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Irish Childcare, 1850-1913:  
Attitudes and Approaches

by

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A thesis submitted in partial fulfilment of the requirements for  
the degree of Doctor of Philosophy in History, University of  
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## **Declaration**

I hereby declare that this thesis, ‘Irish Childcare, 1850 – 1913: Attitudes and Approaches’, has been written by me and that it has not been submitted for a degree at another university.

Cecilia Hallström Parker

## **Abstract**

During the period 1850-1913 the landscape of Irish childcare witnessed significant changes. The Famine left thousands of children orphaned or deserted in Irish workhouses and Ireland was forced to confront the question of how best to raise these children of the poor to be respectable and self-sufficient adults. The period was defined by attempts to answer this question and by 1913 a new system for such care was in place. This was a system dominated by a belief in institutionalisation, mainly in industrial schools, of children as beneficial both to the children and to Irish society, and driven by a fear and mistrust of the poor as parents. The developments during 1850-1913 have not previously been examined in a coherent and cohesive manner. This thesis aims to do so, thus adding to the understanding of the attitudes and approaches to childcare for the poor in Ireland. The thesis will also make use of quantitative analysis in a manner not previously done in order to understand the evolution and development of childcare institutions.

The first chapter focuses on the Irish Poor Law, its relation to children, and the development of voluntary, charitable childcare institutions. The second chapter examines the increasing criticism against workhouse care through two case studies. The third chapter explores the rejection of foster-care in Ireland in the form of boarding out from workhouses. The fourth chapter analyses the rise of the reformatories and industrial schools managed largely by the Catholic Church. The final chapter explores how the increasing interest and concern for the children of the poor resulted in the development of an increasingly extensive framework of legislation that, by 1913, touched on almost all aspects of the lives of the children of the poor and their families.

## **List of abbreviations**

CCCA – Cork City and County Archives

CH – The Cottage Home

CIF – Crime Index Files

CRF – Convict Reference Files

CSORP – Chief Secretary’s Office Registered Papers

DDA – Dublin Diocesan Archive

DIS – Day industrial schools

ICM – Irish Church Mission

ILP Act – Infant Life Protection Act

IPP - Irish Parliamentary Party

IRIS – Inspector appointed to visit the Reformatory and Industrial Schools of Ireland

LGB – Local Government Board

NAI – National Archive of Ireland

NSPCC – National Society for the Prevention of Cruelty to Children

PAD – Philanthropic Association of Dublin

PLC - Poor Law Commission

PRA – Philanthropic Reform Association

SDU – South Dublin Union

## Introduction

During the second half of the nineteenth-century, the provisions for childcare in Ireland underwent remarkable changes. Following the devastating Great Famine, at the end of December 1850<sup>1</sup>, an extremely high number of children, 88,528, found themselves as inmates of Irish workhouses.<sup>2</sup> At this point, the workhouse was the main institution providing care to pauper children and dominated the childcare landscape. Furthermore, other than caring for the children of the poor in the workhouse, the State largely avoided interfering or intervening in their upbringing. However, only fifty years later, by the early twentieth century, the scope of childcare and welfare had expanded considerably. Not only did the State play a more active role, but the Catholic Church had become the main provider of childcare in Ireland. The workhouse had virtually ceased to be an institution caring for children and instead a network of industrial schools financially provided for by the State, underpinned by extensive child legislation, and largely managed and controlled by the Catholic Church dominated the childcare system. The Irish reliance on industrial schools in the twentieth century has been well established by historians but transition of the children of the poor from the workhouse to the industrial school during the second half of the nineteenth century has been less well examined. The post-Famine period witnessed a national discussion in Ireland on how best to raise the children of the poor who found themselves orphaned or abandoned in Irish workhouses.

Through an analysis of the attempts in Ireland to answer the question of how to raise

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<sup>1</sup> There are varying opinions as to when the Famine was over. Phelim P. Boyle and Cormac Ó Gráda, 'Fertility trends, excess mortality, and the Great Irish Famine', *Demography*, 23 (4), (1986), p.543, say 1849 whilst Virginia Crossman, *The Poor Law in Ireland, 1838-1948*, (Dublin, 2006), p.19, says 1852.

<sup>2</sup> *Fourth Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland: with Appendices*, Appendix B, House of Commons Parliamentary Papers (hereafter HC), 1851 [1381], p.177

the children of the poor, this thesis aims to contribute to the growing understanding of childcare provisions in Ireland. The overarching aim is to examine the attitudes towards the upbringing of the children of the poor, how these attitudes influenced and informed the approaches taken to childcare and child welfare, as well as to examine these approaches themselves.

This research is important, not only because the history of childhood in Ireland is a relatively unexplored area, but also because the thesis focuses on the development of the institutional care of children. As a consequence of the recent scandals relating to childcare and welfare in Irish institutions, an intense debate over the Irish system of childcare and its attitude to child welfare has followed and there is increasing demand for an understanding of the evolution of child welfare policy in Ireland. In the last few decades, the horrifying facts surrounding the systematic physical and sexual abuse of children in Irish childcare institutions have come to light. In 1999, the Irish Government gave the Commission to Inquire into Child Abuse (CICA) the mission to investigate child abuse in Irish institutions, that is reformatories and industrial schools managed by Catholic orders and congregations, for children from 1936 onwards.<sup>3</sup> Ten years later, in 2009, the CICA published their findings in the Ryan Report revealing a system of endemic of sexual, physical, and emotional abuse.<sup>4</sup> Following the publication of the Ryan Report, the conditions in and management of institutions for children have attracted increasing attention. But there is still a lack of historical research into the establishment and management of such institutions in the nineteenth century. This is partly due to a lack of available sources from this period. However, in order to fully understand the history of Irish childcare and child welfare in the twentieth century, one must first understand how it

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<sup>3</sup> Chapter 1: Establishment of the Commission to Inquire into Child Abuse, *Report of the Commission to Inquire into Child Abuse*, Vol.I, (Dublin, 2009) p.1

<sup>4</sup> Ibid. Chapter 6: Conclusions, p. 452-453

was possible that the industrial schools came to have such a central position in Ireland. How and why did Ireland go down a route of isolation and confinement of children when Britain did not?

Reformatories and industrial schools did not develop in a vacuum; they were the result, and a sign, of the changing attitudes to children, and to the children of the poor and their families in particular. The thesis will show that these changes culminated in an extensive legal framework that allowed for significant intervention by the State, the Catholic Church, and philanthropic organisations into the home life of the poor and enabled the removal of children from their homes. With regard to this, the role of philanthropists cannot be overlooked. Throughout the second half of the nineteenth century, as the concern with pauper children grew, an ever increasing number of philanthropically-minded individuals took an active interest in childcare and saw the children of the poor as being in need of protection, even from their own homes and parents. Case studies will show how the philanthropic interest in pauper children grew and became increasingly organised and influential during the nineteenth century. The case study of the Cork workhouse inquiry demonstrates how one lone philanthropist brought national attention to workhouse conditions for children. Over time, philanthropists and reformers became more organised, resulting in pressure groups such as the National Society for the Prevention of Cruelty to Children (NSPCC) that actively, and successfully, campaigned for child welfare legislation. The legal framework that surrounded the children of the poor by the early twentieth century will be examined to highlight how the changing attitudes and approaches to these children were enshrined in law with particular focus on how these laws were enforced. By 1913, the lives of the children of the poor were

regulated by an extensive legal framework that touched on most aspects of their daily life.

Three main themes will run throughout this thesis, the first theme focuses on attitudes towards the children of the poor. This thesis will argue that the wish to control the movements of poor children was a driving force behind childcare changes and that developments in Irish childcare were largely driven by the fear and distrust of the poor and their family units. These children – and their families – were increasingly regarded with fear and distrust by the State, the Catholic Church, and indeed by Irish society in general. The unruliness and perceived immorality of these children meant that they posed a potential threat to the societal order. This led to a wish to control them and their families. The second theme concerns the question of the approach to the care of the children of the poor. Throughout the nineteenth century Ireland struggled with this question - should the children be developed through interaction with Irish society, or was it more beneficial to isolate them from potentially harmful influences? The boarding out scheme, whereby workhouse children could be sent out to live with foster families, and the day industrial schools, represents attempts to allow children to remain in a family environment. With regard to the question of how to raise the children of the poor, a main focus of the thesis is on the development and growth of institutional childcare. However, it should be noted that it is not possible to examine all aspects of institutional care. A study covering all aspects of institutional care would require considerably more time and a more generous word limit than the one available for this thesis. Consequently significant issues such as the education and emigration of children will not be examined. When discussing the workhouse, the focus will be on the health and morality of workhouse children as these were the two areas on which criticism of the



workhouse focused in the post-Famine period. With regard to the reformatory and industrial schools, the focus will be on the relationship among the institutions, the children and the families of the children. The thesis will examine how the institutions controlled how children interacted with their families and wider Irish society. In connection with this it is also important to examine how the State, through legislation, enabled the institutionalisation of children.

The third and final theme of the thesis concerns the question of responsibility for the children of the poor. As poor parents were increasingly considered unreliable and potentially dangerous as caregivers, the State and the Catholic Church emerged as the two institutions most suitable to take responsibility for the children of the poor. At the beginning of the period covered by this thesis, the State, in the form of the workhouse, had the main responsibility for ensuring that the children of the poor grew up to be healthy and self-sufficient members of society. However, as previously mentioned, by the twentieth century, the Catholic Church dominated Irish childcare. This thesis will examine how the Catholic Church managed to position itself at the very centre of Irish institutional childcare.

## Perimeters

For the purpose of this thesis, certain demarcations and definitions need to be established. First of all, the term ‘child’ stands at the centre of the thesis and needs to be defined. This is not an easy task as the definition of ‘child’ changes throughout the period examined. In the chapter covering the Poor Law system, a child will be defined using the Poor Law’s own definition of a child, i.e. an individual under the age of 15. When an inmate reached the age of fifteen he or she was moved from the

children's ward to the adult ward, marking the transition from child to adult. The annual reports of the Poor Law Commission (PLC) and the Local Government Board (LGB) present the workhouse inmates in two main categories: adults and children under fifteen. It is worth noting that individual boards of guardians further subdivided the inmates. For instance, Cork workhouse employed no less than seven categories for its inmates, with four concerning children: under 2s, age 2-5, age 5-9, and age 9-15. But the term 'child' will be used to cover all these age groups. However, when discussing the reformatory and industrial schools, the term 'child' includes individuals aged up to sixteen years, as the institutional system allowed for the committal of individuals up to the age of sixteen. The final chapter, discussing the new legal framework surrounding children, presents some challenges as the legal acts introduced employed varying definitions of 'child'. The chapter will outline these definitions but as a general definition a child is an individual under the age of 16.

The focus of the thesis will be on the children of the poor, thus disregarding the children of the middle- and the upper classes. The reason for this limitation is that, as the thesis will show, it was the children of the poor, and their families, who were mainly targeted and affected by the emerging notion of children as distinctly different from adults and the resulting changes within childcare and welfare. The increasing regulation of children and their movements affected the children of the poor to a much higher degree than did it the children of the middle and upper classes.

It is important to note that the aim is not to examine children's own views and experiences. Such an aim would be futile and ineffective, as these children did not leave behind any written documents describing their experiences. In some, mainly in court records, such children's accounts are recorded. However, such instances are

few and far between and the children's accounts are then recorded through the filter of the court clerk. Thus, the thesis focuses on discourse, not on experience. The thesis is concerned with how Irish society and the British legislators viewed the children of the poor and their families, and how these attitudes shaped childcare and child welfare legislation. But this focus does not mean that I argue that the poor were passive and submissive in their relationship to the authorities. Letters written by parents and relatives of children committed to industrial and reformatory schools show, for instance, that they did attempt to take control of their situation, but they were often unsuccessful. It should also be noted that the thesis will use a national perspective rather than a local one. Several local case studies will be used to highlight events that serve as examples of national developments as the aim is to provide a coherent account of the development of childcare throughout the whole of Ireland during the period 1850-1913.

The chronological boundaries for this thesis are set at 1850 and 1913. The year 1850 is chosen as starting point as it denotes the end phase of the Great Famine. By 1850 the Famine was subsiding and Ireland could turn its attention to surveying its effects, one of which was the high number of deserted and orphaned children left in workhouses. This led to the workhouse child becoming a national issue and a debate emerged on how these children of the poor should be raised and cared for in order to become respectable adults. This debate was the starting point for the significant developments in Irish childcare that took place during the second half of the nineteenth century. One of the most significant outcomes of the national debate on the children of the poor was the expansion of the legal framework relating to children. The last decades of the nineteenth century saw the production of extensive legislation relating to infants and children. Extending the scope of the thesis to 1913

allows for the examination of the enforcement and implementation of some of the most notable laws relating to children.

## Literature Review

Today the study of children and childhood attracts considerable attention from historians. In the Irish context, this interest did not emerge until the 1980s and there are still significant gaps in our knowledge of Irish childhood. Above all, a coherent and comprehensive overview of the developments during the second half of the nineteenth century is missing. This stands in contrast to the British, (mainly English), context and therefore a number of studies focusing on the British context will be of great importance to this thesis. In the British context, Hugh Cunningham<sup>5</sup> and Harry Hendricks<sup>6</sup> have contributed greatly to the study of childhood and have particularly looked closely at the development of attitudes to children and childhood, especially focusing on the children of the poor. Indeed, Hendrick's dichotomy in which he argues that the children of the poor were simultaneously regarded by society as a victims in need of neglectful parents and as a threats from which respectable society needed protection has been instrumental to the history of childhood and it will be significant to the analysis in this thesis as well.<sup>7</sup> Carolyn Steedman's work, which highlights how childhood was re-conceptualised in Britain during the late nineteenth century, and how the children of the poor became the focus of interest for social

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<sup>5</sup> Hugh Cunningham, *The Children of the Poor. Representations of Childhood since the Seventeenth Century* (Oxford, 1991); idem., *Children and Childhood in Western Society Since 1500* (Harlow, 2005, 2nd edition); idem., *The Invention of Childhood* (London, 2006)

<sup>6</sup> Harry Hendrick, *Child Welfare in England, 1872-1989* (London, New York 1994); idem., *Children, Childhood and English Society, 1880-1990* (Cambridge, 1997); idem., *Child Welfare: Historical Dimensions, Contemporary Debate* (Bristol, 2003)

<sup>7</sup> Hendrick, *Child Welfare: Historical Dimensions, Contemporary Debate*, pp.7-11

reformers and philanthropists with numerous studies devoted to the state of working-class children, is also an important influence on this thesis.<sup>8</sup>

Interest in Irish children and childhood arose in earnest in 1980s with particular focus on workhouse children. Joseph Robins' *The Lost Children-A Study of Charity Children in Ireland*, published in 1980, is the earliest example of a study dedicated to the examination of the children of the poor and the childcare provisions available for them.<sup>9</sup> *The Lost Children* can be seen as the starting point of the study of children and childhood in Ireland and was groundbreaking in its focus. Robins' book, which covers the period 1700-1900, provides a comprehensive overview of childcare provisions during two centuries. Whilst the main emphasis is on the workhouse, Robins does also discuss the emergence of charitable children's homes and orphanages run by philanthropists and/or religious societies and reformatory and industrial schools. However, writing prior to the public revelations of abuse in these institutions, Robins takes a rather uncritical view of reformatories and industrial schools, and of the legislation introduced relating to children and their families in the late nineteenth century. Robins propounds the view that the developments within childcare and welfare during this period were largely positive and vastly improved the lives of the children of the poor. Today, in light of the revelations of systematic abuse in these institutions, such an optimistic interpretation of the developments that began in the nineteenth century is impossible.

*The Lost Children* may have opened up a new field of study but scholars were slow to follow Robins' example of devoting themselves to the study of children and childhood in Ireland. Seven years after *The Lost Children*, the next major

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<sup>8</sup> Carolyn Steedman, *Strange Dislocations. Childhood and the Idea of Human Interiority 1780-1930* (London, 1995)

<sup>9</sup> Joseph Robins, *The Lost Children. A Study of Charity Children in Ireland, 1700-1900* (Dublin, 1980)

contribution to this field was published - Helen Burke's *The People and the Poor Law in 19<sup>th</sup> Century Ireland* which included an examination of how the Poor Law system treated children.<sup>10</sup> However, like Robins, Burke tends to simply trace developments and changes rather than examining how and why changes in attitudes, perception, and practice actually occurred.

Robins and Burke's early focus on the child in relation to the Irish Poor Law system set the tone for much of the subsequent work on Irish childhood where the workhouse child has remained the most studied type of Irish pauper child. When discussing the field of Irish Poor Law history, one must mention the works of Virginia Crossman. Crossman is perhaps the most influential historian in this area and has contributed greatly to the understanding of the operation and management of the Irish Poor Law. Her 2013 book, *Poverty and the Poor Law in Ireland, 1850-1914*, which provides a comprehensive overview of how the Poor Law system evolved during this period, is an important influence on this thesis.<sup>11</sup> *Poverty and the Poor Law* examines the ideology underpinning the Irish Poor Law and pays particular attention to the opposition between this ideology and the way in which Irish boards of guardians actually used the Poor Law system when administering relief to the poor. Of particular interest to this thesis is Crossman's charting of how attitudes to poverty and the poor within the Poor Law system changed during the second half of the nineteenth century. Whilst the mid-nineteenth century often saw local board of guardians treat individuals regarded as immoral, for example prostitutes and single mothers, with pragmatism, by the end of the period attitudes had hardened and more emphasis was placed on the punishment of the poor who

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<sup>10</sup> Helen Burke, *The People and the Poor Law in 19th Century Ireland* (Littlehampton, 1987)

<sup>11</sup> Virginia Crossman, *Poverty and the Poor Law in Ireland, 1850-1914* (Liverpool, 2013)

behaved in ways considered immoral.<sup>12</sup> Whilst Crossman specifically examines certain groups of the poor (such as the sick, and the mentally ill) and their relation to the Poor Law, the book does not consider children separately. This thesis will attempt to examine children and their relation to the Poor Law in their own right and show that the change in attitude to poverty and the poor contributed and enabled the increasing institutionalisation of the children of the poor.

Crossman's analysis of the strategies used by the poor in their interaction with the Poor Law, for example how families entered and left the workhouse, is also significant for this thesis. Despite the lack of accounts written by the poor themselves, Crossman's analysis of local poor law records enables a degree of understanding of the experience of being poor in the nineteenth century and demonstrates that the poor did have a certain amount of agency. This approach will be kept in mind when examining the relationship between the family, the State, and the childcare institutions.

A main difficulty of Poor Law history is integrating the local and the national level as local practices differed considerably across Ireland and it is difficult to draw general conclusions from local evidence. This thesis will attempt to follow Crossman's example of the successful use of local case studies to analyse the reactions and attitudes of the poor as well as those of Poor Law officials in order to examine how Irish attitudes to poverty and the poor changed during this period.

One of the most successful and interesting studies of a local Poor Law union is Colman O Mahony's study of Cork Union.<sup>13</sup> Based on accounts of the meetings of the Cork Board of Guardians, O Mahony charts the management of Cork union until 1890. The focus is on the guardians' approach to a number of aspects of workhouse

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<sup>12</sup> Crossman, *Poverty and the Poor Law*, p.197

<sup>13</sup> Colman O Mahony, *Cork's Poor Law Palace. Workhouse Life 1838-1890* (Cork, 2005)

life, such as schooling and diet. The discussion of boarded-out children is of particular interest to this thesis, as it highlights the Cork Board of Guardians' approach to boarding out as well as the treatment of boarded-out children by their foster families. Although children are not his main focus, O Mahony effectively demonstrates how the Cork workhouse children were caught between the guardians not wanting to spend ratepayers' money on pauper children's education and health and those genuinely wanting to improve the children's lives. This opposition is one that permeates Ireland's approach to childcare and welfare throughout the nineteenth century.

With regard to children, the boarding out scheme is perhaps the most discussed and debated aspect of the Irish Poor Law system. Almost all literature on workhouse children touches upon the boarding out of workhouse children. Anna Clark has examined the motivations and arguments of those involved in the debate over boarding out.<sup>14</sup> Much focus has been on the tensions between Poor Law commissioners and guardians that were created by the boarding out concept. Whilst Robins claims that the reason for boarding out not being readily accepted and adopted was the resistance of the commissioners, Crossman disagrees, stating that it was the guardians who opposed the system thus slowing its implementation down.<sup>15</sup> In connection with boarding out, the work of Caroline Skehill must be mentioned. Skehill, (a former social worker now professor at the school of political science and sociology, NUI Galway) is mainly interested in examining how boarding out and the debate surrounding it can be used to inform modern-day discussions on childcare. She traces the present day statutory system of child welfare and protection to the

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<sup>14</sup> Anna Clark, 'Orphans and the Poor Law: rage against the machine' in Virginia Crossman and Peter Gray (eds), *Poverty and Welfare in Ireland 1838-1948* (Dublin, 2011), pp.97-115

<sup>15</sup> Virginia Crossman, 'Cribbed, contained and confined? The care of children under the Irish Poor Law, 1850-1920', *Eire-Ireland*, 44:1&2 (2009), pp.49-50



introduction of boarding out in 1862 and thus the focus of her work tends to be on the legal framework and policy of boarding out.<sup>16</sup> Nevertheless, Skehill skillfully demonstrates how mid-nineteenth-century Ireland witnessed a seminal debate over institutional vs foster care of the children of the poor, a debate that will be further examined in this thesis. Furthermore, there is a need for a study that places the boarding out issue in the context of child welfare, rather than focusing mainly on the tensions between Poor Law officials. In her article 'Cribbed, Contained and Confined', Virginia Crossman discusses the issue of boarding out in a context of changing attitudes to child welfare and examines the attitudes and perceptions of groups working for change in the rearing of pauper children.<sup>17</sup> In my thesis I aim to build on Crossman's work and take it further.

Another focus of scholarly work on the workhouse child has been questions of authority. A good example of this is Anna Clark's article 'Irish Orphans and the Politics of Domestic Authority' which discusses who had the authority over workhouse children and how these children fitted into the 'philosophy of the Poor Law.'<sup>18</sup> Whilst Clark provides an interesting and comprehensive analysis of the ideological position of the different groups (the Catholic Church, the British government, and the philanthropists) that attempted to exercise authority over workhouse children, she does not examine the long-term effects this had on child welfare policy. Clark does not link the attitudes expressed towards children and child welfare to the actual changing conditions of workhouse children. Instead her focus is on the philosophy of authority rather than on the reality of life and the evolution of

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<sup>16</sup> Caroline Skehill, 'The origins of child welfare under the poor law and the emergence of the institutional versus family care debate' in Crossman and Gray (eds), *Poverty and Welfare in Ireland 1838-1948*, p. 116

<sup>17</sup> Crossman, 'Cribbed, contained and confined?' pp.37-61

<sup>18</sup> Anna Clark, 'Irish Orphans and the Politics of Domestic Authority', in Lucy Delap, Ben Griffin and Abigail Wills (eds), *The Politics of Domestic Authority in Britain since 1800* (Basingstoke, 2009), p.63

welfare policy relating to workhouse children. Thus my dissertation fills a gap in the historical literature on children in Ireland through broadening the perspective and looking more closely at the issue of poor children in the wider context of evolving child welfare policies.

It should be pointed out that Clark has also written an article about the South Dublin riot, which will be examined in the second chapter of this thesis, ‘Wild Workhouse Girls and the Liberal Imperial State in Mid-nineteenth Century Ireland’.<sup>19</sup> However, as the title suggests, the article is mainly dedicated to examining the ways in which the workhouse as an institution clashed with the liberal idea of a self-governing individual and how the Irish Poor Law system related to the colonial British government. In this thesis, the riot will be examined from the perspective of changing attitudes to workhouse children and child welfare with particular emphasis on how the riot contributed to the view of the workhouse as a failed institution that endangered the morals of pauper children.

The revelations of systematic abuse in industrial and reformatory schools in the past decades have led to an increasing interest in the history of children and institutions. Historians are now looking beyond the workhouse to the care provided by other institutions. Children and childcare provisions are often discussed from the angle of female philanthropy – examples of this include the work of Maria Luddy<sup>20</sup> and Jacinta Prunty<sup>21</sup>, who both examine the charitable and voluntary network of institutions that emerged in the second half of the nineteenth century. This thesis will place this charitable network in the context of changing attitudes to children and their upbringing, placing the attitude to children and childhood in the centre.

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<sup>19</sup> Anna Clark, ‘Wild workhouse girls and the liberal imperial State in mid-nineteenth century Ireland’, *Journal of Social History*, 39 (winter, 2005), pp.389-409

<sup>20</sup> Maria Luddy, *Women and Philanthropy in Nineteenth-Century Ireland* (Cambridge, 1995)

<sup>21</sup> Jacinta Prunty, *Lady of Charity, Sister of Faith. Margaret Aylward 1810-1889* (Dublin, 1999)

For obvious reasons, much of the recent research on children and childhood in Ireland has revolved around the industrial schools. However, as early as 1989, Jane Barnes published a book, *Irish Industrial Schools, 1868-1908: Origins and Development*, examining the growth and operation of the industrial school system in Ireland.<sup>22</sup> The book represents an early attempt to provide a coherent overview of the development of the industrial school system and is still one of relatively few works to examine the workings of the system in the nineteenth century. Barnes provides a comprehensive study of the contemporary debate leading up to the introduction of industrial schools and of the, often tense, interaction between the inspector of reformatory and industrial schools (IRIS) and the managers of Catholic industrial schools. However, Barnes does not focus on the background of the industrial school inmates or the relationship between the families, the State, and the industrial schools. This thesis will build on Barnes' work but will attempt to fill in some gaps relating to this relationship. Furthermore, whilst Barnes makes good use of the statistical evidence, this thesis will attempt to make even more extensive use of the statistics available in the annual reports of the IRIS to gain an understanding of how the industrial school system operated in the nineteenth century.

In the last few years, research on the industrial schools has focused on the twentieth century. Raftery and O'Sullivan's crucial and groundbreaking study of Irish industrial schools, *Suffer the Little Children*, is a prime example of this focus.<sup>23</sup> Raftery and O'Sullivan provide an overview of the establishment and early history of the industrial schools system, but these topics are not explored in depth and the focus is on the period following Irish independence and on the testimonies of the survivors of the abuse meted out in reformatories and industrial schools. In their relatively

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<sup>22</sup> Jane Barnes, *Irish Industrial Schools, 1868-1908: Origins and Development* (Dublin, 1989)

<sup>23</sup> Mary Raftery and Eoin O'Sullivan, *Suffer the Little Children* (Dublin, 1999)

brief discussion of the institutional system in the nineteenth century, Raftery and O'Sullivan do not make any use of the possibilities offered by the annual reports of the IRIS to not only statistically chart the growth of childcare institutions but also to gain an insight in to the attitudes to children contained in these institutions.

In recent years a number of scholarly publications attempting to widen the focus of the study of Irish childhood in the nineteenth and early twentieth century beyond the narrow focus on workhouse and the industrial schools have been produced. There has been a growing interest in the role played by voluntary child welfare organisations in the institutionalisation of Irish children. Sarah-Anne Buckley's *The Cruelty Man* examines the role of the National Society of Prevention to Cruelty to Children (NSPCC) in the institutionalisation of children in industrial schools, and analyses how Irish society was complicit in the high levels of institutionalisation of children.<sup>24</sup> However, Buckley's emphasis is on post-independence Ireland and she does not trace the origins of the developments resulting in high use of industrial schools. In connection with the NSPCC, Luddy's article dealing with the early years of the NSPCC in Ireland is also worth mentioning as it highlights the attitudes to poverty and the poor displayed by philanthropists in the late nineteenth century.<sup>25</sup>

Buckley and Luddy's work on the NSPCC also contributes to the growing understanding of how the expanding legal framework relating to children and child protection was used by the State to intervene and to some extent control family life. Buckley has also written an article regarding the Infant Life Protection (ILP) Act

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<sup>24</sup> Sarah-Anne Buckley, *The Cruelty Man. Child Welfare, the NSPCC and the State in Ireland, 1889-1956* (Manchester, 2013)

<sup>25</sup> Maria Luddy, 'The early years of the NSPCC in Ireland', *Eire-Ireland*, 44 (spring/summer 2009), pp.62-90

analysing the motivations behind and enforcement of this act.<sup>26</sup> In the same vein of examining the expansion of the child legislation is Gillian McIntosh's article discussing the evidence given to the Street Trading Commission, which preceded the introduction of the Employment Act of 1903.<sup>27</sup> McIntosh highlights both how Irish society viewed street trading children and how legislation was perceived as a useful tool in improving the living situation of the children of the poor.

This body of work also adds to the understanding of the relationship between children, the family, the State, and childcare institutions, (and thus the Catholic Church who managed the majority of such institutions), as they examine how the families of the poor were viewed by Irish society and how this influenced the removal of children. There has previously been a certain tendency to view children in institutions as existing in a vacuum, with no familial ties. This appears to have been due to an assumption that if a child was in an institution s/he was an orphan or abandoned by their family. Consequently, there is relatively little work done in the Irish context that attempts to place institutionalised children in the context of their family unit. In the English context, Lydia Murdoch's thesis on Barnardo's work in nineteenth-century England has done this and her approach will be an important influence on this thesis.<sup>28</sup> In addition to the previously mentioned works by Luddy and Buckley in the Irish context, it is also worth mentioning the work of Moira Maguire.<sup>29</sup> Again, Maguire's focus is on post-independence Ireland but her analysis of how poor parents were stripped of their parental rights using legislation that had

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<sup>26</sup> Sarah-Anne Buckley, 'Found in a "dying" condition': nurse-children in Ireland, 1872-1952', in Elaine Farrell (ed.), *'She said she was in the family way': Pregnancy and Infancy in Modern Ireland* (London, 2012) pp.145-162

<sup>27</sup> Gillian McIntosh, 'Children, street trading and the representation of public space in Edwardian Ireland', in Maria Luddy and James Smith (eds), *Children, Childhood and Irish Society: 1500 to the Present* (Dublin, 2014), pp. 46-64

<sup>28</sup> Lydia Murdoch, 'Imagined Orphans: Poor Families, the Home, and Child Welfare in England, 1870-1914' (Unpublished PhD thesis, Indiana University, 2000)

<sup>29</sup> Moira Maguire, *Precarious childhood in post-independence Ireland* (Manchester, 2009)

its origins in the nineteenth century is of value to this thesis, as is her emphasis on class as a driving force behind the institutionalisation of pauper children. However, both Barnes and Maguire place an amount of the blame for the institutionalisation of children on their parents who willingly committed them to industrial schools. In contrast to them, this thesis will, whilst recognising the agency of the poor, recognise that this agency was limited by their circumstances and that parents were often unable to protest against the State and the Catholic Church who managed the majority of industrial schools. Thus, this thesis will aim to fill a gap in the understanding of Irish childhood by paying particular attention to the State's, the Catholic Church's, and the philanthropic societies' attitude to the poor family in the nineteenth and early twentieth centuries.

As this literature review has shown, there is today, thirty-six years after the publication of Robin's *The Lost Children*, a fairly substantial amount of literature published examining various aspects of the history of Irish children and childhood. But there is still a lack of one, comprehensive study that brings together all these 'snapshots' of Irish childcare provisions during the nineteenth century to a coherent trajectory examining how they relate and influence each other. T.E. O'Sullivan's thesis must be mentioned here as one of the few attempts to study changes in Irish childcare and child welfare over a longer time incorporating both the workhouse, the reformatory and industrial schools, as well as how changes to the legal framework influenced children and their families.<sup>30</sup> However, O'Sullivan's scope, 1700-1995, is very extensive and does not allow for a thorough examination of the significant developments taking place in the nineteenth and early twentieth century. The

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<sup>30</sup> T.E. O'Sullivan, 'Child Welfare in Ireland, 1750-1995: A History of the Present' (Unpublished PhD thesis, Trinity College, Dublin, 1999)

somewhat shorter time period covered by this thesis means that it is possible to provide a more in-depth analysis of these developments.

## Sources

As previously mentioned the main perspective of the thesis is that of institutions and individuals who managed or took a philanthropic interest in the care of poor children. When looking at how the authorities involved in the discussion of pauper children and their upbringing viewed and approached these issues, one of the main sources used are government publications. The annual reports of the Poor Law Commission (PLC)<sup>31</sup> and the inspector of industrial and reformatory schools (IRIS) form the basis of the chapters on the workhouse and industrial and reformatories.<sup>32</sup> The annual reports of the PLC are a rich source of not just textual evidence but also of statistical information that can be used to chart changes over time. The statistical angle will be discussed further down. However, these reports suffer from some limitations. The biases and prejudices against the poor that were held by the Poor Law inspectors, who collected the majority of information contained in the reports, must be taken into account and not all information should be taken at face value. However, as the aim of the thesis is to examine attitudes towards the children of the poor this does not invalidate its use.

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<sup>31</sup> *Annual Reports of the Poor Law Commissioners for Administering the Laws for the Relief of the Poor in Ireland, 1850-1871, Annual Reports of the Local Government Board for Ireland, 1850-1913*

<sup>32</sup> *Annual Reports of the Inspector Appointed to visit the Reformatory Schools of Ireland, 1861-1867, Annual Reports of the Inspector Appointed to visit the Reformatory and Industrial Schools of Ireland, 1868-1913*

As Crossman points out, every poor law historian has to confront the issue of integrating the national and the local.<sup>33</sup> When examining the reports of the Irish Poor Law inspectors it is important to keep the local variation in mind. The Irish Poor Law unions varied considerable with regards to population, geography, and economy and one should be careful not to assume that one Poor Law inspector's experience and perception can be applied to the national context. Furthermore, one needs to remember that the annual reports provide scant information about how the inspectors gained their information, for example the annual reports do not always detail what question the inspectors asked or exactly which examinations they undertook in order to write their reports to the PLC on issues such as boarding out. Whilst the overall perspective of the thesis is national, local minute books have been used in the case study of the inquiry into the condition of Cork workhouse in 1859. Unlike the PLC and its inspectors, the board of guardians were responsible for the day-to-day running of the workhouse, made decisions regarding the conditions in their workhouse, and interacted with the workhouse inmates. These minute books provide a more detailed examination of how a board of guardians approached the care of workhouse children and how they responded to criticism regarding this care. By examining the attitude and approach of the two levels of Poor Law management, the thesis aims to provide a well-rounded examination of the Poor Law system's interaction with the children in its care.

Like the PLC reports, the IRIS annual reports contain a large amount of textual and statistical information.<sup>34</sup> The IRIS reports are somewhat more coherent in

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<sup>33</sup> Crossman, *Poverty and the Poor Law*, p.9 Crossman's book is an example of a successful integration of the local and the national and provides a comprehensive overview of the Poor Law system in Ireland during this period.

<sup>34</sup> *Annual Reports of the Inspector Appointed to visit the Reformatory Schools of Ireland, 1861-1867, Annual Reports of the Inspector Appointed to visit the Reformatory and Industrial Schools of Ireland, 1868-1913*



their approach than the PLC reports as the inspections of reformatories and industrial schools were, for the majority of this period covered here, undertaken by just one inspector and he also wrote the reports. However, this approach also means that the IRIS reports suffer from some limitations. It appears as though the personal interests of the IRIS influenced the reports, and the emphasis of the reports vary from inspector to inspector. For example, whilst one IRIS places great emphasis on the issue of isolation of children in industrial schools, others barely mention it. This does not necessarily mean that isolation was not an issue, but it says more about aspects of institutional care the individual inspector was interested in. It should also be noted that the IRIS reports were far more dependent on managers of reformatory and industrial schools for their information than the PLC reports were. In most cases, the IRIS could only visit a school once a year and unlike the PLC the IRIS did not have a team of inspectors that could be sent out to collect information and investigate conditions. Thus the job of the IRIS was considerably harder than that of the PLC. Finally, the records of individual industrial schools and reformatories are not open to researchers and are largely retained by the various Catholic religious communities that ran these institutions. Thus, whilst it is possible to gain insight into the workings of the workhouse management through local minute books, the same cannot be achieved for the reformatory and industrial schools.

In addition to the PLC and IRIS annual reports, a number of reports from Select Committees held on issues relating to childcare have been examined. Whilst some of these Select Committee reports have previously been analysed by historians, others have received relatively little attention. A prime example of this is the report of the Street Trading Committee, 1902.<sup>35</sup> Except for Gillian McIntosh's article, this

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<sup>35</sup> *Street-Trading Children Committee (Ireland). Report of the Inter-Departmental Committee on the Employment of Children During School Age, Especially in Street Trading in the large Centres of*

rich source has not been examined in detail. The Street Trading Committee is unusual as it focussed on Ireland and the Irish situation, this was in contrast to, for example, the inquires proceeding the introduction of the ILP Act that did not take the Irish context into consideration and heard only one Irish witness.

During the proceedings of these Committees a number a witnesses were heard and thus an examination of these records represents an attempt to widen the perspective beyond that of the governmental officials heard in the PLC and IRIS reports. The Select Committees heard evidence from a wide range of individuals involved in childcare, for example police officers, industrial school managers, philanthropists, and representatives of both the Protestant and Catholic Church. Thus, the Select Committees provide an insight into how a range of individuals concerned with childcare viewed the children of the poor.

The use of contemporary writings of reformers and philanthropists as well as newspapers serves the same purpose. The newspapers have been used to gather information both about how those interested enough to write to newspapers viewed children and childcare, what the newspapers themselves thought and how they presented the issue of poor children to the reading Irish public. Of course it must be kept in mind that the newspapers were coloured by their political and religious affiliations when reporting on children. This is a limitation, but it also serves to highlight how children and their care was a complex issue in Ireland. Newspapers are also very useful for an understanding of how child welfare legislation was enforced in Ireland as the newspapers reported carefully on court proceedings. This has proved particularly useful in the case of the Children Act of 1908. There is a distinct lack of any information on the Children Act, 1908, in any of the Irish archival

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*Population in Ireland, Appointed by His Excellency the Lord Lieutenant of Ireland. Together with Minutes of Evidence and Appendices*, HC, 1902 [Cd. 1144]

repositories. The place for these records was the National Archives of Ireland (NAI) in Dublin. However, none of the documents relating to the Act could be found in the archives. The NAI staff claimed that these files had probably been removed by the British authorities following Irish independence and placed in the National Archives, Kew. However, inquiries at Kew returned the answer that these files are not held in their archives. Instead, the newspapers have proved indispensable in forming a view of the workings of the Children Act in Ireland.

The main limitation of the sources previously mentioned are that they offer the perspective of the individuals in authority and tell us very little about the perspective of the children and their families. The perspective of the poor themselves is very difficult to obtain. However, through an examination of the files of the Chief Secretary Office's Registered Papers (CSORP) such insight can be gained. The ultimate power to discharge children from reformatories and industrial schools rested with the Chief Secretary for Ireland. The CSORP files contain correspondence relating to cases where parents (or other relatives) applied to have children released. These files will be used to gain an insight into the relationship between the families, the State (in the form of the Chief Secretary and the inspector of reformatories and industrial schools), and the management of these institutions. The files contain letters written by the families themselves and reveal valuable information about their circumstances. Of equal importance is the fact that the files also contain the correspondence between the Chief Secretary, the managers of industrial schools and reformatories, and philanthropic/religious associations tasked with examining the children's home environment in order to determine if it was suitable for their return. This correspondence was not intended for the public's eyes and thus the views expressed on the homes of the poor and their moral character are less guarded than

those in official annual reports. Thus they provide a unique view of how the poor and their homes were regarded by the officials with the power to confine their children in institutions.

## Methodology

The thesis rests on the use of two methodologies: discourse analysis and empirical analysis, particularly in the form of statistical analysis. Through a close reading of the aforementioned sources, the thesis aims to pay attention to various contemporary discourses and interpret contemporary attitudes expressed towards the children of the poor and how these influenced approaches to childcare.

However, more empirical methods will also be used. The sources reveal details about the lives and conditions prevailing in institutions and in the homes of the poor, and, although the main aim of the thesis is to examine attitudes to children and childcare, material conditions and experience will be given some attention. The focus on quantitative analysis is one of the thesis's most significant contributions to the field of Irish social history. The annual reports of the PLC and the IRIS both contain vast amounts of statistical material not previously examined by historians. These reports present annual information concerning the number of children in the respective institutions, their age, gender, and their family background. There are however some problems with this material. With regard to both the PLC and IRIS reports, it must once again be kept in mind that the reports do not provide any information about how the figures were collected and compiled. In the case of the PLC reports there is also uncertainty about whether or not the inspectors collected the figures in the same manner. The same reservation must be levelled against the

IRIS reports as it seems likely that the IRIS obtained his figures from the individual school managers and we do not know that they employed a uniform method to collect the data. Furthermore, both PLC and IRIS reports do not always explain how they define the categories used to describe the children. It is also important when interpreting the statistics compiled to remember that the trends they reveal are not reflective for all parts of Ireland and that there will be possible regional variations obscured by the national focus.

The quantitative analysis has been performed using Excel. Sampling has not been used; instead each year for which information was available has been included in all analysis in order to present the most accurate overview possible. The quantitative analysis will be used to demonstrate how the landscape of Irish childcare changed in the period 1850-1913 charting the move from the workhouse to reformatory and industrial schools. It will also give an insight into the type of children living in these institutions, attempting to shine a light on how children came to be committed to these institutions and thus on how the institutional system worked in relation to the children of the poor. The data will also highlight the effects of an institutional upbringing by showing where children went after being discharged from reformatories and industrial schools. Thus the extensive statistical analysis helps to give a fuller picture of the workings of nineteenth-century childcare institutions.

## Chapter synopsis

The chapters are organised in chronological order.

Chapter 1: The opening chapter provides an overview of developments within the Poor Law system and the voluntary childcare sector in the period 1850-1913. The

first part of the chapter examines the workings of the Poor Law system and the workhouse in Ireland. The aim is to present an introduction to the workhouse system and the child's place in it during the period 1850-1913. This provides the context for the second chapter that will look in more detail at the national debate concerning the workhouse child in the late 1850s and early 1860s. The second part of the chapter examines the emergence and workings of the network of voluntary, charitable children's homes during the second half of the nineteenth century. The chapter also investigates the rise of child welfare organisations, such as the NSPCC, that played a vital role in demanding and implementing child protection legislation.

Chapter 2 focuses on the workhouse child and takes the form of two case studies. The first case study concerns the 1859 PLC inquiry into the conditions of the Cork workhouse children. The inquiry was held following public complaints about the children's physical health. The second case study examines the South Dublin Union (SDU) riot of 1860 in which a number of workhouse girls violently rioted against the workhouse officials. The riot also resulted in an inquiry, which focused on the moral effects on a workhouse upbringing. These two events are of particular interest as they were local events that were widely reported in Irish newspapers and thus can be seen as symptomatic of national interest in the workhouse child. These two case studies aim to highlight the growing concern with the workhouse child and its moral and physical condition following the Famine. They examine both the attitude of the Poor Law system as well as the attitudes of the increasingly vocal contingent of workhouse reformers. The chapter will show that there was increasing anxiety regarding how their environment influenced the development of poor children. This anxiety included both the workhouse environment and the home environment of the poor.

The third chapter examines the boarding out scheme operated in Irish workhouses from 1862. This was a scheme whereby workhouse children could be sent out to live with foster families for a set period of time. However, boarding out failed to gain widespread use in Ireland. Thus, the scheme is especially interesting as it represents a failed attempt at non-institutional care in Ireland. The chapter will examine the attitudes towards boarding out and why the system was rejected in Ireland. The rejection of boarding out will help explain the rise of institutional care in the form of reformatories and industrial schools.

Chapter 4 explores the development of reformatory and industrial schools from the late 1850s to 1913. However, the emphasis is on the industrial schools rather than reformatories, as industrial schools became the largest provider of childcare in Ireland whilst the number of reformatories remained comparatively small. The chapter will show that the rejection of both the workhouse and the homes of the poor as suitable guardians of Irish children led to the extensive use of closed institutions, enabling the Catholic Church in particular to assert control over the lives of poor children and their families. To further emphasise the Catholic Church's strong position within childcare and its wish to promote institutional care, the attempt to introduce day industrial schools (DIS) in Ireland will be looked at. Day industrial schools, where pauper children were taught and fed during the day but returned home at night, represented an opportunity for non-institutional care. Though supported by politicians and philanthropists, the DIS system was opposed by the Catholic Church and, as was the case with the boarding out scheme, this attempt at non-institutional care of children of the poor was ultimately rejected in Ireland.

