is there any analysis of the regulations and guidelines themselves from an objective point of view and as to whether they were best practice in this jurisdiction and in comparison to the United Kingdom or the United States. There is merely a bland statement that the records were not properly kept or the guidelines adhered to. There is no evidence furnished. There is also a contention "...that it is possible that the original records were of much better quality than those which have survived." Surely, if this is so, the comments and alleged assertions are completely undermined. We are further of the view that the last sentence completely undermines the Staines report by confirming that the very basis of their report and findings "... there is very little useable documentation about the health of these "vulnerable children".

2. The second goal is clearly undermined by the inaccurate statistics set out in this report under the heading of "Estimates by year of the number of children resident in institutions". Given that this was one of the four major revised goals it is again inexplicable how the inaccuracies as pointed out in the records of the school especially dealing with Artane, Letterfrack, Tralee, Carriglea and Salthill. These inaccuracies are set out further on in these comments.

It is submitted that there are many and varied reasons for the differences of the quantity and quality of the surviving records. However, it is contentious of this finding that "...this only affects different degrees of care when preserving old records, etc". If documents are missing for a variety of reasons then this type of simplistic reasoning is clearly inadmissible.

3. It is noted that the author state that it was possible to estimate the number of resident children year by year. However, they have failed in this as set out under 3. Population data where Christian Brothers Industrial Schools are reputed to have listed 34,094 pupils for the period 1940-70. This is grossly inaccurate. The correct number is 7,929. If the authors work is this ineffective then it could be argued that any finding is seriously open to question.

4. The children admitted to Industrial Schools were those coming from the major slum areas in Dublin, Cork, Limerick, Waterford and the larger towns. These were some of the most deprived areas in Western Europe in the period 1935-60. We reiterate that the comparator with growth of children in United States is totally inappropriate and we refer you to our previous comments in respect of these matters. No serious effort has been made to, in any way, find adequate comparators and to be in a position to access children in Industrial Schools and those not in residential care in the population as a whole. It has not been identified. None of the American comparators deal with children in residential care or the population generally, none of this information is sourced and clearly undermines the credibility of the report itself.

The reservation that there are few records and that these may relate to a very selective group of children also undermines the conclusions in this report. If the records are few then clearly they are not representative and any conclusions therefrom can only be of the most tentative variety. These caveats set out in the conclusions undermine the honesty of this study and show that no sensible or scientific methodology is being applied or could be applied given the nature of the data and the affected paucity of the surviving documentation. This is a “hotch potch” regrettably.

5. It is accepted that the mortality rates of residential children in Industrial Schools were not greater than those in the Irish populations. This is especially true of schools conducted by the Christian Brothers. It is to be noted that the last death of a pupil in Artane on the grounds of the school was a result of a traffic accident in 1945. There was a comment concerning tuberculosis which is known to everyone over a certain age in Ireland, this is common knowledge and in common currency and no need for the authors to confirm this matter. It is interesting that tuberculosis is referred to although there were a number of other very serious and nasty infections which clearly could also be mentioned such as diphtheria, mumps, measles, meningitis, consumption and so on. The fact that the report does not indicate statistically the diseases which caused the illnesses is somewhat surprising (apart from Table 10). There is also a contention that meningitis caused more deaths than the percentage in said Table 10 but this is not supported by any evidence and if so is not sourced.

Unforgivably, there is no mention as to whether these deaths could or could not have been prevented or any commentary of that nature. Presumably, this is due to the paucity of the provided documentation and /or the adequacy of the rules and regulations and forms issued by the Department of Education and Department of Health.

There are no comparison between health and condition forms used in Residential School in contrast to those in other residential settings under the control of the State or Local Authority and State agents generally such as:

- fosterage
- orphanages
- boarding out regulations

- mental institutions
- prisons and detention centres.

Health records of the above situations neither referred to or compared thereby avoiding the contextual grounds which surely are vital in judging whether health records in Industrial Schools were adequate or fit for purpose.

The purpose of these health records have not been discussed or analysed in this report except to observe by implication that they are by present day standards inadequate. What should have been asked are whether these health records ~~are~~ *were* adequate or fit for purpose in the period 1935-70 and if not where does the legal responsibility lie for not updating these forms and guidelines which clearly should have been set out in rules and regulations of the school and who is responsible for this situation.

6. It is submitted that this finding is completely incoherent. There is no mention in the findings or conclusions of the estimational statistical methods used. There is a reference to “this method applied to our data” at page 45 of the report being the poisson regression analysis but the method itself has neither been explained or sourced, if this is admitted then how is any reader of the report in the position to check whether the “missing deaths” are probably close to thirty or otherwise.

You can see from the comments above that the Congregation are very disappointed with the standard of the writing of the report and its contents. We believe that taking into account the comments referred to herein that this report has no scientific, academic or other standing that could be stood over. This is deeply regretted. We are of the view that the report on its own terms, the original brief was incapable of being met and that the revised goals are elementary and that the conclusions of the report cannot be based on the data examined.

Appendix 1 School Records

1 Artane

Introduction

“From January 1940 up until the school closed a total of 16,048 boys were admitted to the school, so the average occupancy was 573 boys”.

This figure is hugely inaccurate. The correct number of court committed boys admitted to the school from January 1940 up until the school closed was 3685. Occupancy of the school can be seen below.