The final chapter will look particularly at the child welfare and protection legislation that was introduced in the latter end of the nineteenth and early twentieth

century. The chapter will focus on three child welfare acts – the Infant Life Protection Act (1872), the Prevention of Cruelty to Children Act (1889), and the Children Act (1908) – as well as the 1902 inquiry into the phenomenon of street trading children. These legislative initiatives will demonstrate how, by the early twentieth century, legislation helped define the concept of child and childhood as distinct from that of adult and adulthood. They will also show how legislation concerning child welfare tended to be used particularly against the poor. Thus, by the 1913, the efforts of the State, the Catholic Church, and philanthropists to change Irish childcare had resulted in extensive legislation regulating the lives and homes of the children of the poor.



## **Chapter 1: The Context of Child Welfare, 1850-1913**

The aim of this first chapter is to provide a general overview of the context of child welfare in Ireland during the period covered by this thesis, 1850-1913. The first half of the chapter will focus on the workhouse system that, in the two decades following the Famine, dominated the landscape of Irish childcare and was the preferred option for maintaining the children of the poor. In order to outline and understand the changes that took place within Irish childcare during the second half of the nineteenth century and the early twentieth century one must take the workhouse and the workhouse child as the starting point. The developments in Irish childcare during this period occurred against the backdrop of the Irish poor law and the image of the workhouse loomed large in the minds of those advocating reform. The chapter will begin with a brief look at the history of the poor law and the workhouse system in Ireland. It will then move on to examine the nature of the workhouse child, 1850-1913. The basis for this examination will be a statistical overview tracing changes in the number of children in Irish workhouses and their family backgrounds.

The second half of the chapter will highlight how the interest in child welfare grew in the aftermath of the Famine and expanded beyond the remit of the workhouse and the State. Alongside the workhouse and the reformatory and industrial schools – which will be discussed in chapter four – a third type of childcare institution grew in importance during the second half of the nineteenth century. This was children's homes and orphanages run by voluntary, philanthropic organisations. The number of voluntary institutions providing childcare to the poor increased significantly, as did the number of organisations, such as the National Society for the Prevention of Cruelty to Children (NSPCC) campaigning for the legislative protection of children. This development meant that not only was there

increasing interest in providing accommodation for the children of the poor, but there was also a growing number of pro-active organisations interacting with the State over issues concerning child welfare legislation. Thus, over the period 1850-1913, the interest in children moved from a concern with the provision of accommodation for pauper children into the area of legislation and formalising the status of children. This chapter will pay particular interest to how these organisations viewed the children of the poor and their families. It will show that the issue of class and poverty permeated their approach to the children, their families, and child legislation. As will be shown in later chapters, these issues were also at the centre of the development of reformatory and industrial schools.

### The Irish Poor Law System

The Irish poor law was established in 1838. However, one should not make the mistake of assuming that there was no provision for the Irish poor prior to 1838. By the end of the eighteenth century a network of various institutions caring for the poor was in place throughout Irish towns and cities. Among these institutions were ‘hospitals, dispensaries, orphanages and asylums and a number of houses of industry or workhouses.’<sup>36</sup> The pauper child had also long been a feature of Irish society, as had measures to handle the problem the pauper child presented. In 1669 the city of Dublin established the Bluecoat School for poor boys after citizens had expressed concern over the number of destitute children in that city.<sup>37</sup> Furthermore, a 1791 account of Dublin commented on the number of societies caring for pauper children in the city, highlighting the fact that voluntary and religious groups had long played a

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<sup>36</sup> Virginia Crossman, *The Poor Law in Ireland, 1838-1948* (Dublin, 2006), p.4

<sup>37</sup> Joseph Robins, *The Lost Children. A Study of Charity Children in Ireland, 1700-1900* (Dublin, 1980), p.8

role in the provision of childcare.<sup>38</sup> But it was not until 1838 that a statutory system of poor relief came into existence in Ireland.

The poor law system introduced in Ireland was essentially an extension of the new English poor law of 1834<sup>39</sup> and the decision to transplant the English poor law to Ireland has caused much debate amongst historians.<sup>40</sup> Ireland was divided into 130 unions that each contained a workhouse.<sup>41</sup> The workhouses were designed to accommodate between 500 – 900 people.<sup>42</sup> The management of the poor law in Ireland was the responsibility of a local board of guardians that consisted of elected representatives of the ratepayers and local magistrates. Final authority over the Irish poor law system rested with the English Poor Law Commissioners. A resident commissioner was in charge in Dublin and, with the aid of eight assistant commissioners; he constituted the Irish Poor Law Commission (PLC).<sup>43</sup> The PLC was dissolved in 1872 and the newly created Local Government Board (LGB) took over responsibility for the running of the Irish poor law.<sup>44</sup> The poor law system, and the workhouse in particular, were from the onset very unpopular in Ireland and never enjoyed widespread support. Much of the aversion stemmed from the perception of the poor law system as an English imposition.<sup>45</sup> As Crossman has pointed out, many contemporaries felt that the workhouse system was not suited to the Irish character. An 1892 complaint from a board of guardians highlighted that the Irish preferred almsgiving to state relief, and entering a workhouse was considered shameful.<sup>46</sup>

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<sup>38</sup> Ibid.

<sup>39</sup> Ibid., p.118

<sup>40</sup> For a brief summary of the academic discussion on the introduction of the Irish Poor Law, see Crossman, *The Poor Law in Ireland*, pp. 8-10

<sup>41</sup> Ibid., p.11

<sup>42</sup> Crossman, *Poverty and the Poor Law in Ireland, 1850-1914* (Liverpool, 2013), p.101

<sup>43</sup> Crossman, *The Poor Law in Ireland*, p.11

<sup>44</sup> Ibid., p.42

<sup>45</sup> Crossman, *Poverty and the Poor Law*, p.2

<sup>46</sup> Ibid.

Much aversion was directed toward the penal character of the Irish poor law. The workhouse system introduced in Ireland was more punitive in character than the system operating in England. In Ireland, unlike in England, all relief applicants had to enter the workhouse, no outdoor relief was to be given.<sup>47</sup> The aim was to avoid the pauperisation of the inmates; ideally the poor should be self-sufficient and avoid being a burden on the poor law system and the ratepayer. In order to prevent people seeking relief out of idleness rather than need, the workhouse system employed the principle of less eligibility. This meant that the living conditions in the workhouse had to be inferior even to those of the very poorest labourer.<sup>48</sup> As Clark has pointed out, this approach meant that conditions for children, including abandoned and orphaned children, were by necessity severe so as to dissuade parents from deserting their children leaving them to be cared for in the workhouse.<sup>49</sup> Thus, the workhouse was intended to be an inhospitable place. In its very design, it was to inspire dread. The majority of workhouses were large and imposing buildings, in the words of Felix Driver, the workhouse was ‘designed to make an impression on the poor’.<sup>50</sup> Assistant Commissioner Sir Francis Head stated that in relation to the workhouse ‘the pauper would feel it was utterly impossible to contend against it.’<sup>51</sup> Life within its walls was monotonous and repetitive, with the aim of inspiring ‘obedience, industry and self-control within the inmates.’<sup>52</sup> Institutional discipline was a cornerstone of the workhouse system. Children were not exempted from the disciplinary regime and there was no time devoted to children’s play or for children to, in McLoughlin’s

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<sup>47</sup> Crossman, *The Poor Law in Ireland*, p.10

<sup>48</sup> Anna Clark, ‘Irish orphans and the politics of domestic authority’, in Lucy Delap, Ben Griffin and Abigail Willis (eds), *The Politics of Domestic Authority in Britain Since 1800* (Basingstoke, 2009), p.64

<sup>49</sup> Ibid., p.64

<sup>50</sup> Felix Driver, *Power and Pauperism. The Workhouse System, 1834-1884* (Cambridge, 1993), p.59

<sup>51</sup> Quoted in *ibid.*, p.59

<sup>52</sup> Crossman, *Poor Law in Ireland*, p.14

words, ‘otherwise freely associate among themselves without adhering to various rules and regulations.’<sup>53</sup>

In order to enforce discipline and control over the poor a system of categorisation and separation of inmates was envisioned. The workhouse inmates were usually divided into five categories: aged and infirm men, aged and infirmed women, able-bodied men over 15, able-bodied women over 15, and children.<sup>54</sup> The number of categories varied somewhat from workhouse to workhouse and a look at the dietary categories for Cork workhouse reveals no less than seven categories:

- 1) Able-bodied working men
- 2) Able-bodied working women
- 3) Aged and infirm persons of either sex, and adult persons of either sex, above 15 years of age, but not working.
- 4) Boys and girls above nine and under 15 years of age
- 5) Children above 5 and under 9
- 6) Children above 2 and under 5
- 7) Infants under 2<sup>55</sup>

Ideally, the inmates should not only have separate diets but also be spatially separated. However, in Ireland it proved simpler – and cheaper – to not build separate wards for each category. The aged and infirm had their own diet but they did not have their own ward.<sup>56</sup> Children and adults did have separate wards, which meant that families were broken up and children were separated from their parents. It should be noted that children under the age of two were allowed to stay with their mothers. As pointed out by Crossman, the practice of separating families is often

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<sup>53</sup> Dympna McLoughlin, ‘“Shovelling out paupers”: Female emigration from Irish workhouses, 1840-1870’ (Unpublished PhD thesis, Syracuse University, 1988), p.152

<sup>54</sup> Crossman, *Poverty and the Poor Law*, p.104

<sup>55</sup> Colman O Mahony, *Cork’s Poor Law Palace. Workhouse Life 1838-1890* (Cork, 2005), pp.17-18

<sup>56</sup> Crossman, *Poverty and the Poor Law*, p.104

highlighted as a particularly cruel aspect of the workhouse system.<sup>57</sup> However, Crossman has also shown that very few families entered the workhouse together. Rather, the most common way of entering the workhouse was on one's own, thus families being separated by the workhouse was not as common an experience as might have been believed.<sup>58</sup> However limited the numbers of families entering the workhouse, the separation of parents and children remained one of the most controversial aspects of the workhouse system during the period covered here.

#### A Statistical Overview: The Workhouse Child, 1850-1913

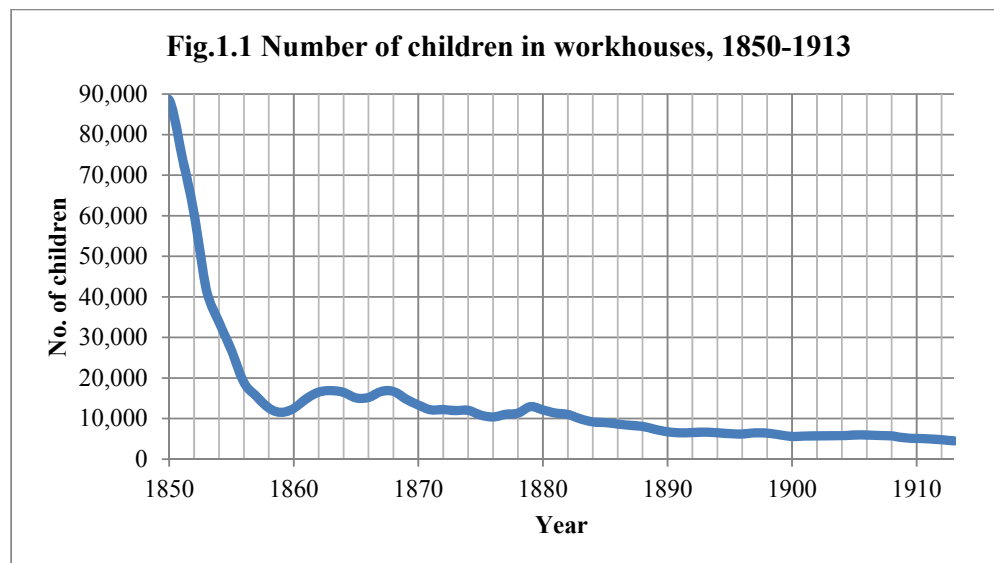
Before looking more closely at workhouse children in the 1850s, it is worth examining the general trends concerning the workhouse child in the period covered by this thesis. The annual reports of the PLC and the LGB allow us to chart the number of workhouse children throughout the period and provide some insight into their backgrounds. Turning first to the number of workhouse children, a brief note on the compilation of the statistical data is necessary. The annual reports of the PLC and the LGB include a summary of the weekly returns of the number of people relieved in the Irish workhouses. The graph below has been compiled using the number of children relieved on the last Saturday of each calendar year. For the majority of the time period covered here the weekly returns refer only to healthy children. It should be noted that for the period 1850-1854, the weekly returns do not describe the physical state of the children; it simply presents them under the category 'children under 15 years of age.' Finally, the graph only shows children in receipt of indoor

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<sup>57</sup> Ibid., p.131

<sup>58</sup> Ibid.

relief, i.e. not children who were boarded out. These will be discussed in chapter three.



*Annual Reports of the Poor Law Commissioners for Administering the Laws for the Relief of the Poor in Ireland, 1850-1871, Annual Reports of the Local Government Board for Ireland, 1850-1913*

The most striking feature of the graph is the significant decrease in the number of workhouse children over the period. On the last Saturday of 1850, 88,528 children were in Irish workhouses; the corresponding number in 1913 was 4,494.<sup>59</sup> The very high numbers of workhouse children in the early 1850s are of course an effect of the Famine. As the Famine conditions abated the number of workhouse children decreased dramatically. It is worth noting that after the dramatic drop during the 1850s, the number of workhouse children actually increased somewhat during the 1860s. In the early 1860s the PLC noticed an increase in pauperism that it connected to poor harvests.<sup>60</sup> This might account for the increase in workhouse children, although after the first years of the 1860s the PLC generally note a decrease in the

<sup>59</sup> *Fourth Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland: with Appendices*, Appendix B, House of Commons Parliamentary Papers (hereafter HC), 1851 [1381], p.177 *Annual Report of the Local Government Board for Ireland, for the year ended 31st March, 1914*, Appendix F, HC, 1914 [Cd. 7561], p.222

<sup>60</sup> *Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland*, HC, 1865 [3507], pp.4-5

number seeking workhouse relief.<sup>61</sup> From the end of the 1860s, the numbers drop and never reach the 1860s levels again. The decrease at the end of the 1860s coincides with the introduction of reformatory and industrial schools and it seems reasonable to assume that this may account for the decreasing number of workhouse children.

It should also be noted that there were seasonal variations in the number of children in workhouses. Statistics compiled from the annual reports of the PLC/LGB show that during the period 1859-1913 the lowest number of children receiving relief in workhouses was consistently found in July, August, and September.<sup>62</sup> This might be connected to the harvest; children might have been taken out of the workhouse to assist during the harvest period. It is also reasonable to assume that the employment patterns of parents had a significant impact on the seasonal variations in the number of workhouse children. Presumably the parents were also more likely to have employment during the harvest and therefore the children were then taken out of the workhouse as they parents were able to support them. The highest number of children in workhouses was found in January and February.<sup>63</sup> These figures indicate how the lives of the poor were determined by the seasonal variation in the availability of work.

In the early 1870s the PLC started to provide the average daily number of healthy children in the workhouse and these numbers further confirm the decline of the workhouse child. The figures are only available for the period 1855-1902 and

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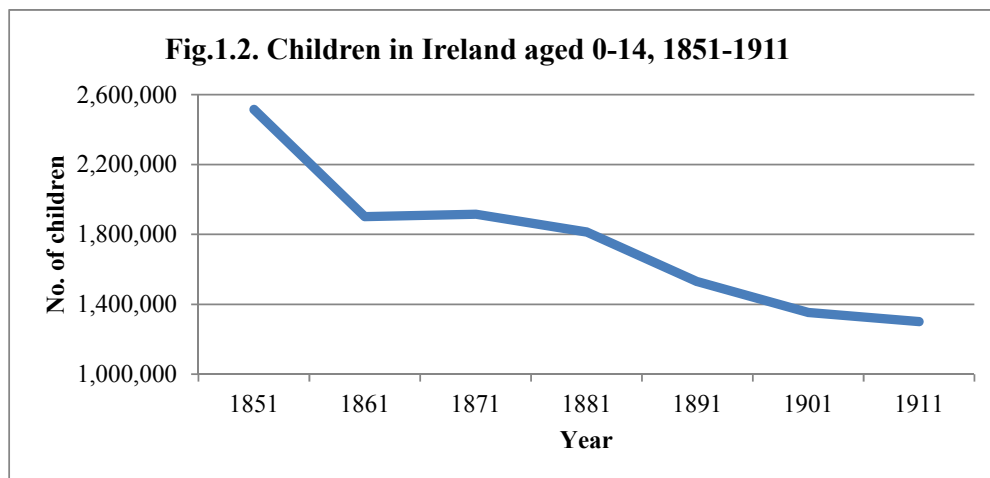
<sup>61</sup> Ibid., p.5

<sup>62</sup> See Appendix A. The years 1850-1858 have been omitted as the number of workhouse children in this period was, presumably due to the effects of the Famine, considerably higher than the rest of the period covered by this thesis. Including the figures for 1850-1858 would obscure any trends in the period following 1858.

<sup>63</sup> *Annual Reports of the Commissioners for Administering the Laws for Relief of the Poor in Ireland, 1850-1913*



show a decrease from 73,961 in 1852 to 5,526 in 1902.<sup>64</sup> The decrease in the numbers of workhouse children throughout the period is striking but in order to establish its significance it must be compared to changes in the Irish population as a whole. It is vital to remember that throughout the nineteenth century the Irish population overall decreased considerably. In the 1841 census, the population of Ireland was recorded at just over eight million but by the 1911 census the population had decreased by half due the Famine and the emigration that followed it, and was recorded at just short of 4.5 million.<sup>65</sup> It is important to note that the census does not use the same definition of a child as the poor law; in the census a child is an individual aged 0-14. In keeping with the general population trend, the number of children in Ireland recorded in the census also decreased during the period 1851-1911, from about 2.5 million to 1.3 million.<sup>66</sup> However, the proportion of children in the total population remained roughly the same (circa 30 per cent).<sup>67</sup>



W.E. Vaughan/ A.J. Fitzpatrick (eds), *Irish Historical Statistics. Population, 1821-1971* (Dublin, 1978), pp.78-81

<sup>64</sup> *Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland*, HC, 1870 [C.156], *Annual Report of the Local Government Board for Ireland*, HC, 1903 [Cd. 1606]

<sup>65</sup> W.E. Vaughan and A.J. Fitzpatrick (eds), *Irish Historical Statistics. Population, 1821-1971* (Dublin, 1978), p.3

<sup>66</sup> *Ibid.*, p.3

<sup>67</sup> *Ibid.*

Thus, one needs to consider the possibility that the decrease in the number of workhouse children is in line with the overall decrease in the number of children in Ireland. In order to establish the significance of the decrease in the number of workhouse children we need to know whether or not the proportion of workhouse children within the whole child population also decreased. By comparing the number of workhouse children to the number of children recorded in the census, it becomes clear that by the early twentieth century, the Irish workhouse child had almost vanished. In 1851, workhouse children made up 4.2 per cent of the total population aged 0-14; the corresponding figure in 1911 had dropped to just 0.4 per cent. The proportion of workhouse children had decreased considerably and this cannot be attributed to the decrease in the overall child population. The proportion of workhouse children to the total workhouse population also decreased dramatically. On the last Saturday of 1850, children made up 47.7 per cent of the total number of workhouse inmates. This can be compared to the last Saturday of 1913 when healthy children made up 13 per cent of the total workhouse population.

The declining number of healthy workhouse children is in line with the changing character of the workhouse during the second half of the nineteenth century. Following the Famine, the poor law's responsibilities with regards to medical relief expanded significantly. The 1851 Medical Charities Act established dispensaries under the control of local poor law guardians and property holders. Under the act, the poor who were unable to afford doctor's fees could apply for free medical aid.<sup>68</sup> The Poor Law Amendment Act of 1862 further extended the workhouses' role in public health care by allowing for the admittance to workhouse infirmaries of the poor with non-contagious diseases.<sup>69</sup> Thus, the workhouse

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<sup>68</sup> Crossman, *The Poor Law in Ireland*, pp.38-40

<sup>69</sup> *Ibid.*, pp.39-40

increasingly took on the character of an infirmary and the proportion of old, infirm, and ill inmates increased accordingly. The proportion of able-bodied adult inmates in workhouses was 35 per cent in 1851, and 16 per cent in 1871. During the same period the proportion of aged and infirm inmates increased from 7 per cent to 26 per cent.<sup>70</sup>

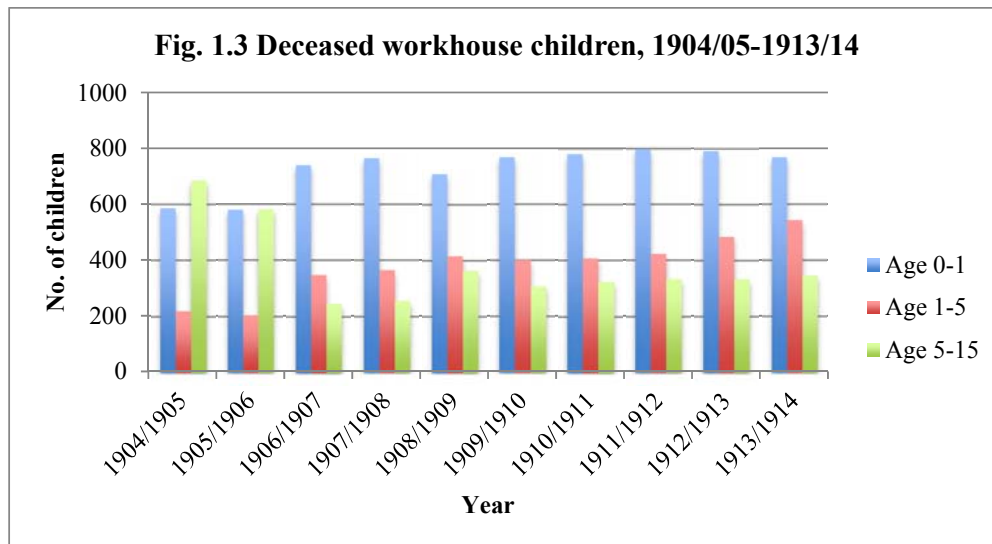
## Mortality

Much of the criticism aimed at the workhouse focused on mortality rates. As boards of guardians tended to record the number of deceased children every week it is possible to calculate mortality rates for individual workhouses, but unfortunately it is hard to gain an overview of the national mortality rate of workhouse children in the period covered here. The annual reports do not consistently record the number of deceased children and it is not possible to calculate how child mortality figures fluctuated over time. However, over the period covered here the LGB's interest in child mortality in workhouses increased. In 1882, the LGB produced a separate report recording the number of deceased workhouse children aged 0-12. It shows that during the year 1881, 1,446 such deaths occurred. The total number of 0-12-year-olds relieved in Irish workhouses was 59,087 meaning that 2.4 per cent of those relieved died in the workhouse.<sup>71</sup> In 1905 the annual reports began to consistently note the number of deceased workhouse children during the year. The numbers were collected over a 52-week period from early April to late March, with the exception of the figures for 1913/1914 that covered 53 weeks.

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<sup>70</sup> Ibid., p.48

<sup>71</sup> *Return of the Mortality of Children in Irish Workhouses from Infancy up to Twelve Years of Age, for the Year 1881*, HC, 1882 (277), p.5 The category 'total number relieved in workhouses' includes those in Irish workhouses on 1 January 1881, those born in Irish workhouses during the year ended 31 December 1881, and those admitted to Irish workhouses during the year 31 December 1881.



*Annual Report of the Local Government Board for Ireland, for the year ended 31st March, 1905 - Annual report of the Local Government Board for Ireland, for the year ended 31st March, 1914.*

As expected, these figures show that the majority of child deaths occurred among children aged 1 year or under. This is hardly surprising as this age group was the most vulnerable to disease. The period is too short to draw any general conclusions from, but it is worth noting that the number of child deaths increased slightly in this period. Furthermore, the proportion of child deaths to the total number of workhouse deaths also increased. In 1904/05, child deaths made up 13.1 per cent of workhouse deaths, in 1913/14 the equivalent number had risen to 15.9 per cent.<sup>72</sup> This is consistent with the fact that by this stage there were fewer children in the workhouse and that the majority of those who resided there were in the infirmaries.

Not only is it difficult to compile national mortality rates from the information provided in the PLC/LGB annual reports, there is also little information regarding the circumstances surrounding the deaths of workhouse children, such as cause of death and age at death. However, the annual report for 1859/1860 does

<sup>72</sup> Statistics compiled from the *Annual Report of the Local Government Board for Ireland, for the Year ended 31st March, 1905 - Annual Report of the Local Government Board for Ireland, for the Year ended 31st March, 1914.*

supply such information and provides the opportunity to gain a more detailed picture of workhouse child mortality in the late 1850s.

In 1859 the PLC launched an investigation into the child mortality rates in Irish workhouses. The investigation was prompted by the Cork Inquiry, which will be discussed in greater detail in chapter two, that had brought the poor physical condition of children in Cork workhouse to national attention earlier that year. As a response to a possible House of Commons inquiry on child mortality in workhouses the PLC prepared its own report on the issue. In June 1859, when the PLC received the annual statement of the number of deaths in Irish workhouses and the classifications of causes of death from their inspectors, they reviewed the statements and identified all deceased under the age of 15.<sup>73</sup> The inspectors were asked to provide further information on the health of the deceased child on admission to the workhouse, and the length of time between admission and death.<sup>74</sup> When the inspectors returned this information, the PLC created a table for the year ending 16<sup>th</sup> April 1859, showing 1) the annual mortality rate of workhouse children, 2) the state of health of the children on admission, and 3) the length of time between admission and death ‘as far as could be shown on a tabular’.<sup>75</sup> The second of these points will be discussed in chapter two as it reveals more about the PLC’s attitude towards workhouse children than about the actual issue of workhouse child mortality. Looking at the annual mortality rates, these figures confirm that the youngest children were the most vulnerable.

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<sup>73</sup> ‘Report from the Commissioners on the Subject of Mortality amongst the Younger Classes in the Workhouses’, *Annual Report of the Commissioners Administering the Laws for the Relief of the Poor in Ireland*, Appendix A, HC, 1860 [2654], p.88

<sup>74</sup> Ibid.

<sup>75</sup> Ibid., p.89

**Table 1.1 – Table showing total number of children relieved, deceased and percentage thereof split by age group for the year ended 16 April 1859.**

Age	Total relieved during the year	Total deceased during the year	Percentage dead during the year
Under 2	14,401	1,249	8.67%
2 to 15	34,437	606	1.75%
Total 0-15	48,838	1,855	3.79%

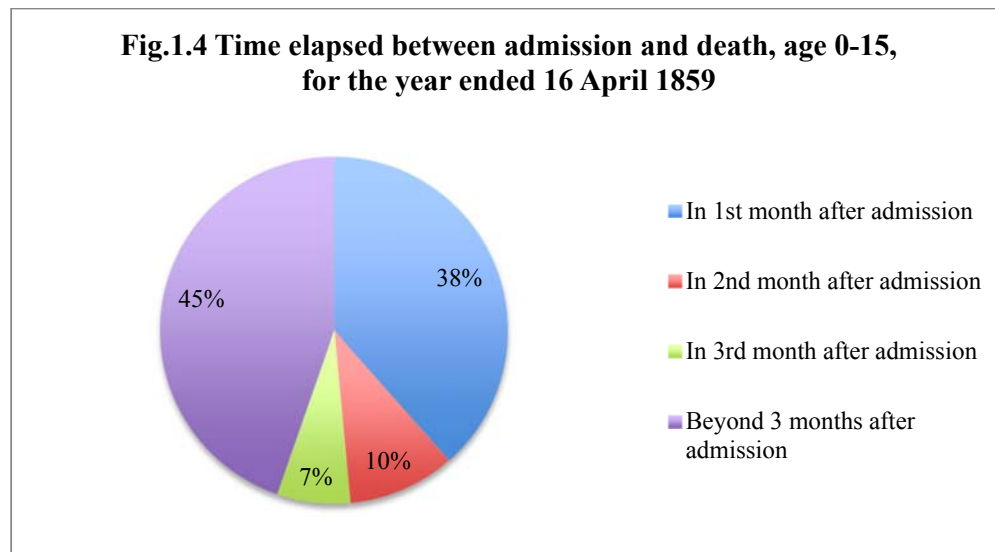
*Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland*, HC, 1860 [2654], pp.89-90

In total, 48,838 persons under the age of 15 were relieved in Irish workhouses during the year ending on 16<sup>th</sup> April 1859. Of these 1,855, or just under 4 per cent, died. If one considers only those aged under 2, the percentage rises to 8.67. The corresponding figure for the group aged 2-15 is 1.75 per cent. Looking at the mortality records from individual workhouses, the infant mortality rate was indeed shocking. McLoughlin cites New Ross union as an example where during one week in 1853, 12.5 per cent of the infants in the workhouse died.<sup>76</sup> It is clear that the youngest group of workhouse inmates were considered of particular interest in relation to mortality rates. It is worth noting that the PLC was already well aware that the mortality figures for the youngest workhouse inmates were high. A year earlier, in the annual report for 1858/1859, the PLC drew ‘special attention to the high mortality rates of children under the age of two’ who were in the workhouse without their mothers.<sup>77</sup> The decision to divide the children into just two age groups underlines the notion that the youngest workhouse inmates were clearly seen as the most interesting and problematic group in relation to mortality rates.

<sup>76</sup> McLoughlin, ‘Shovelling out paupers’, p.152

<sup>77</sup> *Annual Report of the Commissioners administering the Laws for the Relief of the Poor in Ireland*, HC, 1860 [2654], p.20

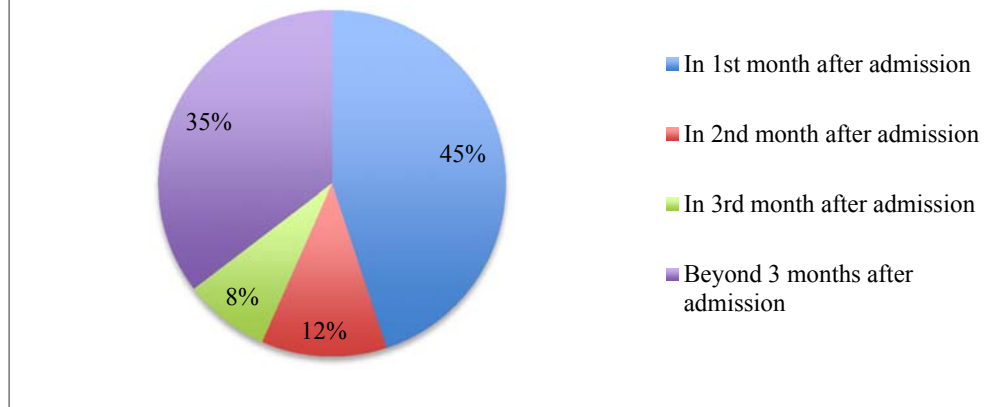
When looking at the time elapsed between admission and death, the vulnerability of the youngest inmates is further underlined. The time elapsed between admission and death was divided into seven categories. The PLC compiled figures for the number of deaths in the first, second, and the third and fourth week, as well as the number of deaths in the first, second, and third month after admission. The final category consisted of children who had been in the workhouse for over three months when they died.



*Annual Report of the Commissioners administering the Laws for the Relief of the Poor in Ireland, HC, 1860 [2654], p.90*

Overall, the majority of children died later than three months after their admission. But when breaking down the figures the picture becomes more nuanced.

**Fig.1.5 Time elapsed between admission and death, age 0-2, for the year ended 16 April 1859**

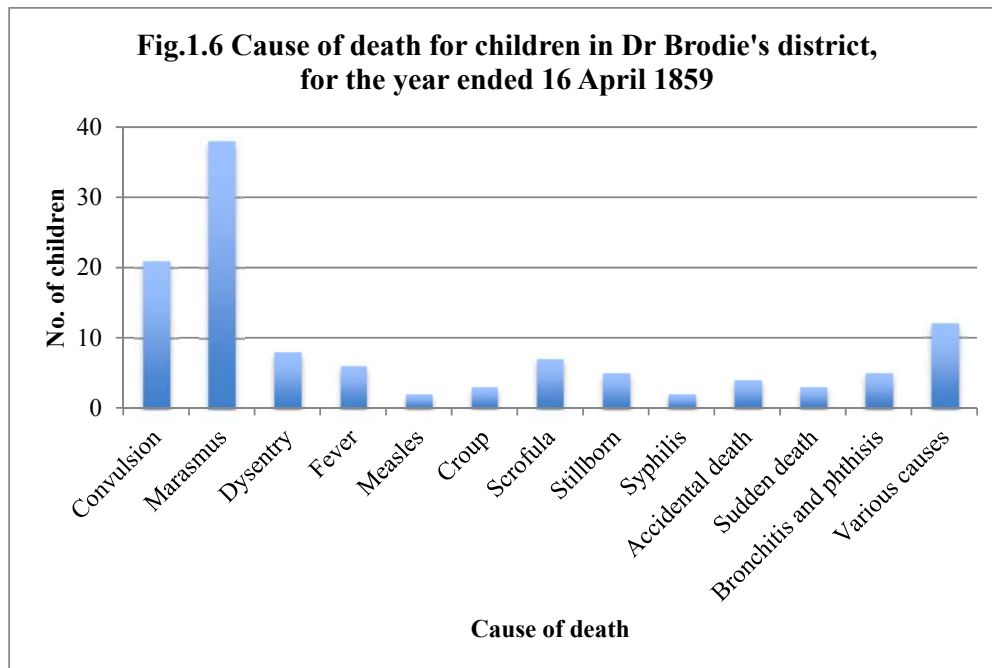


*Annual Report of the Commissioners administering the Laws for the Relief of the Poor in Ireland*, HC, 1860 [2654], p.90

The majority of deaths in the age group 2-15 occurred beyond the three-month mark, (64 per cent). The situation for those under two years of age was quite different: the majority of these children died before the 3-month mark and as many as 45 per cent of these children died within the first month after they had been admitted to the workhouse. A further 20 per cent died in their second and third month in the workhouse. Again this strengthens the impression that the youngest workhouse children were the most vulnerable.

While the annual reports of the PLC and the LGB do publish statistics on causes of death for workhouse inmates, this information is not broken down by age. However, the 1859 investigation does provide a rare insight into what caused children's deaths. This insight is very limited though as only one of the inspectors, Dr Brodie, provided this type of information. Dr Brodie's district was located in the west of Ireland and incorporated, among others, Galway and Roscommon Unions. This information is of course not nearly enough to form any general conclusions about causes of death, but it is indicative of the nature of infant and child deaths in the unions in the west of Ireland.





*Annual Report of the Commissioners Administering the Laws for the Relief of the Poor in Ireland*, HC, 1860 [2654], p.102

By far the most common cause of death was marasmus, a form of severe malnutrition. This is not surprising as the majority of children presumably already suffered from malnutrition when they arrived in the workhouse. It also indicates that the workhouse diet was insufficient to restore these children to health.

Considering the traumatic impact of the Famine and the prevalence of malnutrition, it is not surprising that the workhouse diet attracted debate in the decade following the Famine. In connection with the Cork inquiry of 1859, the workhouse diet came under severe criticism when the Mayor of Cork, John Arnott, claimed that the workhouse food was the cause of deformities in workhouse children.<sup>78</sup> Dr Callanan told the Cork inquiry that when he inspected the workhouse the boys refused to eat the soup as it was full of beetles and that he had ‘found the bread very bad; it was composed of coarse flour, of a very inferior quality’.<sup>79</sup> Mr

<sup>78</sup> Minute Book of the Cork Union Board of Guardians, 13 April 1859, BG69/28, Cork City and County Archives, Cork [Hereafter, CCCA]

<sup>79</sup> *Freeman's Journal*, 12 May 1859

Desmond, assistant teacher in the Cork workhouse, also testified to the children's dislike of the food. He said that often the boys did not finish their food and they complained of not getting enough to eat.<sup>80</sup> In the early 1850s, the Cork workhouse children employed desperate measures to improve their diet. In July 1851 inspector Huband reported to the PLC that the Cork children had given themselves eye infections in order to be admitted to the infirmary and gain access to the superior infirmary diet.<sup>81</sup> The boys poured the juice of a weed into their eyes producing an inflammation resembling ophthalmia, whilst the girls placed threads from their aprons underneath their eyelids. The schoolmistress reported that she had seen children tear pieces of paper from their books and place them under the eyelids.<sup>82</sup> This practice was very painful and the inspector reported that the boys had told him that 'so painful does this milk become when put into the eyes, that they have been kept awake at night by these boys who had used it before going to bed'.<sup>83</sup>

In the late 1850s the improvement of the workhouse diet, particularly through the inclusion of meat, caused some discussion. In Ireland, unlike England, the more expensive produce such as meat, cheese, tea, and butter had never been a part of the ordinary workhouse diet, though they were part of the hospital diet. Traditionally the diet for healthy inmates consisted mainly of milk, oatmeal stirabout, and potatoes.<sup>84</sup> But by 1859, improved financial conditions in Ireland had led to an increasing number of Unions including meat in their diet.<sup>85</sup> The medical authorities in Ireland supported this development but the PLC 'thought that very serious objections to that

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<sup>80</sup> Ibid

<sup>81</sup> 'Letter from George Huband, Poor Law Inspector to the Poor Law Commissioners', *Fifth Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland: with Appendices*, Appendix A, HC, 1852 [1530], p.113

<sup>82</sup> Ibid., pp.113-114

<sup>83</sup> Ibid., p.114

<sup>84</sup> 'Report on the subject of workhouse dietaries and the dietary of the labouring poor in Ireland', *Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland*, HC 1860 [2654], p.28

<sup>85</sup> Ibid., p.29

measure still exists.’<sup>86</sup> In general, the PLC’s reservations against the widespread use of meat in workhouses rested on the fact that meat did not form part of the diet of the average Irish labourer or peasant.<sup>87</sup> Thus the serving of meat in workhouses would violate the principle of less eligibility. When outlining their objections the PLC focused especially on the effect that serving meat would have on workhouse children and in doing so revealed much about their attitude towards these children. The PLC argued that meat should not be given to workhouse children as it might accustom them to a higher standard than they could expect to find outside the workhouse. This would make them reluctant to leave the workhouse and take up situations where meat would not be served.<sup>88</sup> The result would be a generation of workhouse children forever dependant on the ratepayers.

Individual boards of guardians shared the PLC’s concerns. In reply to a letter from the PLC, the Cork Board of Guardians stated in June 1859 that, ‘With respect to the children, we do not intend to give them solid meat... We hope that when these children shall arrive at the age of 15 years they will willingly leave the W.house [sic] for employment rather than submit to the inferior diet of the A.B [able-bodied] class.’<sup>89</sup> These statements indicate a view of workhouse children as idle and passive. There was an underlying assumption that these children were inherently idle and indolent. If the workhouse was made too comfortable, the children would never attempt to support themselves, but would rather chose to live off the ratepayers and the State for the rest of their lives. It is clear that there was an inherent complexity in the workhouse systems approach to children. On the one hand conditions could not be too comfortable, as this would result in permanent workhouse residents. But, on

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<sup>86</sup> Ibid.

<sup>87</sup> Ibid.

<sup>88</sup> Ibid., p.30

<sup>89</sup> Minute Book of the Cork Union Board of Guardians, 6 July 1859, BG69/28, CCCA

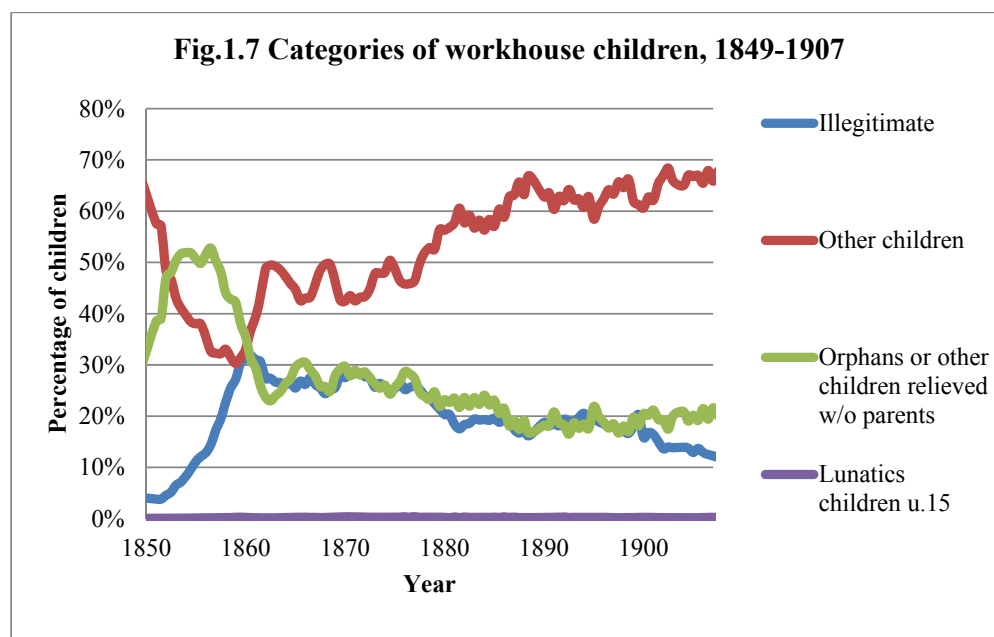
the other hand, the conditions had to be good enough to foster healthy children able to work.

### Family Background

For the period 1850-1907 it is possible to gain some insight into the backgrounds of workhouse children. During this period the annual reports present a table showing the total number of men, women, and children relieved in the workhouse during the previous year. The table presents these figures for each half-year. The children are sub-divided into six categories with information on the number of children in each category. The categories are as follows: illegitimate children of able-bodied parents, other children of able-bodied parents, illegitimate children of non able-bodied parents, other children of non able-bodied parents, orphans and other children relieved without parents, and children who were lunatics, insane or idiots. As the label able-bodied or not able-bodied refers to the parents, not the child, I have added the able-bodied and not able-bodied together thus creating four categories: illegitimate, other, orphan/relieved without parents, and lunatics. It should be noted that the term 'orphan' was understood by contemporaries to include children who had one surviving parent. It is important to understand that these figures do not represent the number of separate individuals, but the total number who had received relief in the workhouse during each six-month period. The same individual might be represented more than once in the total number as s/he entered and re-entered the workhouse. Therefore, the proportion of children has been calculated against the total number of children relieved during that six-month period. Unfortunately, after 1907 the reports cease to be as detailed when it comes to children in workhouses,

instead they only present the figures for the number of healthy children in Irish workhouses. The LGB does not provide an explanation for this but it might indicate the decline of the workhouse as the main institution caring for poor children.

The categories are problematic as it is difficult to know how they were defined. The category ‘other children’ is not explained further, but as there is a category for illegitimate children, it is reasonable to assume that ‘other children’ refers to legitimate children. The category ‘orphans, or other children relieved without parents’ is also somewhat problematic but presumably this is the total figure of orphans and deserted children relieved in workhouses. Nevertheless this information allows us some insight into the background of workhouse children.



*Annual Reports of the Commissioners for Administering the Laws for the relief of the Poor in Ireland, 1849-1872; Annual Reports of the Local Government Board for Ireland, 1873-1907.* These figures are not available for the year 1850; therefore the graph takes as its starting point the figures for the half-year ended 29 September 1849.

There are a number of interesting observations to be made from this graph. As expected the orphan and unaccompanied children dominate the 1850s in the aftermath of the Famine, but over time their proportion decreases significantly. Some

of the decrease of orphaned and deserted children can also be attributed to the introduction of the boarding out scheme for which only orphaned and deserted children were eligible. Children who were boarded out are not included in the chart above. The proportion of illegitimate children increases during the 1850s to a level that is then largely sustained, albeit with a steady decrease, throughout the period. This is in line with Ferriter's statement that in parts of Ireland the number of illegitimate births increased following the Famine and that this increase was largely due to a higher number of illegitimate births in workhouses.<sup>90</sup> Another interesting thing to note is the group classified as illegitimate children of able-bodied parents. Whilst the total number of illegitimate workhouse children decreased over the period, their proportion of the total workhouse child population increased markedly. During the 1860s and 1870s these children made up about a quarter of the child workhouse population, whilst in 1850 they only constituted 1/25. By 1907, they make up 1/10. Furthermore, whilst the total number of workhouse children decreases, the number of illegitimate children of able-bodied parents remain relatively consistent. One needs to be very careful in interpreting these figures. But one might perhaps hazard a guess that these are the illegitimate children of single mothers unable to support them.

Over the period 1850-1907, the category 'other children' tended to be the largest category. In September 1851, 57 per cent of workhouse children belonged to this group. As the proportion of illegitimate, orphan and unaccompanied children grew during the 1850s, the proportion of 'other children' fell to its lowest point. By March 1859, 30 per cent of workhouse children were categorised as 'other'. After the 1850s the proportion of 'other' children increased and by September 1907 this

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<sup>90</sup> Diarmaid Ferriter, *Occasions of Sin. Sex and Society in Modern Ireland* (London, 2009), p.21

category of children made up about 68 per cent of the workhouse child population. As mentioned previously, we do not know exactly how this category was defined but the layout of the table, that lists illegitimate children and then other children, lends itself to the interpretation that these children might have been legitimate children admitted with their parents.

As for gender, the annual reports only record this information starting in 1902. During the period 1902 - 1913 almost equal numbers of boys and girls were recorded as workhouse inmates.

Considering the controversial nature of religion in Ireland, it is worth noting that the religion of children is not recorded in the annual reports, nor is the topic of children and religion frequently discussed in the reports. The poor law system was intended to be non-sectarian, e.g. no clergymen could sit on the board of guardians and inmates could not be made attend a religious service contrary to their own – or their parents/guardians’ – beliefs.<sup>91</sup> However, accusations of proselytism were always present. A typical example is that of the Dingle workhouse where the Protestant chaplain, in 1851, was accused of paying inmates to attend his services.<sup>92</sup> The only time that children and religion is discussed in greater detail in the PLC’s annual reports is in connection with the issue of the religion of foundlings. An 1842 ruling stated that foundlings admitted to the workhouse should be brought up as Protestants, despite the vast majority of the Irish population being Catholic.<sup>93</sup> Many boards of guardians refused to comply with this ruling and baptised foundlings as Catholics. Calling for further legislation to ensure the cooperation of those who were to administer the law locally, the PLC called it ‘an irritating topic of discussion’ in

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<sup>91</sup> Mel Cousins, ‘Registration of the Religion of Children under the Irish Poor Law, 1838-1870’, in *Journal of Ecclesiastical History*, 6, 1, (2010) [accessed through <http://journals.cambridge.org> 31/12/2009] p.110

<sup>92</sup> Ibid.

<sup>93</sup> Crossman, *The Poor Law in Ireland*, p.15

the boardrooms of guardians across Ireland.<sup>94</sup> The 1862 Poor Law Amendment Act allowed boards of guardians to register children in the religion they thought was the appropriate one, but, as Cousins points out, disputes over foundlings and their religion continued.<sup>95</sup>

### Philanthropic Expansion and its Context

In the decades following the Famine, the network of institutions caring for the children of the poor extended significantly beyond the workhouse and came to include a variety of institutions not run by the State. These institutions, run by private individuals and societies, indicate the expanding interest among the general Irish population in children and childcare. It is impossible to know exactly how many such organisations were in operation at any one time, but it is certain that their numbers grew steadily throughout the nineteenth century. O'Sullivan has noted a remarkable increase in the number of such organisations run by Catholics. According to his data, 8 Catholic orphanages were founded between 1750 -1800. In comparison, the period 1803 – 1909 saw the establishment of 59 such institutions.<sup>96</sup> Unsurprisingly, children's homes were particularly common in Dublin where the slum areas provided an abundant supply of poor in need of assistance. By 1884, Dublin had over 120 schools, orphanages, and refuges for children.<sup>97</sup> It is virtually impossible to ascertain how many children were in the care of these organisations. The records of many of these private institutions either do not survive or are not made available to the

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<sup>94</sup> *Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland*, HC, 1859 [2546] p.21

<sup>95</sup> Cousins, 'Registration of the Religion of Children', p.121

<sup>96</sup> T.E. O'Sullivan, 'Child Welfare in Ireland, 1750-1995: A History of the Present', (Unpublished PhD thesis, Trinity College, Dublin, 1999) pp.192-193

<sup>97</sup> Maria Luddy, *Women and Philanthropy in Nineteenth-century Ireland* (Cambridge, 1995), p.69



researcher. However, census figures go some way towards shedding light on the numbers. From 1871, the census for Ireland records the number of individuals in orphan asylums. These figures are somewhat problematic, as the census does not define the term ‘orphan asylums’.<sup>98</sup> That the census records these numbers from 1871 onwards indicates that towards the end of the nineteenth century orphan asylums had become an important part of the landscape of Irish institutions alongside workhouses, reformatories, and industrial schools. The figures show an increase of almost 33 per cent in the number of children in such institutions from 1871 to 1911.

**Table 1.2: Children in orphan asylums, 1871-1911**

Year	1871	1881	1891	1901	1911
Number of children	1,510	1,922	2,068	1,898	2,129

*General Census of Ireland for the years 1871-1911*

O’Sullivan, in his thesis, attempted to estimate the number of children in Irish orphanages. He believes that prior to the introduction of the Industrial Schools Act in 1868 circa 5,000 children were maintained in private orphanages, with the number dropping to approximately 3,000 after 1868.<sup>99</sup> The children in private orphanages were always in a minority. According to O’Sullivan’s figures, the children detained in workhouses, reformatories, and industrial schools made up between 67 and 76 per cent of the total number of institutionalised children throughout the period 1861-1911.<sup>100</sup>

The records that are available from individual organisations provide further insight into the number of children receiving care from voluntary organisations. The size of the organisations varied widely. In the period 1882 – 1908, the admission

<sup>98</sup> The figures appear under the headline ‘public institutions’ and are separate from the figures for individuals in workhouses, reformatories, and industrial schools.

<sup>99</sup> O’Sullivan, ‘Child welfare in Ireland, 1750-1995’, p.164

<sup>100</sup> Ibid.

books of The Cottage Home for Little Children, Kingstown, (now Dún Laoghaire) record 562 children.<sup>101</sup> The Cottage Home provided residential care and was thus rather limited in the number of children it could admit. As a comparison, St Brigid's Orphanage, Dublin, which boarded out children, accepted between 64-100 new children annually in the period 1868-1874.<sup>102</sup> In the period 1857-1899, the highest number of annual admissions to St Brigid's was 110 in 1873.<sup>103</sup> It is clear that the number of children in private organisations was always much lower than the total number contained in workhouses, reformatories, and industrial schools. Though these figures never reached the heights of the workhouses and industrial schools, the existence of such homes demonstrate a growing interest in poor children and the fact that agencies outside the State were taking an active interest in the provision of childcare.

## Religion

The role of religion in the provision of childcare cannot be overlooked in the Irish context. First of all, the permeating influence of the Catholic Church in Irish childcare is obvious when looking at the charitable children's homes. As seen from O'Sullivan's figures, the number of Catholic children's homes grew significantly during this period. The Catholic Church gradually extended its control over children's homes during the nineteenth century as homes funded by lay personnel were gradually taken over by religious orders or congregations.<sup>104</sup> By the end of the century female or male religious personnel managed all of the lay Catholic children's

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<sup>101</sup> Admissions Book of the Cottage Home for Little Children 1882-1908, The Cottage Home, Dun Laoghaire. [Hereafter, CH]

<sup>102</sup> Jacinta Prunty, *Lady of Charity, Sister of Faith. Margaret Aylward 1810-1889* (Dublin, 1999), p.68

<sup>103</sup> Ibid, p.62

<sup>104</sup> Luddy, *Women and Philanthropy*, p.84

homes.<sup>105</sup> Thus many of these children's homes were closely connected to and influenced by the Catholic clergy.

The main motivator to action for both Catholic and Protestant philanthropists was their religious conviction. Their aim was above all to save the children's souls. As Luddy has highlighted, the State's involvement in the care of children (in particular workhouses and schools) increased tensions between Catholic and Protestants.<sup>106</sup> From the 1850s onwards the Catholic Church took action to counter what it perceived as Protestant proselytism within childcare provisions. As a consequence, the Dublin slums in particular became a battleground between Catholic and Protestant philanthropists where the prize was the immortal souls of the children of the poor.

The controversy surrounding the work of the Irish Church Mission (ICM) is perhaps the best example to illustrate the conflict between Catholics and Protestants. Founded in 1847, the ICM's presence in Dublin grew throughout the second half of nineteenth century. The first ICM Sunday school opened in 1850 by 1880 over 20 ICM associated schools and homes had been established.<sup>107</sup> The ICM targeted the poorer, and predominately Catholic, areas of Dublin and became associated with soupism, and for combining material with spiritual aid.<sup>108</sup> Catholics saw this as proselytism and accused the ICM of enticing Catholics, especially children, to convert to Protestantism in exchange for food and clothes. Archbishop Cullen vehemently opposed the activities of the ICM and urged Catholics to have nothing to do with the organisation.<sup>109</sup> In a response to ICM's activities, Cullen asked Margaret Aylward, lay leader of the Ladies' Association of Charity of St Vincent de Paul, to

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<sup>105</sup> Ibid.

<sup>106</sup> Ibid., p.68

<sup>107</sup> Prunty, *Margaret Aylward*, p.43

<sup>108</sup> Ibid., p.42

<sup>109</sup> Ibid., p.50

provide details on the Protestant societies and on her fact-finding missions throughout Dublin she kept careful records of Catholic children attending Protestant schools. Aylward and her female colleagues also picketed the Protestant Sunday schools.<sup>110</sup> This sectarian struggle could lead to physical confrontation and on at least one occasion, street violence erupted between Catholics and Protestants.<sup>111</sup>

There is no doubt that some Protestant children's homes were proselytising institutions. Some homes, such as those run by Ellen Smyly, had close links to the ICM.<sup>112</sup> Certain institutions, such as the Monkstown Protestant Orphan Society, gave preference to Catholic children and to children of mixed marriages.<sup>113</sup> Other Protestant societies were less confrontational in matters of religion. A good example of this is the previously mentioned Cottage Home for Little Children. Religion was a central focus in the Cottage Home's work but it clearly stated in its constitution that only Protestant children were admitted.<sup>114</sup> The Cottage Home's annual reports were not preoccupied with arguing against Catholicism and when children were removed from the Cottage Home by Catholic relatives, the Cottage Home did not respond with anti-Catholic rhetoric but simply expressed its sadness over losing the children.<sup>115</sup> But even a non-proselytising institution like the Cottage Home did admit Catholic children. About five per cent of children admitted between 1882-1908 were baptised as Roman Catholic.<sup>116</sup> This was a fact that the Home did not want to admit in public and it vehemently denied newspaper claims that they had admitted Catholic children.<sup>117</sup> It would, no doubt, have been an embarrassment to a well-known

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<sup>110</sup> Ibid., p.53

<sup>111</sup> Jacinta Prunty, *Dublin Slums, 1800-1925. A Study in Urban Geography* (Dublin, 2000), pp.255-256

<sup>112</sup> Prunty, *Margaret Aylward*, p.41

<sup>113</sup> Rosa M. Barrett, *Guide to Dublin Charities*, (Dublin, 1884), pp.11-19

<sup>114</sup> *Deed of Constitution of the Cottage Home for Little Children* (np, 1887), p.4, CH

<sup>115</sup> *Annual Report for the Cottage Home for Little Children*, (np, 1882) p.8, CH

<sup>116</sup> Admissions Book of The Cottage Home for Little Children, 1882-1908, CH

<sup>117</sup> *Kingstown Weekly Echo*, 4 October 1905, Newspaper Scrapbook, CH

institution like the Cottage Home that was not known to be proselytising to be exposed as having admitted Catholic children. It would have suggested proselytism and subterfuge in cases of religious affiliation and would have been at odds with the Cottage Home's preferred public image as a caring Protestant society.

### The View of Poverty and Children

The increasing number of charitable homes not only signals an increasing active interest in the situation of poor children. Through skilled use of published material, such as annual reports and pamphlets, these organisations were also able to reach the wider public. These reports and pamphlets helped to raise awareness of poor children's situation. But they also presented the philanthropists' views of children and their families, and to some extent contributed towards shaping attitudes towards the children and their families. What then was the attitude towards poverty and poor children displayed by these philanthropic homes?

Much focus was placed on the need of rescue and reclamation of poor children. The life of poor children emerges as one of constant danger.

Unsurprisingly, one of the main things children needed rescuing from was the 'wrong' religion. The annual reports of Aylward's Ladies' Association abound with dramatic stories of children rescued from Protestant societies. Luddy recounts the story of how a Catholic mother was provided with money by Aylward's organisation to 'save' her children from a Protestant orphanage. The rescue attempt was successful but a Protestant nurse who attempted to reclaim the children followed the

mother. A public confrontation resulted but, with the aid of a group of Catholic children, the mother managed to get her children to Aylward's organisation.<sup>118</sup>

Children were not only in danger from the 'wrong religion'; they were also in danger from their own homes. In the eyes of many of these philanthropists, the children needed to be rescued from their home environment. To the middle-class philanthropist the home was to be a moral and spiritual haven. Many of the working-class homes they encountered did not live up to this ideal. They viewed such homes from the perspective of middle-class domesticity and often passed harsh judgments on the working-class home. The Townsend Street Ragged School claimed that its children came 'out of places which it would be a mockery to call homes'.<sup>119</sup> The working-class environment was inadequate for child rearing and would lead children to immorality and criminality if they were not rescued and improved by philanthropic care. Many of these philanthropic institutions subscribed to Hendrick's victim/ threat dichotomy.<sup>120</sup> The children were simultaneously victims in need of rescue and potential threats to society that needed containing. In the eyes of an institution like the Cottage Home, the children were innocent of their poverty and suffered from circumstances beyond their own control.<sup>121</sup> However, in order to prevent them growing up to be criminals or workhouse inmates, the children needed to right sort of care. This preventative care could be provided by the Cottage Home at a lower cost than the children's possible future maintenance in prisons and workhouses.<sup>122</sup>

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<sup>118</sup> Luddy, *Women and Philanthropy*, p.79

<sup>119</sup> *Annual report of the Townsend Street Ragged School*, 1885, p.4 quoted in *ibid.*, p.85

<sup>120</sup> Harry Hendrick, *Child Welfare in England 1872-1989* (London, New York 1994) p.8

<sup>121</sup> *Daily Express*, 10 November 1890, Newspaper Scrapbook, CH

<sup>122</sup> Rosa M. Barrett, *The Cottage Home for Little Children* (Dublin, 1898), pp.3-4

Thus, in response to what they saw as immoral surroundings, philanthropists wished to impart their own middle-class ideals on to the working class family unit. For example, the ICM ran classes teaching working-class women how to be better mothers and housekeepers.<sup>123</sup> This indicates a belief that the women just did not know any better and could be enlightened and improved as mothers. However, philanthropists often failed to understand the conditions of working-class life. Mothers who let their children wander the streets were often considered bad mothers. However the lack of day-care provisions meant that children often had to be left unattended when parents worked. Furthermore, parents who let their children work were also condemned as bad parents. But to a working-class family the wages of a child could mean the difference between making ends meet and destitution.<sup>124</sup>

It is worth noting here that towards the end of the nineteenth century there were some signs of an increasing appreciation of the economic reality of working-class life. For instance, the founder of the Cottage Home, Rosa M. Barrett, understood that parents who were able to work, but had no one to look after their children, lacked any viable childcare option.<sup>125</sup> By founding an institutions aimed particularly at this group, it can be argued that Barrett did display a level of understanding of working-class life and its conditions. The working poor was a group in constant danger of slipping into poverty. Parents who needed to work were left with difficult choices. They could board out their children but this was often an expensive option. The workhouse was another option, but it meant that the entire family had to enter together which would prevent the parents working. Furthermore, the separation of families enforced by the Poor Law was not desirable. In understanding that mothers (and sometimes fathers) who left their children

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<sup>123</sup> Luddy, *Women and Philanthropy*, pp.87-88

<sup>124</sup> Ibid., p.71

<sup>125</sup> *Annual Report for the Cottage Home for Little Children* (np, 1896), p.2, CH

unattended during the day were not necessarily bad parents but rather had very little choice, the Cottage Home represents a growing understanding of working-class conditions. It should be noted that by the end of the nineteenth century at least five crèches were organised in Dublin.<sup>126</sup> However, as Luddy has pointed out, these day care institutions still passed judgement on the homes of the children and regarded them as inadequate.<sup>127</sup>

### Philanthropy and Attitude to Family

Referring to the English context, Lydia Murdoch argued that most nineteenth-century philanthropists wanted to cut family ties and many organisations actively worked to do so.<sup>128</sup> Many firmly believed that the environment that the philanthropists could provide was much better than the working-class homes of their parents. Dr Barnardo famously referred to the parents as the children's 'worst enemies'.<sup>129</sup> However, despite the harsh judgement passed on working-class families it is worth noting that many philanthropic institutions emphasised the importance of maintaining family ties. Whilst the workhouse and the industrial schools favoured the separation of child and parent, the end of the nineteenth century saw a burgeoning tendency among philanthropists wishing to keep families together. The vast majority of Irish philanthropists were staunchly against the workhouse system that separated families, and some institutions, like the Cottage Home, actively worked to keep families together. In the early 1880s the Cottage Home proclaimed

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<sup>126</sup> Luddy, *Women and Philanthropy*, p.89

<sup>127</sup> Ibid., p.90

<sup>128</sup> Lydia Murdoch, *Imagined Orphans: Poor Families, the Home, and Child Welfare in England, 1870-1914* (PhD thesis, Indiana University, 2000), p.2

<sup>129</sup> Ibid., p.2



that it would do everything it could to strengthen the tie between parent and child.<sup>130</sup> Margaret Aylward's orphanage, St Brigid's, also believed strongly in the importance of the family unit and only admitted those children whose parents or relatives could not care for them. Aylward believed that 'the separation of parent and child is one of the greatest social evils, and that in all cases where it is possible, the parent ought to support and bring up his own child.'<sup>131</sup> St Brigid's also worked to keep families together as far as possible and financially assisted some families. Aylward even went so far as to criticise the influence of 'attractive' Catholic institutions that threatened to undermine the family unit and she told co-workers not to encourage Catholic parents to give up their children 'upon pleas of...its being better cared for in Catholic institutions.'<sup>132</sup>

Despite these more progressive attitudes, the vast majority of children's homes still subscribed to the traditional idea of underserving versus deserving poor. The Cottage Home's service was only available to those '*who are striving to help themselves* – not the idle or vicious poor.'<sup>133</sup> The Cottage Home parents were working parents and as such they deserved assistance. Most organisations fit into a well-established attitude towards poverty: their aim was to create self-supporting and independent individuals, and to prevent the poor being a burden on the rates. The Cottage Home constitution stated that its aim was 'to teach the lesson of self-help to the industrious poor.' It is important to remember that these organisations chose which people to help, for example the Cottage Home only admitted legitimate children of marriages that could be proved.<sup>134</sup> Thus, the philanthropists still reserved the right to pass judgement and to choose who deserved their help. They did not

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<sup>130</sup> *Annual Report for The Cottage Home for Little Children* (np, 1884), p.6, CH

<sup>131</sup> *Annual Report for St Brigid's Orphanage, 1869* p.6 quoted in Prunty, *Margaret Aylward*, p.60

<sup>132</sup> Prunty, *Margaret Aylward*, p.72

<sup>133</sup> *Annual Report for the Cottage Home for Little Children* (np, 1885), p.8, CH

<sup>134</sup> *Annual Report for the Cottage Home for Little Children* (np, 1883), p.2, CH

question the structural causes of poverty and did not attempt to deal with the root causes of it. This inability to fully understand the conditions of working-class life is unfortunately one that continued throughout the period and is also present in the contemporary legislation.

#### Child Welfare Organisations – the National Society for the Prevention of Cruelty to Children and the Philanthropic Reform Association

As Hendrick has argued, the period from the 1880s onwards saw a shift away from a focus on rescue and reformation of children by the Poor Law and philanthropists.<sup>135</sup> Instead, children came to be viewed as an integral part of the nation's future and poor children went from being regarded as 'the children of the State' to being 'the children of the nation'.<sup>136</sup> This change in perspective was manifested as well as driven by the foundation of childcare organisations whose main purpose was not to provide residential or day care for children, but to promote legislative change to protect children from abuse and cruelty. These organisations were more progressive than previous philanthropic efforts and they came to have a strong influence on British legislation. Their efforts ensured that the State and voluntary agencies played a greater part in the lives of working-class families. They also contributed, through their extensive use of the printed press, to shaping the general public's view of children and childhood. As such societies tended to think that the main danger to children came from their own homes, this was the view promoted to the general public.

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<sup>135</sup> Hendrick, *Child Welfare in England*, p.41

<sup>136</sup> Ibid., p.42

The most well known, and influential, of these child protection organisations was the NSPCC. The Society established its first Irish branch in 1889 and from then on the Society was the main child protection agency in Ireland.<sup>137</sup> Following the establishment of the first branch, the Dublin branch, the organisation grew rapidly. By 1911, there were 146 local NSPCC ‘organisations’ in operation throughout Ireland.<sup>138</sup> The NSPCC was a non-sectarian group, and as a group not primarily driven by religious zeal it further represented a new departure in Irish childcare. However, Luddy has shown that the Catholic hierarchy remained rather suspicious of the NSPCC, presumably due to the number of Protestants involved in it.<sup>139</sup>

The NSPCC differed from previous philanthropic endeavours in that the society actively promoted legislative change and sought to influence politicians. The passing of the 1889 Prevention of Cruelty Act was largely attributed to the work of the London branch of the NSPCC. This act will be discussed in detail later on, but it is impossible to separate the act from the work of the NSPCC in Ireland. The Cruelty Act and the Irish NSPCC came into being the same year, and the work of the Irish NSPCC was guided by the powers granted it by the act. The Cruelty Act was so closely associated with the NSPCC that it was sometimes referred to as the ‘NSPCC Act’.<sup>140</sup>

The stated aim of the NSPCC was to enforce laws for the protection of children and to ‘prevent public and private wrongs of the children and to prevent the

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<sup>137</sup> Sarah-Anne Buckley, *The Cruelty Man. Child welfare, the NSPCC and the State in Ireland, 1889-1956* (Manchester, 2013), p.47

<sup>138</sup> Maria Luddy, ‘The early years of the NSPCC’, *Eire-Ireland*, 44 (spring/summer 2009), pp.72-73

<sup>139</sup> *Ibid.*, p.71

<sup>140</sup> ‘Evidence of Mrs Tolerton’, *Street-Trading Children Committee (Ireland). Report of the Inter-Departmental Committee on the Employment of Children During School Age, Especially in Street Trading in the Large Centres of Population in Ireland, Appointed by His Excellency the Lord Lieutenant of Ireland. Together with Minutes of Evidence and Appendices*, 1902 [Cd. 1144], p.19

corruption of their morals.’<sup>141</sup> The focus on private wrongs meant that attention was directed towards the home environment and parental responsibility. Parents should no longer have the right to treat their children as they wished. The NSPCC believed that children had rights in relation to their parents and that parents were responsible for treating their children in an appropriate manner. Children had a right to be properly looked after, to be provided with sufficient food and clothing, and to not be abused or physically harmed by their parents. In a society where parental rights, especially paternal rights, had been sacrosanct this was a radical new direction. But at the same time as the NSPCC believed that the home could be a harmful environment, the society also believed in the importance of keeping families together and in the ability of errant parents to reform.<sup>142</sup> The aim was to avoid prosecution and ‘reconstructing’ the home in order to improve the child’s conditions.<sup>143</sup> Instead of focusing on the removal of children from the home, the NSPCC wanted legislation to cause change within the home.<sup>144</sup> Where the privacy of the home had previously been sacrosanct, the NSPCC believed in active intervention in the home. Philanthropists and industrial school managers certainly had opinions about the state of the working-class home, but they had not proposed to make it the responsibility of the State to enter the home.

In the endeavour to reform wayward parents, the child was essential. The NSPCC worked with a system based on warnings and advice administered by their trained staff. Warnings were intended to improve the home environment and the NSPCC took great pride in their ability to keep families together; Dr Adeney of the

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<sup>141</sup> ‘Evidence on behalf of the Dublin and District Branch of the National Society for the Prevention of Cruelty to Children, by W.E. Adeney, D.Sc. Hon. Secretary’, *Street-Trading Children Committee*, Appendix No.12, p.178

<sup>142</sup> Luddy, ‘The early years of the NSPCC’, p.63

<sup>143</sup> ‘Evidence on behalf of the Dublin and District Branch’, *Street-Trading Children Committee*, Appendix No.12, p.178

<sup>144</sup> Buckley, *The Cruelty Man*, p.47

Dublin Branch stated in 1902 that 95 per cent of offenders were dealt with without having to be imprisoned.<sup>145</sup> As Buckley has highlighted, the NSPCC saw the child as the key to gaining access to the working-class home. Once access had been gained the NSPCC could alter the behaviour and environment of the home ultimately leading to the redemption of the errant parent.<sup>146</sup> Therefore the child should not be removed from its parental home. In this the NSPCC went against the contemporary trend of placing children in industrial schools. However, as Buckley has shown, during the twentieth century the NSPCC gradually became more compliant in the committal of children to industrial schools.<sup>147</sup>

As Luddy has shown, the NSPCC were very skilled in their use of the printed press to spread their message and attract attention to their cause. Following the establishment of the NSPCC in Ireland, the Irish press began reporting extensively on cases relating to child abuse and neglect. So by the early twentieth century, the ‘acknowledged existence of neglected and abused children, had become part of the fabric of knowledge that existed in the country.’<sup>148</sup>

Another organisation campaigning for legislative change in Ireland was the Philanthropic Reform Association (PRA). Founded in 1896 the PRA had four main areas of focus: the improvement of industrial school system, the establishment of day industrial schools, the enforcement of compulsory education, and the increased separation of children and adults in police courts.<sup>149</sup> Like the NSPCC, the PRA identified the home as a source of danger and stated that many Dublin children ‘grow up under conditions unfavourable to industry and good character.’<sup>150</sup> The NSPCC

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<sup>145</sup> ‘Evidence of Dr. W.E. Adeney’, *Street-Trading Children Committee*, p.11

<sup>146</sup> Buckley, *The Cruelty Man*, p.134

<sup>147</sup> Ibid., pp.133-134

<sup>148</sup> Luddy, ‘The early years of the NSPCC’, p.66

<sup>149</sup> ‘Handed in by Mr. Charles Eason’, *Street-Trading Children Committee*, Appendix No.9, p.174

<sup>150</sup> Ibid.

and the PRA also agreed on the importance of parental responsibility and aimed to ensure that in the first instance, the parent looked after the child.<sup>151</sup> The PRA not only used the printed media in their campaigning, they also petitioned the Catholic Church for support. A 1907 letter to Archbishop Walsh asked for his support for two bills giving more power to school attendance committees. The PRA believed that children should attend school and that it was a loss to the nation if they did not. This letter also demonstrates that the PRA adhered to Hendrick's 'children of the nation' philosophy. They saw the children as 'a natural resource of Ireland' that needed to be nurtured through education.<sup>152</sup> The children were to be brought up in a manner so as to be useful to the nation as a whole and the 'object of the state is that every child should be educated and brought up so as to give it a chance of becoming a useful citizen, self-supporting, and rendering service to the country.'<sup>153</sup> Thus, by the early twentieth century, the view that children had a right to protection from their parents and that it was the role of the State to provide this protection appears to have been widely accepted. In 1907, the PRA stated that the old perception that parents were solely responsible for their children had disappeared and now 'there is elaborate legal machinery intended to secure that all children shall have a certain minimum of training and education, and a certain degree of protection against some of the dangers arising from the want, ignorance, or wickedness of their parents.'<sup>154</sup> It also seems to have been widely accepted among those working within the childcare sphere that the State had a right, and a duty, to overtake the parental responsibility should it be necessary. Just like the home was no longer sacrosanct, neither was the parental right to the child.

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<sup>151</sup> Ibid.

<sup>152</sup> Letter from PRA to Archbishop Walsh, 1 June 1907, Walsh Papers, Laity 379/I, Dublin Diocesan Archives, Dublin [Hereafter, DDA]

<sup>153</sup> 'Handed in by Mr. Charles Eason', *Street-Trading Children Committee*, Appendix No.9, p.174

<sup>154</sup> Ibid.

## Conclusion

As this chapter has shown, the period 1850 – 1913 witnessed significant changes in the provision of care to the children of the poor. Whilst in the 1850s a child entering a workhouse was a common occurrence, by 1913 the workhouse child had almost disappeared. Not only had the number of workhouse children diminished, but the type of child residing in the workhouse had also changed. In the wake of the Famine, the spotlight was placed on the already-existing complexity at the heart of the poor law system. To maintain the principle of less eligibility and to encourage the poor to become self-sufficient rather than rely on the poor law for support, workhouse conditions had to be harsh and punitive. However, the principle of less eligibility and the harsh workhouse conditions were increasingly seen as problematic and contradictory with regards to children. Naturally the children's health had to be maintained but at the same time their living conditions could not be too comfortable. The contradiction is highlighted in the discussion over the diet. The medical profession argued that meat was good for the children's health but the PLC was concerned it would be too good, in the sense that it would accustom the children to habits they could not expect to sustain outside the workhouse. The PLC felt it had to walk a line between maintaining the physical health of the children and not corrupting their minds by making their conditions too comfortable. By the late 1850s this contradiction appears to come to a head and questions were raised about whether or not the workhouse was the best place to bring up healthy and self-reliant children.

Parallel to the decline of the workhouse as an institution caring for the children of the poor, there was an increasing interest in child welfare and a growing

number of interested parties took an active part both in the provision of childcare and in the debate surrounding it. The child of the poor was no longer just the concern of the State, dealt with through the workhouse system, but instead an increasing number of institutions and organisation felt that they had a stake in the raising of the children of the poor. Indeed, by 1913, the issue of how to bring up the children of the poor had become a national issue in Ireland. This growing interest in the condition of the pauper child was accompanied by an ever-closer scrutiny of the both the moral and physical character of the homes of the poor, as well as a feeling that Irish children were in need of protection from this home environment. As this chapter has shown, much of the expansion of the philanthropic interest in children was driven by religious motivations. As will be discussed in chapter four, the Catholic Church in particular also came to have a remarkably strong position in the State-supported reformatory and industrial schools.

The beginning of the move away from the workhouse and towards reformatory and industrial schools will be examined in greater detail in the following chapter that will focus on the increasing criticism of the workhouse as an institution for the children of the poor in the 1850s and early 1860s.



## **Chapter 2: The Debate over the Workhouse Child: the Cork Workhouse**

### **Inquiry 1859 and the South Dublin Riot 1860**

During the late 1850s and early 1860s, concern regarding workhouse children spread beyond the Poor Law Commission (PLC). The cause of the workhouse child was taken up by a number of philanthropically-minded individuals who objected to the situation of these children and started campaigning for reform of the system. The Catholic Church also increased its interest in workhouse children and the Irish newspapers devoted more attention to workhouse conditions. This brought the circumstances of the workhouse child to the attention of the wider Irish public and a public debate on the workhouse's effect on children ensued. It should be noted that the workhouse child remained a well-publicised philanthropic cause well after the 1850s and 1860s. Reformers such as Susanne R. Day were still campaigning for improvements in the care of workhouse children as late as 1916, when most children were confined to other institutions.<sup>155</sup>

This chapter will take as its starting point two high profile and well-publicised workhouse scandals: the Cork Workhouse inquiry of 1859 and the riot at the South Dublin Union (SDU) in 1860. Together these two case studies highlight how and why public opinion turned against the workhouse system as the preferred option for the care of poor children. The debates surrounding these two events demonstrate not only the main criticisms aimed at the workhouse, but also show how the workhouse was increasingly perceived as a failed institution from whose harmful effects the children of the poor needed protecting. The Cork inquiry highlighted the problem of workhouse children's physical health, whilst the SDU riot focused attention on the

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<sup>155</sup> Susanne R. Day, *The Amazing Philanthropists* (London, 1916)

effects a workhouse upbringing had on the morals and behaviour of the workhouse child. Taken together, these two case studies show that the workhouse was perceived as creating a child that was both physically and morally damaged.

#### Context: Destitute Children in the 1850s

Before examining the Cork inquiry and the SDU riot on detail, the concern over destitute children in the 1850s must be placed in the context of the impact of the Great Famine. According to Barnes, the considerable increase in the number of destitute, deserted and orphaned children was ‘perhaps the most far-reaching effect of the distress of the famine years’.<sup>156</sup> The Famine was an event of catastrophic proportions; indeed Boyle and Ó Gráda call it the gravest crisis in nineteenth-century Europe.<sup>157</sup> A fact often used to highlight the enormous impact of the Famine is the significant decrease in the Irish population between 1841 and 1851. In 1841 the census recorded a population increase since 1831 of circa five per cent, whilst the 1851 census showed a decrease in the population of almost 20 per cent between 1841 and 1851.<sup>158</sup> The total death toll from the Famine is difficult to estimate but Boyle and Ó Gráda argue that the number of excess deaths, deaths that would not have taken place had there been no Famine, was about one million.<sup>159</sup> Not surprisingly, the main victims of the Famine were the very poor.<sup>160</sup> The Irish workhouses were put under extreme pressure during the Famine years, and the perceived failure of the

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<sup>156</sup> Jane Barnes, *Irish Industrial Schools, 1868-1908: Origins and Development*, (Dublin, 1989) p.11

<sup>157</sup> Phelim P. Boyle and Cormac Ó Gráda, ‘Fertility trends, excess mortality, and the Great Irish Famine’, *Demography*, 23 (4), (1986), p.543

<sup>158</sup> W.E. Vaughan and A.J. Fitzpatrick (eds), *Irish Historical Statistics. Population, 1821-1971* (Dublin, 1978), p.3

<sup>159</sup> Boyle and Ó Gráda, ‘Fertility Trends’, p.554

<sup>160</sup> Joel Mokyr and Cormac Ó Gráda, ‘Famine disease and Famine mortality: lessons from Ireland, 1845-1850’, p.22, available online at <http://faculty.wcas.northwestern.edu/~jmokyr/mogbeag.pdf> [accessed 17 February 2015]

poor law system to adequately handle the crisis contributed to the Irish animosity towards the workhouse.<sup>161</sup> Children seem to have made up a large proportion of workhouse inmates during the Famine, though there do not appear to be any national figures for the number of children in workhouses during the crisis. However, one can turn to local studies to get a sense of children's presence in these institutions. In the first six months of 1847, 43 per cent of inmates in the Cork workhouse were children. The corresponding figure for 1845 was 36 per cent.<sup>162</sup> Child mortality was high during the Famine. For example, according to O'Mahony, children made up 53 per cent of the total number of Cork workhouse fatalities in 1847.<sup>163</sup> Despite the high mortality figures, once the Famine subsided a substantial number of children were left alive in Irish workhouses, as seen in figure 1.1.

During the 1850s, the immediate effects of the Famine subsided and the dramatic decrease in the number of workhouse children during the 1850s was probably due to a gradual normalisation of conditions after the Famine, with more and more families able to survive outside the workhouse. It may seem contradictory that a national debate over the workhouse child ignited whilst the number of workhouse children was actually decreasing. However, the debate must be seen in the context of the considerable numbers of orphan and deserted children, which was one of the most noticeable consequences of the Famine. In the aftermath of the Famine child destitution became a national issue and at the centre stood the orphans and the deserted children.

It is difficult to gain an understanding of how widespread child destitution was in the aftermath of the Famine. The poor law reports supply information

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<sup>161</sup> Virginia Crossman, *Poverty and the Poor Law in Ireland, 1850-1914* (Liverpool, 2013), p.64

<sup>162</sup> Michelle Mahony, *Famine in Cork City. Famine Life in the Cork Union Workhouse* (Cork, 2005) quoted in Crossman, *The Poor Law in Ireland*, p.22

<sup>163</sup> Ibid.

regarding the children in workhouses but sources relating to children outside workhouses are scarce. However, it is clear that the number of orphaned and deserted children was a matter of great concern. This is demonstrated by a parliamentary return from 1854 listing all deserted children who came into the care of the Dublin Metropolitan Police during the years 1850-1854. Whilst the return does supply a great deal of information about the children, such as their age, sex, and where they were found, one needs to be careful about drawing general conclusions from it as it only covers five years. Nonetheless, the return is valuable as a picture of such children in the immediate aftermath of the Famine. It is unclear why the return was compiled but its existence indicates a preoccupation with deserted children.

The return lists 524 deserted children in Dublin in the years from 1850-54. In 1858 Margaret Aylward, founder of St Brigid's orphanage, estimated that around 100 children were deserted in Dublin each year.<sup>164</sup> This estimate fits well with the number given in the 1854 return, and indicates that the number of deserted children in Dublin did not fluctuate much during the 1850s. However, numbers like these do not tell us anything about the proportion of deserted children within the whole child population. In a breakdown of the Irish population by age group, the 1851 census records the child population of Dublin as 77,393.<sup>165</sup> Subsequently, 100 deserted children a year means that 0.12% of Dublin children were deserted. The link between poverty and desertion is obvious as the vast majority of deserted children were found in police division A, which covered the impoverished area to the southwest of the

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<sup>164</sup> Jacinta Prunty, *Dublin Slums, 1800-1925. A Study in Urban Geography* (Dublin, 2000) p.243

<sup>165</sup> *The Census for Ireland for the year 1851. Part IV. Report on Ages and Education*, HC, 1856 [2053], p.xxx This figure is arrived at by adding up the number of children in the age groups 'under 5, 5 and under 10, 10 and under 15'.

river Liffey.<sup>166</sup> The return listing deserted children is of further interest as it highlights the stage before a child entered the workhouse. It is worth remembering that not all deserted children entered the workhouse during the 1850s. A statistical analysis of the return shows that the majority of deserted children were actually handed over by the police to the parish overseer, it is of course possible that they went from there to the workhouse. Grand Jury Presentments sometimes supported the care of deserted children, as did Vestry money. The number of children handed to the workhouse increased throughout the period 1850 – 1854. Robins argues that there was a trend throughout Ireland to have deserted children admitted to the workhouse instead of given over to the parish.<sup>167</sup>

During the 1850s so-called vagrant and street children, that is children who wandered around without any evident means of support, became increasingly visible to the public. It is difficult to determine how many such children there were. An 1853 account of Dublin described the high number of beggars as ‘frightful’.<sup>168</sup> Many were drawn to Dublin as that city represented their best chance of survival through ‘hawking, begging or stealing.’<sup>169</sup> An episode from Cork workhouse in 1850 indicates the existence of groups of poor children living and working together to survive. In December 1850, 11 children entered Cork workhouse together. They were all around 15 years of age, they all gave the same address, and they all left together the next day.<sup>170</sup> Clearly, these children did not view the workhouse as a permanent solution to their destitution; rather they entered it for temporary relief.

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<sup>166</sup> Brian Griffin, ‘The Irish Police: love, sex and marriage in the nineteenth and early twentieth centuries’ in Margaret Kelleher and James H. Murphy (eds) *Gender Perspectives in Nineteenth-Century Ireland* (Dublin, 1977) p.177

<sup>167</sup> Joseph Robins, *The Lost Children. A Study of Charity Children in Ireland, 1700-1900* (Dublin, 1980), p.188

<sup>168</sup> Barnes, *Irish Industrial Schools*, p.13

<sup>169</sup> Ibid.

<sup>170</sup> Crossman, *Poverty and the Poor Law*, p.132

They appear otherwise to have been able to maintain themselves outside the workhouse for the majority of the time.

The growing visibility of destitute and neglected children can also be seen in the increasing numbers of voluntary institutions set up to cater for their needs. In Dublin a growing number of so-called ragged schools were set up to provide destitute children with basic education. In doing so, Ireland followed the lead of the rest of the British Isles. The concept of ragged schools was first developed in Aberdeen by Sheriff Watson who founded so-called 'feeding schools'.<sup>171</sup> By 1840 there were 5 ragged schools established in London.<sup>172</sup> Despite not having been struck by the Famine and the subsequent increase in deserted and orphaned children, debate and concern in England, Scotland, and Wales was also directed towards the growing number of destitute street children. Social reformers such as Mary Carpenter and Matthew Davenport Hill were very active in attempts to reform the system caring for destitute and criminal children and much of the debate in England was focussed on the issue of criminal and delinquent children. In 1852 and 1853 a select committee on destitute and juvenile children was established to examine the issue, the findings of the committee will be discussed in greater detail in chapter four. However, as Luddy has pointed out, it is difficult to determine if the English model of ragged schools was followed in Ireland.<sup>173</sup> In Ireland some ragged schools also provided food, but the main aim was to remove children from the streets and give them basic training. Some schools were founded prior to the 1850s but the difficult conditions following the Famine led to the schools expanding. The ragged school in Lurgan Street, established in 1839, opened a boy's asylum in 1851 to provide shelter for the many homeless pupils. In 1853 the daily attendance of the

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<sup>171</sup> Hugh Cunningham, *The Invention of Childhood* (London, 2006) p.162

<sup>172</sup> Ibid., p.103

<sup>173</sup> Maria Luddy, *Women and Philanthropy in Nineteenth-Century Ireland* (Cambridge, 1995) p.75

school was 125.<sup>174</sup> The ragged school in Hill Street was established in 1850 and by 1852 it had a daily attendance of 66 pupils.<sup>175</sup> The opening of ragged schools led to increased tensions between Protestants and Catholics. In the 1850s the majority of ragged schools appear to have been run by Protestants, which led Catholic leaders to accuse the schools of being instruments of proselytism. In a pastoral delivered in 1856, Paul Cullen, the archbishop of Dublin, strongly condemned the ragged schools for their proselytising activities. The result of Cullen's condemnation seems to have been the foundation of a number of Catholic ragged schools in the following years.<sup>176</sup>

The annual reports of the Irish PLC from the early 1850s provide us with information on orphans and deserted children in Irish workhouses and demonstrate that these children were an increasing concern. In 1852, the PLC requested information from all workhouse unions concerning the number of inmates under fifteen. The returns showed that a considerable number of Irish workhouse children were in the workhouse without their parents. In November 1852, a total of 68,402 children were workhouse inmates, out of these 33 per cent were orphans, 20 per cent were half-orphans whose surviving parent was not in the workhouse, 8 per cent had both parents left alive but not in the workhouse, and a further 2 per cent were illegitimate children whose mothers were not workhouse inmates. This means that about 63 per cent of children in Irish workhouses were unaccompanied by their parents.<sup>177</sup> It is possible that the number of orphans is not entirely accurate. During the Famine, many children deserted by their parents were entered in the workhouse registers as orphans despite their parents being alive. Unable to support their children

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<sup>174</sup> Barnes, *Irish Industrial Schools*, p.19

<sup>175</sup> Ibid.

<sup>176</sup> Luddy, *Women and Philanthropy*, pp.75-76

<sup>177</sup> *Sixth Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland, with Appendices*, HC, 1852-53 [1645], p.10

during the Famine, many parents made the decision to leave their child to the workhouse where it would be provided for. The PLC was well aware of this practice. In 1852 John Ball, Poor Law Commissioner, gave evidence on the situation in Ireland to the select committee on criminal and destitute juveniles. Ball stated that a large portion of workhouse orphans were actually deserted rather than orphaned. During the Famine ‘a great many parents deserted their children and have not subsequently been heard of’.<sup>178</sup> It should be noted that the inaccurate recording of children as orphaned or deserted was not confined to the Famine period.