Number in School at end of Month under Order of Detention and Chargeable:
(Does not include voluntary or board of health admissions)

September 1935:	673	September 1956:	560
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September 1936:	634	September 1957:	481
September 1937:	674	September 1958:	422
September 1938:	731	September 1959:	428
September 1939:	772	September 1960:	392
September 1940:	800	September 1961:	371
September 1941:	800	September 1962:	353
September 1942:	800	September 1963:	317
September 1943:	800	September 1964:	306
September 1944:	812	September 1965:	301
September 1945:	818	September 1966:	327
September 1946:	794	September 1967:	272
September 1947:	789	September 1968:	198
September 1948:	819	September 1969:	24
September 1949:	794		
September 1950:	762		
September 1951:	738		
September 1952:	728		
September 1953:	694		
September 1954:	737		
September 1955:	653		

Description of Records

There is no single 'Medical diary' for Artane 1940 to 1969. The author of the report could be confusing this with the Infirmary Registers or the Condition on Admission registers.

No attempt was made by the researchers to liaise in any constructive way with the Congregation's archivist either at St. Mary's or St. Helen's (Boosterstown) to seek information, explanation or identification of documents held in the archives. Any such contact would have been welcomed and would clearly have avoided these very embarrassing and blatant errors not only with regard to the records themselves and one of the major revised goals set out at revised goal No. 1.

Death Records:

The report does not state whether the deaths listed occurred in the school or not. The last death actually occurring at Artane was the result of a road accident in 1945. The deaths referred to in the late 1940s, 1950s and 1960s occurred at a hospital, a hospice or while the boys were at home on holidays. The report is misleading in that it gives the impression that all of the deaths listed occurred at the school itself. It is surprising that the report did not detail the causes of deaths in each case listed. This information has been supplied to the Commission by the Christian Brothers for all six of their Industrial Schools.

8 Carriglea

Introduction

“From 1940 up until the school closed (n=3068) boys were detained at the institution’

This figure is hugely inaccurate. The correct number of court committed boys admitted to the school from January 1940 up until the school closed was 676.

Death Records:

The two deaths referred to in the 1940s both occurred at hospitals and not at the school itself.

15 Glin

Introduction

“From 1940 up until the school closed (n=3,971) boys were detained at the institution’.

This figure is hugely inaccurate. The correct number of court committed boys admitted to the school from January 1940 up until the school closed was 773.

Death Records:

All of the deaths listed occurred outside of the school at hospitals and not at the school itself.

22 Letterfrack

Introduction

“From 1940 up until the school closed (n=3,654) children were detained at the institution”

This figure is hugely accurate. The correct number of court committed boys admitted to the school from January 1940 up until the school closed in 1974 was 1356.

Description of Records

There is also a Condition on Admission notebook for Letterfrack which was used by the researchers compiling the report.

Death Records:

All of the deaths listed, with the exception of two (1941 and 1942) occurred outside of the school at hospitals or at home and not at the school itself. The cause of all 9 deaths between 1942-1945 was Tuberculosis. The death in 1970 occurred while the boy was at home on holidays.

32 Salthill

Introduction

“From 1940 up until the school closed (n=4,611) boys were admitted to the school”

This figure is hugely inaccurate. The correct number of court committed boys admitted to the school from January 1940 up until 1981 is 919.

Death Records:

All of the deaths listed with the exception of the one in 1942 occurred outside of the school at hospitals and not at the school itself.

37 Tralee

Introduction

“From 1940 up until the school closed (n=2,742) children were detained at the institution”

This figure is hugely inaccurate. The correct number of court committed boys admitted to the school from January 1940 up until 1969 is 640.

Death Records:

The gender of the pupils recorded as dying in 1941 and 1946 in Tralee is female. There were no girls admitted to the Christian Brothers Industrial Schools.

All of the deaths listed occurred outside of the school at hospitals and not at the school itself.

Appendix 3 Archive statistics

Registers available at the depositories for schools investigated:

There is no voluntary admission register listed for Artane. There is a voluntary register giving details of non-court admissions 1918-1970 with gap 1936-49, which was consulted by the researchers.

There are no Incidental Return registers listed for Salthill and Letterfrack. There are Incidental Returns registers held for both schools.

There are no exam results or correspondence listed for Artane. There are primary certificate results and correspondence relating to residents of Artane held in the archive.

Conclusion

There are quite a number of inaccuracies in this report as pointed out. The major obvious blunder is the figure given in the table on page 15 and 16 ‘Occupancy of Irish Industrial Schools 1940-1970’. The figure for the Christian Brothers Schools is more than 4 times the correct number. The figures given for other Congregations appear to be impossibly high also. It is quite extraordinary that these figures made it into the final report. It should

be pointed out that this figure is the only one in the report that the Christian Brothers can check on easily.

The Christian Brothers cannot check figures used to compile the graphs and statistics regarding height and weight. This is an inherent flaw in whatever methodology has been used. The Christian Brothers or their advisors are completely hampered and frustrated in attempt to be of assistance to the Commission where the methods and compilation of the graphs and statistics displayed therein with regards to height and measure are not sourced, explained or capable of being deduced from the report itself. Clearly this situation is unacceptable and makes this section of the report if not the report itself totally unusable. This difficulty is in this specific portion of the report which clearly is fundamental to revised goal No. 4 is not understood and must be rejected in its entirety.

Given the inability of the researchers to do simple addition and subtraction, there must be a question surrounding their ability to produce with accurate results the statistics as seen in the overcomplicated graphs in the report. The report is misleading in that it gives the impression that all of the deaths listed actually occurred at the schools while the majority of the deaths actually occurred in hospitals. The inclusion of the references to “missing deaths” based on a vague estimation is inappropriate. It is also apparent that the author of the report has little confidence in his own research and findings.

We refer to the submissions of St. Helen’s Province of the Congregation and we adapt those submissions as part of this response.