Looking at the period 1840-1870, McLoughlin points out that in cases where it was easier for parents to obtain employment without a child, individual workhouses might allow parents to leave their children unaccompanied in the institution. Such children would be recorded as orphaned or deserted.<sup>179</sup> In the years following the Famine some of the children left in workhouses by their parents were reclaimed by their surviving parent/s. For the year 1852/1853 the PLC pointed to emigration to join friends and family as one of the main reasons behind the decrease in young workhouse inmates. During that year Irish workhouse inmates had received significant remittances from friends and families assisting them to emigrate to America, Australia, England, and Scotland. The PLC expected the remittances to increase and if the remittance were not sufficient the board of guardians would often pay the remaining sum.<sup>180</sup> Leaving children in the workhouse whilst saving up for part of the passage cost and letting the board of guardians pay the remainder was a

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<sup>178</sup> ‘Evidence of John Ball’, *Report from the Select Committee on Criminal and Destitute Juveniles; Together with the Proceedings of the Committee, Minutes of Evidence, Appendix and Index*, HC, 1852 [515], p.347

<sup>179</sup> Dymphna McLoughlin, ‘“Shovelling out paupers”: Female emigration from Irish workhouses, 1840-1870’ (Unpublished PhD thesis, Syracuse University, 1988) p.125

<sup>180</sup> *Sixth Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland, with Appendices*, HC, 1852-53 [1645], p.8



common Irish emigration strategy.<sup>181</sup> The annual reports do not specify how many children were sent remittances, but Barnes claims that the number of such children was quite high. She states that in 1852, 952 children who emigrated from Irish workhouses had their passage paid for by an outside source and that it seems reasonable to assume that this source was their parents or other relatives.<sup>182</sup> However, as McLoughlin highlights in her thesis, in many cases it is difficult to establish who aided workhouse children to emigrate as the source of the remittance is not stated in the workhouse records.<sup>183</sup>

It is worth noting that the number of children emigrating from Irish workhouses decreased significantly during the 1850s. In the year 1853/1854, 996 children were ‘sent out or assisted to emigrate by board of guardians’.<sup>184</sup> The equivalent number for the year 1858/1859 was 180.<sup>185</sup> Thus, it would seem that the effect that emigration had on the workhouse child population in the years immediately the Famine abated within a decade and a significant number of ‘true’ orphaned and deserted children were left in the workhouses.

In 1852 the PLC noted the decline in the overall number of workhouse children with satisfaction, but stated that those children who still remained in the workhouses were those without any surviving family or friends, or those whose friends and family were either unable or unwilling to provide for them.<sup>186</sup> They feared these children would become permanent inmates of the institution. John Ball expressed the same sentiment in his evidence to the 1852 Select Committee.

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<sup>181</sup> McLoughlin, ‘Shovelling out paupers’, p.131

<sup>182</sup> Barnes, *Irish Industrial Schools*, p.12

<sup>183</sup> McLoughlin, ‘Shovelling out paupers’, p.199

<sup>184</sup> *Seventh Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland, with Appendices*, HC, 1854 [1785], p.149

<sup>185</sup> *Twelfth Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland, with Appendices*, HC, 1859 [2546], p.218

<sup>186</sup> *Sixth Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland, with Appendices*, HC, 1852-53 [1645], p.9

Referring to the orphans and deserted children he stated that ‘all that class, with very few exceptions, must be considered permanent residents of the workhouses.’<sup>187</sup>

Thus, following the Famine, the poor law system faced a difficult situation. The PLC believed that those children who had any family able and willing to support them had by now left the workhouse and were unwilling to take their offspring with them. It then fell to the poor law system to educate and train these children to ensure that they could earn their living and not remain a constant burden to the ratepayers. Of course, figure 1.1 shows that the PLC in 1852 were, to some, extent wrong as the number of workhouse children did in fact continue to decline throughout the 1850s. However, the concern that the number of workhouse children would remain at a high level must be seen as a driving factor behind the national debate on childcare that occurred during the 1850s.

#### The Cork Inquiry, 1859

Turning first to the Cork inquiry, this was one of the earliest, and most influential, episodes that placed the plight of the workhouse child centre stage in Ireland. On 6 April 1859 the Mayor of Cork, John Arnott, paid an unexpected visit to the Cork workhouse. After completing an inspection of the workhouse he entered a report in the workhouse’s Visitor Book. The following day this report appeared in the newspapers.<sup>188</sup> Although largely complimentary about the management of the workhouse – he found it ‘scrupulously clean’<sup>189</sup> and its officials ‘extremely

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<sup>187</sup> ‘Evidence of John Ball’, *Report from the Select Committee on Criminal and Destitute Juveniles*, HC, 1852 [515], p.347

<sup>188</sup> Minute Book of the Cork Union Board of Guardians, 8 June 1859, BG69/28, CCCA

<sup>189</sup> Minute Book of the Cork Union Board of Guardians, 13 April 1859, BG69/28, CCCA

efficient'<sup>190</sup> - Arnott was fiercely critical of the condition of the workhouse children. He declared himself 'shocked - I may say appalled – from my observation of the state of the children'.<sup>191</sup> Arnott was especially alarmed by the large number of children suffering from scrofula (also known as the King's evil), a condition associated with tuberculosis leading to the enlargement of the lymph nodes, and the high mortality rate among children. The report contained three main claims: 1) that the children were deformed as a result of the workhouse diet 2) that fifty children had lost their sight and been sent to the Blind Asylum as a result of disease 3) that 4 out of every 5 children in Cork workhouse died before they reached adulthood.<sup>192</sup> The Mayor was so shocked at the state of the Cork workhouse children that he felt that 'it would be a mercy to close the gates of the Union House against them, and let them attain the mercy of death'.<sup>193</sup> But rather than seriously suggesting this extreme course of action as a solution Arnott ended his report by calling on the Cork Board of Guardians to improve the situation for the workhouse children under their care. Unsurprisingly, the Cork Guardians were not best pleased with Arnott's report. Their response was to request that the PLC set up an official inquiry into the Mayor's statements.<sup>194</sup> The PLC agreed to this and an inquiry took place in May 1859 under Dr Brodie, a medical inspector to the poor law.<sup>195</sup>

From the response to the Cork inquiry it is clear that interest in the workhouse child's situation was growing in Ireland. Arnott was much praised for bringing the plight of workhouse children fully to the country's attention and it is evident that he was not alone in considering the workhouse environment harmful to children. As

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<sup>190</sup> Ibid.

<sup>191</sup> Ibid.

<sup>192</sup> Ibid.

<sup>193</sup> Ibid.

<sup>194</sup> Ibid.

<sup>195</sup> *Freeman's Journal*, 11 May 1859

previously mentioned, the workhouse system had never been well liked in Ireland and in the wake of the Famine public aversion to the institution was more evident. Already in 1854, James Kavanagh, head inspector of national schools, expressed concern about workhouse children. He sensed that the Irish public were increasingly apprehensive about these children's situation and wanted change, stating that 'there is every hope from the present tone and temper of the public mind...that we are on the eve of much practical improvement'.<sup>196</sup> In the numerous articles following the Cork inquiry, a number of newspapers registered their objections to the workhouse and the *Dublin Medical Press* stated that they had long protested against children being in workhouses.<sup>197</sup> In an editorial, published a few days after Arnott's inspection, the *Cork Examiner* said that there had long been a feeling that something was 'radically wrong' with Cork workhouse and praised Arnott for laying 'bare evils, the existence of which for a long time past has been felt, and only wanted a distinct enunciation in order to be universally admitted.'<sup>198</sup> Whilst there was existing concern over workhouse children, the Cork inquiry allowed the issue to be made public. The inquiry following Arnott's pronouncements attracted much media attention, not only from the local Cork newspapers but also from national newspapers. The Irish newspapers followed the inquiry closely and several newspapers published verbatim reports of each day of the inquiry.<sup>199</sup> This meant that more people than ever before were made aware of the situation of Irish workhouse

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<sup>196</sup> 'General report of the results of the special examination in 1853-54 of the national schools in the workhouses and in the prisons throughout Ireland, by James W. Kavanagh, Esq., Head Inspector of National Schools', *The Twentieth Report of the Commissioners of National Education in Ireland, (for the year 1853) with Appendices. Vol. I, Appendix L*, HC, 1854 [1834] [1835], p.694

<sup>197</sup> *Dublin Medical Press*, 18 May 1859, p.313

<sup>198</sup> *Cork Examiner*, 11 April 1859

<sup>199</sup> *Freeman's Journal*, 11-17 May 1859, *Catholic Telegraph* 14 May 1859, *Dublin Mercantile Advertiser* 13 May 1859

children and in the words of the *Freeman's Journal* public opinion was 'directed to the condition of Workhouse Children throughout Ireland.'<sup>200</sup>

The growing interest in, and awareness of, workhouse children is evident in the number of letters from the public commenting on the Cork inquiry and the situation of workhouse children sent to the Irish newspapers. The inquiry even ignited the hope that the unpopular workhouse system would be abolished; the *Dublin Medical Press* expressed belief that the Cork inquiry would lead to other workhouse inquiries and the end of the workhouse system as a means of caring for children.<sup>201</sup>

### Health and the Workhouse Child

In the light of the recent Famine and the overcrowding of workhouses that followed it, it is perhaps not surprising that the physical state of the workhouse child became the main focus of criticism levelled at the workhouse system. The focus on the condition of the children's bodies, a result of their environment, is also in line with Hendrick's argument that working-class children in the nineteenth century came to be 'known' mainly through their bodies.<sup>202</sup> The debate surrounding the Cork inquiry underlines two important notions: that the workhouse child was portrayed as being in very poor health, and that the direct cause of the children's poor physical state was the workhouse environment. Furthermore, the poor condition of these children was perceived as a threat to the rest of society. Poor health, and the dangers associated with it, became inextricably linked to the workhouse environment and was one of the main motivators for change to the childcare system. Before examining the issue of

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<sup>200</sup> *Freeman's Journal*, 10 June 1859

<sup>201</sup> *Dublin Medical Press*, 18 May 1859, p.313

<sup>202</sup> Harry Hendrick, *Child Welfare in England, 1872-1989* (London, New York 1994), p.3

health and workhouse children, it should be noted that the Cork inquiry centred on boys. Workhouse girls are rarely mentioned in the Cork inquiry, presumably because it appeared as though they were not as susceptible to scrofula as the boys were. According to Arnott, the boys' health suffered more from the workhouse conditions than that of the girls, he described the girls aged 9-15 as 'tolerably healthy'.<sup>203</sup> The difference in health between boys and girls was ascribed to the diet. Boys were seen as being in need of a different diet than the girls. Dr Popham, medical officer to the Cork workhouse, stated that 'the girls are in better condition than the boys; I think boys require a larger diet than the girls; the boys and girls in this house get the same diet.'<sup>204</sup> However, this does not mean that the health of workhouse girls was not seen as an issue during the period covered by this thesis. For example, in 1869, the *Cork Examiner* reported on claims that it was difficult to find workhouse girls healthy enough for service.<sup>205</sup>

Tuberculosis was a common affliction in nineteenth-century Ireland. But, as Greta Jones has pointed out, it is difficult to know the exact extent of the disease during this period. The compilation of official statistics on tuberculosis began during the nineteenth century but Jones states that the figures 'have to be regarded as broad generalisations, indicative, at most, of a trend but unlikely to be exact.'<sup>206</sup>

Workhouse statistics were particularly difficult to interpret. One should heed the words of Dr O'Connor, physician to Cork workhouse 1834 – 1862, that 'workhouse statistics are most fallacious and illogical.'<sup>207</sup> Thus, there is no accurate way of knowing how widespread tuberculosis was among children in Irish workhouses.

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<sup>203</sup> *Freeman's Journal*, 11 May 1859

<sup>204</sup> *Freeman's Journal*, 17 May 1859

<sup>205</sup> *Cork Examiner*, 3 June 1869

<sup>206</sup> Greta Jones, 'Captain of all These Men of Death' *The History of Tuberculosis in Nineteenth and Twentieth Century Ireland* (Amsterdam and New York, 2001), p.31

<sup>207</sup> *Freeman's Journal*, 14 May 1859

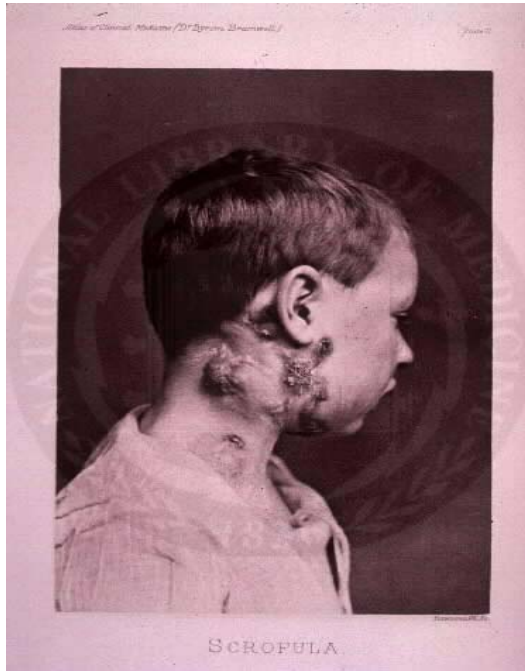


Illustration 1: Photograph of child with scrofula. From Byrom Bramwell, *Atlas of Clinical Medicine*, (1893). From the National Library of Medicine, National Institutes of Health, USA. Photograph available online at <http://radiopaedia.org/cases/scrofula-photo>

However, people living in close contact with each other under less than hygienic circumstances would mean that the workhouse was an ideal breeding ground for the disease. It is also worth noting that the type of tuberculosis known as scrofula has historically been associated with children.<sup>208</sup>

The Cork inquiry demonstrates well how the image that emerged of the workhouse child in the 1850s was that

of a child in extremely poor health. Arnott's claims that the mortality in Cork workhouse was as high as 4/5 and that conditions caused children to lose their sight contributed to an idea of the workhouse child as physically weak. But the most powerful contributor to this image was scrofula. As seen from the photo above, scrofula was a very visible disease and lent itself to graphic descriptions of the children's appearance. Arnott's descriptions of the workhouse children were very vivid and paid much attention to the damaged state of their bodies; the children were 'deformed, maimed, and diseased objects'.<sup>209</sup> The newspapers followed Arnott's lead and these descriptions made a strong impact on the Irish public who wrote letters to the newspapers expressing their shock and horror at the poor health of the workhouse child. The anonymous writer of a letter to the *Cork Examiner* was

<sup>208</sup> <http://www.britannica.com/EBchecked/topic/530041/scrofula>, [accessed 14 January 2013]

<sup>209</sup> *Freeman's Journal*, 10 May 1859

outraged by the descriptions of the physical state of the children and called for a change to a system that rendered the children of the poor ‘maimed, hideously disfigured’.<sup>210</sup> A Mr Booth wrote suggesting changes to the workhouse regime that would improve children’s health. He had himself observed that workhouse children were ‘stunted in appearance.’<sup>211</sup> In the rather graphic portrayals of the Cork workhouse children one senses a struggle to verbally represent the horrors that these children conjured. Cunningham has argued that nineteenth-century observers often found it difficult to find the words with which to describe the childhoods of the poor, they ‘strained for an appropriately shocking analogy.’<sup>212</sup> This struggle for a comparison is also evident in a letter to the *Cork Examiner*. Using a rather dramatic analogy the writer compared the Cork workhouse scandal to the Indian mutiny. In fact, the prolonged suffering of the Cork workhouse children was worse than the shorter anguish suffered in India, the writer stating that the ‘plain matter-of-fact narrative far exceeds in its revolting features the most highly coloured details of the recent atrocities in India.’<sup>213</sup> To some observers the ruined body of the Cork workhouse child was akin to a crime against God. Arnott stated that the blind children in the workhouse had ‘for ever lost to the first blessings which God poured upon creation’.<sup>214</sup> The same sentiment is evident in the correspondent who wrote that the blind children had been ‘bereft of the most precious of God’s gifts’.<sup>215</sup> The letter-writer went on to argue that the suffering of the workhouse child was an affront to their creator, it was a ‘fearful degradation of the Divine image’<sup>216</sup> and it ‘blots

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<sup>210</sup> *Cork Examiner*, 13 April 1859

<sup>211</sup> *Cork Examiner*, 20 June 1859

<sup>212</sup> Hugh Cunningham, *The Children of the Poor. Representations of Childhood since the Seventeenth Century* (Oxford, 1991), p.122

<sup>213</sup> *Cork Examiner*, 11 April 1859

<sup>214</sup> *Freeman’s Journal*, 10 May 1859

<sup>215</sup> *Cork Examiner*, 13 April 1859

<sup>216</sup> *Ibid.*



from his features the lineaments stamped thereon by his Maker.’<sup>217</sup> The workhouse had so altered their appearance that they no longer looked as God had intended. The erasing of the divinely bestowed features conjures up a rather frightening image. In an editorial, the *Cork Examiner* also painted a frightening picture of the children. The writer seemed to borrow imagery from a gothic horror story when he said of the workhouse that ‘stunted forms and hideous deformity were the characteristics of a childhood within its walls.’<sup>218</sup> The children appear as stigmatised creatures, rather than human children, with their very appearance, marked by scrofula, denoting them as different from other children.

Arnott ascribed the state of the children to the workhouse conditions and this connection between the workhouse environment and poor health was further emphasised by the newspapers. The *Cork Examiner* argued that the air of the workhouse was unhealthy leading to disease and that the children needed ‘a pure, bracing atmosphere’.<sup>219</sup> The evidence given by the Rev. Townsend, superior of the South Monastery Schools, clearly expresses the notion that the workhouse changed children for the worse. He told the inquiry that he no longer recommended poor boys to enter the workhouse as their time there left the boys ‘pale, thin and depressed in spirits’.<sup>220</sup> He specifically spoke of ‘a case where a healthy boy was obliged to leave the school and go into the workhouse; he came out lately after being five months in the house, and he is a deteriorated, unhealthy boy, with low spirits’.<sup>221</sup> By the end of the 1850s the feeling was that the workhouse system produced unhealthy and diseased children.

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<sup>217</sup> *Cork Examiner*, 13 April 1859

<sup>218</sup> *Cork Examiner*, 11 April 1859

<sup>219</sup> Ibid.

<sup>220</sup> Ibid.

<sup>221</sup> *Freeman's Journal*, 12 May 1859

The unhealthy workhouse environment was not only damaging to the individual children, it was also deemed to be damaging to Irish society as a whole. In the English context, Hendrick has highlighted how the sickly children of the poor were regarded as a threat to public health.<sup>222</sup> This was also true for the Cork workhouse children. To some observers, the diseased body of the Cork workhouse child carried a threat to the health of Ireland. In the English context, Murdoch has pointed out that workhouse children were often portrayed as carrying and spreading disease. She argues that it was the so-called casual children, i.e. the children who were not permanent residents of the workhouse but rather went in and out frequently, that were mainly described in this manner.<sup>223</sup> The Cork inquiry does not reveal whether the children examined were permanent or casual inmates, but it is evident that they were perceived as contagious all the same. The sense of threat posed by the diseased workhouse children is perhaps best expressed in a letter to the *Cork Examiner*. The correspondent, commenting on the Cork inquiry, wrote of the fact that ‘a foul mass of festering disease has been infused into the lifeblood of thousands; disease of the peculiar type, that is well known to be propagated by hereditary transmission, and which must inevitably, and by the law of nature taint myriads of human creatures, yet unborn.’<sup>224</sup> The letter-writer seems to envision the possibility of an Ireland overrun by disease originating from the workhouse, passed on from one generation to the next. The diseases of the Cork children were not only a danger to the children themselves but also to future generations. Dr Callanan probably envisioned something similar when he stated that ‘if the dietary and exercise of the union workhouses of this country are not changed and improved, the result will be a great

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<sup>222</sup> Harry Hendrick, *Child Welfare: Historical Dimensions, Contemporary Debate* (Bristol, 2003), p.12

<sup>223</sup> Lydia Murdoch, ‘Imagined Orphans: Poor Families, the Home, and Child Welfare in England, 1870-1914’ (Unpublished PhD thesis, Indiana University, 2000), p.102

<sup>224</sup> *Cork Examiner*, 13 April 1859

deterioration of the inmates. This class of people will arrive at the age of manhood and womanhood, and will by intermarriage and otherwise procreate scrofula to the end of the chapter.’<sup>225</sup> Such ideas concerning the spread of pauperism and disease might have been inspired by the work of Malthus who argued that pauperism could spread as the poor law system allowed the poor to breed.<sup>226</sup>

An equally dangerous notion to Irish society was the fact that the physically weak children were unable to work and support themselves. As we have seen the Cork children were repeatedly described as deformed and maimed. It seems reasonable to assume that these descriptions also allude to the children’s inability to work and support themselves in the future. The rationale behind the Irish workhouse system was that the strict discipline and principle of less eligibility motivated the poor to work harder in order to avoid the workhouse. The aim of the workhouse was to create self-supporting workers who did not need to rely on the workhouse for their survival. But, as Mr Booth told the *Cork Examiner*, workhouse children needed to be healthy, strong and able to ‘undertake any employment.’<sup>227</sup> Booth was concerned that the physically weak children would be unable to find work, return to the workhouse, and thus be a continuous burden on the rates.<sup>228</sup> These concerns were mirrored in the *Cork Examiner* on 13<sup>th</sup> April 1859, where it was stated that if conditions did not improve for the workhouse children they would be unfit for ‘laborious pursuits’.<sup>229</sup>

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<sup>225</sup> *Freeman’s Journal*, 12 May 1859

<sup>226</sup> Clark, ‘Orphans and the Poor Law: rage against the machine’ in Virginia Crossman and Peter Gray (eds), *Poverty and Welfare in Ireland 1838-1948* (Dublin, 2011), p.97

<sup>227</sup> *Cork Examiner*, 20 June 1859

<sup>228</sup> *Ibid.*

<sup>229</sup> *Cork Examiner*, 13 April 1859

## Attitudes to Children and Childhood

As Mr Booth's letter illustrates, the Cork inquiry raised fundamental questions about the effects of a workhouse upbringing on children. If the workhouse failed to create healthy and self-sufficient adults, was the workhouse really the right place for the children of the poor? The fact that these questions were raised and discussed demonstrates that the attitude towards children and childhood was changing in Ireland. The evidence from the Cork inquiry and the debate that followed demonstrates the increasing importance placed on the period of childhood to the development of the adult individual. But before looking more closely at the changing attitudes revealed in the Cork inquiry, the Irish debate must be placed in the context of changing attitudes to children and childhood throughout western society.

Cunningham has pointed out that during the nineteenth century a general change in western society's view of childhood took place. Whilst previously afforded little importance, the period of childhood<sup>230</sup> now came to be regarded as vital to the formation of the adult individual. The self was increasingly seen as 'as an interior personal space' and the experience of childhood fundamental to this interior space of the adult. <sup>231</sup> Steedman argues that during the period 1780-1930, a change in how people perceived the self took place; personal identity came to be understood as originating from within.<sup>232</sup> In Steedman's words, this new 'interiorised self, understood to be the product of a personal history, was most clearly expressed in the

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<sup>230</sup> Cunningham defines a child as an individual under the age of fifteen but takes care to point out that the age at which childhood was considered to end have varied between societies and between historical ages. Hugh Cunningham, *Children and Childhood in Western Society Since 1500* (Harlow, 2005, 2<sup>nd</sup> edition), p.15

<sup>231</sup> Hugh Cunningham, *Children and Childhood*, p.70

<sup>232</sup> Carolyn Steedman, *Strange Dislocations. Childhood and the Idea of Human Interiority 1780-1930* (London, 1995)

idea of ‘childhood’, and the idea of ‘the child’.<sup>233</sup> As Cunningham argues, the new significance attached to childhood also led to an increasing interest in the development of children’s minds and bodies.<sup>234</sup>

The poverty in which children existed also played an important role in how they were perceived. Nineteenth-century Western society tended to divide the poor into two categories: the deserving poor and the undeserving poor. The deserving poor would work given the opportunity but were prevented from doing so by illness or disability, whilst the undeserving poor simply chose not to work.<sup>235</sup> The undeserving poor were not seen as worthy of assistance, and neither were their children. McLoughlin states that regardless of ‘how hard these children worked they were still seen as living testaments to the vice and immorality of their parents.’<sup>236</sup> But, as Crossman argues, the nineteenth century gradually saw a move towards a view where the children of the poor were to be regarded as victims of their poverty and not held responsible for it.<sup>237</sup> The debate surrounding the Cork inquiry demonstrates this attitude shift towards workhouse children. It should be noted that the PLC themselves demonstrated this change when they stated in 1852 that the children who remained in the workhouse following the Famine were there through no fault of their own but ‘through misfortune, wholly unconnected with any default on their own part’.<sup>238</sup> The fact that the Famine had filled the workhouse with deserted and orphaned children, and those not traditionally part of the undeserving poor, perhaps contributed to a changing attitude towards their care. It is clear that

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<sup>233</sup> Ibid., pp. 4-5

<sup>234</sup> Cunningham, *Children and Childhood*, p.70

<sup>235</sup> Virginia Crossman, *Politics, Pauperism and Power in Late Nineteenth-century Ireland* (Manchester, 2006), p.7

<sup>236</sup> Dymphna McLoughlin, ‘Pauper children in Ireland’ in Breandan O Conaire (ed.) *The Famine Lectures* (Boyle, 1997), p.280

<sup>237</sup> Virginia Crossman, ‘Cribbed, contained, and confined? The care of children under the Irish Poor Law, 1850-1920’ *Eire-Ireland*, 44:1&2 (2009), p.39

<sup>238</sup> *Sixth Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland: with Appendices*, HC, 1852-53 [1645], p.6

Arnott and the Irish newspapers were inclined to see the diseased Cork children as innocent victims. The newspapers described the children as ‘stricken’<sup>239</sup> and as ‘helpless’.<sup>240</sup> Newspaper readers agreed with them. A correspondent to the *Cork Examiner* wrote of the ‘helpless, forgotten, children of the poor in Cork workhouse’.<sup>241</sup> Connected to the notion of children as victims, there also appears to have been an emerging feeling that workhouse children should be seen as distinctly different from adult paupers, even from within the workhouse system itself. Speaking in 1854, the medical officer of the North Dublin Union lamented the fact that at 15 a boy, who, until then, had been well cared for in the children’s ward had to move to the adult ward. In the adult ward he would be ‘treated as a pauper; the test of destitution is applied to him, and [he] may be placed to break stones’.<sup>242</sup> But the old view that workhouse life should be hard for children did not disappear easily. In 1878 Irish politician Arthur Moore stated that there was a general feeling that workhouse life should not be too comfortable. Moore argued that whilst this attitude was certainly appropriate when it came to able-bodied adult paupers it was wrong to apply it to children who were not to blame for their poverty.<sup>243</sup>

In the debate surrounding the Cork inquiry, the changing attitude towards workhouse children is evident in the emerging recognition that these children needed a childhood more akin to that of other children, and that there was increasing criticism of the fact that workhouse children were treated as social outcasts. During the inquiry, newspapers pointed to the fact that workhouse children’s lives were

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<sup>239</sup> *Cork Examiner*, 11 April 1859

<sup>240</sup> *Freeman’s Journal*, 18 May 1859

<sup>241</sup> *Cork Examiner*, 13 April 1859

<sup>242</sup> ‘Evidence of Dr Frederick Kirkpatrick’, *Report from the Select Committee on Dublin Hospitals; Together with the Proceedings of the Committee, Minutes of Evidence, Appendix, and Index*, HC, 1854 (338), p.58

<sup>243</sup> Arthur J. Moore, *Speech of Arthur J. Moore, Esq., M.P., on the Treatment of Children in Irish Workhouses* (London, 1878), p.12

difficult and integration into society made complicated because of the stigma attached to having been in the workhouse. The *Freeman's Journal* argued in 1859 that part of ensuring that workhouse children grew into useful and respectable adults was removing of the stigma of workhouse. The newspaper stated that 'a workhouse child has unquestionably a brand upon his brow. That an innocent being should be so marked either by a cruel society or by the habits contracted amidst evil associations is a pity and a shame.'<sup>244</sup> So strong was the stigma of the workhouse that the children were never given a chance to integrate into society. The *Cork Examiner* further pointed to this by arguing that workhouse children were seen as separate to other children by stating that 'infancy and childhood have been treated as if 'the youthful inmates of the workhouse were of a different nature from other human beings – as if, in fact, they were not of the same flesh and blood as other infants, and as other children.'<sup>245</sup>

The *Cork Examiner* argued that the board of guardians regarded workhouse children as being worth less than their own children. The newspaper observed that: 'Perhaps it is a kind of social blasphemy to mention the children of a guardian and an infant pauper-an orphan pauper, too- in the same breath.'<sup>246</sup> A major criticism of the poor law guardians generally was that they were reluctant to spend much money on improving the situation of workhouse children. Dr Jacob, writing about Athlone Union in 1850, stated that he would like to suggest changes to the management of children such as 'the provision of shoes and stockings, but considering the circumstances of the case, I restrict my suggestions to changes which can be effected

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<sup>244</sup> *Freeman's Journal*, 25 September 1859

<sup>245</sup> *Cork Examiner*, 18 May 1859

<sup>246</sup> *Cork Examiner*, 20 May 1859

without any material increase of expenditure.’<sup>247</sup> The *Dublin Medical Press* also observed that one of the main reasons behind the poor health of workhouse children was the general reluctance to spend money on improving the accommodation of pauper children.<sup>248</sup> In his report on Cork, Dr Brodie criticised the Cork Board of Guardians for being more concerned with the cost of the food, than with its quality. In his opinion, the poor quality of the food could be traced back to the Cork Guardians’ wish to pay lower prices for it.<sup>249</sup>

These changing views of the physical care of children can also be connected to the increasingly romantic view of childhood emerging in the period.<sup>250</sup> An important component of this view was the emphasis on a connection between children and nature. For example, the movement to improve conditions for children working in factories in 1830s Britain was infused with romantic rhetoric, arguing that children should spend their time in nature, devoting ‘their time to growing and playing’.<sup>251</sup> With regards to Irish workhouse children this shift can be seen in the increasing emphasis on their right to access nature and to play. This ideal was very different to the reality of workhouse children. As McLoughlin points out there was no time allotted for play in the workhouse regime and children were expected to perform work.<sup>252</sup> But the testimonies provided at the Cork inquiry show that one of the main things becoming associated with a good environment for children was access to nature and play. Dr O’Connor stated that the Cork children should be

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<sup>247</sup> ‘Report on the ophthalmia now prevailing amongst the inmates in Athlone Union Workhouse’, *Fourth Annual Report of the Commissioners for Administering the Laws for the Relief of the Poor in Ireland, with Appendices*, Appendix A, HC, 1851 [1381], p.134

<sup>248</sup> *Dublin Medical Press*, 18 May 1859, p.313

<sup>249</sup> ‘Report from Dr. Brodie, Poor Law Inspector, with minutes of evidence’, *Copy of the Report of the Inspector Appointed to Hold an Investigation into the State of the Cork Union Workhouse, in the Months of April and May 1859, and of the Evidence Taken Before such Inspector, and of Correspondence Relating thereto*, HC, 1861 [184], pp.11-12

<sup>250</sup> Cunningham, *Children and Childhood*, p.69

<sup>251</sup> *Ibid.*, p.144

<sup>252</sup> McLoughlin, ‘Pauper children in Ireland’, p.285



outside playing and that it was ‘not desirable to have indoor labour for any child under fifteen years of age’.<sup>253</sup> He also expressed his belief that the workhouse should have a playground attached to it.<sup>254</sup>

The issue of access to nature was also addressed in Dr Brodie’s report where he recommended ‘increased facilities for change of air and healthful recreation to the children’.<sup>255</sup> He also suggested replacing the children’s wooden clogs with leather shoes so that they could move more freely.<sup>256</sup> The emphasis on access to nature and play was also evident in the newspapers, e.g. the *Dublin Medical Press* argued that pauper children needed access to ample playgrounds.<sup>257</sup> The lack of access to nature was another feature that set the workhouse children apart. According to the head master at Cork workhouse, Mr Cormick, the ‘boys are never walked out’.<sup>258</sup> One of the guardians claimed that the reason the practice was stopped was that it was felt that the boys got enough exercise working on the farm attached to the workhouse.<sup>259</sup> The *Cork Examiner* attacked the Cork guardians for denying the children access to the countryside: ‘They send their own out into the country – their own well-fed, comfortably-clad, happy children? Why not send children who are not well-fed (so say the doctors) and who must be strangely constituted if they are happy?’<sup>260</sup>

In light of the poor physical state of the Cork children and a growing sense of a connection between access to nature and good health, several witnesses suggested alternatives to the workhouse. Children, it was stated, should not be ‘incarcerated ‘within stone walls’.<sup>261</sup> Comments provided by medical men at the inquiry stated

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<sup>253</sup> *Freeman’s Journal*, 14 May 1859

<sup>254</sup> *Ibid.*

<sup>255</sup> *Freeman’s Journal*, 27 May 1859

<sup>256</sup> *Ibid.*

<sup>257</sup> *Dublin Medical Press*, 18 May 1859, p.313

<sup>258</sup> *Freeman’s Journal*, 14 May 1859

<sup>259</sup> *Ibid.*

<sup>260</sup> *Cork Examiner*, 20 May 1859

<sup>261</sup> *Dublin Medical Press*, 18 May 1859, p.313

that ‘if retained here after the age specified, no diet, no care will prevent their (the children) becoming a wretched race, morally and physically far more inferior to the peasantry of the country.’<sup>262</sup> Instead, it was suggested that children should be boarded out with families in the countryside. Dr O’Connor expressed his belief that children under the age of 6 should be ‘reared out’.<sup>263</sup> Drs. Townsend and Harvey were of the opinion that all children over the age of fifteen should be moved to the countryside.<sup>264</sup> This plan to board out children from the workhouse will be discussed in chapter three.

### The PLC’s Response

The Cork inquiry can be used to demonstrate how the 1850s saw a clash emerging between the PLC’s view of the situation of workhouse children and how reformers viewed it. The PLC were reluctant to admit to problems in the workhouse and tended to defend the system. When refuting criticism aimed at the workhouse, the PLC employed a strategy of locating the source of danger to children as being outside the workhouse, in the home environment. Looking at the issue of health, the PLC was well aware of the poor physical state of workhouse children during the 1850s. As we have seen the PLC themselves pointed to the high mortality rates of children under the age of two who were in the workhouse without their mothers.<sup>265</sup> When children were mentioned in the PLC’s annual reports from this period, it was most often in connection with their health. The annual report for 1850/1851 devoted over ten pages to a discussion of workhouse children’s health, focusing particularly on the eye

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<sup>262</sup> *Freeman’s Journal*, 14 May 1859

<sup>263</sup> *Ibid.*

<sup>264</sup> *Freeman’s Journal*, 14 May, 1859

<sup>265</sup> *Twelfth Annual Report of the Commissioners for Administering the Laws for the Relief of the Poor in Ireland, with Appendices*, HC, 1859 [2546], p.20

disease ophthalmia.<sup>266</sup> It is clear from the annual reports that the physical state of workhouse inmates was poor in general. Commenting on the condition in Tipperary workhouse in 1850, Dr William Wilde, the father of Oscar Wilde, stated that the inmates suffered from diseases such as cholera, dysentery, fever and small pox. The children especially suffered from lack of exercise and poor, crowded accommodation and ‘in the approaching cold weather the miserable children who are crowded into these wards must suffer severely from the effects of cold’.<sup>267</sup> The poor law doctors recommended better heating, cleaner wards and more exercise. Following the Cork inquiry, it becomes clear that the PLC’s response to growing criticism concerning the health of workhouse children was to firmly locate the reasons for poor health outside the workhouse. This is similar to the line of defence taken by the Cork Board of Guardians who vehemently maintained that the workhouse conditions were not the cause of the children’s disease.<sup>268</sup>

In his verdict following the inquiry, Dr Brodie agreed with the board of guardians. He did suggest some improvement in hospital accommodation, diet, and exercise for Cork boys, but ultimately he emphasised that the workhouse could not be held responsible for the high morality and scrofula rates as the condition of workhouse children was already very poor on admission.<sup>269</sup> Following the inquiry, the PLC attempted to prove this by compiling statistics. Here we return to the statistics on workhouse child mortality compiled by the PLC following the Cork inquiry that was first presented in the preceding chapter. In order to determine if

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<sup>266</sup> ‘Report on Ophthalmia in Workhouses’, *Fourth Annual Report of the Commissioners for Administering the Laws for the Relief of the Poor in Ireland, with Appendices*, Appendix A, HC, 1851 [1381], pp.130-142

<sup>267</sup> *Ibid.*, p.137

<sup>268</sup> *Freeman’s Journal*, 12 May – 18 May 1859

<sup>269</sup> ‘Report from Dr. Brodie, Poor Law Inspector, with minutes of evidence’, *Copy of the Report of the Inspector Appointed to Hold an Investigation into the State of the Cork Union Workhouse*, pp.13-14

child deaths could be attributed to workhouse conditions, the PLC compiled statistics showing the physical state of deceased children on admission to the workhouse. The PLC used three categories to describe this: sick, in a delicate state, and other. The definition of these categories is problematic, as the PLC did not define what they meant by ‘sick’ and ‘in a delicate state’. The third category, ‘other cases’ presumably refers to children considered healthy on admission, but the PLC do not explicitly state this.

**Table 2.1. Table showing condition on admission of deceased children split by age group for the year ended 16 April 1859.**

Age	Sick on admission	Delicate on admission	Other cases	Total
Under 2	470	375	404	1249
Percentage of under 2 deaths	37.6%	30%	32.4%	100%
2-15	235	130	241	606
Percentage of 2-15 deaths	38.7%	21.5%	39.8%	100%
0-15	705	505	645	1855
Percentage of total 0-15 deaths	38%	27.2%	34.8%	100%

*Annual Report of the Commissioners administering the Laws for the Relief of the Poor in Ireland HC, 1860 [2654], pp.89-90*

This table shows that as many as 65.2 per cent of deceased children were sick or delicate on admission. From this the PLC drew the conclusion that whilst the mortality rates were higher than those of children outside the workhouse, the majority of children were in poor physical condition on entering the workhouse. Thus the majority of child deaths could be attributed to conditions outside the workhouse and workhouse conditions could not be said to have caused the children’s

deaths.<sup>270</sup> The poor law inspectors shared this view. Inspector O'Brien stated that of the total deaths of children in his district, Cork, 'more than two-thirds of the entire number, were cases of children who were, at the period of their admission, either dying, diseased, or delicate'.<sup>271</sup> Inspector Horsley also pointed out that 'a considerable number of the children who died within that period were admitted sick and moribund'.<sup>272</sup> The tone used by both the PLC and the inspectors is defensive. The way in which the figures are compiled and presented underlines the PLC's wish to locate the source of danger to these children outside the workhouse. The figures are somewhat misleading as the PLC did not provide the number of children who entered the workhouse for each of the three conditions (sick, delicate, other). We only know the condition of those who died. In order to draw the conclusion that the PLC did concerning the comparison of the mortality rate of the workhouse to the outside world one would need to know the mortality rate for each condition (sick, delicate, other). With that information one could compare the mortality rates for the three categories to establish whether or not the total workhouse child mortality rate is raised by the sick and delicate. As they stand, these figures do not indicate a trend either way and cannot be used, as the PLC do, to prove that the majority of deceased children died as a result of factors external to the workhouse.

The PLC continued to maintain that high mortality rates and levels of disease were not a result of the workhouse environment. In a letter from 1869, sent to every board of guardians in Ireland, the PLC admitted that almost all Irish workhouses suffered from the presence of scrofula and ophthalmia. But the PLC also reiterated the argument that the diseases originated in the home environment of the workhouse

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<sup>270</sup> 'Report from the commissioners on the subject of mortality amongst the younger classes in the workhouses', p.91

<sup>271</sup> Ibid., p.97

<sup>272</sup> 'Report from the commissioners on the subject of mortality amongst the younger classes in the workhouses', p.97

inmates, not in the workhouse.<sup>273</sup> Despite the PLC's insistence that the workhouse was not the cause of disease and death, criticism of the unhealthy workhouse conditions and high mortality rates remained an argument for reform throughout the nineteenth and early twentieth century. For example, in 1869 a paper read before the National Association for the Promotion of Social Science argued for the extension of boarding out to stem the high infant mortality in Irish workhouses.<sup>274</sup> In 1905, the *Irish Independent* expressed concern over the extremely high infant annual mortality rate in SDU that it calculated to be 250 per cent.<sup>275</sup> In 1916, Susanne R. Day's novel, *The Amazing Philanthropists*, also attributed the poor health of workhouse children to the unhealthy condition of the workhouse and describes workhouse children as 'little scraps of humanity rotting with foul diseases'.<sup>276</sup> Day's heroine even echoes Arnott when she says that so poor is the state of workhouse children that it would be 'merciful to put them to sleep, never to wake again.'<sup>277</sup> It is worth noting that Day herself was a poor law guardian in Cork and was probably familiar with Arnott's report.<sup>278</sup>

Another concern that arose with regard to workhouse children was that of how a workhouse upbringing influenced the behaviour and morality of the adult individual. That this was seen as just as serious an issue as health is revealed in our second case study, that of the South Dublin Union riot of 1860.

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<sup>273</sup> *Dublin Evening Mail*, 21 August 1869

<sup>274</sup> William D'Esterre Parker, *The Irish Infant Poor in Workhouses and Those Sent to Nurses in Peasants' Cottages* (Cork, 1870), pp.7-8

<sup>275</sup> *Irish Independent*, 8 August 1905

<sup>276</sup> Day, *Amazing Philanthropists*, p.47

<sup>277</sup> *Ibid.*, p.48

<sup>278</sup> Maria Luddy, 'Susanne Rouviere Day', *Oxford Dictionary of National Biography*, [accessed 10 August 2016]

## The South Dublin Union Riot

Less than a year after the Cork inquiry another well-publicised scandal led to heated debate over the workhouse and its influence on children. In April 1860 a number of young women in the SDU workhouse violently rioted against workhouse officials. The riot took place on the morning of 7 April 1860, following reports of thefts from the laundry that resulted in a search of female paupers in the breakfast hall. The younger women were violently resistant to the searches, screaming and throwing bottles at workhouse officials. The police were called and the workhouse master accused the girls of violently assaulting him. In return the girls accused the male workhouse officials of treating them indecently. Seven young women were arrested and brought before magistrates on charges of assault and riot. Three of them were sentenced to 14 days in prison for assault and riot; the remaining four were convicted for riot and served 48 hours in prison.<sup>279</sup> The Catholic chaplain to the workhouse, Rev. Fox, supported the girls in their claims. An inquiry into the causes of the riot and the workhouse officers' conduct during it followed.<sup>280</sup> The inquiry acquitted the male officers of misconduct. Instead, blame was placed on Fox for inciting the riot and he was dismissed by the PLC.<sup>281</sup> Fox's dismissal caused a heated conflict between Fox, and the Catholic Church that he represented, and the poor law authorities.

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<sup>279</sup> *Copies of the Minutes of Evidence taken Before the Guardians of the South Dublin Union and the Assistant Poor Law Commissioner, Mr. Otway, on the Days Commencing 20th April last to the Conclusion; of the Letter from the Commissioners of Poor Law in Ireland, dated 2 May 1860, to the Board Relative to the Inquiry; of Resolutions Agreed to in Reference Thereto by the Board of Guardians; and, of Further Correspondence*, HC, 1860 (390) Poor Law (Ireland), pp. 3-4 The four girls sentenced to 48 hours in prison were then readmitted to the workhouse after expressing regret and promising amendment.

<sup>281</sup> 'Letter from the Commissioners to The Rev. Mr. Fox', *Copies of the Minutes of Evidence taken Before the Guardians of the South Dublin Union and the Assistant Poor Law Commissioner*, p.28

Whilst the Cork inquiry examined the physical effects of a workhouse upbringing, the SDU riot placed the spotlight on how the workhouse affected behaviour. The SDU riot provides an excellent example of how the workhouse environment was perceived to influence the behaviour of workhouse children negatively. It should be noted that the girls involved in the SDU riot were all above the age of 15, so they were not children in the eyes of the poor law. But they had spent most of their childhood in the workhouse and thus provided an illustration of how the workhouse influenced children's behaviour and the type of adult it created. Incidents such as the SDU riot garnered significant attention from the Irish newspapers bringing the image of workhouse girls as disruptive and unruly firmly into the public domain. This gave philanthropists the opportunity to further involve themselves in workhouse matters. They used such incidents to demonstrate the harmful effects of the workhouse on children's behaviour, morals, and employment prospects. They argued that the workhouse was an unsuitable environment for children as it failed to equip them for a life outside its walls. The SDU riot also provided the Catholic Church with the chance to increase its role in Irish childcare by allowing the Church to portray itself as the protector of Catholic pauper girls.

The SDU riot must be seen in context of a wider concern over the behaviour of female workhouse inmates in the early 1860s. The SDU girls' riot was by no means an isolated event. Workhouse riots were fairly common in Ireland and as Crossman points out, female inmates were particularly prone to revolting.<sup>282</sup> In 1863, the PLC stated that it had long known that Irish workhouses teemed with a 'tendency to insubordination'.<sup>283</sup> The PLC felt that over the last few years this tendency towards insubordination had revealed itself fully, particularly with regards to

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<sup>282</sup> Crossman, *The Poor Law in Ireland*, pp.32-33

<sup>283</sup> *Annual Report of the Commissioners for Administering the Laws for the Relief of the Poor in Ireland*, HC, 1863 [3135], p.12



workhouse girls who had repeatedly attempted to set fire to the workhouse, made violent resistance, and generally caused 'riot and tumult'.<sup>284</sup> SDU girls were particularly troublesome, but similar tendencies were obvious in other workhouses, e.g. Cork, Waterford, and Clonmel.<sup>285</sup> There are also indications that there was growing concern over the involvement of children, those under the age of 15, in workhouse riots. In 1854 the head inspector of national schools, James Kavanagh, was alarmed by the fact that workhouse schoolchildren, many of whom had been reared in the workhouse, had taken an active part in three separate riots.<sup>286</sup> He also stated that workhouse children increasingly showed tendencies towards disorderly conduct and gave as an example an incident in which workhouse children had pelted their teacher with stones.<sup>287</sup>

The discussion concerning the behaviour of workhouse children tended to focus on girls. The reason for this was perhaps that girls and women appeared, as already mentioned, more prone to violent rioting. This could also be connected to the fact that following the Famine there appear to have been more girls than boys left in workhouses. As the PLC annual reports do not supply information concerning the gender of workhouse children it is not possible to confirm this statistically. One would need to look at the individual workhouses to get an idea of the gender distribution. Clark has looked at SDU and states that by the late 1850s there were twice as many girls aged 9-15, as there were boys in the same age.<sup>288</sup> The annual reports indicate that the PLC were concerned by the large number of young girls

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<sup>284</sup> *Annual Report of the Commissioners for Administering the Laws for the Relief of the Poor in Ireland*, HC, 1863 [3135], p.12

<sup>285</sup> *Ibid.*, p.13

<sup>286</sup> 'General report of the results of the special examination in 1853-54 of the national schools in the workhouses and in the prisons throughout Ireland', p.662

<sup>287</sup> *Ibid.*, p.663

<sup>288</sup> Anna Clark, 'Wild workhouse girls and the liberal imperial State in mid-nineteenth century Ireland', *Journal of Social History*, 39 (winter, 2005), p.391

remaining in Irish workhouses after the age they should have left to go into employment. In 1853, the Commissioners stated that the number of able-bodied young women in workhouses remained high and that the situation was ‘not likely to be so readily abated’.<sup>289</sup> Taking the situation seriously, the PLC used £10,000 to emigrate 1,500 young girls to Canada in order to reduce the number of workhouse girls.<sup>290</sup> The higher number of girls was probably partly caused by the fact that it proved much harder for girls to find employment than it did for boys. The gender difference in employment is highlighted in PLC’s figures from 1853 showing that the proportion of unemployed former workhouse girls was significantly higher than the proportion of unemployed ex-workhouse boys.<sup>291</sup> The reasons for the girls’ lack of employment will be discussed later on in this chapter.

### The Behaviour of Workhouse Girls

The most common accusation made against female workhouse inmates was that of insubordination.<sup>292</sup> ‘Insubordinate’ was also the term used to describe the girls involved in the SDU riot. McLoughlin has identified young women brought up in the workhouse, like the SDU girls, as one of the groups most likely to be accused of insubordination.<sup>293</sup> The term is somewhat problematic, as it was never clearly defined by the workhouse authorities.<sup>294</sup> McLoughlin suggests that insubordination was not one offence but rather ‘it was the accumulation of offences which made for a

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<sup>289</sup> *Seventh Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland: with Appendices*, HC, 1854 [1785], p.8

<sup>290</sup> *Ibid.*, p.8

<sup>291</sup> *Sixth Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland: with Appendices*, HC, 1852-53 [1645], p.12

<sup>292</sup> McLoughlin, ‘Shovelling out paupers’, p.66

<sup>293</sup> *Ibid.*

<sup>294</sup> *Ibid.*

refractory and insubordinate inmate.’<sup>295</sup> It appears to have denoted a spectrum of offences. This spectrum included, for example, refusal to obey orders and talking back to workhouse officials, but there are indications that the term also included more violent offences. Offences described as insubordination were those that threatened the order and discipline of the workhouse. As discipline and regulation was a cornerstone of the workhouse without which the system, it was believed, would collapse, such offences were considered to be serious. In any institution the inmates outnumbered the staff hence the ability to keep inmates under control was of the utmost importance. Indeed, much of the discussion surrounding the behaviour of workhouse girls aimed at controlling the potential threat that they posed to the order in workhouses and society in general.

In the evidence given to the inquiry by workhouse officials, the defiance of authority displayed by the girls emerged as one of the most troubling features of the SDU riot. The SDU girls seemed to demonstrate that the workhouse produced girls with a lack of respect for authority. As previously mentioned, the riot began when a number of younger girls refused to submit themselves to a search by the workhouse officials. The SDU minute book describes how one young girl started screaming leading to the younger girls displaying a general ‘riotous disposition’.<sup>296</sup> The workhouse staff described the girls as violently resisting the search and physically attacking them. The ward mistress stated that she was violently attacked by the girls and received two blows to the back.<sup>297</sup> Some of the girls also violently resisted removal by the police.<sup>298</sup> The workhouse girls seemed unable to control their impulses and acted out in a violent manner. This impression was echoed by the 1861

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<sup>295</sup> Ibid., p.69

<sup>296</sup> ‘Extract from South Dublin Union Minute Books’, *Copies of the Minutes of Evidence taken before the Guardians of the South Dublin Union and the Assistant Poor Law Commissioner*, pp. 3-4

<sup>297</sup> Ibid., p.10

<sup>298</sup> Ibid., p.7

annual report of the Directors of Convict Prisons in Ireland, which asserted that the most difficult prison inmates to control were young females reared in workhouses.<sup>299</sup> As an example the report used seven young women formerly in the workhouse but now in Mountjoy Female Convict Prison. Like the SDU riot girls, they displayed a violent reaction to correction by prison officers. They reacted very violently; ‘when they are corrected, even in the mildest manner, for any breach of regulations, they lose all control of reason’.<sup>300</sup> They tore up bedding, smashed windows, tore their clothing with their teeth and used language described as ‘absolutely shocking’.<sup>301</sup> The idea of workhouse girls lacking control over their emotions and resorting to violence was also emphasised by the Irish newspapers, for example the *Cork Examiner* claimed that women reared in workhouses ‘became like animals’.<sup>302</sup> The newspaper attributed the girls’ animalistic behaviour to the workhouse exercising ‘some evil influence over them, which prevented their better nature from being developed’.<sup>303</sup>

Violent resistance was not the only way in which workhouse girls expressed disregard for authority. In 1861 Eliza Moore, a refractory and disobedient girl known for getting into scraps with workhouse officials, came before the SDU Board of Guardians and was sentenced to twenty-four hours of solitary confinement. The board of guardians appear to be disappointed that Moore did not take the sentence more seriously and stated that the sentence ‘seemed to make very little impression’.<sup>304</sup> They also appear to have felt that Moore was mocking and

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<sup>299</sup> ‘Extract from appendix to the sixth annual report of the directors of convict prisons in Ireland, correspondence on the cases of seven young girls in the Mountjoy Female Convict Prison’, *Annual Report of the Commissioners for Administering the Laws for the Relief of the Poor in Ireland*, Appendix A, HC, 1861 [2803], p.76

<sup>300</sup> Ibid.

<sup>301</sup> Ibid.

<sup>302</sup> *Cork Examiner*, 22 June 1861

<sup>303</sup> Ibid.

<sup>304</sup> *Freeman’s Journal*, 13 September 1861

contemptuous and stated that she said ‘with a saucy laugh, “thank you gentlemen”, and withdrew en route for her twelve hours’ sojourn in the cells.’<sup>305</sup>

There are indications that the workhouse management was perceived as having failed to control the girls and install a proper sense of discipline and order. In the report from the directors of convict prisons referred to above, care is taken to point out that the girls are ‘not at all deficient in intelligence or capacity for better things.’<sup>306</sup> The young women were not inherently unruly but seemed motivated not by ‘an actual love of vice’ but more of a ‘spirit of reckless insubordination’.<sup>307</sup> If this spirit of insubordination could be controlled the girls could be turned into well-behaved individuals. However, the workhouse had failed to exercise this control and the improvement of the girls appeared to be reliant on their removal from the workhouse environment. Mrs Lidwell, superintendent of Mountjoy Prison, stated that once in prison, former workhouse girls were transformed into ‘quiet, orderly prisoners, and have acquired a good deal of self-control.’<sup>308</sup>

The SDU riot placed spotlight on perceived connection between a workhouse upbringing and prison. The seven girls involved in the riot were all sentenced to, albeit short, prison sentences and were used as examples of how the workhouse cultivated criminality. Following the publication of the SDU inquiry, the *Irish Examiner* stated that the workhouse bred criminality and claimed that all females in the convict prison came from the SDU.<sup>309</sup> The newspaper caustically remarked that South Dublin workhouse was ‘busy recruiting for the gaols’.<sup>310</sup> The *Cork Examiner* took the same stance and accused the SDU of filling the Irish prisons through the use

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<sup>305</sup> Ibid.

<sup>306</sup> ‘Correspondence on the cases of seven young girls in the Mountjoy Female Convict Prison’, p.76

<sup>307</sup> Ibid.

<sup>308</sup> Ibid.

<sup>309</sup> *Irish Examiner*, 6 June 1860

<sup>310</sup> *Irish Examiner*, 20 August 1860

of a system ‘by which the female inmates are made thieves and prostitutes.’<sup>311</sup> Following the SDU riot, the criticism naturally focused on the SDU and both the *Irish Examiner* and the *Cork Examiner* praised the North Dublin Union as an example of a well-managed workhouse.<sup>312</sup> However, the criticism of criminal tendencies was not confined to SDU. In 1854, James Kavanagh, head inspector of national schools, criticised the workhouse system for fostering criminality. He was especially concerned over what he perceived as a lack of discipline in workhouse, pointing out that 64 per cent of those aged 9-15 in prison were there for offences committed in the workhouse.<sup>313</sup> As Barnes points out, there was also concern that a significant number of workhouse children went back and forth between the workhouse and prison.<sup>314</sup> Workhouse management was accused of punishing children too harshly and sending them to prison for very minor offences. As an example, a girl from Castletown Union was sentenced to one month’s hard labour for eating a turnip from a field.<sup>315</sup> The reason for the harsh punishments might have been that by committing the children to prison the workhouse system transferred the cost for the children’s maintenance from the electoral district to the county rate.<sup>316</sup>

### Immorality in Workhouses

During the 1850s and 1860s many commentators strongly criticised the workhouse for morally corrupting the children in its care. The workhouse environment appeared to produce children lacking a sense of moral direction. The discussion on workhouse

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<sup>311</sup> *Cork Examiner*, 8 June 1860

<sup>312</sup> *Irish Examiner*, 6 June 1860, *Cork Examiner*, 8 June 1860

<sup>313</sup> ‘General report of the results of the special examination in 1853-54 of the national schools in the workhouses and in the prisons throughout Ireland’, p.663

<sup>314</sup> Barnes, *Irish Industrial Schools*, p.16

<sup>315</sup> *Ibid.*

<sup>316</sup> *Ibid.*

immorality focused on the sexual morals of workhouse girls. The almost exclusive focus on girls' morals, rather than boys', is explained by the fact that girls were seen as weaker and more susceptible to immoral influences. Philanthropist Ellen Woodlock, one of an increasing number of Irish ladies to take an interest in workhouse children, argued that, unlike girls, 'Gentlemen pass through a great deal of wickedness unscathed, and without being contaminated'.<sup>317</sup> The workhouse was increasingly perceived as failing to protect the virtue of the young girls in its care. At the age of 15 the girls were moved from the children's ward to the adult ward where, according to workhouse critics, they came into contact with women of immoral character, in particular prostitutes. Immorality was seen as extremely contagious and dangerous if not controlled. Woodlock expressed this view well when she stated that she would 'not let a girl into my school who had been supposed to be a fallen one, any more...than you would allow a glandered horse to come into your stable.'<sup>318</sup> In Woodlock's view immorality was so contagious that it only took one immoral girl to corrupt all the others. To prevent the spread of immorality the workhouse was to employ a system of moral classification whereby women perceived as morally objectionable, that is prostitutes and single mothers, were physically separated from the other females. But, as Clark has pointed out, many poor law commentators were increasingly preoccupied with the issue of moral classification and its perceived breakdown.<sup>319</sup> In 1854, the aforementioned Mr Kavanagh criticised the failure of the workhouse to separate young girls from prostitutes. He claimed that there were an abundance of prostitutes in the workhouses and that 'generally speaking, there are

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<sup>317</sup> 'Evidence of Ellen Woodlock', *Report from the Select Committee on Poor Relief (Ireland)*, HC 1861 (408) (408-I), p.217

<sup>318</sup> Ibid.

<sup>319</sup> Clark, 'Wild Workhouse Girls', p.398

few Unions in which prostitutes do not mix freely with the other women'.<sup>320</sup> This issue was also raised in 1854 at the select committee on Dublin hospitals. The Committee was set up to look into the effect of the reduction in grants to the Lock Hospital, Dublin. Witnesses agreed this had led to an increase in women with venereal diseases, mainly prostitutes, entering the workhouse and there was much concern that this led to the moral contamination of younger girls. Some witnesses to the Select Committee on Dublin Hospitals stated that prostitutes entered the workhouse with the sole purpose of recruiting young girls as prostitutes.<sup>321</sup> Philanthropically-minded ladies such as the aforementioned Ellen Woodlock were very concerned by possible moral contamination in workhouses. Woodlock told the 1861 Select Committee on Poor Relief in Ireland that she advocated stricter moral classification in order to preserve the virtue of workhouse girls. She suggested that females seeking admission first spend time in a probationary ward where their character was carefully observed before they were allowed to enter the workhouse.<sup>322</sup>

The concern for workhouse children's moral character dominated the 1861 Select Committee hearings; almost all witnesses were asked as to their opinion on the issue of moral contamination of workhouse children and the majority of them expressed great concern.<sup>323</sup> It should be noted that criticism of the moral contamination in workhouses did not just come from philanthropists and commentators outside the workhouse system. The master of the North Dublin workhouse told the select committee on Dublin hospitals that if prostitutes were not

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<sup>320</sup> 'General report of the results of the special examination in 1853-54 of the national schools in the workhouses and in the prisons throughout Ireland', p.664

<sup>321</sup> 'Evidence of Dr Daniel F. Brady', *Report from the Select Committee on Dublin Hospitals; Together with the Proceedings of the Committee, Minutes of Evidence, Appendix, and Index*, HC, 1854 (338), p.65

<sup>322</sup> 'Evidence of Ellen Woodlock', *Report from the Select Committee on Poor Relief (Ireland)*, p.226

<sup>323</sup> *Ibid*, p.iv



kept separate from the virtuous girls, the workhouse was nothing more than ‘a nursery for replenishing the streets of the metropolis with numbers of unhappy beings, who it must be admitted, received their introduction into vice within its walls.’<sup>324</sup> Thus, there was a feeling that the workhouse had failed fundamentally to protect the girls and instead contributed to the creation of prostitutes.

#### The PLC’s Response to Criticism Regarding Immorality

The PLC confronted criticism regarding the insubordination and moral contamination of workhouse girls in the same manner that it confronted the criticism regarding health. In the face of mounting criticism, the PLC maintained that the workhouse was a safe option for children placing the source of the problem firmly outside the workhouse. Following Kavanagh’s criticism in 1854 concerning the lack of moral classification, the PLC asked its inspectors to report on the state of moral classification in their districts. The inspectors considered moral classification, at least as far as the physical separation of prostitutes, to be upheld and the majority of workhouses protected against moral contamination.<sup>325</sup> Inspector Hall summed up the attitude of the PLC when he stated that ‘there is much less danger of young females becoming corrupted in the workhouse than out of it.’<sup>326</sup>

With regards to both the issue of moral contamination and that of insubordination, the PLC argued that the problem was the so-called ins-and-outs, girls who were frequently discharged and re-admitted, and that the boards of guardians lacked the power to control their movements. As McLoughlin showed in

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<sup>324</sup> ‘Evidence of George B. Owens’, *Report from the Select Committee on Dublin Hospitals*, pp.102-103

<sup>325</sup> *Eight Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland; with Appendices*, HC, 1854-55 [1945], p.108

<sup>326</sup> *Ibid.*, p.111

her thesis on Irish pauper women, the nineteenth-century workhouse was far from a closed-off and self-contained institution. Inmates were regularly released as seasonal farm labourers and returned when the labour was over. Some workhouses issued passes allowing inmates to leave their dependants behind in the workhouse whilst they attended to business on the outside. This was illegal, but workhouse officials appear to have ignored this.<sup>327</sup> At the age of 15, the girls were allowed to ask for their discharge and the guardians could not deny them. This meant that girls were able to go in and out of the workhouse and, according to the PLC, they brought immorality and insubordination back with them. Following the criticism of the behaviour of ex-workhouse girls by the Directors of Convict Prisons, the PLC investigated the background of the seven girls mentioned in the report. They concluded that the flawed character of these young females was not the result of their upbringing in the SDU. The issue was not that the girls had been in the workhouse for too long, but that the girls had left the workhouse too frequently. Some of these girls had family outside the workhouse, and, in the eyes of the PLC, this family was an immoral influence. In the case of Jane Kane, the PLC explained her unruly behaviour by stating that Jane's mother kept a brothel. Jane frequently left the workhouse, in 1858 she was admitted to the workhouse on nine different occasions, and the PLC believed that when she was not in the workhouse she was with her mother who had an unhealthy influence on her.<sup>328</sup> The problem was not just that the workhouse was unable to keep girls from leaving, board of guardians were also frustrated that they could not prevent disruptive girls entering. In 1861, the SDU board of guardians denied admission to eight girls returning to the workhouse from prison. The guardians maintained the right to deny admission to disruptive influences

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<sup>327</sup> McLoughlin, 'Shovelling out paupers', pp.80-81

<sup>328</sup> *Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland, with Appendices*, HC, 1861 [2803], p.79

but the PLC informed them that they had to admit the girls.<sup>329</sup> Admission could not be denied on grounds of character. As we shall see in chapter four, the notion that the workhouse did not have sufficient control over the inmates' movements became a powerful argument for the introduction of industrial schools and reformatories.

### Training of Workhouse Girls

As previously noted, it appeared to be particularly difficult for workhouse girls to find employment. Workhouse critics attributed this to the inadequate training given to workhouse girls and the fact the workhouse failed to equip young girls with the characteristics necessary to survive outside the workhouse. However, it should be noted that the second half of the nineteenth century saw an overall weakening of women's position on the labour market and census figures show that female employment declined overall.<sup>330</sup> In an increasingly difficult employment market the workhouse girls were partly hampered by the fact that their workhouse training emphasised a skill that was not sought after. During the 1850s, needlework became an important part of the training of workhouse girls.<sup>331</sup> But, as Clark has pointed out, needlework was an already 'overstocked trade.'<sup>332</sup> Workhouse boys were trained in more useful occupations, such as shoemaking and carpentry, and consequently found employment easier.

The subject of workhouse girls, their training and employment prospects was one that attracted the attention of many female philanthropists. From the early 1850s female philanthropists had argued that the girls' inability to procure stable

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<sup>329</sup> Clark, 'Wild workhouse girls', pp. 396-397

<sup>330</sup> Cormac Ó Gráda, *Ireland. A New Economic History 1780-1939* (Oxford, 1995), p.241

<sup>331</sup> *Sixth Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland: with Appendices*, HC, 1852-53 [1645], p.12

<sup>332</sup> Clark, 'Wild workhouse girls', p.400

employment was a direct consequence of their workhouse upbringing and that the training provided for girls was utterly inadequate. They were not alone in attacking the training given to girls, according to the *Cork Examiner* the training was so lacking that the girls' only option outside the workhouse was prostitution.<sup>333</sup> The ladies sought to rectify this by involving themselves in the training of workhouse girls. The aforementioned Ellen Woodlock is an example of this development. From 1851 Woodlock had been involved with promoting and managing industrial schools for girls. She established two industrial schools in Cork where 800 girls were trained to occupations, and was the founder and manager of St Joseph's Industrial Institute, Dublin.<sup>334</sup> Woodlock's girls did not all come from the workhouse but she did take girls out of the workhouse and placed in her schools.<sup>335</sup> Philanthropists such as Woodlock argued that it was necessary to remove the girls from the workhouse as the training received there rendered them unemployable. Woodlock's institutes appear to have focused on teaching needlework and the poor training given to North Dublin girls in this field shocked her. The girls were unable to even sew a shirt and Woodlock attributed this to a lack of proper material to sew with.<sup>336</sup> So not only were girls taught an overstocked trade, they were taught it badly. Alongside needlework, domestic service was the most common occupation open to workhouse girls. But the philanthropic ladies claimed that the girls' workhouse upbringing effectively rendered them incapable of performing domestic service. Not only was the training poor but having spent most of their childhood in the workhouse the girls were unfamiliar with a domestic setting. Having never used cutlery to eat with they

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<sup>333</sup> *Cork Examiner*, 22 June 1861

<sup>334</sup> 'Evidence of Ellen Woodlock', *Report from the Select Committee on Poor Relief (Ireland)*, p.216

<sup>335</sup> *Ibid.*

<sup>336</sup> *Ibid.*, p.218

could not use knives and forks and some were even unable to climb stairs.<sup>337</sup>

Woodlock told the 1861 Select Committee that she was forced to abandon plans to train a group of workhouse girls as servants as they hardly knew the names of ordinary, everyday objects used in the home.<sup>338</sup> Unsurprisingly, the workhouse girls' lack of proper training meant that they were not sought after as domestic servants.<sup>339</sup> But, as McLoughlin points out, it was not just their lack of domestic skills that made it difficult for them to find employment as servants. Their reputation as unruly and spirited preceded them and it was well known that they were not trained 'in the diffident ways of servants'.<sup>340</sup> Woodlock remarked that workhouse girls tended to have violent tempers; one girl had thrown her employer's son down the stairs in a fit of rage.<sup>341</sup> This reputation was no doubt reinforced by incidents such as the SDU riot.

According to the philanthropic ladies, their workhouse upbringing had also denied the girls of another characteristic necessary in a good domestic servant – self-motivation.<sup>342</sup> The workhouse produced girls unable to thrive outside its walls; they became 'lazy, idle, careless, apathetic'.<sup>343</sup> Speaking before the Social Congress in Dublin in 1861, Woodlock and fellow philanthropist Sarah Atkinson<sup>344</sup> argued that a workhouse upbringing completely 'unfits a pauper girl for the world'.<sup>345</sup> When leaving the workhouse such a girl knew little of the outside world and was likely to

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<sup>337</sup> Clark, 'Wild workhouse girls', p.400

<sup>338</sup> 'Evidence of Ellen Woodlock', *Report from the Select Committee on Poor Relief (Ireland)*, p.219

<sup>339</sup> McLoughlin, 'Shovelling out paupers', p.154

<sup>340</sup> Ibid.

<sup>341</sup> 'Evidence of Ellen Woodlock', *Report from the Select Committee on Poor Relief (Ireland)*, p.220

<sup>342</sup> Clark, 'Wild Workhouse Girls', p.400

<sup>343</sup> 'Evidence of Ellen Woodlock', *Report from the Select Committee on Poor Relief (Ireland)*, p.218

<sup>344</sup> Atkinson was a close friend of Woodlock's and helped her establish St Joseph's Industrial Institute. Atkinson and Woodlock were also credited with obtaining access to the South and North Dublin Unions for women visitors in the 1860s. Luddy, *Women and Philanthropy*, p.38

<sup>345</sup> *Freeman's Journal*, 10 September 1861

return to the workhouse repeatedly as she regarded it as her home.<sup>346</sup> Thus, through deficient training and the inability to create self-reliant individuals, the workhouse had failed both the girls and the ratepayers on whom the girls remained a burden. The workhouse was meant to counteract pauperisation but now seemed to contribute to it.

### The Catholic Church

The involvement of Rev. Fox, the Catholic workhouse chaplain in SDU, in the riot denoted the increasing role played by the Catholic Church in matters of childcare. Following the Famine, the Catholic Church, under the leadership of Archbishop Cullen, became a centralised body that increasingly involved itself in Irish affairs.<sup>347</sup> Cullen was strongly opposed to the Irish poor laws and in the 1860s he led a campaign for reform.<sup>348</sup> Such campaigns, and those of other workhouse reformers, led to the establishment of the 1861 Select Committee on Irish Poor Relief previously mentioned. Cullen appeared before the Committee; like other witnesses he condemned the lack of moral classification and saw the moral corruption of young girls by fellow inmates as a great danger.<sup>349</sup> But, the SDU riot gave the Catholic Church the opportunity to portray not just the girls' fellow inmates as a source of moral danger, but also the workhouse officers and by extension the entire system that they represented. Fox supported the SDU girls' claims that the workhouse officials had indecently assaulted and exposed them. He described the behaviour of the

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<sup>346</sup> 'Evidence of Ellen Woodlock', *Report from the Select Committee on Poor Relief (Ireland)*, p.222

<sup>347</sup> Barnes, *Irish Industrial Schools*, p.17

<sup>348</sup> Crossman, *Poverty and the Poor Law*, p.227

<sup>349</sup> 'Evidence of Paul Cullen', *Report from the Select Committee on Poor Relief (Ireland)*, pp.185-186

workhouse officials as ‘scandalous, abominable ...obscene’.<sup>350</sup> The male workhouse officers appeared as predatory and dangerous as the prostitutes in the adult wards. Catholic newspapers supporting Fox echoed this description. The *Irish Examiner* told its readers that the officers had made a sudden raid on the poor girls calling it ‘an assault on female purity’ and a case of ‘brutal indecency’.<sup>351</sup> The *Freeman’s Journal* praised Fox’s defence of the girls against behaviour that ‘must inevitably break down the morals and the virtues of the young.’<sup>352</sup>

In this scenario, Fox, and the Church he represented, emerged as the protectors of Catholic pauper girls against the abuses of a Protestant workhouse system. Religion was at the centre of the conflict. Fox was dismissed by the SDU Board of Guardians for subverting the discipline of Catholic inmates and blamed by the inquiry for inciting the Catholic girls to riot. The male, Protestant, workhouse officers were acquitted of misconduct.<sup>353</sup> The Catholic newspapers saw this as proof of Protestant bigotry and tyranny within the poor law system.<sup>354</sup> The *Freeman’s Journal* claimed that Fox was fired because he spoke out against Protestant officers.<sup>355</sup> The image that emerged was one of innocent and virtuous Catholic girls attacked by Protestant men. The Catholic newspapers were able to paint a picture of Fox as a hero defending the honour and morals of pauper girls against the vicious Protestant workhouse officers. He was seen as the ‘chosen protector of the morals of the inmates’<sup>356</sup> and the ‘guardian of [the] fatherless and the orphan.’<sup>357</sup> Fox stated

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<sup>350</sup> Ibid., p.20

<sup>351</sup> *Irish Examiner*, 6 June 1860

<sup>352</sup> *Freeman’s Journal*, 9 June 1860

<sup>353</sup> ‘Letter from the commissioners to the board of guardians, South Dublin Union’, *Copies of the Minutes of Evidence taken before the Guardians of the South Dublin Union and the Assistant Poor Law Commissioner*, p.17 Fox was later reinstated as SDU chaplain in August 1860 on the orders of Edward Cardwell, Secretary of State for Ireland.

<sup>354</sup> *Freeman’s Journal*, 1 June 1860; *Irish Examiner*, 6 June 1860

<sup>355</sup> *Freeman’s Journal*, 9 June 1860

<sup>356</sup> Ibid.

<sup>357</sup> *Freeman’s Journal*, 1 June 1860

that he did not defend insubordination but ‘when the laws of man subvert or interfere with the laws of God, the Christian has a right to take his stand’ and the behaviour of the officers was such that the girls with their ‘innate love of modesty, may be excused for resisting a search’.<sup>358</sup> Thus, the Catholic Church and Catholic newspapers portrayed a scenario in which workhouse girls were inherently moral, and had managed to maintain their morality despite their workhouse surroundings. It was in fact the girls’ heightened sense of morality and virtue that caused them to riot. But their virtue was now under attack from two sides – fellow inmates and the workhouse officers. By playing on the general public’s fear of moral corruption and vice, the Catholic newspapers were able to paint a picture of the Catholic Church as the guardians of morality and the workhouse as a den of vice where girls were surrounded by immorality. The implication was clear – workhouses were not suitable places for Catholic children who needed to be removed from the moral danger that the care of Protestants represented. From this base the Catholic Church was able to build a strong presence in matters of childcare leading to the establishment of industrial schools over which they gained considerable control in Ireland.

## Conclusion

The period following the Famine saw the Irish workhouse child brought to national attention. The workhouse – an already unpopular institution – was increasingly portrayed as a place of danger to the children of the poor. Events such as the Cork inquiry and the SDU riot showed the workhouse to compromise both children’s health and behaviour leaving them unfit for an independent, self-supporting life

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<sup>358</sup> ‘Extract from the guardians’ minutes, dated 17 May 1860’, *Copies of the Minutes of Evidence taken before the Guardians of the South Dublin Union and the Assistant Poor Law Commissioner*, p.22



outside the walls of the workhouse. The PLC actively tried to counteract this idea, but the newspaper evidence show that the public image of the workhouse was overwhelmingly negative. The system appeared to have failed utterly with regards to the rearing of children.

This perceived failure of the workhouse to rear healthy, respectable children lead to two important developments. Firstly, it gave the Catholic Church a stronger foothold within the area of childcare enabling it to emerge as the protector of poor Catholic children. The Catholic Church increasingly argued that in order for Catholic children to grow up both physically and morally healthy, they needed to be in the care of other Catholics. As we have seen in chapter one and will see again in chapter four, the welfare provisions for Catholic children increased dramatically throughout the second half of the nineteenth century.

However, it was not just the Catholic Church that increasingly wished to remove children from the workhouse. The second development of great importance during this period was the recognition of a need for alternatives both to the homes of the poor and to the workhouse became generally acknowledged. As seen in evidence from the Cork inquiry, there was a strong sense that workhouse children needed to be reared in a healthier environment. In 1862 an alternative to the workhouse was introduced when boarding out from workhouses was allowed. The boarding out system will be discussed in the following chapter.

### Chapter 3: Boarding Out

As a response to the problems facing the workhouse system, discussed in the previous chapter, the Select Committee of 1861 suggested the introduction of a so-called boarding out system for workhouse children. Following intense debate in parliament, boarding out was approved as part of the Poor Law Amendment Act of 1862 that came into effect in October 1862.<sup>359</sup> The boarding out system meant that boards of guardians were allowed to remove orphaned and deserted children from the workhouse and place them with foster families. The first version of boarding out only included children under the age of five, but the number of children eligible for the scheme was expanded throughout the nineteenth century. In 1869 the age limit was raised to ten years, in 1876 all deserted and orphaned children up to the age of 13 became eligible for boarding out and following a final extension in 1898, all orphaned and deserted workhouse children, that is those under 15, could be boarded out.

Boarding out represents the most significant change to the poor law's childcare policy during the nineteenth century and as such offers the historian the opportunity to examine changing attitudes to the care of the children of the poor. As Hendrick highlights when discussing boarding out in England, childcare policy was motivated by several overlapping factors such as financial considerations (that is a desire to keep childcare costs down for the State), religious concerns, as well as a concern for morality and the stability of society as a whole.<sup>360</sup> However, perhaps the most interesting thing about boarding out in Ireland is that ultimately the scheme failed to have a significant impact on the childcare system. The primary aim of this

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<sup>359</sup> *Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland*, HC, 1863 [3135], p.1

<sup>360</sup> Harry Hendrick, *Child Welfare in England, 1872-1989* (London, New York 1994), p.76

chapter is to provide an overview of the boarding out system, and to show how it was an ultimately failed attempt at implementing non-institutional care for children in Ireland. Instead of accepting non-institutional care, Irish society moved towards extensive use of reformatories and industrial schools. Despite the continual expansion of the boarding out system to include an ever-increasing number of workhouse children, the scheme remained, in the words of Caroline Skehill, a 'minority practice.'<sup>361</sup>

In comparison to other parts of the British Isles, in particular Scotland, the Irish Poor Law system made very little use of the non-institutional care that boarding out offered. In relation to this it is interesting to note that the concept of boarding out was not new to Ireland. Prior to the introduction of the Irish Poor Law, parishes sent orphaned and deserted children to nurses or to foundling institutions.<sup>362</sup> From 1727 it was the legal responsibility of all parishes to appoint an overseer whose job it was to pay the nurse and then visit her to inspect the welfare of the child.<sup>363</sup> Thus, the idea of sending orphan and deserted children out to nurse was hardly revolutionary and had in fact been accepted to some degree previously. However, nineteenth-century Ireland appears to have been deeply sceptical of boarding out and preferred to keep children inside the workhouses. In fact, the majority of Irish workhouse children remained inside the workhouse throughout the period 1862-1913. The dominance of institutional care over foster care in Ireland lasted well into the twentieth century; as

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<sup>361</sup> Caroline Skehill, 'The origins of child welfare under the poor law and the emergence of the institutional versus family care debate', in Virginia Crossman and Peter Gray (eds), *Poverty and Welfare in Ireland 1838-1948* (Dublin, Portland, 2011), p.124

<sup>362</sup> Anna Clark, 'Irish orphans and the politics of domestic authority', in Lucy Delap, Ben Griffin, and Abigail Wills (eds), *The Politics of Domestic Authority in Britain since 1800* (Basingstoke, 2009), p.64

<sup>363</sup> Joseph Robins, *The Lost Children-A Study of Charity Children in Ireland, 1700-1900* (Dublin, 1980), p.13

an example one can mention that by 1926 the number of boarded-out children was lower than in 1871, but the number of children in industrial schools had trebled.<sup>364</sup>

This chapter also aims to demonstrate not only that boarding out remained a minority practice in the period 1862-1913, but also to examine why this was the case. It will show that there was considerable scepticism towards the boarding out system and that this significantly contributed to the limited use of boarding out in Ireland. Both the Poor Law Commission (PLC) and the local boards of guardians were cautious in their initial approach to boarding out and stated a preference for institutional care in the form of the workhouse. This chapter will argue that whilst the PLC became increasingly supportive of boarding out, the boarding out system failed to win the support of those crucial to its success 'on the ground' in Ireland: the local boards of guardians and the potential foster families.

The hesitant Irish response to boarding out also reveals much about attitudes towards the families of the poor. This chapter will show that Poor Law officials exhibited a distrust of these families and maintained that children were safer in the workhouse than in the homes of the poor. This distrust of the family unit formed part of the base from which the industrial and reformatory schools could be introduced and expanded. The chapter will also highlight how, towards the end of the nineteenth century, previous supporters of boarding out were increasingly critical of the lack of supervision and control over the conditions under which the boarded-out children were living. Thus boarding out could be construed as another failure of the workhouse system.

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<sup>364</sup> Skehill, 'The origins of child welfare', p.122

## The Introduction of Boarding Out, 1862

It is tempting to ascribe the introduction of boarding out largely to the campaigns of workhouse reformers and incidents such as the Cork inquiry that placed the spotlight on workhouse conditions. Indeed, William D'Esterre Parker, a member of the Cork Board of Guardians and Chairman of the Boarding Out Committee at Cork Union, credited Arnott and the Cork inquiry with the introduction of boarding out. In 1870, he stated that 'the system of boarding out orphan and deserted pauper children in Ireland is mainly due to Sir John Arnott'.<sup>365</sup> But in fact, the introduction of boarding out was supported by a wide consensus. The PLC, workhouse reformers, and the Catholic Church all supported boarding out to some degree. As Robins argues there 'had always been a body of Irish opinion that considered that young, homeless children should not be reared in a workhouse environment'.<sup>366</sup> As early as 1846, a number of unions made submissions to a parliamentary committee suggesting a boarding out system but the committee made no recommendation on the issue. At another parliamentary committee in 1849, Henry Maunsell, a prominent Dublin doctor and secretary to the Royal College of Surgeons in Ireland, asserted that the best way of rearing workhouse children was to send them to live with the peasantry.<sup>367</sup> These observations were made during the crisis of the Famine, but the support for boarding out grew during the 1850s with several philanthropic associations promoting it. One of the foremost advocates of boarding out was the Dublin Statistical Society, who counted such figures as Thomas O'Hagan, later lord chancellor, and John O'Hagan, later a Commissioner for National Education, among

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<sup>365</sup> William D'Esterre, *The Irish Infant Poor in Workhouses, and Those Sent to Nurse in Peasants' Cottages* (Cork, 1870), p. 4

<sup>366</sup> Joseph Robins, *The Lost Children. A Study of Charity Children in Ireland, 1700-1900* (Dublin, 1980), p.271

<sup>367</sup> Ibid., pp.173-174

its members.<sup>368</sup> As Crossman points out, the PLC also expressed their support for a boarding out scheme. In 1857, two years prior to the Cork inquiry, the Commissioners called for a clarification of the law concerning deserted children and stated that, if they were to care for these children, they wanted the government to grant them the right to maintain them outside the workhouse until they reached the age of five.<sup>369</sup> The PLC annual report for 1859/1860 echoed this sentiment and asked for 'some change being made in the law, so as to permit infant children, without mothers, to be put out to nurse, and relieved out of the workhouse to the age of five years.'<sup>370</sup> The scheme also had the support of the Catholic Church and Cullen actively promoted the boarding out of workhouse children.<sup>371</sup>

Thus, as Crossman argues, there is no reason to assume that boarding out was introduced as the direct consequence of public and philanthropic pressure on the government.<sup>372</sup> The PLC was not opposed to the scheme and had in fact called for it. The introduction of boarding out was most likely due to a combination of the PLC's support for it and the growing criticism of the workhouse's treatment of children with the public attention given to episodes such as the Cork inquiry and the South Dublin Riot (SDU) riot tipping the scales in favour of boarding out.

However, despite their general agreement on the need for boarding out, the interested parties did not agree on how extensive the scheme should be. This was due to their very different perceptions of why boarding out was needed and what it could be expected to achieve. As Crossman points out, the debate surrounding boarding out can be seen as a discussion over the merits of an institutional upbringing, favoured

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<sup>368</sup> Ibid., p.272

<sup>369</sup> Virginia Crossman, 'Cribbed, contained, and confined? The care of children under the Irish Poor Law, 1850 – 1920', *Eire-Ireland*, 44:1&2 (2009), p.44

<sup>370</sup> *Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland*, HC, 1860 [2654], p.11

<sup>371</sup> Crossman, 'Cribbed, contained, and confined', p.45

<sup>372</sup> Ibid., p.46

by the PLC, and the family upbringing favoured by workhouse reformers.<sup>373</sup> These different views are clearly demonstrated in the debate over the upper age limit for boarding out. The age limit was extremely important as it determined how many children were eligible for boarding out and how long children could stay outside the workhouse. It proved to be the most contentious element of boarding out and caused much debate in the House of Commons. The PLC supported a limited version of boarding out where deserted and orphaned children could only be boarded out till the age of five.<sup>374</sup> The five-year age limit was based on the PLC's view of boarding out as solely a means of safeguarding the health of the youngest, motherless inmates for whom the workhouse was not able to provide adequately. Thus, to the PLC boarding out was only needed for a limited period of the children's lives. By the age of five some physical change had occurred making the children stronger and more resistant to disease enabling them to live well in the workhouse. This view was supported in the House of Commons by Lord John Browne, MP for Mayo, who argued that there was no point in extending the limit beyond five years of age as the reason for boarding out was the high mortality rates for children under the five years of age.<sup>375</sup> Thus, as they did in the Cork inquiry and the SDU riot, the PLC approached boarding out with the attitude that a well-run workhouse was the most suitable environment for the children of the poor.

It is also worth noting that to the PLC, boarding out represented a potential threat to the philosophy underpinning the Poor Law system. For the workhouse to function as a deterrent to the children they of course had to be in the workhouse and not in family homes in the countryside. Furthermore, if the conditions in the foster homes were better than those the children would have lived under outside the

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<sup>373</sup> Ibid.

<sup>374</sup> *Hansard's Parliamentary Debates*, 3rd series, vol.165, cols 339-43, 1862

<sup>375</sup> *Hansard's Parliamentary Debates*, 3rd series, vol.167, cols 94-124, 1862

workhouse system, the principle of less eligibility was endangered. The 1861 Select Committee was particularly concerned that boarding out would give the boarded-out child advantages over the poor child whose parents worked hard to support it and had not abandoned it. In a telling exchange the committee asked Alfred Power, chief commissioner of the Poor Law in Ireland, if ‘the position of a child so sent out of the house by the board of guardians differ materially from the position of a child of poor parents outside the house, who had a struggle to maintain themselves?’ Power replied that he thought it would. He further believed that the nurse would develop affection for the child and thus it would be better looked after than a child living with poor parents. The Committee then asked could a ‘hard-working, indigent man provide country quarters for his child, good food, and good clothing, and superintendence which these often deserted children would obtain?’ Power replied that ‘No; there would be very great advantages in those respects.’<sup>376</sup>

Whilst workhouse reformers certainly agreed that the health aspect was crucial, they tended to base their support of boarding out on the moral benefits it entailed. They viewed the scheme as an opportunity to remove children from the demoralising influence of the workhouse. The *Freeman’s Journal* reported on the annual report of the English-based National Committee for Promoting the Boarding-out of Pauper Children in which the organisation emphasised the moral benefits of the system over the health benefits, writing that ‘the moral contagion which generally prevails in large and overcrowded institutions is worse than the physical.’<sup>377</sup> Boarding out would not only safeguard the children’s morals, it would also place them in a family environment. Philanthropists strongly objected to the rigorous discipline and regulation applied to workhouse children. They believed that

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<sup>376</sup> ‘Evidence of Alfred Power’, *Report from the Select Committee on Poor Relief (Ireland)*, HC 1861 (408) (408-I), p.47

<sup>377</sup> *Freeman’s Journal*, 27 January 1875



the workhouse regime turned the children into machines unable to function independently.<sup>378</sup> The antidote to this was the more natural environment of the family home in which children learnt to think for themselves and to interact with others. Some spoke of family-rearing in religious terms, believing that the ‘family system is the heaven-appointed mode of rearing the young, to neglect it, to disown it and set up another, is to outrage a law higher than the authority which prompts neglect.’<sup>379</sup> Furthermore, boarding out would give children the chance to escape the degrading association of the workhouse; in this way the children could be cleansed and remoulded in order to fit into the community. Ideally, the foster parents would become attached to the children and adopt them. John O’Shaughnessy, member of the Conference of Charity of St. Vincent de Paul and the Benevolent Apprenticing Society, told the 1861 Select Committee that he believed boarding out would lead to the adoption and removal from the workhouse of the majority of children boarded out.<sup>380</sup> Once the children were fully integrated into society, they would work hard not to return to the workhouse.

The *Freeman’s Journal* stated ‘it is commonly known that the best way to cure the tendency of the workhouse children to settle down into pauperism is to cultivate the feeling of belonging to the ordinary population.’<sup>381</sup> According to the MP for Kildare, boarding out could solve the problem of workhouse girls not finding employment as girls who were boarded out would ‘soon be absorbed into the labouring classes’.<sup>382</sup> Thus, workhouse reformers naturally favoured a boarding out

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<sup>378</sup> Anna Clark, ‘Orphans and the poor law: rage against the machine’, in Virginia Crossman and Peter Gray (eds), *Poverty and Welfare in Ireland 1838-1948* (Dublin, 2011), p.103

<sup>379</sup> *Freeman’s Journal*, 11 January 1876

<sup>380</sup> ‘Evidence of John O’Shaughnessy’, *Report from the Select Committee on Poor Relief (Ireland)*, p.108

<sup>381</sup> *Freeman’s Journal*, 18 November 1896

<sup>382</sup> *Hansard’s Parliamentary Debates*, 3rd series, vol.167, cols 94-124, 1862

scheme that would remove as many children for as long as possible from the workhouse. The 1861 Select Committee suggested that boarding out be allowed until the age of 12.<sup>383</sup> As the Committee also expressed strong concern over the lack of moral classification in workhouses it seems reasonable to assume that they were of the opinion that boarding out would safeguard children against moral danger in the workhouse. The year that boarding out was introduced, 1862, the Catholic Church also expressed its wish to keep children, girls in particular, out of the workhouse until the age of 15.<sup>384</sup> The same year the Dublin College of Physicians wrote to the Chief Secretary and strongly opposed the suggestion to terminate boarding out at the age of five. In their opinion, the children should remain outside the workhouse and in the healthy countryside as long as possible.<sup>385</sup>

After a long and heated debate in the House of Commons, legislators decided on five as the age limit for boarding out but retained the option of extending a child's time outside the workhouse until the age of eight if it would benefit the child's health.<sup>386</sup> The health of children was emphasised as the main reason for allowing boarding out. Boards of guardians were to be authorised to place children out at nurse as 'it has been found that the mortality among infant children admitted into workhouses is very large and that in other respects the workhouses are not well suited in all cases for the care and nurture of such children during infancy'.<sup>387</sup> The bill does not offer any explanation as to what 'other respects' refers to. Thus, parliament appears to have shared the position of the PLC and opted for a limited and cautious approach to boarding out.

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<sup>383</sup> *Report from the Select Committee on Poor Relief (Ireland)*, p.iv

<sup>384</sup> Crossman, 'Cribbed, contained, confined', p.45

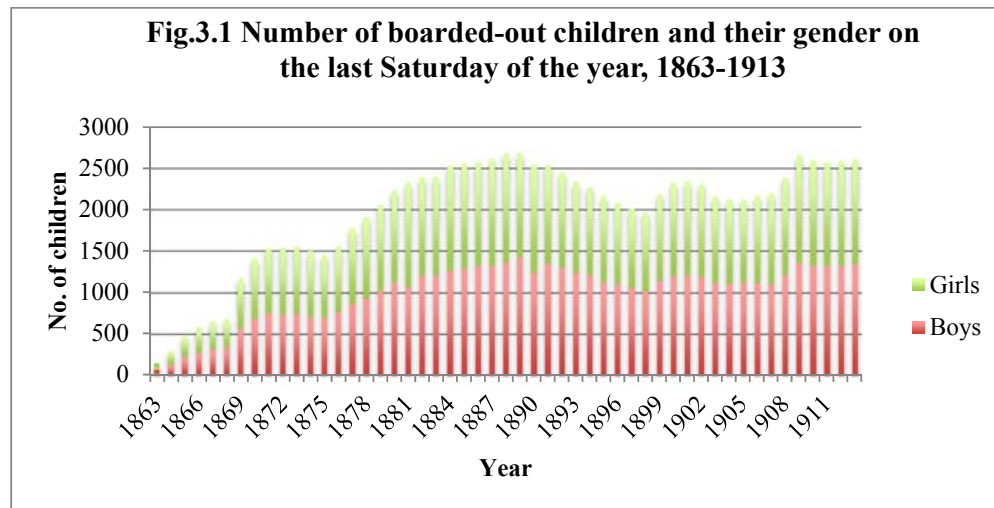
<sup>385</sup> Robins, *The Lost Children*, p.273

<sup>386</sup> *Hansard's Parliamentary Debates*, 3rd series, vol.167, cols 94-124, 1862

<sup>387</sup> *Poor relief (Ireland). A Bill to Amend the Law for the Relief of the Poor in Ireland*, HC, 1862 (4)

## The Limited Use of Boarding Out

Statistics compiled from the PLC/ Local Government Board (LGB) annual reports reveal the limited use of boarding out in the period covered by this thesis.



*Annual Reports of the Commissioners for Administering the Laws for Relief of the Poor in Ireland, 1863-1871; Annual Reports of the Local Government Board, 1872-1913*

As seen from the chart above the initial approach to boarding out was cautious. In the first whole year of boarding out, 1863, only 150 children were boarded out and after five years, in 1868, the number had only increased to 685 still representing a very small percentage of the total workhouse child population of 16,700 children. It must be kept in mind that only orphan and deserted children under the age of five were eligible at this time and we do not know the exact number of such children. However, it is reasonable to assume that the number of orphaned and deserted workhouse children under the age of five far exceeded these figures. As a reference point, one can use Cork workhouse: during the first week of January 1860, that workhouse alone contained 228 children aged 0 - 5.<sup>388</sup>

In the years following 1868 the increases in the number of boarded-out children coincide with the expansion of the eligibility for boarding out. This can, for

<sup>388</sup> Minute Book of the Cork Union Board of Guardians, 7 January 1860, BG69/A/29, CCCA

example, be seen in the large increase between 1868 -1870 that can be attributed to the decision to raise the upper age limit for boarding out from five to ten years of age. The further extension of boarding out, in 1876 and 1898, were also followed by increases in the number of children boarded out. Unions that already made use of boarding out presumably increased the number of children they boarded out, rather than boarding out spreading to new unions. Evidence from the PLC/LGB supports this theory. In 1873, the PLC requested reports from its inspectors on the use of boarding out in their districts. The report reveals that ten years after its implementation, the majority of unions did not use the scheme.<sup>389</sup> Instead of boarding out being widespread across Ireland, certain unions, such as Cork and Sligo, were responsible for a large proportion of boarded-out children. Influenced by the experience of the Cork inquiry, the Cork Board of Guardians became keen supporters of boarding out. The concept of boarding out was also enthusiastically received in the Cork area. The number of individuals interested in taking in a workhouse child was greater than expected and the Cork Board of Guardians even made a few children over the age of five available for the scheme.<sup>390</sup> The PLC appears to have turned a blind eye to this. Inspector King reported that Cork stood for 357 of the 506 children that had been boarded out in his district since 1862. The remaining 149 children were divided among six unions.<sup>391</sup> A similar pattern was evident in Dr Roughan's district, which covered an area in the north-west of Ireland. Between 1862 and 1873, only thirty-eight children had been boarded out. Twenty-eight of these children had come from the Sligo union. The other ten children were

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<sup>389</sup> *Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland*, HC, 1873 [C.794], p.15

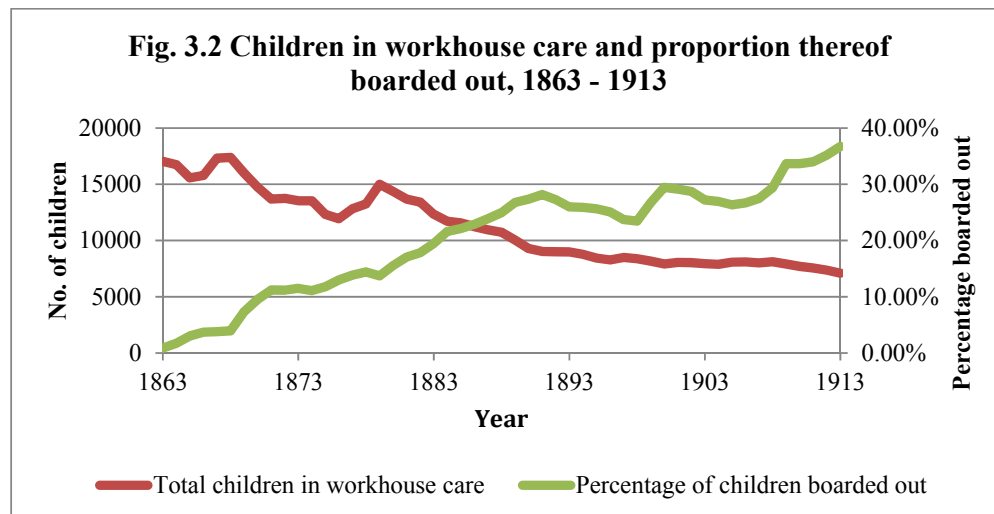
<sup>390</sup> Cormac O Mahony, *Cork's Poor Law Palace. Workhouse Life 1838-1890*, (Cork, 2005), p.249

<sup>391</sup> 'Reports from Inspectors on the Subject of Placing Orphan and Deserted Children out to Nurse, Report from Dr King', *Annual Report of the Commissioners for Administering the Laws for relief of the Poor in Ireland*, HC, 1873 [C.794], p.63

split between four unions, with the remaining nine unions in the district having never availed themselves of the opportunity to board out.<sup>392</sup>

The figures also indicate that there was a ceiling on the number of children that could be boarded out in Ireland. By the late 1870s the number of boarded-out children surpassed 2,000 and for the rest of the period it remained between 2,000 and just above 2,500. This suggests that boarding out did not expand significantly after the late 1870s.

The reason for this was most likely a combination of a limited number of unions willing to use boarding out in combination with a limited number of families prepared to foster workhouse children. Thus, a large-scale boarding out system was unlikely to ever succeed in Ireland. It is also worth looking at the number of boarded-out children as a proportion of the total number of workhouse children.



*Annual Reports of the Commissioners for Administering the Laws for relief of the Poor in Ireland, 1863-1871, Annual Reports of the Local Government Board, 1872-1913*

The PLC/LGB annual reports record the number of healthy children receiving relief inside the workhouse as well as the number of children boarded out. This enables us to determine how large the proportion of boarded-out children was, again

<sup>392</sup> Ibid., 'Report from Dr Roughan', pp.79-80

bearing in mind that not all workhouse children were eligible for the scheme. However, in comparison to, for example Scotland, the proportion of boarded-out children in Ireland remained low. According to Abrams, in 1880 5,000 out of the 8,000 children reliant on poor relief in Scotland were boarded out, that is 62.5 per cent.<sup>393</sup> The highest proportion in Ireland was reached in 1913 with 36.7 per cent of workhouse children boarded out.

The statistics also dispute O'Sullivan's claim that the introduction of boarding out contributed largely to the decline of children in workhouses.<sup>394</sup> Boarding out did not have a significant impact on the number of children in workhouses. The number of boarded-out children remained relatively constant between 2,000 and 2,500 in the period from the late 1870s to 1913. As seen from Figure 3.2 the total number of workhouse children decreases from over 15,000 to around 7,000 in the same period. The decrease in workhouse numbers was caused by other factors, such as the improving conditions following the Famine and the introduction of industrial and reformatory schools.

The limited use of boarding out in Ireland is perhaps the aspect of the scheme that has attracted the most discussion. Scholars have taken different views on where the responsibility for its limited use lies, with the PLC or with the boards of guardians. Robins attributes it to the attitude of the PLC and describes the encouragement given by the PLC to guardians to adopt the boarding out scheme as 'mild'.<sup>395</sup> He argues that this was due to the PLC interpreting boarding out as a form of out-door relief.<sup>396</sup> Crossman takes the opposite view and states that there is no

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<sup>393</sup> Lynn Abrams, *The Orphan Country. Children of Scotland's Broken Homes From 1845 to the Present Day*, (Edinburgh, 1998), p.37

<sup>394</sup> T.E. O'Sullivan, 'Child Welfare in Ireland, 1750-1995: A History of the Present', (Unpublished PhD thesis, Trinity College, Dublin, 1999), p.148

<sup>395</sup> Robins, *The Lost Children*, p.280

<sup>396</sup> Ibid., p.278

direct evidence of the PLC attempting to dissuade guardians from boarding out children. She places the blame for the slow implementation of boarding out on the local board of guardians and their reservations.<sup>397</sup> Skehill agrees and emphasises that the success of boarding out depended on the attitude of the local guardians.<sup>398</sup> In the years immediately following the introduction of boarding out, it appears that both the PLC and the boards of guardians were hesitant to fully endorse the system. As Crossman says there is no direct evidence of the PLC discouraging boarding out but the Commissioners remained cautious in their attitude to the scheme until at least the mid-1870s. In the early 1870s the PLC expressed their view that boarding out should only be used for a very limited number of children and that a workhouse upbringing was preferable to boarding out. They emphasised that boarding out was only necessary on health grounds and the idea that boarding out was introduced to counteract the demoralising influence of the workhouse was completely ‘unconnected with anything which has actually existed at any time in Ireland’.<sup>399</sup>

By 1871, boarding out had been extended to include orphans and deserted children up to the age of 10, an extension that according to the PLC was not necessary. There was no need for healthy children between the ages of 5-10 to be boarded out, as they would be better cared for and educated in the workhouse than in family homes.<sup>400</sup> These sentiments were repeated in 1873 when the PLC stated that the extension of boarding out to children above the age of five was not ‘satisfactory’.<sup>401</sup> When children were boarded out after the age when health ceased to be a problem ‘for the purpose merely of being brought up in a family instead of the

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<sup>397</sup> Crossman, ‘Cribbed, contained, and confined’, p.50

<sup>398</sup> Skehill, ‘The origins of child welfare’, p.120

<sup>399</sup> *Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland*, HC, 1871 [C.361], p.13

<sup>400</sup> Ibid.

<sup>401</sup> *Annual Report of the Local Government Board for Ireland*, HC, 1873 [C.794], p.15

workhouse school, the power given to boards of guardians by the legislature has been perverted to an injurious instead of a beneficent end, and the true intention of the Legislature not faithfully carried out.<sup>402</sup> However, over time the PLC appear to become increasingly supportive of boarding out and in 1907 the LGB stated that the ‘aim of all Boards of Guardians should be, if possible, to keep every pauper child outside the workhouse.’<sup>403</sup> This stance was perhaps influenced by the 1906 Vice-regal Commission on Poor Law Reform that encouraged boarding out and was generally critical of institutional care of children.<sup>404</sup> It does appear as though boarding out was increasingly taken seriously by the poor law system. This is indicated not only by the expansion of the number of children eligible for the scheme but also by the expansion of the poor law apparatus surrounding it. An increasing number of people, particularly women, became involved with boarding out. In a 1900 letter the LGB underlines that all unions with boarded-out children must appoint a ladies’ committee to visit these children.<sup>405</sup> In March 1902, the Treasury authorised the employment of a female inspector and in November of the same year a second lady inspector was hired.<sup>406</sup> These so-called lady inspectors, who submitted long and detailed reports to the LGB, were responsible for the inspection of boarded out children.

Whilst the poor law authorities appear to have become increasingly supportive of boarding out, it is important to note that they were never prepared to extend the system beyond orphans and deserted children. Workhouse reformers were keen to extend the system to include all workhouse children. In 1890, D’Esterre Parker, argued for the extension of the system to include all children at risk of

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<sup>402</sup> Ibid.

<sup>403</sup> *Annual Report of the Local Government Board for Ireland*, HC, 1907 [Cd. 3682], p.xix

<sup>404</sup> Clark, ‘Orphans and the poor law’, p.111

<sup>405</sup> *Annual Report of the Local Government Board for Ireland*, Appendix B, HC, 1902 [Cd.1259], p.30

<sup>406</sup> *Annual Report of the Local Government Board for Ireland*, HC, 1904 [Cd. 2012], p.vi



pauperisation, even those with living parents.<sup>407</sup> However, such an extension was unacceptable to the PLC who felt that it would undermine the concept of parental responsibility.<sup>408</sup>

Turning then to look at the boards of guardians' approach to boarding out, it must first be noted that the decision to board out or not lay entirely with them. The 1862 Act gave them the possibility to board out children, but it did not force them to avail themselves of this possibility. Therefore, the responsibility for the slow and limited implementation of boarding out in Ireland must ultimately rest with the guardians. This view is supported by the reports of the lady inspectors. The two lady inspectors, Mrs Dickie and Miss FitzGerald Kenney, both expressed their frustration with the reluctance of boards of guardians to appoint boarding out committees responsible for ensuring that eligible children were boarded out. If boarding out was to work, they argued, the guardians needed to actively search for suitable foster-families but they seemed unwilling to do so.<sup>409</sup> Workhouse reformers shared the lady inspectors' frustration with the boards of guardians. In 1911 the Irish Workhouse Association paid a visit to the LGB urging them to place pressure on guardians who had not yet adopted boarding out to do so.<sup>410</sup> The Irish Workhouse Association also wrote directly to local boards of guardians demanding an answer as to why they did not avail themselves of the possibility to board out children.<sup>411</sup>

This of course raises the question of why boards of guardians were reluctant to board out children? One of the main reasons appears to have been a struggle to find appropriate homes for the children. The PLC pointed to this problem in 1908

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<sup>407</sup> *Freeman's Journal*, 4 July 1890

<sup>408</sup> Crossman, 'Cribbed, contained, and confined', p.51

<sup>409</sup> 'Reports of lady inspectors on boarded-out children, report of Mrs Dickie', *Annual Report of the Local Government Board for Ireland*, Appendix B, HC, 1908 [Cd. 4243], p.140, 'Reports of lady inspectors on boarded-out children, report of Miss FitzGerald Kenney', *Annual Report of the Local Government Board for Ireland*, Appendix B, HC, 1907 [Cd. 3682], p.158

<sup>410</sup> Crossman, 'Cribbed, contained, and confined', p.58

<sup>411</sup> *Ibid.*

when declaring that boarding out was not yet universally adopted in Ireland due to the difficulty of ‘finding suitable homes’.<sup>412</sup> This difficulty was probably largely to do with a general distrust of the homes of the poorer classes and a firm belief, held within the poor law system, that the workhouse environment was superior to the family environment offered by the poorer classes. Boarding out did present the Poor Law system with a dilemma when it came to the foster families. The workhouse children had to be sent to the homes of the poorer classes, in order to not endanger the principle of less eligibility and give the workhouse children ideas above their station. The stigma attached to workhouse children was also a factor in the choice of foster homes. Lord John Browne pointed to this during a House of Commons debate when he argued that the children were better off in the workhouse because ‘if sent outside, they must necessarily be placed with the very poorest class of people, for none other would receive them’.<sup>413</sup> Thus, the only homes open to the workhouse children were those of the very poorest. But to those arguing for a limited boarding out scheme, these homes represented a danger. During testimonies to the 1861 Select Committee, witnesses raised concerns that the potential foster parents would be less likely to provide the children with an education and, perhaps more importantly, more likely to be deficient in hygiene. The Committee repeatedly asked witnesses if they thought that the children would be kept cleaner in the workhouse than in the private homes they would be boarded out to. Most witnesses agreed that they would be. Lord Browne was apprehensive of the care that would be given to children in these homes, stating that while the children ‘would be worse fed and clothed, in health, they would

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<sup>412</sup> *Annual Report of the Local Government Board for Ireland*, HC, 1908 [Cd. 4243], p.xxv

<sup>413</sup> *Hansard's Parliamentary Debates*, 3rd series, vol.167, cols 94-124, 1862

not be so well attended to in sickness as they would be if allowed to remain in the workhouse.’<sup>414</sup>

The chairman of the Newport Board of Guardians strongly objected to boarding out on the grounds of the quality of foster homes available. In these homes children ‘would learn everything that civilised people would desire them not to learn, while everything you could desire for poor people’s children to learn, they do receive and have in the workhouse’. He also indicated that there were certain moral risks lurking in the homes of the poor. He maintained that in general the Irish were a moral people but he was concerned about the layout of the homes of the poor. He described them as follows: ‘There are two rooms generally; a kitchen and a house room; they generally have two beds, in fact, but they are all huddled up together, and some of the family sleep in one bed, and some of the family sleep in the other.’<sup>415</sup> Of particular concern was the fact that the children would have to share a bed with several people, a practice that ‘must blunt the feeling of decency to a great extent’.<sup>416</sup> In 1871, the PLC expressed similar concerns stating that children received better care and schooling in the workhouse than they did in foster homes where they risked ‘evil associations’.<sup>417</sup> Amongst boards of guardians, the idea that the workhouse provided better care and education than the foster homes endured into the twentieth century. In 1911, the Bantry Board of Guardians told the Irish Workhouse Association that they opted not to use boarding out as the children were better treated and educated within the workhouse system than they would be in foster homes.<sup>418</sup> Thus, the

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<sup>414</sup> Ibid.

<sup>415</sup> ‘Evidence of Sir Richard O’Donnell’, *Report from the Select Committee on Poor Relief (Ireland)*, p.281

<sup>416</sup> Ibid., p.279

<sup>417</sup> *Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland*, HC, 1871 [C.361], p.13

<sup>418</sup> Crossman, ‘Cribbed, contained, and confined’, p.59

suspicion with which the homes were regarded undoubtedly led to boards of guardians being unwilling to approve them as foster homes.

However, the assertion that it was difficult to find suitable homes was not just a symptom of the boards of guardians' preference for a workhouse upbringing. There were actual difficulties in finding appropriate homes for the children. It is important to remember that the boarding out system relied on Irish families volunteering to open their homes to these children. Just like the boards of guardians could not be forced to avail themselves of the boarding out scheme, families could not be forced to take in the workhouse children. The social stigma attached to the workhouse might have been an issue when it came to finding suitable foster homes, as many families would be unwilling to accept a workhouse child into their home. Miss FitzGerald Kenney pointed to this reluctance in 1909 when she stated that more respectable families were 'unwilling to be classified in the general mind of the district "as taking a child and workhouse money alike"'.<sup>419</sup> In 1907 she argued that it was preferable to board children out in the countryside away from their home union. This would help 'hide the stigma of the workhouse.'<sup>420</sup> She returned to this theme in 1910 stating that this course of action would be beneficial as the locals would be unaware of the children's background.

Whilst Miss FitzGerald Kenney's main concern was for the child, there were also benefits for the foster families. If the neighbours were unaware that they had taken in a workhouse child perhaps more families would be willing to do so. This supports the notion of a ceiling to boarding out in Ireland; there were a finite number of foster homes available. This notion is further supported by Mrs Dickie who

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<sup>419</sup> 'Reports of lady inspectors on boarded-out children, report of Miss FitzGerald Kenney', *Annual Report of the Local Government Board for Ireland*, Appendix B, HC, 1908 [Cd. 4243], p.146

<sup>420</sup> 'Reports of lady inspectors on boarded-out children, report of Miss FitzGerald Kenney', *Annual Report of the Local Government Board for Ireland*, Appendix B, HC, 1907 [Cd. 3682], p.159

claimed that the reason some guardians did not use boarding out was the difficulty of finding homes for the children. This was especially true in the remote parts of Ireland.<sup>421</sup> The inability to find foster homes was not just due to the lack of families willing to accept children. Many boards of guardians were also unwilling to send children outside their home union. Therefore, when the local families suitable and willing to be foster families had been recruited, it was extremely difficult to find new foster families, making boarding out impossible.<sup>422</sup>

One of the reasons for the slow implementation of boarding out was the fine line that the boards of guardians had to tread with regards to the families that were willing to take in workhouse children. As inspector Bourke, whose district included Limerick, stated in 1873, it was a struggle to find foster-parents ‘to whom the allowance would be an object and whose mode and habits of life are at the same time such as would ensure the child being comfortably maintained and well brought up.’<sup>423</sup> The payment that came with a boarded-out child made the scheme seem like a relatively easy way to make some extra money. In 1873, the majority of nurses appear to have been the wives of small farmers and labourers, with a small number being married to fishermen or tradesmen.<sup>424</sup> The amount paid by the boards of guardians varied considerably. In 1862, the Cork Board of Guardians paid £5 a year.<sup>425</sup> In 1873 inspector Robinson reported that the lowest sum in his district, that covered Dublin and the surrounding unions, was paid by the Gorey Union where nurses received £4 annually. The highest sum was found in the Navan Union with £7

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<sup>421</sup> ‘Reports of lady inspectors on boarded-out children, report of Mrs Dickie’, *Annual Report of the Local Government Board for Ireland*, Appendix B, HC, 1908 [Cd. 4243], p.140

<sup>422</sup> ‘Reports of lady inspectors on boarded-out children, report of Miss FitzGerald Kenney’, *Annual Report of the Local Government Board for Ireland*, Appendix B, HC, 1905 [Cd. 2655], p.481

<sup>423</sup> ‘Reports from inspectors on the subject of placing orphan and deserted children out to nurse, report from Mr Bourke’, *Annual Report of the Local Government Board for Ireland*, Appendix A, HC, 1873 [C.794], p.73

<sup>424</sup> Ibid., ‘Report from Mr Robinson’, pp.58-59

<sup>425</sup> O Mahony, *Cork’s Poor Law Palace*, p.243

16s.<sup>426</sup> In some localities the payment varied depending on whether or not the child was weaned. North Dublin Union paid £7 annually for unweaned children, and £6 for other children.<sup>427</sup>

There were significant problems with foster parents viewing the workhouse children as a cheap labour and a source of income. There are numerous examples of foster-parents accepting children for these reasons. In Londonderry union a woman, who supported herself by nursing children, took in six nurse children at one time. Three of them died.<sup>428</sup> Inspector Bourke underlined that boards of guardians had sent children to very poor foster homes. In the case of such homes the children were seen as a means of income, in fact the household's 'principal means of support depended on the small weekly allowance paid for the maintenance of the child.'<sup>429</sup> In the same year inspector O'Brien, whose district included Belfast, stated that many foster parents were only interested in older children, as they were able to work. The boarding out system had been introduced to provide for infants, but O'Brien argued, boards of guardians struggled to find homes willing to accept them. Prospective foster parents wanted children that were 'an assistance rather than a trouble'.<sup>430</sup> Thus, fears of children being treated as labour and only seen as source of income might have put boards of guardians off boarding out.

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<sup>426</sup> 'Reports from inspectors on the subject of placing orphan and deserted children out to nurse, report from Mr H. Robinson', *Annual Report of the Local Government Board for Ireland*, Appendix A, HC, 1873 [C.794], p.59

<sup>427</sup> Ibid.

<sup>428</sup> 'Reports from inspectors on the subject of placing orphan and deserted children out to nurse, report from Mr R. Hamilton', *Annual Report of the Local Government Board for Ireland*, Appendix A, HC, 1873 [C.794], p.74 The term 'nursed out' appears to have been used mainly to denote infants sent out from the workhouse, that is children that actually needed nursing. However, in some instances the terms 'nursed out' and 'boarded out' are used interchangeably to denote a child of any age sent out from the workhouse. Judging from the use of the two terms in Irish newspapers, it appears as though 'nursed out' was more common in the early days of boarding out, whilst 'boarded out' had become the prevalent term by the end of the nineteenth century.

<sup>429</sup> Crossman, 'Cribbed, contained, and confined', p.48

<sup>430</sup> 'Reports from inspectors on the subject of placing orphan and deserted children out to nurse, report from Mr O'Brien', *Annual Report of the Local Government Board for Ireland*, Appendix A, HC, 1873 [C.794], p. 69

Finally, a concern among boards of guardians that boarding out would increase both their workload and their expenditure contributed to its limited use. In 1907, frustrated with the number of eligible children still not boarded out, Mrs Dickie stated that guardians were unwilling to appoint boarding out committees as they feared it would increase their workload. They were simply unwilling to put in the work required to implement the scheme.<sup>431</sup> There was also concern that boarding out would increase the expenditure of the union. Supporters of boarding out were aware of the financial concerns and took care to point out that boarding out would be cheaper than rearing children in the workhouse. Prior to the introduction of boarding out, workhouse reformers used this as an argument to strengthen their case. In 1859, William Neilson Hancock, secretary to the Dublin Statistical Society, stated that a boarded-out child would cost £1 less a year than a child reared in the workhouse.<sup>432</sup> Following the passing of the 1862 Act, workhouse reformers continued to stress the financial benefits of boarding out. In 1869, D'Esterre Parker argued that many foster-parents requested to keep the children permanently 'without any further expense to the Union'.<sup>433</sup> These arguments were not enough to convince all boards of guardians that boarding out was not a financial burden. Some unions appear to have considered the scheme too expensive. As Crossman points out, in 1900 only one of the unions in County Mayo, one of the poorest in Ireland, used boarding out.<sup>434</sup> In 1883, the Armagh Board of Guardians had not boarded out any children but was considering doing so. One of the main points of discussion was the cost of boarding out and supporters underlined that the system was less costly than keeping children in the

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<sup>431</sup> 'Reports of lady inspectors on boarded-out children, report of Mrs Dickie', *Annual Report of the Local Government Board for Ireland*, Appendix B, HC, 1908 [Cd. 4243] p.141

<sup>432</sup> William Neilson Hancock, *On the Importance of Substituting the Family System of Rearing Orphan Children for the System Now Pursued in Our Workhouses: a Paper Read Before the Dublin Statistical Society*, (London, 1859), p.10

<sup>433</sup> D'Esterre Parker, *The Irish Infant Poor in Workhouses*, p.7

<sup>434</sup> Crossman, 'Cribbed, contained, and confined', p.57

workhouse. Supporters had to emphasise that they would never vote for something that ‘would increase the charges that weighed so heavily on the district.’<sup>435</sup> However, this assertion was to no avail and the proposal to board out was voted down.

In many unions where boarding out was used, guardians appear to have aimed to minimise the costs. One way of doing this was of course to pay the foster-parents as little as possible. In 1873, Dr King, inspector of the Cork district, complained that it proved almost impossible to find wet nurses for the salary that guardians were willing to pay, £5 per annum. In order to find suitable nurses the price needed to be £10.<sup>436</sup> In the case of the Cork union, which had a large number of children boarded out, King suggested the employment of a special inspector to supervise the boarded-out children. However, seemingly aware of the guardians’ reluctance to increase outgoings, King withdrew this suggestion as the ‘expense was so heavy’.<sup>437</sup>

### The Boarding Out Experience

The PLC annual report for 1873 contain information concerning the fate of children boarded out during the first ten years of the system. The information does not cover enough years to enable one to draw any general conclusions about boarding out, but it gives an insight into the working of boarding out in its first decade. Supporters of boarding out hoped that the children would be adopted by their foster-families and not return to the workhouse, whilst the PLC and boards of guardians were expecting the children to return to the workhouse. As seen from the chart below, by 1873 only

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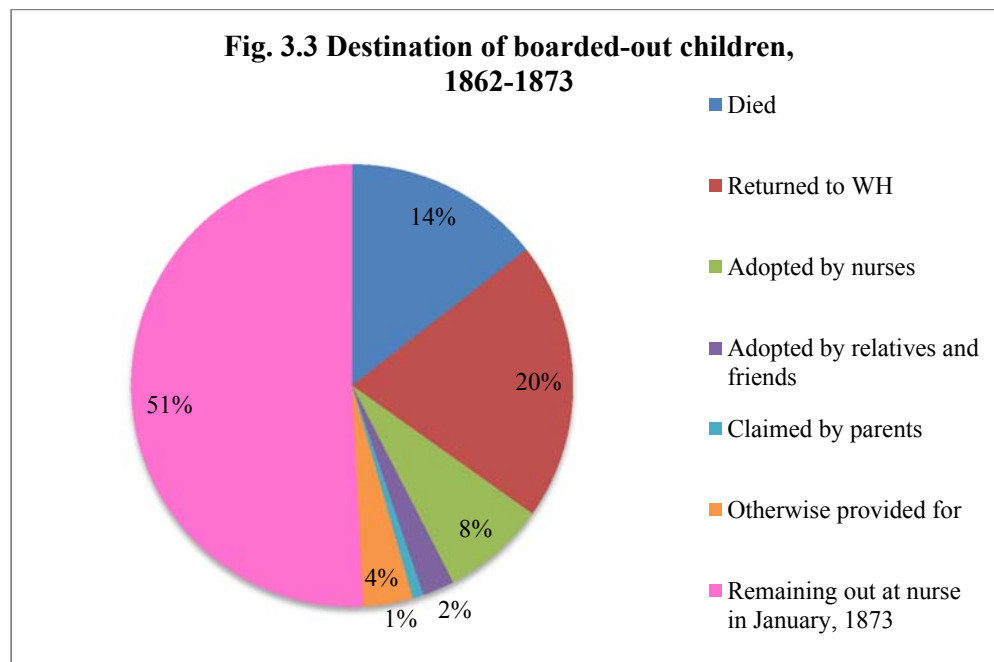
<sup>435</sup> *Belfast Newsletter*, 23 May 1883

<sup>436</sup> ‘Reports from inspectors on the subject of placing orphan and deserted children out to nurse, report from Dr King’, *Annual Report of the Local Government Board for Ireland*, Appendix A, HC, 1873 [C.794], p.65

<sup>437</sup> *Ibid.*, p.66



8 per cent of boarded-out children had been adopted by their nurses, whilst 20 per cent had been returned to the workhouse.



*Annual Report of the Local Government Board for Ireland, Appendix A, HC, 1873 [C.794], p.15*

The number of children adopted by their foster families/nurses is low, especially in comparison to the number who returned to the workhouse. Judging from this statistic, the boarding out system did not manage to remove children from the workhouse and most of them returned to institutional care rather than remaining in the family homes of their foster-parents. Unfortunately, the later PLC/LGB annual reports do not tell us how many children were adopted by their foster-families or what happened to the children when they reached the age when they were no longer eligible for boarding out.

What is certain though, is that boarding out encompassed a wide range of experiences. The success of boarding out depended on the careful selection and supervision of foster-families and, as the PLC pointed out in 1873, the attention paid by boards of guardians to these matters.<sup>438</sup> For children who were placed in caring

<sup>438</sup> *Annual Report of the Local Government Board for Ireland, HC, 1873 [C.794], p.15*

and capable homes, boarding out was undoubtedly a very positive experience and some became part of an affectionate family unit. A rather unusual story of affection is the one about a young man boarded out in South Dublin Union who ended up marrying his foster mother, a widow who took in workhouse children. In the *Belfast Newsletter* the turn of events was described as ‘an unexpected result of the boarding-out system’.<sup>439</sup> Unsurprisingly, ‘the announcement caused much merriment at the Board meeting.’<sup>440</sup> There appear to have been no objections to this course of events. From the *Freeman’s Journal* we learn that the foster son ‘is in good employment, and the former widow and nurse seems quite happy, and continues to nurse our children and her own.’<sup>441</sup> Whilst marriage between foster parent and foster child must be considered a very unusual consequence of boarding out, there is no reason to doubt that many foster families grew to love their foster children and to view them as a part of their family. D’Esterre Parker talked about the ‘real warm affection of the child towards its nurse or foster mother, and the motherly feeling shown by the nurse.’<sup>442</sup> In some cases the bond was so strong that the nurse ‘implores the Guardians to allow her to adopt the child and keep it as her own without any further expense to the Union – a request which has always been granted.’<sup>443</sup> Mrs Dickie gives a very vivid account of the relationship between the children and their foster parents: ‘In visiting foster-homes one constantly hears and is shown the photograph of the “son” who is bringing over his family for a week from Glasgow, or the “daughter” who is doing so well in America, or, again, of the “fine young man” they lost in the South African War, and unless the question is put to them directly the visitor might go away without ever discovering that the speakers were referring, not

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<sup>439</sup> *Belfast Newsletter*, 8 October 1897

<sup>440</sup> *Ibid.*

<sup>441</sup> *Freeman’s Journal*, 8 October 1897

<sup>442</sup> D’Esterre Parker, *The Irish Infant Poor in Workhouses*, p. 7

<sup>443</sup> *Ibid.*, p. 7

to their own, but to their foster children.<sup>444</sup> However, Mrs Dickie also issued a warning against authorising adoption without investigating the circumstances thoroughly. She was of the opinion that board of guardians often handed children over to unsuitable individuals and was particularly upset that individuals who had been deemed unsuitable foster-parents were deemed appropriate adoptive parents.<sup>445</sup> Of course, it must not be forgotten that adoption was a way for the board of guardians to save money, as they would not be required to pay the foster family any longer. Whilst the lady inspectors have many examples of successful placements there are also hints that the stigma of the workhouse was perhaps not always so easy to erase. Miss FitzGerald Kenney recorded the story of a former foster child who married ‘a leading carpenter in the district where she was fostered’.<sup>446</sup> The marriage had attracted attention and ‘some jealously amongst her school companions who thought themselves “better matches”’.<sup>447</sup> It is not difficult to imagine the local girls might have been resentful of the former workhouse girl marrying above her status.

For other children boarding out was a traumatic or even violent experience that sometimes resulted in death. As seen from figure 3.1 as many a fifth of the children boarded out between 1862-1873 died. The high number of deaths was presumably a result of the foster-family’s poverty. It is important to note that mortality figures varied significantly between the different districts. In the district inspected by W. Hamilton, an area in the southeast of Ireland including Waterford and Kilkenny, a relatively low percentage, 7.8 per cent, of boarded-out children died in the period 1862 – 1873. In other districts the mortality figures were significantly

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<sup>444</sup> ‘Reports of lady inspectors on boarded-out children, report of Mrs Dickie’, *Annual Report of the Local Government Board for Ireland*, Appendix B, HC, 1905 [Cd. 2655], p.480

<sup>445</sup> ‘Reports of lady inspectors on boarded-out children, report of Mrs Dickie’, *Annual Report of the Local Government Board for Ireland*, Appendix B, HC, 1906 [Cd. 3102], p.161

<sup>446</sup> ‘Reports of lady inspectors on boarded-out children, report of Miss FitzGerald Kenney’, *Annual Report of the Local Government Board for Ireland*, Appendix B, HC, 1908 [Cd. 4243], p.148

<sup>447</sup> Ibid.

higher. Inspector Burke's district, which included Mullingar and Longford, saw the death of 18.9 per cent of boarded-out children in the same period.<sup>448</sup> The great variation can probably be ascribed to the differing approaches of the local boards of guardians with regards to the selection and supervision of foster-families. Unfortunately, the annual reports of the PLC/LGB do not record the death rates for boarded-out children throughout the period. In order to chart the mortality rates of boarded-out children throughout the nineteenth and twentieth century one would have to turn to the local poor law records.

The causes of death also varied. In some cases the death of a boarded-out child was the result of a tragic accident, and often these accidents were a result of the foster families' poverty. An example of such an accident is the death of Mary Walsh who, in April 1863, was sent out from Cork workhouse to nurse with Bridget Mahony and her family. Four days later Mary was returned to the workhouse as a corpse. An inquest ruled that it was a case of accidental death and there was no suggestion that the Mahony family mistreated Mary. The cause of death was suffocation; Bridget had rolled on top of Mary during the night and the girl was suffocated.<sup>449</sup> However, the death of Mary Walsh does show that the concern that the homes of the Irish poor were not as safe as the workhouse was not unfounded. Ultimately Mary's death came about due to the layout of the family home. The Mahony family home had only one bedroom in which ten people slept. There were two beds, a servant and two of the Mahony children slept in one bed. Bridget, her brother, one Mahony child, and Mary slept at one end of the larger bed and Bridget's

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<sup>448</sup> *Annual Report of the Local Government Board for Ireland*, HC, 1873 [C.794], p.15

<sup>449</sup> O Mahony, *Cork's Poor Law Palace*, p.249.

husband and two Mahony children slept at the other end.<sup>450</sup> In these cramped conditions it is no wonder that accidents such as the one that befell Mary occurred.

Whilst Mary appears to have been generally well treated, other boarded-out children experienced abuse and neglect that sometimes resulted in their death. There are numerous examples of children being ill-treated by their foster-families. Some children became the victims of physical abuse. In May 1863 the *Cork Constitution* reported on the case of Julia Fitzgerald, a workhouse girl who had been beaten by her foster family.<sup>451</sup> In 1872 the Belfast Board of Guardians discussed the poor law inquiry held concerning the case of three children abused by their foster-parents, Mr and Mrs Fletcher. The children had been removed from the Fletcher home following suspicions of abuse. Witnesses reported seeing marks of physical violence on the children's bodies. One of the boarded-out boys had a black eye that he stated was caused by Mrs Fletcher hitting him with the buckle of a strap.<sup>452</sup> However, overall neglect appears to have been more common than physical abuse. In many cases the cause of neglect was to be found in the poverty of the foster-families who were not able to provide the children with a decent standard of living.

One of the worst cases of neglect of boarded-out children took place in Sligo in the early 1870s. The 1873 PLC annual report devoted much attention to the 'grievous state of neglect of several poor children placed out to nurse in Sligo Union'.<sup>453</sup> In 1873 inspector Roughan accompanied by relieving officer Feeny visited the thirteen children boarded out in the district and found the majority living under horrific conditions. One woman, Mrs Harte, had taken in three children, the youngest a six-month old baby that Roughan found lying 'in a wooden cradle,

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<sup>450</sup> Ibid.

<sup>451</sup> Ibid., p.250

<sup>452</sup> *Belfast Newsletter*, 1 May 1872

<sup>453</sup> *Annual Report of the Local Government Board for Ireland*, HC, 1873 [C.794], p.15

without a bed of any kind, not even a particle of straw, between the board and the emaciated body. An empty feeding bottle lay near the little one, [from] which in vain it endeavoured to draw sustenance; it was in a state of squalor and emaciated to the last degree'.<sup>454</sup> The baby died a few days later.

### The Failings of the Boarding Out System and the Public Perception of Boarding Out

The 1873 Sligo case also serves to exemplify the failings of the boarding out system and how this shaped the public perception of the system. The shocking condition of the Sligo children was only discovered when poor law inspector Roughan, on orders from the LGB, visited the boarded-out children, and not by relieving officer Feeney whose job it was to regularly inspect the children. This raised grave doubts about how well the relieving officer performed his duties. Despite telling Roughan that he visited the children every week, Feeney had somehow failed to discover the appalling state of the children.<sup>455</sup> Roughan reported the case to the LGB who ordered the Sligo Board of Guardians to investigate the circumstances and demanded that Feeney explain his 'apparent neglect of duty'.<sup>456</sup> This investigation exposed severe weaknesses in the boarding out system that left it open to abuse, and children vulnerable to ill-treatment. With regards to the selection of nurses the LGB suspected there was 'undue influence which may have caused such improper selections'.<sup>457</sup> Their suspicions were confirmed; the selection of nurses was based on personal connections rather than an objective evaluation of their suitability. The Sligo Board

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<sup>454</sup> 'Correspondence with the board of guardians of Sligo Union on the subject of the neglected state of children placed out to nurse in that Union by the board of guardians, report from Dr Roughan', *Annual Report of the Local Government Board for Ireland*, Appendix A, HC, 1873 [C.794], p.85

<sup>455</sup> Ibid., p.86

<sup>456</sup> Ibid.

<sup>457</sup> Ibid., p.87

of Guardians admitted that Feeney guided them in their selection of foster-homes and Feeney himself said that he had personally recommended all the homes currently taking in boarded-out children. In some cases the nurses were also known to individual guardians who supported the recommendation.<sup>458</sup> Thus it appears as though Feeney and the Sligo Board of Guardians were using the boarding out system to offer financial support to nurses already known to them. In this corruption of the system, the needs of the children were overlooked.

Feeney had further failed in the discharge of his duties. He admitted that the nurses were aware of the time of his visit, he usually visited them on a Wednesday, and that they probably took care to present the children and the home in the best state possible.<sup>459</sup> Finally, the Sligo cases exposed the relative weakness of the LGB in relation to the local boards of guardians. The LGB wished for Feeney to be removed from his position for his failure to discharge his duties. However, after Feeney appealed to the Sligo Board of Guardians and cited his long service to them, they deemed him to have been deceived, rather than neglectful, and he was allowed to keep his job.<sup>460</sup> Furthermore, the LGB wanted all children boarded out in Sligo to be returned to the workhouse. The boarded-out children were initially brought back to the workhouse but some were later returned to nurses who had been shown to be neglectful. The LGB was not pleased with this but were seemingly unable to prevent the guardians from taking this course of action.<sup>461</sup>

Cases of neglect and abuse of boarded-out children, such as the Sligo case, were well reported on in the Irish newspapers. The homes of the poor were seen as potentially dangerous and they needed supervision and inspection in order to be safe.

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<sup>458</sup> Ibid., p.88

<sup>459</sup> Ibid., p.89

<sup>460</sup> Ibid., p.90

<sup>461</sup> Ibid., p.94

Unsurprisingly, there was strong criticism of the lack of proper inspections and the poor law system was perceived as failing to protect the children. Following the Sligo case, the *Freeman's Journal* commented on the lack of proper supervision and took the view that too much work was put on the shoulders of the relieving officers and this led to the neglect of duties.<sup>462</sup> In 1884, when writing about a case of cruelty towards a boarded-out boy, the *Freeman's Journal* again stressed the importance of proper supervision. The newspaper went as far as to refer to a 'failure of the system.'<sup>463</sup> The harsh criticism directed at the boarding out system by the *Freeman's Journal* is interesting as the newspaper was really a keen supporter of boarding out and fervently campaigned for the removal of children from workhouses. But by the 1880s the newspaper appears to have felt that the poor law authorities were unable to exercise enough control over boarding out and as a result the system was failing. They were not alone in this belief. Even an ardent workhouse reformer such as Arthur Moore, conceded in 1878 that boarding out often lacked supervision making it 'unsatisfactory and even dangerous.'<sup>464</sup> In 1884, a Rev. John Healy declared his general support for the concept of boarding out but felt that the system had failed in Ireland. The reason for this was the lack of control over the boarded-out children. Healy stated that 'the boarding out system must necessarily be a failure unless it is accompanied with careful and continual supervision, and in this respect...it has completely broken down.'<sup>465</sup>

It is interesting to note that Catholic opinion seemed to turn towards promoting Catholic institutions as superior to the poor law's system of boarding out. The *Freeman's Journal* was of course a Catholic newspaper and often held up the

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<sup>462</sup> *Freeman's Journal*, 23 July 1873

<sup>463</sup> *Freeman's Journal*, 14 March 1884

<sup>464</sup> Arthur J. Moore, *Speech of Arthur J. Moore, Esq., M.P., on the Treatment of Children in Irish Workhouses* (London, 1878), p.10

<sup>465</sup> *Freeman's Journal*, 18 June 1884



success of boarding out from Catholic children's homes as a contrast to boarding out from workhouses. In 1873 the newspaper specifically mentions St Brigid's Society, the Dublin orphanage opened in 1856 by Margaret Aylward, a former Sister of Charity and later founder of the Sisters of the Holy Faith, as an example of a successful boarding out scheme.<sup>466</sup> In 1875 and 1876 the same newspaper again used St Brigid's as an example for the workhouse to follow when it comes to boarding out.<sup>467</sup> As Clark has pointed out, following the introduction of industrial schools in Ireland, Catholic bishops who had formerly supported boarding out now turned against it and advocated placing children in industrial schools under the control of the Catholic Church.<sup>468</sup>

## Conclusion

Boarding out represents a serious attempt at providing non-institutional care for the children of the poor within the context of the institutional workhouse system. Despite the passionate support of workhouse reformers the scheme ultimately failed to make any significant impact on childcare in Ireland. Whilst there was widespread support for boarding out when it was introduced, the support was somewhat hesitant and confined to a limited version of boarding out. This set the tone for the use of boarding out in Ireland throughout the nineteenth and early twentieth centuries. Whilst the PLC/LGB appears to have overcome its reservations regarding boarding out, the boarding out scheme never gained the widespread support of local boards of guardians who were ultimately responsible for its implementation. Thus, the number of Irish families willing to open their homes to workhouse children was always

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<sup>466</sup> *Freeman's Journal*, 23 July 1873

<sup>467</sup> *Freeman's Journal*, 19 June 1875 *Freeman's Journal*, 11 January 1876

<sup>468</sup> Clark, 'Orphans and the poor law', p.111

limited. This seems to have been a consequence of an inability to overcome certain preconceived ideas concerning the workhouse. In the case of boards of guardians these ideas were positive; they perceived the workhouse as superior to the homes of the potential foster-parents that they considered harmful to the children. They also exhibited a reluctance to implement boarding out as they feared it would add to their expenditure. As for potential foster-families, the stigma of the workhouse was powerful and seems to have dissuaded some from accepting boarded-out children.

The boarding out system also struggled with the inherent complexity at the heart of the workhouse system's relationship with children – the children had to live, but they could not be allowed to live too well. Thus, the boarded-out children went to poorer foster-families meaning that some children were exposed to living conditions sometimes worse than those of the workhouse and were often seen by their foster-families as a source of income, rather than a child to cherish and care for.

Instances when boarded-out children were ill-treated and abused were well publicised in the Irish newspapers, emphasising the workhouse system's lack of supervision and control of such children. As in the Cork inquiry and the SDU riot, the Irish workhouse system appeared to have failed with regards to the children in its care. To supporters of boarding out, the scheme represented a way of protecting the children of the poor from the potential dangers of the workhouse and integrating them into Irish society. However, instead of successfully achieving these aims the scheme seemed to expose children to the threats and perils that existed in the home environment of the poor. As we shall see in the following chapter, the alternative to a workhouse upbringing became not the family homes of the Irish poor, but the religiously controlled and supervised environment of the industrial and reformatory schools.

## Chapter 4: Reformatories and Industrial Schools

As we have seen, the second half of the nineteenth century witnessed the decline of the workhouse as the main provider of care for the children of the poor. Two new institutions took the place of the workhouse: the reformatory and industrial schools. Rather than being focused on poor relief, the rationale behind these institutions was the reform and prevention of juvenile delinquency. Reformatories were introduced in 1858; juvenile offenders, under the age of sixteen, could now be sent to institutions certified by the Chief Secretary for Ireland to be morally reformed and trained in different trades.<sup>469</sup> The Industrial Schools Act was introduced in 1868 allowing for the committal of children under the age of fourteen who were considered at risk from criminal influences. This included children found begging in public, wandering without a home or visible means of support, as well as children frequenting the company of thieves and/or prostitutes.<sup>470</sup> Within a relatively short period of time after their introduction, the number of such institutions grew rapidly and the industrial schools in particular became the State's preferred choice of childcare for the poor. The number of industrial schools, and consequently the number of children confined in them, was always significantly higher than the number of reformatories. The industrial school system was at its most extensive at the turn of the twentieth century, with seventy-one industrial schools holding up to 8,000 children.<sup>471</sup> The reformatory school system reached its peak in 1874 when 1,261 children were

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<sup>469</sup> *Reformatory Schools (Ireland). A Bill to Promote and Regulate Reformatory Schools for Juvenile Offenders in Ireland*, HC, 1857-58 (50) p.3

<sup>470</sup> *Industrial Schools (Ireland). A Bill to Extend the Industrial Schools Act to Ireland*, HC, 1867-68 (6), p.3

<sup>471</sup> *Seventh and Eighth [-Fifty-second] Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*

contained in ten schools and from that point the reformatory system declined throughout the period covered here.<sup>472</sup>

Post-independence Ireland continued to rely heavily on the institutional system and the high number of children committed to institutions in the twentieth century has been described by historian Moira Maguire as ‘shocking’.<sup>473</sup> When examining the origins of these institutions, it is impossible to avoid the issue of the systematic emotional, physical, and sexual abuse that took place in these institutions during the twentieth century. The end of the twentieth century saw the beginning of an intense discussion of the historic treatment of poor children at the hands of the Irish State and the Catholic Church. Towards the end of the 1990s, an increasing number of former reformatory and industrial school children were able to share their harrowing stories through the media. The production and broadcasting of two TV documentaries played a pivotal role in uncovering the scale of child abuse: the 1996 documentary *Dear Daughter*, based on former industrial-school resident Christine Buckley’s recollections of her time at Goldenbridge industrial school, and the 1999 three-part series *States of Fear*, broadcast by Ireland’s national broadcaster RTÉ, which, in one episode, examined the experiences of a number of former industrial school children. Mary Raftery and Eoin O’Sullivan’s book *Suffer the Little Children*, first published in 1999, and based on the TV series, has also made a crucial contribution to the twentieth-century history of childcare in Ireland. The immense media attention given to the issue of institutionalised child abuse made the issue impossible to ignore and in 1999 the Irish State apologised to the victims of abuse. It also set up the aforementioned Commission to Inquire into Child Abuse (CICA),

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<sup>472</sup> First [-Sixth]Report of the Inspector Appointed to Visit the Reformatory Schools of Ireland, Seventh and Eighth [-Fifty-second]Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland

<sup>473</sup> Moira Maguire, *Precarious childhood in post-independence Ireland* (Manchester, 2009), p.41

with the object of investigating the allegations made by former residents of such institutions. The commission published its findings, the Ryan Report, in 2009, and concluded that the abuse in Irish childcare institutions had been ‘systematic’.<sup>474</sup> Following the revelations of abuse, an increasing number of historians have devoted time to studying the system of institutional childcare in the twentieth century, but much work still remains to be done.

In the light of what we now know about the systematic abuse of children in these institutions during the twentieth century, it is important to keep in mind that history cannot be read backwards. One cannot assume that because abuse took place in the twentieth century, the same must be true for the nineteenth century. Due to the lack of first-hand statements from nineteenth-century inmates of these institutions, it is impossible to establish if such abuse was systematic, or indeed even present, from the very onset of these institutions. Rather it is the aim of this chapter to examine the reasons for the introduction of reformatories and industrial schools in Ireland, and provide an overview of their development up to 1913. It will look particularly at what these institutions tell us about attitudes towards poor children and their families as well as the relationship between the State and the management of these institutions. The chapter aims to make three main points: that these institutions, particularly the industrial schools, replaced the workhouse as the main form of relief for poor children, that the aim of the management of reformatories and industrial schools was to control and to some degree isolate the children from their families, and that, in the case of the Catholic industrial schools, the State and the Catholic management tussled for control over the children committed to these institutions.

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<sup>474</sup> ‘Chapter 6: Conclusions’, *Report of the Commission to Inquire into Child Abuse*, Vol.IV (Dublin, 2009) pp.452-453

Debate among scholars has focused much on whether or not the driving force behind the childcare institutions of the nineteenth century was mainly social control or child protection. Joseph Robins viewed the reformatory schools as ‘prompted by genuinely humanitarian considerations.’<sup>475</sup> Discussing industrial schools in the English context, Marianne Moore argues that the ‘Victorian schools have been mistakenly depicted as institutions motivated by social control rather than benevolence.’<sup>476</sup> In her opinion the Industrial Schools Acts, passed between 1857-1894, demonstrate above all a desire to protect children from ‘poverty, neglect, sexual danger, and exploitation.’<sup>477</sup> Hendrick, on the other hand, views these institutions as a means of exercising control over the poor, and he is deeply critical of the view that nineteenth-century childcare institutions were part of ‘a programme of humanitarian reform’.<sup>478</sup> He calls this view a ‘reassuring myth’.<sup>479</sup> However, it is of course far too simplistic to argue that the introduction and growth of reformatories and industrial schools in Ireland were driven by one single factor. Hendrick’s assertion that childcare policy was motivated by several overlapping factors holds as true for the introduction of industrial and reformatory schools as it does for the introduction of boarding out.<sup>480</sup> Thus, whilst it cannot, and should not, be ignored that many of those involved in the introduction of reformatories and industrial schools in Ireland were driven by a will to protect and improve the lives of poor children, this chapter will argue that control over these children, and to some extent, their families, was the main force behind the evolution of such institutions in Ireland.

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<sup>475</sup> Joseph Robins, *The Lost Children. A Study of Charity Children in Ireland, 1700-1900* (Dublin, 1980), p.301

<sup>476</sup> Marianne Moore, ‘Social control or protection of the child? The debates on the industrial schools acts 1857-1894’, *Journal of Family History*, 33 (2008), p.359

<sup>477</sup> *Ibid*, p.359

<sup>478</sup> Harry Hendrick, *Child Welfare: Historical Dimensions, Contemporary Debate* (Bristol, 2003) p.121

<sup>479</sup> *Ibid*.

<sup>480</sup> Harry Hendrick, *Child Welfare in England, 1872-1989*, p.76

Another major issue to be discussed is the evolution of the childcare system of the Catholic Church. In Ireland there were two bodies who wished to exert control over the children of the poor: the State and the Catholic Church. When considering the growth of reformatories and industrial schools in Ireland one cannot ignore the crucial role of the Catholic Church. During the latter half of the nineteenth century the Catholic Church wished to assert its influence, both politically and morally, in Ireland. The reformatories and industrial schools became a means through which the Church could gain increasing influence over the lives of Irish Catholics. The poor Irish child became the child of the State but also the child of the Catholic Church.

#### The International Context

It is important to remember that the establishment of reformatories and industrial schools was not unique to Ireland. Reformatories and industrial schools were introduced in England (in 1854 and 1857 respectively) prior to their introduction in Ireland. The rise of these institutions must be seen as a part of an international re-evaluation of the treatment of juvenile delinquents. Reformers wished to move the focus from the punishment of delinquent juveniles to their reform. This was to be a moral, as well as a practical reform, to train and educate these children so that they would be able to earn an honest living. The fact that children and adults were not separated in prisons was seen as particularly harmful to child prisoners, and campaigns for separate juvenile institutions were increasingly vocal during the mid-nineteenth century. As early as 1820, a school in the Netherlands was opened that catered especially for 'derelict and vicious children'. Several similar homes were opened in the United States. But the most influential reformatory institution was

opened in Mettray, France in 1839.<sup>481</sup> At Mettray, a farm, juvenile delinquents were trained and educated in agriculture whilst living in so-called family groups. British reformers, such as Mary Carpenter, took inspiration from Mettray and campaigned for reform of the penal system in Britain. Carpenter published a groundbreaking book, *Reformatory Schools for the Perishing and Dangerous Classes and Juvenile Offenders*, in 1851, in which she presented the idea of reformatory schools for delinquents and industrial schools for destitute children.<sup>482</sup> The aim of the reformatories was to reform those children who had committed crimes, whilst the industrial schools catered for children who were considered at risk of becoming criminals due to their living conditions, by which the reformers meant their family's poverty. Campaigning by reformers such as Carpenter is widely credited with the passing of the Reformatory Schools Act of 1854 in Britain.

#### The Introduction of Reformatories in Ireland

Neither the introduction of reformatories, nor the introduction of industrial schools was preceded by extensive inquiries into the suitability of such institutions for Ireland. However, prior to the introduction of reformatories in the rest of the British Isles, two inquiries, in 1852 and 1853, were held on the issue of criminal and destitute juveniles. The focus was on England but four witnesses were heard regarding the Irish situation and from these witnesses we are able to gain a sense of Irish opinion on reformatories. The four witnesses were John Ball, poor law commissioner, Walter Berwick, assistant barrister for the East riding of Co. Cork, James Corry Connellan, inspector-general of prisons in Ireland, and Edward Senior,

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<sup>481</sup> Robins, *The Lost Children*, p.295

<sup>482</sup> Ibid.



poor law commissioner for Ireland. All four Irish witnesses stated that they would support the introduction of the reformatory system in Ireland. They felt that the separation of juvenile criminals from adult criminals was essential for the reform of juveniles. Prisons were seen as having a detrimental effect on children, one witness stated that most children left prison worse than when they entered and described the transformative effect of prison on the juvenile as an almost physical change stating that ‘the moment he [the child] entered the gaol, he became a different being.’<sup>483</sup>

From their testimonies it is clear that by the early 1850s there was considerable concern over a perceived increase in juvenile delinquency following the social upheaval of the Famine years. One witness stated that although he believed the class of destitute and criminal juveniles in Ireland to be quite small, he also believed that it was growing.<sup>484</sup> The assistant barrister of the East Riding of Co. Cork, claimed that one third of the cases tried before him were children and that since the Famine, juvenile crime had increased to ‘an enormous extent.’<sup>485</sup> However, it should be pointed out that other witnesses disagreed with this assessment. The inspector-general of prisons in Ireland presented statistics showing that the number of juvenile prisoners had declined rapidly since the Famine. The number of juvenile committals in 1849 was 2,720, whilst the corresponding number for 1851 was 2,003.<sup>486</sup> Of course Connellan’s committal statistics do not take into account the number of children tried at court but not convicted. Nor does it factor in vagrant and homeless children whose presence in Irish towns and cities doubtless would have contributed to a sense of growing unease concerning poor children and juveniles. Thus,

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<sup>483</sup> ‘Evidence of Walter Berwick’, *Report from the Select Committee on Criminal and Destitute Children; Together with the Proceedings of the Committee, Minutes of Evidence, and Appendix*. HC, 1852-53 (674) (674-1), p.342

<sup>484</sup> *Ibid.*, p.345

<sup>485</sup> *Ibid.*

<sup>486</sup> ‘Evidence of James Corry Connellan’, *Ibid.*, p.358

regardless of the statistical reality, the perception that juvenile crime was growing appears to have created a sense of urgency about poor and destitute children.

From the testimonies of the Irish witnesses, two key notions emerged that were to enable the subsequent growth of both reformatories and industrial schools in Ireland. The first concerns the workhouse and its organisation. Witnesses expressed concern with the workhouse environment and in particular its lack of control over children's movement. They argued that one of the main deficiencies of the workhouse was its inability to detain children against their will and calls were heard for the extension of the workhouse's power of detention so that unaccompanied children could not leave the workhouse without permission.<sup>487</sup> Workhouse children were believed to draw up criminal plans in the institution, ask for their discharge with the specific aim of committing crimes, and after having committed these crimes they returned to the workhouse where they were provided for at the expense of the ratepayers.<sup>488</sup> As we have seen in the discussion on the South Dublin Union (SDU) riot, the problem of the so-called ins-and-outs remained a point of criticism of the workhouse in the 1860s. Institutions that, like the reformatories, prevented children coming and going were deemed more desirable. Such institutions did not allow children to discharge themselves when they turned fifteen, as the workhouse did, and their parents could not remove them when they wished. By restricting the children's movements, the institutional management could also exercise complete control over the environment and influences that the children were exposed to. This would eradicate the harmful influences of the children's home environment. Thus, the opportunity to control the movement of children that was offered by the new institutions was seen as an enormous advantage over the workhouse.

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<sup>487</sup> 'Evidence of Walter Berwick', *Ibid.*, p.343, 'Evidence of James Corry Connellan', *Ibid.*, p.364

<sup>488</sup> *Ibid.*, p.343

The second notion was that of a perceived casual link between poverty and crime. It is interesting to note that the connection between poverty and crime appears to have been particular to Ireland. As Barnes highlighted, the statements made by English witnesses to the juvenile delinquency inquiries 1852 and 1853 did not emphasise this link, rather the English witnesses focused on the lack of parental control, education, and employment.<sup>489</sup> But in Ireland the children's poverty, and thus their home environment, were believed to lead to crime. The casual link led to a greater acceptance of institutions that isolated children from their families and it underpinned a system of institutions that committed children to institutional care on the basis of poverty. Such institutions came to be regarded as safer for the child than their family homes.<sup>490</sup>

The British Government supported the introduction of reformatories in Ireland, and in 1856 two bills were introduced providing for their establishment. Both bills were opposed by Catholic MPs who, fearing proselytism, argued that the bills failed to safeguard the religion of Catholic children. The Catholic MP's opposition was influenced by Cullen who warned them against the reformatory bills.<sup>491</sup> In 1858 a bill that was acceptable to Catholic opinion was presented, stating specifically that children could only be sent to reformatories managed by persons of their own religious persuasion, and this was passed into law.<sup>492</sup>

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<sup>489</sup> Jane Barnes, *Irish Industrial Schools, 1868-1908: Origins and Development* (Dublin, 1989), p.15

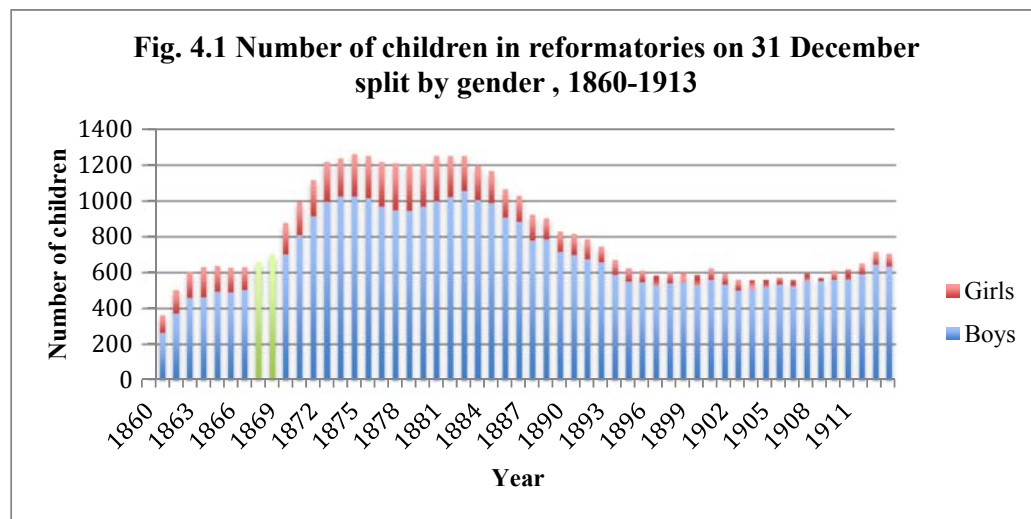
<sup>490</sup> 'Evidence of John Lentaigue', *Reformatories and Industrial Schools Commission. Report of the Commissioners, Together with Minutes of Evidence, Appendices, and Index. Vol. I.--The Report*, HC, 1884 [C.3876] [C.3876-I], p.519

<sup>491</sup> Robins, *The Lost Children*, p.297

<sup>492</sup> Ibid.

## The Use of Reformatories in Ireland

Turning to examine how reformatories were used in Ireland it is interesting to note that the response to them was somewhat hesitant, especially in comparison to the response to industrial schools. In the mid-1860s, the inspector appointed to visit the reformatory and industrial schools of Ireland (IRIS) lamented the fact that the Irish were ‘slow in their appreciation of the advantages of the Reformatory Schools’.<sup>493</sup> Indeed, the number of reformatories remained relatively low throughout the period. In 1860, two years after the introduction of reformatories, nine such institutions had been certified in Ireland. The highest number was reached in the period 1871 – 1884 when ten reformatories (five for boys, five for girls) were in operation. From 1884 the numbers declined and in 1913 only five Irish reformatories were left (three for boys, two for girls).<sup>494</sup>



*First [-Sixth] Report of the Inspector Appointed to Visit the Reformatory Schools of Ireland, Seventh and Eighth [-Fifty-second] Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland. For the years 1867 and 1868 no information on gender is available; instead the green columns represent the total number of children in reformatories in these two years.*

<sup>493</sup> *Third and Fourth Reports of the Inspector Appointed to Visit the Reformatory Schools of Ireland*, HC, 1865 [3458], p.29

<sup>494</sup> *Annual Reports of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland, 1860-1913*

Figure 4.1 further underlines the initially cautious approach to reformatories in Ireland. In 1860, 361 children were confined in Irish reformatories. This can be compared to the industrial schools where after two years of operation, 1,519 children were confined. The IRIS continued to express concern over the limited use of reformatories. In 1863, IRIS Murray noted that whilst the Dublin magistrates had been quick to avail themselves of their ability to send juvenile delinquents to reformatories rather than to prison, other parts of the country were reluctant to do so. He cited statistics from the 1863 Report of the Inspectors-General of Prisons in Ireland that showed that many counties did not make any use of reformatories. One example was Co. Armagh where twelve juveniles had been sentenced in the first four months of the year but none of them had been sent to reformatories.<sup>495</sup> Due to magistrates' apparent unwillingness to send children to reformatories, some reformatories struggled to fill their vacancies. In 1866, Upton Reformatory, Co.Cork, was on the brink of being closed down due to a lack of inmates. The manager, Rev. Furlong, complained to IRIS Murray that the school had 70 vacancies and was no longer self-supporting. Despite the fact that Cork and the surrounding areas 'abound[ed]' with juvenile delinquents, Furlong claimed, magistrates opted not to send these children to reformatories. Furlong attributed this to a misguided kindness on the part of magistrates who did not wish to send the children away from the environment with which they were familiar.<sup>496</sup> The tendency of magistrates to send children to prison instead of reformatories continued to be a point of concern for the

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<sup>495</sup> *Third and Fourth Reports of the Inspector Appointed to Visit the Reformatory Schools of Ireland*, HC, 1865 [3458], p.33

<sup>496</sup> *Sixth Report of the Inspector Appointed to Visit the Reformatory Schools of Ireland*, HC, 1867 [3814], p.19

IRIS. In the late 1870s, IRIS Lentaigne lamented the fact that the number of juvenile offenders sent to prison was on the increase.<sup>497</sup>

The shortage of inmates was particularly noticeable in reformatories aimed at Protestant girls. The highest number of Protestant girls in reformatories was reached in 1878 when 25 girls were inmates. However, their numbers declined steadily and in 1894 only 8 Protestant girls resided in reformatories. The number of Protestant girls likely to be convicted to reformatories was too low to justify the expense of a separate reformatory and in 1894 the last reformatory for Protestant girls closed.<sup>498</sup> Overall, as seen from Fig 4.1 the number of boys' reformatories vastly outnumbered those for girls throughout the period. This is also in line with the gender distribution in English reformatories during the same period.<sup>499</sup>

The annual reports of the IRIS also provide an insight into the background of the reformatory children and indicate that the majority came from a background of poverty. The vast majority of reformatory children were convicted for theft, arguably a crime connected to poverty. For each year in the period 1863 – 1913, with the exception of 1906, theft-related offences accounted for more than 60 per cent of committals.<sup>500</sup>

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<sup>497</sup> *Sixteenth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1878 [C.2151], p.11

<sup>498</sup> *Thirty-Fourth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1896 [C.8173], p.4

<sup>499</sup> *Report of the Inspector Appointed to Visit the Certified Reformatory and Industrial Schools of Great Britain, 1860-1913*

<sup>500</sup> *Third and Fourth [- Sixth] Reports of the Inspector Appointed to Visit the Reformatory Schools of Ireland, Seventh and Eighth [-Fifty-second] Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*. In the annual reports the crime of theft was subdivided in to several categories such as larceny/petty theft, larceny of fixtures, and attempt to steal. The categories do not remain the same throughout the period.

## The Introduction of Industrial Schools in Ireland

Following the introduction of reformatories, calls were heard for the introduction of industrial schools. In a reversal from the process preceding the introduction of reformatories, it was Catholic MPs that pushed for the introduction of industrial schools. It was the MP for Roscommon, The O'Connor Don, who in 1867 first presented a bill to introduce industrial schools in Ireland. The Protestants opposed this bill, as they feared the schools would be used for proselytising. However, The O'Connor Don did not give up and presented a second bill in 1868. After the Chief Secretary had assuaged the fears of Protestant MPs, stating that industrial schools were unlikely to ever be widely used in Ireland, the bill passed without opposition.<sup>501</sup>

The main argument used for the introduction of industrial schools was that Ireland had an extremely high number of child vagrants. Industrial schools, it was argued, would prevent such children, who were invariably exposed to crime, from developing into fully-fledged criminals.<sup>502</sup> Supporters of industrial schools emphasised many of the same arguments that had been heard in support of the introduction of reformatories. The issue of control was important and continued to be used as an argument for industrial schools after their introduction. In 1878, Irish MP Arthur Moore compared industrial schools favourably to workhouses and emphasised the ability to control and monitor children's movements at all hours of the day.<sup>503</sup>

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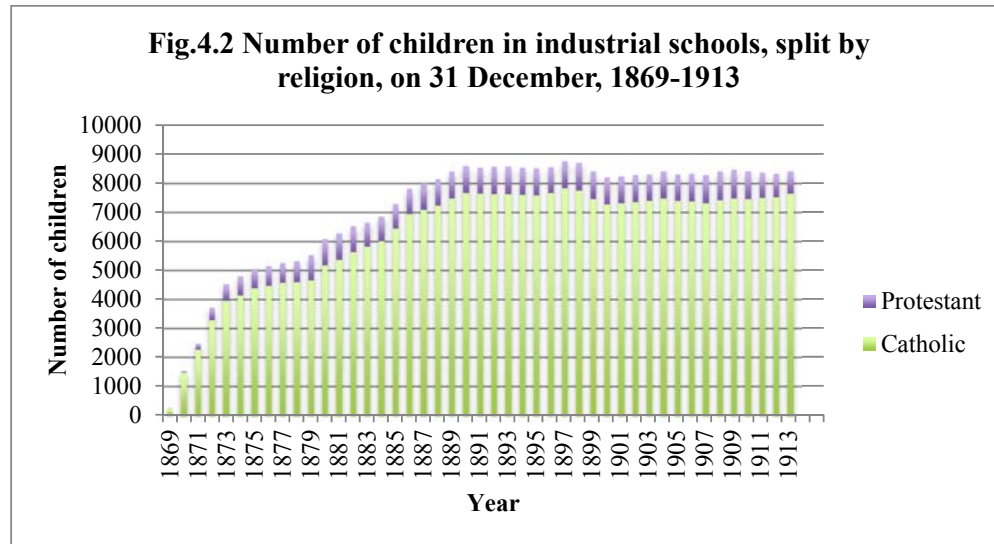
<sup>501</sup> Robins, *The Lost Children*, p.302

<sup>502</sup> *Hansard's Parliamentary Debates*, 3<sup>rd</sup> series, vol. 185, cc 1741-55, 1867

<sup>503</sup> Arthur J. Moore, *Speech of Arthur J. Moore, Esq., M.P., on the Treatment of Children in Irish Workhouses* (London, 1878), p.12

## The Use of Industrial Schools

As can be seen from the graph below, Irish society embraced the use of industrial schools to a much greater degree than it did the use of reformatories.



*Ninth [-Fifty-second] Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*

Figure 4.2 highlights two key developments with regards to the industrial schools system. The first is that after a somewhat slow start the number of children in industrial schools grew rapidly and reached levels far above those of the reformatory schools. When comparing the numbers of children contained in Irish industrial schools to those in England it becomes clear that Irish society relied heavily on the industrial schools to provide childcare. At the end of 1867, ten years after the introduction of industrial schools in England, the total number of children in English industrial schools was 4,018.<sup>504</sup> After ten years of industrial schools in Ireland, in 1878, the corresponding number was 5,317.<sup>505</sup> When comparing the number of children in industrial schools in England and Ireland one of course has to consider

<sup>504</sup> *Eleventh Report of the Inspector Appointed to Visit the Certified Reformatory and Industrial Schools of Great Britain*, HC, 1867-68 [4066], p.11

<sup>505</sup> *Seventeenth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1878-79 [C.2453], p.128



the difference in population. Buckley has dealt with this problem by presenting figures for England and Wales adjusted to reflect the difference in population for the year 1881. In Buckley's table the numbers for England and Wales are given for a proportion equal to the population of Ireland. According to these figures the total number of children under detention at the end of 1881 was 6,279 in Ireland, and 2,093 in England and Wales.<sup>506</sup> This indicates an Irish overreliance on industrial schools as centres of childcare.

Indeed, the large number of children committed to industrial schools caused concern early on. The root of this concern was partly financial. Here, it is important to understand the financing of the industrial school system. In theory, the financial system was relatively beneficial for the State. For example, the State did not pay for the building of schools and rather than providing each institution with a grant, the British treasury preferred to pay the institutions a set sum for each child committed to the school, the so-called capitation grant. In industrial schools, this sum was set at five shillings a week per child.<sup>507</sup> But as the number of industrial school children increased so did the treasury's outgoings. In 1870, the treasury allowance was £9,082. During the following decade, as the industrial school system expanded, this increased significantly to £68,088 in 1880.<sup>508</sup> As Barnes points out the treasury was reluctant to increase its grant and, as a result, attempts were made to control the number of children committed to industrial schools. The number of certifications of industrial schools was limited and a decision was made that only children over the age of six would receive a capitation grant. Furthermore, in 1873, IRIS John Lentaigne, on orders from the executive, introduced a cap on the number of children

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<sup>506</sup> Sarah-Anne Buckley, *The Cruelty Man. Child Welfare, the NSPCC and the State in Ireland, 1889-1956* (Manchester, 2013), p.119

<sup>507</sup> Mary Raftery and Eoin O'Sullivan, *Suffer the Little Children* (Dublin, 1999), p. 92

<sup>508</sup> *Twentieth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1882 [C.3372], pp.26-27

that each school could admit.<sup>509</sup> However, as seen from the graph, these measures appear to have had a limited effect and the number of children in industrial school remained high. The reasons behind the high number of industrial school children will be discussed later on in this chapter.

The second striking fact demonstrated by Fig 4.2 is that the number of Catholic industrial schools was always significantly higher than the Protestant ones. As already mentioned, this is of course only natural in a population largely consisting of Catholics. But, as shall be discussed in more detailed later in this chapter, the high number of Catholic children committed to industrial schools was also the result of a strategy by the Catholic Church to isolate the children of the poor from their families. Thus, it is worth considering how the Catholic Church came to dominate the landscape of institutional childcare in Ireland.

The Catholic dominance of industrial schools had its roots in the revival of the Catholic Church under Archbishop Cullen, who disliked and distrusted the workhouse and feared Protestant proselytism. To counteract this he promoted the establishment of children's homes run by Catholic religious orders or congregations. O'Sullivan has demonstrated how the Catholic orders and congregations, in his words, 'colonised' the landscape of Irish childcare through the take over of already existing children's homes.<sup>510</sup> An example of this trend is the St Joseph's Orphanage, Dublin. It was founded by tradesmen in 1720 but taken over by the Sisters of Charity in 1866.<sup>511</sup> During the early nineteenth century, parish-based orphanages and children's homes disappeared and the landscape of Irish childcare became dominated by the Catholic religious orders. By the 1850s almost all Irish orphanages were

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<sup>509</sup> Barnes, *Irish Industrial Schools*, p.67

<sup>510</sup> T.E O'Sullivan, 'Child Welfare in Ireland, 1750-1995: A History of the Present' (Unpublished PhD thesis, Trinity College, Dublin, 1999), p.200

<sup>511</sup> Ibid., p.201

operated by Catholic orders and congregations.<sup>512</sup> Thus, when the Industrial Schools Act was passed, the Catholic Church had the personnel and management experience needed to expand their control of the system of childcare to these new institutions. Many of the existing Catholic orphanages were certified as industrial schools. One such example was St Michael's industrial school that had been an orphanage managed by the Sisters of Mercy before it became certified as an industrial school in 1869.<sup>513</sup> After the establishment of the industrial school system, the Catholic orders gradually took control of the management of existing industrial schools. One such example is St Patrick's industrial school for girls that until 1871, had been managed by a Miss Hamilton and an assistant schoolteacher. But when the assistant teacher left, the school was placed under the management of the Sisters of Mercy 'who now superintend the entire internal arrangements of this establishment.'<sup>514</sup>

The IRIS does not seem to have been reluctant to hand over control of industrial schools to the Catholic religious communities. They were seen to be well organised and capable of managing large institutions. Furthermore, their religious devotion was seen to exercise an improving influence on the children, this was especially the case with Catholic women. Referring to St Martha's industrial school for girls, the IRIS stated that their superior influence would 'mould their [the girls'] ideas and actions in a proper direction'.<sup>515</sup> When the Sisters of Mercy took over St Patrick's, the IRIS saw this arrangement as hugely beneficial and stated that the 'advantages of this arrangement cannot be overestimated.'<sup>516</sup> In some cases, the IRIS actively encouraged the take over of industrial schools by Catholic orders. In the

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<sup>512</sup> Raftery and O'Sullivan, *Suffer the Little Children*, p.57

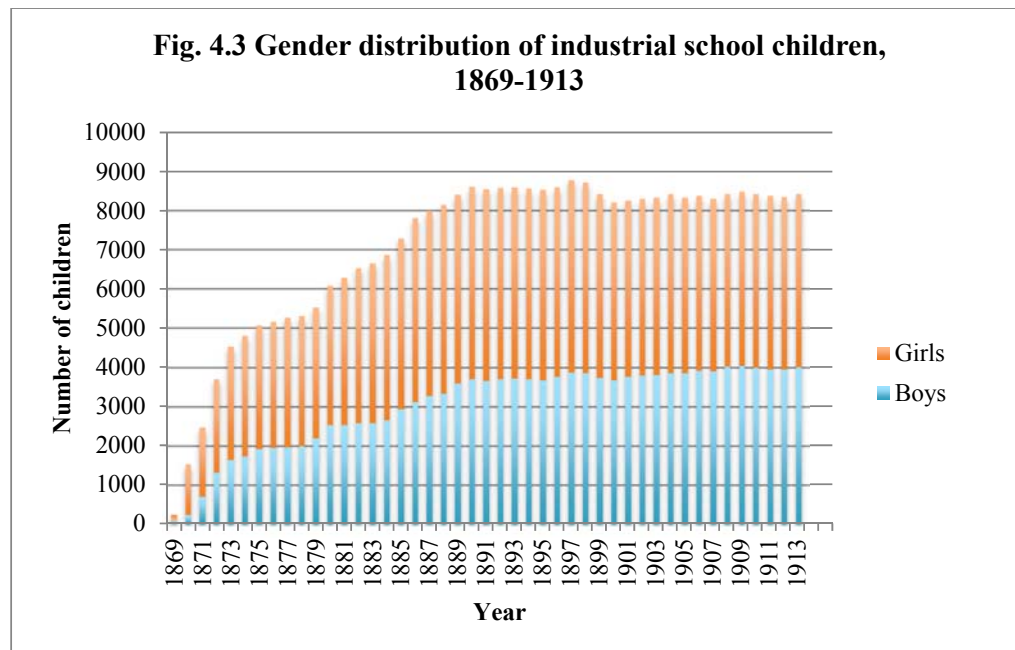
<sup>513</sup> *Ibid.*, p.65

<sup>514</sup> *Ninth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1871 [C.461], Appendix I, p.45

<sup>515</sup> *Eighteenth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1880 [C.2692], p.91

<sup>516</sup> *Ninth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1871 [C.461], Appendix I, p.45

mid-1870s, IRIS Lentaigne called for a change in the management of St Mary's industrial school for girls. Carmelite nuns, an enclosed order, who paid officers to run the school, managed the school but Lentaigne was not satisfied with the standard of the school. The management of St Mary's was subsequently given over to the Sisters of Charity to Lentaigne's great satisfaction.<sup>517</sup>



*Ninth [-Fifty-second] Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*

A third point to note is the skewed gender distribution; the vast majority of children committed to Irish industrial schools were girls. This was a situation peculiar to Ireland. In England the situation was reversed with boys dominating the industrial schools.<sup>518</sup> The dominance of industrial schools for girls in Ireland was noted and caused some concern from the early stages of the system. The IRIS stated that when public meetings were held to raise money for the foundation of industrial schools, almost all the money was raised for girls' schools. At a meeting in Cork,

<sup>517</sup> *Fifteenth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1877 [C.1821], pp.54-55

<sup>518</sup> *Third [-Fourth] Report of the Inspector Appointed to Visit the Reformatory Schools of Great Britain*, *Fifth [-Fifty-Seventh] Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Great Britain*

£7,000 was raised for a girls' school whilst the suggestion of a training ship for boys failed to raise enough money.<sup>519</sup> The IRIS believed that the high number of industrial schools for girls was due to their perceived greater need for protection from immoral influences. As discussed in chapter two, it was considered very difficult for pauper girls to earn their livelihood in an honest way and thus they needed the industrial schools to provide them with guidance. The industrial schools would provide the girls with advice and guidance throughout their lives and help them to remain honest and respectable.<sup>520</sup> Some attempts were made to address the skewed gender distribution. In the early 1870s, the IRIS expressed a strong desire to see more boys' schools.<sup>521</sup> But the number of boys' schools remained significantly lower than girls' schools throughout the period.

#### The Relationship Between the Workhouse, Reformatories, and Industrial Schools

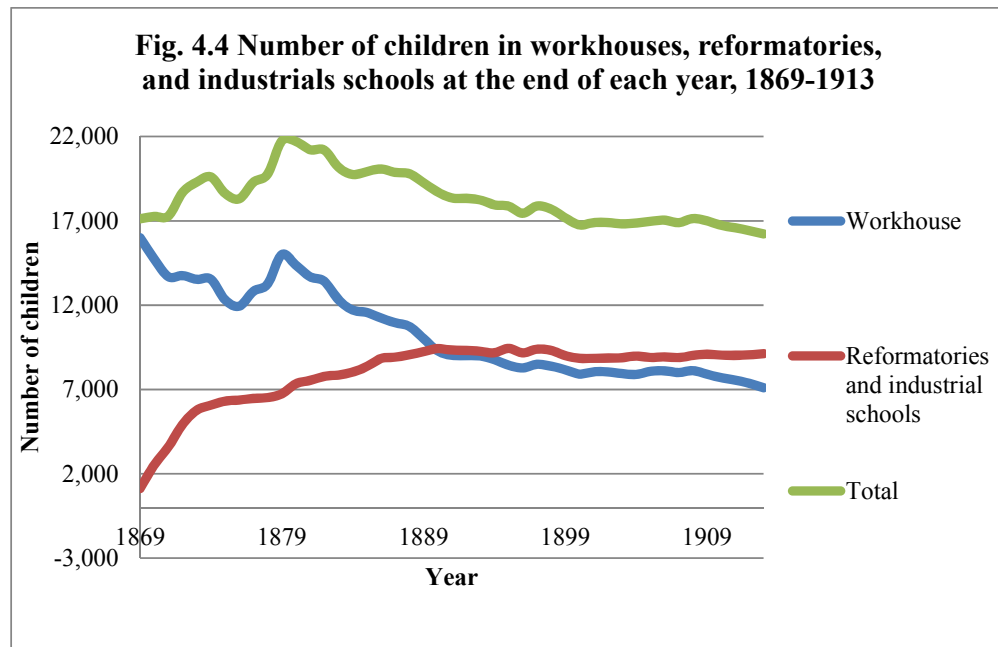
It is important to consider what effect the introduction of reformatories and industrial schools had on the landscape of Irish childcare as a whole. In order to understand this it is worth considering the relationship between the workhouse and the new institutions. Did the introduction of reformatories and industrial schools affect the number of children in workhouses? Was there a movement between the institutions; that is, did the new institutions cater for the same type of child as the workhouse did?

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<sup>519</sup> *Ninth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1871 [C.461], p.18

<sup>520</sup> *Ibid.*, pp.19-20

<sup>521</sup> *Ibid.*, p.19



*Annual Reports of the Poor Law Commissioners for Administering the Laws for the Relief of the Poor in Ireland, 1869-1872, Annual Reports of the Local Government Board, 1872-1913, Ninth [-Fifty-second] Report of the Inspector appointed to visit the Reformatory and Industrial Schools of Ireland.* The category 'workhouse' includes both children relieved in the workhouse and those boarded out. The category 'reformatories and industrial schools' include the children residing in the reformatory/industrial school, out on licence, absconded, as well as children remaining in the reformatory/industrial school despite their sentence having expired.

It is certainly true, as can be seen from Figure 4.4, that the introduction of new childcare institutions did not lead to a long-term increase in the total number of children in institutions, rather the total number of children in institutions actually decreased over the period. Furthermore, the number of children confined to reformatories and industrial schools never reached the highest level reached by the workhouse. The proportion of children in reformatories and industrial schools were consistently below 1 per cent of the total child population throughout the period, whilst the in 1851 as many 4.2 per cent of Irish children were in workhouses. But the severe conditions during and following the Famine meant that the number of workhouse children was extremely high, which skews the comparison to industrial and reformatory numbers.

By the late 1880s the number of children in reformatories and industrial schools outnumbered those in workhouses. As Buckley points out, this demonstrates that the new institutions did have ‘an effect on the placement of children in the workhouses.’<sup>522</sup> It could also indicate that children, who before had become workhouse children, were now committed to the newer institutions, and in particular to the industrial schools. This is particularly interesting when one considers that the purpose of the reformatories and industrial schools was somewhat different from that of the workhouse. Whilst the role of the workhouse was to care for all poor children, the new institutions were aimed at specific types of children. Considering the graph above, then this would mean that suddenly there were more children threatened by criminal habits and immoral living at home than there were poor children who needed the workhouse. This does not seem likely, but rather seems to indicate that children, who before had entered the workhouse, were now sent to industrial or reformatory schools – that is, the children’s poverty played a significant role in their committal. As the number of children was always considerably higher in industrial schools the following section will consider the role of poverty in committal to industrial schools in particular.

#### The Irish Industrial School – An Institution Aimed at the Children of the Poor

The reason behind the high number of children in Irish industrial schools appears to have been a misappropriation of the system. The industrial schools were set up to cater for children exposed to criminality, but in Ireland the system cast its net much wider and admitted significant numbers of children solely on the basis of poverty. As

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<sup>522</sup> Buckley, *The Cruelty Man*, p.113

early as 1873, IRIS Lentaigne raised this issue. He stated that it was difficult for magistrates and industrial schools managers to understand that ‘destitution, no matter how great, is not sufficient reason for the admission of the child’.<sup>523</sup> He further lamented the fact that several children admitted on grounds of destitution had had to be discharged during the year.<sup>524</sup> The impression that a significant number of children were admitted to industrial schools mainly on grounds of poverty is further strengthened by the statistics on causes of committal. The IRIS annual reports do not record the cause of committal for the entire period. But for 1882 the numbers show that the vast majority were committed for offences related to poverty rather than to criminality. Seventy-three per cent were committed for begging and 8.8 per cent for wandering without visible means of support, proper guardianship and/or a settled abode. In contrast, only 2 per cent were committed for frequenting the company of thieves or prostitutes, circumstances that arguably placed the children in a criminal environment.<sup>525</sup>

In 1897, IRIS Fagan lamented the fact that industrial schools still committed too many children on grounds of poverty. In that year, 942 out of the 1,410 children committed to industrial schools were committed for begging. Fagan believed that a considerable number of these committals were disingenuous; the children were sent out to beg in order to qualify for industrial schools and were brought before the magistrates by paid agents.<sup>526</sup> The same trend is obvious in the figures for the years 1905-1913 (1906 excluded) for which the annual reports do provide causes for committal. Causes directly related to a criminal environment never exceeded 8 per

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<sup>523</sup> *Twelfth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1874 [C.969], p.26

<sup>524</sup> *Ibid.*

<sup>525</sup> *Twenty-first Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1883 [C.3806], p.18

<sup>526</sup> *Thirty-Sixth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1898 [C.9042], p.12-13



cent.<sup>527</sup> Offences considered more closely related to poverty than criminality are wandering, begging, being a destitute orphan, or being destitute with a parent in prison or confined in penal servitude. The vast majority of children committed to industrial schools in this period were committed for one of these offences. These figures support O’Sullivan’s argument that this was a system that put the emphasis not on punishing criminal children, but on controlling children who did not conform to the ideal.<sup>528</sup>

The legal reasons for committal to industrial schools were laid out in the Industrial Schools Act 1868. However, the law was somewhat vague and left considerable room for interpretation on the part of magistrates and industrial school managers. For example, the clause that stated that children found wandering without a settled home, without proper guardianship, or visible means of subsistence made no direct mention of children being exposed to criminal influences and opened the way for the committal of children on grounds of poverty. Indeed, the clause concerning proper guardianship was used in this manner. In 1875 the Home Office felt the need to clarify to magistrates on what grounds children should be admitted to industrial schools. In a letter included in the IRIS annual report, the Home Office attempted to explain what was meant by the term ‘proper guardianship’, stating that it referred to the ‘characters and habits of the parents, and not to their pecuniary means.’<sup>529</sup> The 1884 Reformatories and Industrial Schools Committee, the Aberdare Commission, set up to examine the operation of reformatories and industrial schools in the United Kingdom, found that the Irish institutional system functioned in a different way to

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<sup>527</sup> *Forty-Fourth [– Fifty-Second] Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland* Committal categories considered directly related to a criminal environment are frequenting the company of thieves, frequenting the company of prostitutes, residing in a brothel, and children under the age of 12 charged with offences punishable by prison.

<sup>528</sup> O’Sullivan, ‘Child Welfare in Ireland’, p.304

<sup>529</sup> *Thirteenth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1875 [C.1222], p.95

that of the rest of the United Kingdom. The Commission remarked especially on what it called the ‘peculiar position of industrial schools in Ireland’.<sup>530</sup> The Commission further noted that in Ireland there were only two provisions for poor children – the workhouse and the industrial school. This had led to the view that the industrial schools were institutions ‘for poor and deserted children, rather than for those of a semi-criminal class’.<sup>531</sup> The Irish industrial schools preferred to admit children who were poor, rather than those who were semi-criminal. The Commission found that ‘numbers of children are sent to them (industrial schools) who do not always come within the purview of the Acts, and who are sent mainly on the ground of destitution.’<sup>532</sup> As a consequence ‘numbers of children who are proper subjects for these institutions are left on the streets as waifs and strays.’<sup>533</sup> The Aberdare Commission directed strong criticism at the managers of the Irish industrial schools who were responsible for this misapplication of the system.

Barnes argues that the admission of children to industrial schools on grounds of destitution was largely due to parents, managers, and magistrates viewing the schools as a form of poor relief and a way in which children could be lifted out of poverty.<sup>534</sup> Evidence given to the Aberdare Commission does indicate that managers of industrial schools believed that they were saving the destitute children by admitting them to these institutions. In his evidence the Rev. Greene, manager of St Patrick’s industrial school, pointed to a flaw in the system. A child could not be admitted for destitution if one parent was alive, even if that parent was unable to look after the child. The only choice was then the workhouse and since the workhouse

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<sup>530</sup> *Reformatories and Industrial Schools Commission*, p.lx

<sup>531</sup> *Ibid.*

<sup>532</sup> *Ibid.*

<sup>533</sup> *Ibid.*

<sup>534</sup> Barnes, *Irish Industrial Schools*, p.64

training was so poor, the industrial schools were a much better option.<sup>535</sup> Thus, the managers were helping the child by admitting it.

Barnes also states that parents were often eager to get their children admitted to an industrial school. According to Barnes, the practice of parents sending their children out to beg, thus becoming eligible for the industrial schools became 'fairly common.'<sup>536</sup> However, to say, as Barnes does, that parents and children were 'clamouring for admission' is probably to exaggerate the wish of parents to be separated from their children.<sup>537</sup> Furthermore, the possibility that parents might be required to pay for the maintenance of their children in industrial schools, the so-called parental contribution, would presumably also have functioned as a disincentive to parents clamouring for the children's admission. When it comes to the motives of the industrial school managers one cannot overlook the influence of the financial structure of industrial schools. The capitation grant financially rewarded the industrial schools for each child admitted and drove the managers to admit ever more children. The grant was no doubt a powerful incentive to admit children who did not strictly come under the provisions of the Industrial Schools Act.

Evidence from the Aberdare Commission emphasises how some managers targeted certain children for admission, but there is no specific mention in these particular testimonies of the parents being involved. A Belfast magistrate told the commission that children were often brought before him by persons connected to the industrial schools and that the charges against the child were sometimes staged. The practice of recruiting children for institutions was referred to as 'touting'. The magistrate described having seen a 'child taken out of the court with a whisper given to the man who was bringing him forward to say that he had given alms to the child;

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<sup>535</sup> 'Evidence of Rev. J.P. Greene', *Reformatories and Industrial Schools Commission*, p. 499

<sup>536</sup> Barnes, *Irish Industrial Schools*, p.66

<sup>537</sup> Ibid.

the child and the man went out to the passage, and he came in and got into the box and swore that he gave alms to the child; but the money was only given in the passage, and it was given in order to qualify the child'.<sup>538</sup> There appear to have been a number of people who took it upon themselves to suggest suitable candidates for industrial schools. In some cases they seem to have benefitted from parents' limited understanding of the system. One unemployed father applying for the release of his son from Artane stated that he was convinced by a 'lady' to have his son committed, as he was unable to support him. But he had not understood that he could not simply ask for his son's release once he obtained employment.<sup>539</sup>

A Dublin magistrate stated that the sentencing of children to industrial schools was often a forgone conclusion. He described how philanthropically-minded individuals would suggest suitable candidates, such as the children of widows who were left alone whilst the mother worked, to the industrial school managers who then 'wrote a note to say that the superior of the school has two vacancies, and that they will receive so-and-so, naming the children, settling it all beforehand.'<sup>540</sup> This magistrate did observe that it was only in some such cases that the magistrates admitted the child.<sup>541</sup> It is also interesting to note that the Belfast magistrate admitted that he had been approached by individuals suggesting children for industrial schools and that he had had such children brought before him in court. He claimed not to have known that this was illegal, and saw it more as an effort to save the child.<sup>542</sup>

Each year a number of children had to be discharged from industrial and reformatory schools due to insufficient grounds for committal. For reformatory

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<sup>538</sup> 'Evidence of Robert L. Hamilton, *Reformatories and Industrial Schools Commission*, p.501

<sup>539</sup> C-98-1892, Crime index files (Hereafter CIF), National Archives of Ireland (Hereafter NAI), Dublin

<sup>540</sup> Evidence of C.J O'Donel, *Reformatories and Industrial Schools Commission*, p.545

<sup>541</sup> Ibid.

<sup>542</sup> Ibid.

schools, the annual number of such children is not recorded in the annual reports.<sup>543</sup> For the industrial schools, the annual number of such children varied considerably with the highest found in 1875 when 79 children were discharged due to insufficient grounds for committal and the lowest was 2, which occurred in 1902.<sup>544</sup> The IRIS annual reports do not discuss this issue in any great detail. However the Chief Secretary Office's Registered Papers (CSORP) for 1882 and 1892 contain a handful of cases pertaining to the release of wrongfully committed children, the majority of them involving over-aged children, suggesting that the Irish poor were in many cases unsure of their own age. These cases also illustrate that parents were willing to fight for the release of their children despite opposition from the schools and, in some cases, the IRIS. A good example is the case of JB who in 1882 was sent to Upton Reformatory for stealing a bottle of port. His father wrote to the Chief Secretary stating that JB was over eighteen but that as the father had not been present in court he had been unable to tell the court that his son was too old for a reformatory. He included JB's baptismal certificate to prove it. Despite this the IRIS suggested that the father's claim could not be sustained and that it would not be in the boy's best interest to return home. The magistrates had sentenced him believing he was under sixteen and 'committal cannot be impeached on the ground of any error in that respect.'<sup>545</sup> JB's father did not give up and wrote again to the Chief Secretary and after a law advisor had recommended discharge on the grounds that the magistrates

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<sup>543</sup> The IRIS annual reports do present a figure for the number of reformatory children 'specially discharged' during the preceding three-year period. However, there is no definition of 'specially discharged' but it seems reasonable to assume that it covers the categories 'discharged due to disease', 'discharged as incorrigible or to penal servitude' that do appear in the annual summary of discharged children but not in the three-year period summary. Thus, I made the decision to not include the 'specially discharged' children in the discussion on illegal committals.

<sup>544</sup> *Ninth [-Fifty-second] Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*

<sup>545</sup> Letter from the Office of the Inspector of Reformatory and Industrial Schools to the Chief Secretary for Ireland, 16 March 1882, B-31-1882, CIF, NAI

were clearly mistaken about the boy's age, the IRIS changed his mind and recommended JB's discharge.<sup>546</sup>

Age continued to be an issue. In 1892, at Baltimore Fishery School there were at least three cases concerning boys suspected to be over age. Two of them were released but the file does not reveal the fate of the third boy. Highlighting the school's reluctance to investigate the issue of over-aged children, the Baltimore management were initially resistant to IRIS Blennerhassett's suggestion to revise all ages and birth certificates for boys where uncertainty existed. The school found this too expensive and preferred to wait for parents to apply for the discharge of over-aged boys. Blennerhassett was not pleased with this response stating that the Registrar General provided birth certificates free of charge to industrial schools and to remain ignorant of a boy's age until [illegible] by his parents could hardly be defended on the grounds of reasonable expense.<sup>547</sup> Blennerhassett also indicated that the school had other financial motives for not investigating the age of the boys when he reminded the Baltimore manager that boys over sixteen would not be paid for out of the parliamentary grant.<sup>548</sup> Thus, it was in the schools' interest to remain ignorant of the children's actual age.

#### The Reformatories and Industrial Schools, the Children, and their Families

Through the reformatory and industrial school system, the State and, in particular, the management of these institutions came to exercise considerable power over the

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<sup>546</sup> Letter from the Office of the Inspector of Reformatory and Industrial Schools to the Chief Secretary for Ireland, 14 April 1882, B-31-1882, CIF, NAI

<sup>547</sup> Letter from the Office of the Inspector of Reformatory and Industrial Schools to Baltimore Fishery School, 23 June 1892, C-82-1892, Convict reference files (Hereafter CRF), NAI

<sup>548</sup> Ibid. Individuals over 16 could remain in an industrial school, but the capitation grant would cease on the child turning sixteen. There were also a number of children under the age of six living in industrial schools, and the capitation grant was not paid for them either.

committed children and their families. In many instances this power was used to isolate the children from their families who were considered unsuitable guardians. Here a slight distinction must be made between the approach by the State and the schools' management. As we shall see, the institutional system gave a disproportionate amount of power to the schools' management. The State, as already mentioned, appears to have been happy to abdicate the running of the residential institutions to the schools' management and largely followed their lead when it came to the relationship between the children and their families. But, as will be seen in the later discussion on day industrial schools (DIS), the State was more willing to allow for continued contact between parent and child than the Catholic Church was.

#### Parental Contribution

We turn first to the only aspect of the relationship between reformatories and industrial school and the families that was clearly regulated by the legislation - the financial one. In both reformatories and industrial schools, parents could be held liable for their child's maintenance through the parental contribution. Only parents deemed financially able to do so could be ordered by the magistrates to pay. The sum they could be ordered to pay was capped at five shillings a week in both reformatories and industrial schools.<sup>549</sup> As the majority of parents were indeed very poor, the parental contributions remained low.<sup>550</sup>

Despite the low sums raised from the parental contribution, its symbolic meaning was vital and one official called the parental contribution a 'keystone' of

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<sup>549</sup> *Reformatory Schools (Ireland). A Bill to Promote and Regulate Reformatory Schools for Juvenile Offenders in Ireland*, p.5 *Industrial Schools (Ireland). A Bill to Extend the Industrial Schools Act to Ireland*, p.8

<sup>550</sup> Barnes, *Irish Industrial Schools*, p.49

the institutional system.<sup>551</sup> The introduction of reformatories and industrial schools can be seen as part of a re-defining of the relationship between the State and parents. The State was now willing to step in when it perceived that parents had failed in their duties to raise the child. The State was prepared to play a more active part in the raising of children than it had done through the workhouse system. In this new relationship, the parental contribution filled two important purposes: it signalled that parental responsibility could not be entirely abdicated (unless one was very poor), and it functioned as an instrument of control, and to some degree punishment, of the families.

Parents' financial responsibility needed to be enforced, so that they did not take advantage of the system. Concern was expressed early on that poor parents would abuse the system by inducing their children to commit crimes and thus be sent to an institution where they would receive a better education and the parents would be relieved of the economic burden of the child.<sup>552</sup> A parental contribution, it was argued, would help to prevent such abuses.

The parental contribution also gave the State a foothold in the family life of the poor. It allowed them the possibility of examining the financial circumstances of the parents and to pass judgement on how they spent their money. In the early 1860s the collector of parental contributions in Dublin underlined the importance of investigating the family circumstances so that 'apparent poverty and distress evidenced by ragged clothes is not accompanied by an expenditure on intemperate habits.'<sup>553</sup> The State was thus able to extend its control over how these families spent their money. There was also a strong sense that parents needed to be punished

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<sup>551</sup> *First Report of the Inspector Appointed to Visit the Reformatory Schools of Ireland*, HC, 1862 [2949], p.6

<sup>552</sup> *Hansard's Parliamentary Debates*, 3<sup>rd</sup> series, vol 151, cc1999-2007, 1858

<sup>553</sup> *First Report of the Inspector Appointed to Visit the Reformatory Schools of Ireland*, HC, 1862 [2949], p.5



for their failure as guardians. They should not be able to waste their money ‘while the State is performing a duty which they have very seriously neglected.’<sup>554</sup> The parental contribution was also a means of improving the habits of the parents. Being forced to pay the contribution meant that parents were not able to squander their money on themselves.<sup>555</sup> Thus, the institutional system could reach both the child and the parents, and change both for the better.

The reformatory and industrial school system gave ample reason for intimate examination, and judgment, of the physical and moral circumstances of the families of committed children. Other than the initial committal procedure, the part of the system that afforded the most opportunity for investigation of the families was when families applied for the release of a child. The power to release children from their sentence rested with the Chief Secretary and any release had to be approved by him. The CSORP contain applications for the release of reformatory and industrial school children as well as all surviving documentation relating to the application. Before reaching a decision, the Chief Secretary’s office collected information on the case in question. The reformatory or industrial school concerned was expected to provide a report on the child and its family, and state whether or not they thought the child should be discharged. The process behind obtaining information about the children’s home environment also reveals how the lives and homes of the poor were increasingly monitored and judged by the twin powers of the State and the Catholic Church. Information on the family home was collected from the rate collector and the police, but also from the Catholic society, St Vincent de Paul, whose

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<sup>554</sup> Ibid.

<sup>555</sup> Ibid.

representatives filed reports on the financial activities of the children's relatives as well as the state of their homes.<sup>556</sup>

An examination of the CSORP files for the years 1882 and 1892 provide valuable insight into the perception of the children's families. The applications for release examined here were made either by the families or by the manager of the institution. It is striking that almost none of the applications made by family members were approved, whilst the vast majority of applications for discharge of a child made by a manager were approved. The word of the manager carried considerable weight and the Chief Secretary almost always followed the recommendation of the reformatory/industrial school manager. In the vast majority of parental applications, the manager opposed discharge. It is also worth noting that most of the approved applications, whether from family or school manager, concerned children emigrating or joining the military, that is children who were not returning to the environment from which they had come.

Thus, turning to how the families of the committed children were viewed, it is clear that the parents were widely seen as unsuitable guardians and in some cases as dangerous to the children's development into honest and moral individuals. The homes of the poor were seen to have the potential of leading the children down a path of criminality and immorality. IRIS Lentaigne described the parents of industrial school children as drunken and depraved characters from whom the children had acquired a 'perfect contempt for law and order'.<sup>557</sup>

The judgements passed on the poor were often harsh and in many of the examined CSORP cases, the unsuitability of a parent or relative appears to have stemmed directly from their living conditions. The state of the homes and neighbourhoods was

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<sup>556</sup> Report from Society of St Vincent de Paul, 28 October 1892, C-139-1892, CIF, NAI

<sup>557</sup> *Ninth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1871 [C.461], p.25

carefully reported on and seems to have formed the basis for denial of discharge applications. In 1882, EB applied to have her son, WB, released from the *Gibraltar* training ship. The manager of the *Gibraltar* recommended no discharge and reported to the Chief Secretary that EB's living conditions were unacceptable; the home was described as having only one room and one kitchen and this was not a suitable environment for a child. Furthermore, the employment opportunities for WB were scarce and EB would struggle to support him.<sup>558</sup> Thus, it seems as though EB's application was denied on grounds of poverty rather than on WB being in danger of criminal influences.

The distrust of the children's families led to institutions putting considerable effort into minimising the contact between parent and child. Parental access to committed children was not regulated in the reformatory and industrial school legislation, which made no mention of parents' right to see their children. In 1869 IRIS Lentaigne prepared rules and regulations for the industrial schools and these did mention parents' and relatives' right to visit the children. However, the regulations were written in such a way that the school manager could easily prevent such visits. Parents could only visit at 'convenient times, to be regulated by the Committee or Manager'.<sup>559</sup> The visiting 'privilege' could be lost if the parent was deemed to have interfered with the discipline of the school. Thus, the school manager had substantial power over the parent-child relationship, and was even allowed to read every letter to and from the children 'and withhold any that are objectionable'.<sup>560</sup> The term 'objectionable' was not defined leaving its definition entirely up to the manager.

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<sup>558</sup> Letter from Gibraltar Training Ship to the Office of the Inspector of Reformatory and Industrial Schools, 15 July 1882, B-66-1882, CIF, NAI

<sup>559</sup> *Ninth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1871 [C.461], Appendix III, p.82

<sup>560</sup> Ibid.

The institutions made it clear that they found contact between children and parents/relatives troublesome. The institutions did not trust the families and feared that maintaining contact could give them the opportunity to conspire to have the child released. Despite Lentaigne's rules giving managers the right to read children's letters, managers of girls' industrial schools still complained that inmates could send 'private communication' to parents complaining about the institution. The parent would then send a letter asking for the release of the child using 'a made up story, showing how much she needs the girl'.<sup>561</sup> If one girl succeeded with this, then all the girls would try it and this would be detrimental to the industrial school system. The implication that the parents would make up stories further indicates the distrust of the families. The governor of the Malone Reformatory told the Aberdare Commission that boys were sometimes encouraged to abscond by their parents.<sup>562</sup>

It would appear that school managers used their powers to minimise the contact between parent and child. The manager of St Patrick's industrial school for boys explained that children seldom saw their parents as the parents exerted a bad influence and it was more beneficial to keep the child isolated from them.<sup>563</sup> In some institutions parental visits were used as a reward for good behaviour. At Malone boys' reformatory, well-behaved boys could see their parents every two months. Some well-behaved boys were even allowed to leave the school to visit their parents, but the governor of Malone stated that this only applied to about twelve boys a year. At the time of the governor's statement, ninety-nine boys were detained there.<sup>564</sup>

Another strategy employed to sever the familial ties appears to have been to place the child in an institution far away from their homes. Discussing the industrial

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<sup>561</sup> Letter from industrial school to Office of the Inspector of Reformatory and Industrial Schools, 11 November 1892, B-109-1892, CRF, NAI

<sup>562</sup> 'Evidence of David Barclay', *Reformatories and Industrial Schools Commission*, p.477

<sup>563</sup> 'Evidence of Rev. J.P. Greene', *Ibid.*, p. 494

<sup>564</sup> 'Evidence of David Barclay', *Ibid.*, p.478

school system, Diarmaid Ferriter highlighted this as one the cruellest aspects of the institutional system.<sup>565</sup> Ferriter's discussion focuses on the twentieth century, but this strategy was already being employed in the nineteenth century. In the period September 1897-September 1899, 45% of children committed to industrial schools from Dublin were sent to institutions beyond Co. Dublin.<sup>566</sup> The CSORP files contain evidence of this practice: a letter from a mother writing to inquire about her son J who had been moved from Drogheda industrial school to Baltimore Fishery without her knowledge or consent. His mother described this as causing her 'great anxiety' as it is too far for her to visit and lately she has received no response to the letters with presents she had sent him.<sup>567</sup> As the majority of parents were poor, it was unlikely that they would be able to afford the expense involved in travelling to see their children. This strategy, in combination with the right to withhold letters, meant that in many cases the contact between parent and child was in all likelihood effectively severed.

The strategy of placing children in schools far away from their homes may also be one of the reasons behind the relatively low number of children absconding. In the period 1870 - 1913, the number of absconders from industrial schools never exceeded fourteen a year.<sup>568</sup> During the same period, the highest annual number of absconders from reformatories was sixteen in 1880.<sup>569</sup> The reason for the low numbers was probably a combination of the fact that the children found themselves

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<sup>565</sup> 'Report by Dr Diarmaid Ferriter, St Patrick's College, DCU', *Report of the Commission to Inquire into Child Abuse*, Vol.V, (Dublin, 2009), p.24

<sup>566</sup> Stephanie Hawkins, 'The 'Missing Link' in Ireland? Day Industrial Schools, circa 1880-1914', (Unpublished MA thesis, University of Warwick, 2012), p.66

<sup>567</sup> Letter from Elizabeth O'Connor to the Chief Secretary for Ireland, 21 June 1891, C-139-1892, CRF, NAI

<sup>568</sup> *Ninth [-Fifty-Second] Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland* It is also worth noting that the number of boys absconding was always higher than the number of girls. The highest number of girls absconding is found in 1882 when 3 girls escaped from industrial schools.

<sup>569</sup> Ibid. As in industrial schools, reformatory boys were more likely to abscond than the girls were.

in an unknown location where they knew no one outside the institution, the close control that the staff exercised, and the punishment for absconding.<sup>570</sup>

### Licensing Out

In addition to visiting the child or applying for its discharge, there was a third option for parents who wished to maintain contact with their child. This was the ‘licensing out’ and ‘lodging out’ schemes that allowed managers to send children to live outside the institution. Lodging out and licensing out is dealt with in two separate clauses in the Industrial Schools Act 1868 but seem to refer to basically the same practice. Clause 20 addressed lodging out stating that children, subject to approval by the school manager, could live with their parents or other respectable persons whilst being the financial responsibility of the industrial school.<sup>571</sup> Clause 21 on licensing out concerns the managers’ right to send a child that had been in the industrial school for eighteen months to live with respectable persons for three months.<sup>572</sup> Clause 21 does not specifically mention that children could be sent to live with their parents, but it does not explicitly ban it either. The Reformatory Schools Act does not mention children being licensed out to their parents, instead just stating that a child

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<sup>570</sup> Absconding was an offence and absconders could be brought before a court of summary jurisdiction. Absconders from reformatories could be sent to prison for a period of no longer than six months after which they would be returned to the reformatory to complete their full sentence. *Reformatory Schools (Ireland). A Bill to Promote and Regulate Reformatory Schools for Juvenile Offenders in Ireland*, p.4 The original Industrial Schools Act stated that absconders were to be brought back to their industrial school ‘there to be detained during a period equal to so much of his period of detention as remained unexpired at the time of his committing the offence.’ *Industrial Schools (Ireland). A Bill to Extend the Industrial Schools Act to Ireland*, pp.7-8. The Children Act 1908 allowed the possibility of sending absconding industrial school children to reformatories (if they were over 12 years old). The punishment for absconding from a reformatory consisted of being brought back to the reformatory and having the sentence increased by a period no longer than 6 months or – if over 16 – be sentenced to prison for no longer than 3 months. *Children Act 1908 (8 Edw.7 Chapter 67)*, pp.39-40

<sup>571</sup> *Industrial Schools (Ireland). A Bill to Extend the Industrial Schools Act to Ireland*, pp.5-6

<sup>572</sup> *Ibid.*, p.6 After the end of three months, the license could be renewed for a further three months. The extensions could continue until the child’s sentence had expired.

can be sent to live with a person willing to take charge of it for no longer than twelve months.<sup>573</sup>

The system of lodging/licensing out was believed to help the children prepare for their eventual discharge.<sup>574</sup> The IRIS was very much in favour of licensing out and stated in the early 1870s that this was a ‘power of which managers should, as far as possible, avail themselves.’<sup>575</sup> From the annual reports of the IRIS and the CSORP files it is clear that many parents did apply to license out their own children. As long as managers considered the parents’ character and home environment carefully the IRIS saw no reason not to use licensing out in cases where it was desirable to maintain parental contact and strengthen parental responsibility. There were cases in which licensing out to parents was not suitable. These were cases in which the home environment was considered harmful to the children’s characters but, as always, the definition of harmful is very vague and leaves much room for interpretation by managers.<sup>576</sup> Ultimately, the power to license out rested with the managers and they seem to have considered cases in which the maintenance of parental contact was desirable to be very few. The CSORP files reveal that the high number of licensing out applications by parents annoyed the managers. In the early 1890s IRIS Blennerhassett received complaints about the number of licensing applications and was asked to ensure that the Chief Secretary did something about the issue.<sup>577</sup> A letter from Baltimore Fishery School suggested to Blennerhassett that it would be

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<sup>573</sup> *Reformatory Schools (Ireland). A Bill to Promote and Regulate Reformatory Schools for Juvenile Offenders in Ireland*, p.6

<sup>574</sup> *Industrial Schools (Ireland). A Bill to Extend the Industrial Schools Act to Ireland*, p.6.  
*Reformatory schools (Ireland). A Bill to Amend the Law Relating to Reformatory Schools in Ireland*, p.10

<sup>575</sup> *Tenth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1872 [C.671], p.9

<sup>576</sup> *Thirty-Seventh Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1899 [C.9495], p. 11

<sup>577</sup> Letter from the Office of the Inspector of Reformatory and Industrial Schools to Sir Thomas Bradbury, 19 June 1891, Letter from Sir Thomas Bradbury to Office of the Inspector of Reformatory and Industrial Schools, 23 July 1891, C-139-1892, CIF, NAI

better if parents did not know that the power to license out rested with the managers.<sup>578</sup>

Despite the backing of the IRIS, licensing out was never widely used. In 1884, the Aberdare Commission stated that only 140 of 396 eligible reformatory children were out on license in Ireland, the corresponding number for industrial schools was 463 out of 3,965.<sup>579</sup> In the period 1869-1913 the proportion of licensed out children in industrial schools never exceeded 9 per cent, a figure that was reached in the late 1880s. From that point the numbers decreased steadily and in 1913 only 3 per cent of children were licensed out.<sup>580</sup> In the period 1872-1913, the figures for reformatories were similar, and the highest percentage was 12 per cent in 1872. The numbers declined and in 1913, only 3 per cent were licensed out from reformatories.<sup>581</sup>

The managers' reluctance to license out children probably stemmed not only from a distrust of the children's families but also from a general reluctance to relinquish control over the children to anyone outside the institution. The Aberdare Commission believed, as did IRIS Lentaigne, that the reluctance to license out was also related to financial considerations. Whilst in England the schools received a grant for each child licensed out, the Irish schools did not and had to pay the costs associated with licensing out, such as three sets of clothes for the child, themselves.<sup>582</sup>

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<sup>578</sup> Letter from Baltimore Fishery School to the Office of the Inspector of Reformatory and Industrial School, no date 1892, C-139-1892, CRF, NAI

<sup>579</sup> *Reformatories and Industrial Schools Commission*, p.lix

<sup>580</sup> *Eleventh [-Fifty-Second] Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*

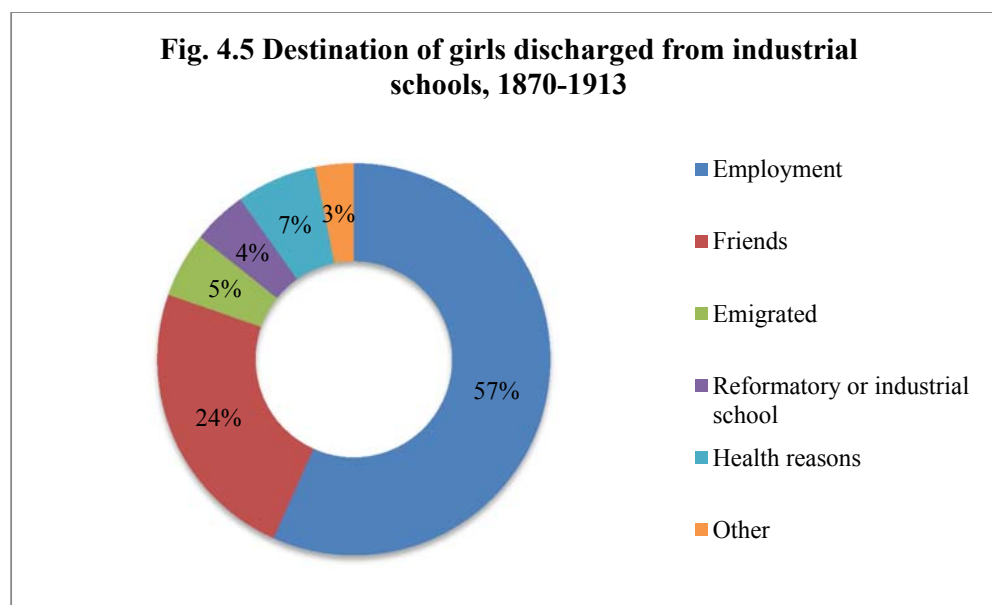
<sup>581</sup> *Ninth [-Fifty-Second] Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*

<sup>582</sup> 'Evidence of John Lentaigne', *Reformatories and Industrial Schools Commission*, p.512

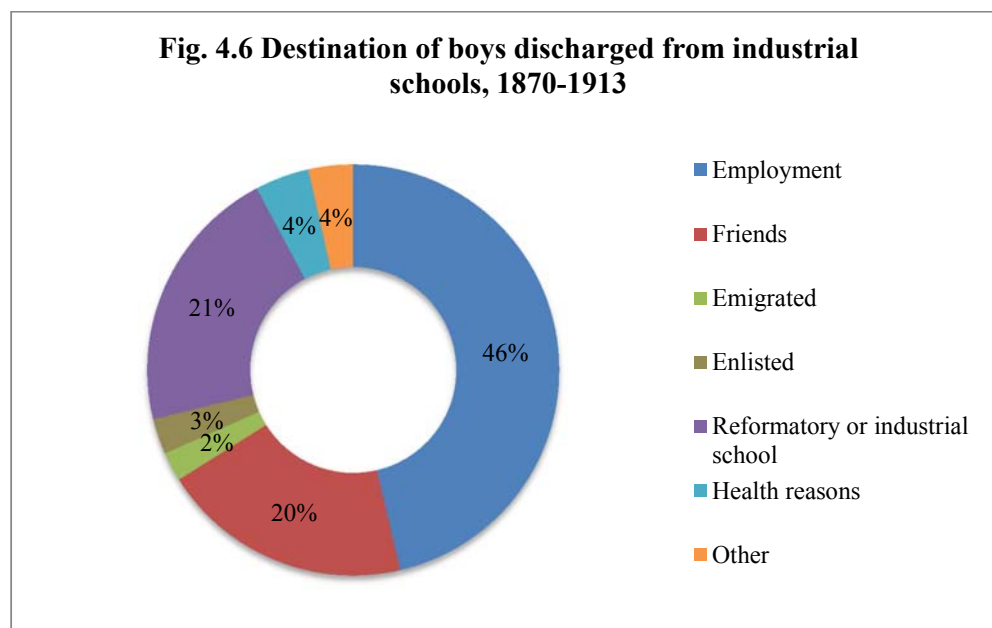


## Destination of Discharged Children

In light of the distrust of the children's families and home environments, it is interesting to note the destinations of children upon discharge from reformatories and industrial schools.



*Ninth [-Fifty-Second] Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*



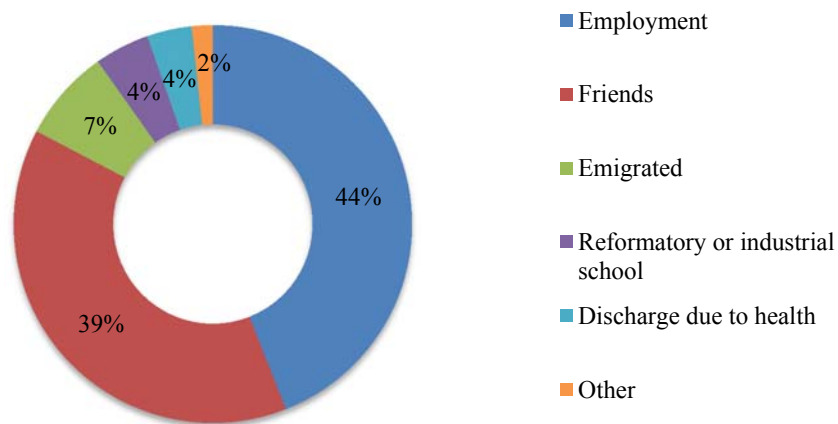
*Ninth [-Fifty-Second] Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*

Judging from the charts above, the industrial schools appear to have been relatively successful in ensuring that the children did not return to their old environment after discharge. The most common destination for both boys and girls was employment, with 'returned to friends' being a rather distant second. IRIS Fagan strongly discouraged the return of industrial school children to their families, arguing that the aim of industrial schools was to remove children from their harmful home environment. Sending them back home after discharge would negate the purpose of the schools and be a failure for the manager. Instead, managers should impress upon the family that it would be more beneficial to all involved if the child were placed in employment.<sup>583</sup> Of course, the fact that a child went into employment does not necessarily mean that all contact with their family was terminated but Fagan appears to place employment and return to family in direct opposition to each other, and these figures indicate that industrial school children were unlikely to return to their family homes after their period in the institution.

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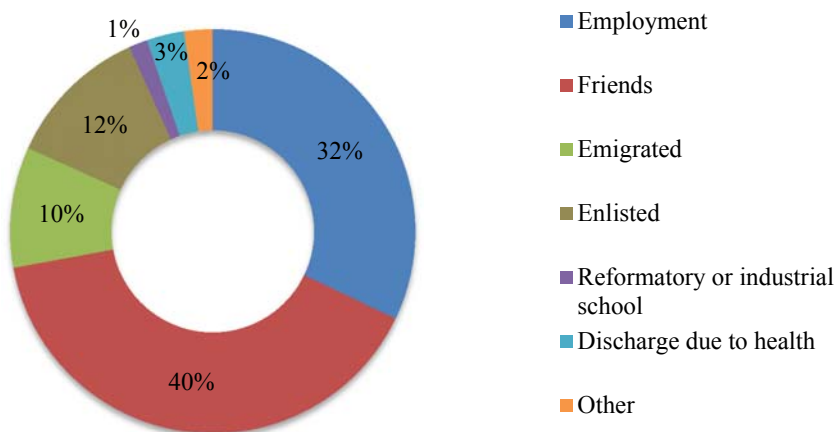
<sup>583</sup> *Thirty-Eight Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1900 [Cd.345], p.21 Fagan also pointed out that the Philanthropic Association of Dublin were happy to supply managers with reports on the children's home environment and based on these reports the managers could make an informed decision about allowing a child to be sent home after discharge. Two years later, the annual report of the IRIS stated that several managers had made use of the PAD's services, and that the PAD could also provide information concerning children's lives following discharge. *Fortieth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1902 [Cd. 1310], p.21

**Fig.4.7 Destination of girls discharged from reformatories, 1870-1913**



*Ninth [-Fifty-Second] Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*

**Fig.4.8 Destination of boys discharged from reformatories, 1870-1913**



*Ninth [-Fifty-Second] Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*

It is striking that a much higher proportion of reformatory school children returned to friends following discharge. For boys it was the most common destination when leaving a reformatory and for both boys and girls around 40 per cent returned home. This tendency was noted in the IRIS annual reports that

highlighted concern among reformatory managers that too many children returned to their families after they had served their time in the school. It is clear that the reformatory managers preferred children not to go back to their families. In 1866, the manager of Spark's Lake reformatory pointed to a difficulty with the parents of the girls. Namely, that they insisted on taking their children back after discharge and refused the reformatory's offer to have the child emigrated.<sup>584</sup> The IRIS shared the managers' views and in 1901 expressed relief that the number of reformatory children returning home upon discharge had decreased compared to the previous year.<sup>585</sup> It is difficult to determine why 'returned to friends' was a more common destination among reformatory school child than among industrial school children. It is possible that it was more difficult for reformatory children, who had after all been convicted of criminal offences, to find employment than it was for industrial schools children who were seen as victims of poverty rather than criminals.<sup>586</sup> This could also account for the higher percentage of reformatory children emigrating or enlisting. Furthermore, the IRIS encouraged emigration and enlisting. For boys, the army was seen as the best place for them and they were considered to do well there.<sup>587</sup>

In some cases, the reformatory managers took resolute action to emigrate children to avoid them returning to their families. In the annual report for 1888, the IRIS recounted with satisfaction how a reformatory girl about to be discharged was saved from the clutches of her sister who 'had an improper house in Dublin.'<sup>588</sup>

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<sup>584</sup> *Fifth Report of the Inspector Appointed to Visit the Reformatory Schools of Ireland*, HC, 1866 [3691], p.35

<sup>585</sup> *Fortieth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1902 [Cd. 1310], p.9

<sup>586</sup> 'Evidence of John Lentaigne', *Reformatories and Industrial Schools Commission*, p.521

<sup>587</sup> *Thirty-Eight Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1900 [Cd.345], p.8

<sup>588</sup> *Twenty-Seventh Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1889 [C.5858], p. 20

Having correctly anticipated that the girl's sister would come to pick her up on the day of discharge, the manager had applied to have the girl discharged early and paid for her passage to America.<sup>589</sup>

### Day Industrial Schools

At this stage it is worth considering a part of the Irish childcare system that has attracted relatively little attention from historians of Ireland – the day industrial schools (DIS). DIS were introduced in England 1876 in order to provide the children of the poor with industrial training, elementary education and one or more meals per day. The schools did not provide accommodation but rather children were expected to return to their family home at the end of the day.<sup>590</sup> There was also a campaign to introduce DIS in Ireland. In her MA thesis, Stephanie Hawkins, in the only in-depth examinations of DIS in Ireland, has pinpointed to the period of campaigning as 1880 – 1914.<sup>591</sup> Middle-class reformers, mainly the Philanthropic Reform Association (PRA) and the Statistical and Social Inquiry Society for Ireland, led the campaign. The DIS system was also supported by campaigns in the Irish newspapers<sup>592</sup> and by the IRIS.<sup>593</sup> Despite this support and the fact that the establishment of DIS was sanctioned by the Children Act, 1908, not a single DIS was ever founded in Ireland. The story behind the failure of the DIS system in Ireland further highlights the central position of the Catholic Church within the childcare system, its distrust of the families of the poor, and how this led to a childcare system dominated by

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<sup>589</sup> Ibid.

<sup>590</sup> Hawkins, 'The 'Missing Link' in Ireland?', p.10

<sup>591</sup> Ibid.

<sup>592</sup> *Forty-Eighth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland 1910* [Cd. 5318], p.23

<sup>593</sup> *Forty-Seventh Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1909 [Cd. 4852] - *Fifty-Second Report of the Chief Inspector Appointed to Visit the Reformatory and Industrial Schools Ireland*, HC, 1914 [Cd. 7554]

institutional care.

The support for DIS was based on developments within childcare towards the end of the nineteenth century. One such development was the finding by the Aberdare Commission of 1884 that the industrial school system was used improperly and committed children that were poor rather than in danger of becoming criminal. To supporters of DIS, these schools could be used to address the misappropriation of the industrial school system, as they were aimed at children who were poor but not criminal. This view was supported by IRIS Flinn who stated that DIS would be aimed at children of parents who needed to work during the day without worrying about their children's safety at home.<sup>594</sup>

The campaign for DIS was further spurred on by legislation that made schooling for Irish children compulsory. The Irish Education Act, 1892, stated that children aged 6-14 had to attend school at least 75 days per every six months.<sup>595</sup> The introduction of compulsory education created a new issue – truancy. This was an issue that DIS campaigners argued that day schools could alleviate by providing education for children unlikely to attend school. This strategy had worked in Britain where DIS had successfully addressed the issue of truancy and campaigners suggested it would be successful in Ireland too.<sup>596</sup> The notion that DIS would be of particular use to combat truancy was supported by IRIS Flinn who argued that the schools would be used especially for children whose parents did not take them to school and for children whose parents could not make them go to school.<sup>597</sup>

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<sup>594</sup> *Fiftieth Report of the Chief Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1912-13 [Cd. 6444], p.20

<sup>595</sup> Hawkins, 'The 'Missing Link' in Ireland?', p.67

<sup>596</sup> *Ibid.*, p.70

<sup>597</sup> *Fiftieth Report of the Chief Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1912-13 [Cd. 6444], p.20

Thus, day schools that would provide both education and food could step in where parents failed in the role as guardians. As IRIS Fagan stated, DIS would be of great use to ‘the large number of children who were in danger of becoming street Arabs owing to their parents being unable to exercise supervision over them.’<sup>598</sup> However, unlike the industrial school system, the DIS system placed great importance on the notion of parental responsibility and did not seek to sever familial ties. The DIS system was based on ideas of enforcing parental responsibility and reforming the child through the reform of the family home. According to IRIS Fagan one of the main advantages of DIS was that they did not sever the tie between parent and child ‘to anything like the same extent that the Residential Industrial Schools do.’<sup>599</sup> The parent and child would see each other every day and thus parental responsibility was not destroyed.<sup>600</sup> Furthermore, as the children returned home every evening the improving influence of the DIS would reach both parents and child. Children would be under the morally advantageous influence of the DIS during the day and when they returned home they were expected to spread that influence to their parents. With regards to the home, the reformed child tended to ‘raise the standard of comfort therein and to inculcate [sic] lessons of neatness and order.’<sup>601</sup> As Hawkins points out, the notion of reforming the parents through the child was in line with strategies used by the National Society for the Prevention of Cruelty to Children (NSPCC).<sup>602</sup>

On the issue of DIS the government came head to head with the Catholic Church and this was a battle that the government lost. The government favoured DIS

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<sup>598</sup> *Forty-Seventh Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1909 [Cd. 4852], p.20

<sup>599</sup> *Ibid.*

<sup>600</sup> *Ibid.*

<sup>601</sup> *Ibid.*

<sup>602</sup> Hawkins, ‘The ‘Missing Link’ in Ireland?’, p.55

as a cheaper alternative to the residential industrial schools, an opinion also expressed by the IRIS in 1910.<sup>603</sup> Throughout the period covered by this thesis, the IRIS continued to express support for DIS and to hope for the advancement of the DIS system in Ireland. But progress in this area was minimal and the process towards establishing DIS never really gained momentum.<sup>604</sup> This was largely due to the reluctance of the Catholic Church to accept DIS. In order for the system to work, the co-operation and support of Catholic Church was absolutely necessary. As all childcare provisions, DIS would need to be split along denominational lines and Catholic DIS needed to be approved by the Church. The system would also need to rely on the Catholic religious orders to manage the day schools like they did the reformatories and industrial schools.<sup>605</sup>

However, the Catholic Church was unwilling to do this. The Church's resistance was largely based on their opposition to a system that would not give the Church full control over the children.<sup>606</sup> As previously discussed the Church displayed extreme distrust of the families of the poor and Catholic institutions did their best to sever children's familial ties. Thus, the Church was not willing to accept a system in which children returned to their own homes in the evening and where the parents maintained a significant connection with and influence over their children. The DIS also threatened the Catholic Church's control over the residential industrial schools.<sup>607</sup> The establishment of DIS would presumably lead to a decrease in the number of children admitted to industrial schools. A decrease in the number of children committed would have a negative impact on the finances of the industrial

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<sup>603</sup> *Forty-Eighth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1910 [Cd. 5318], p.23

<sup>604</sup> *Forty-Seventh Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1909 [Cd. 4852] - *Fifty-Second Report of the Chief Inspector Appointed to Visit the Reformatory and Industrial Schools Ireland*, HC, 1914 [Cd. 7554]

<sup>605</sup> Hawkins, 'The 'Missing Link' in Ireland?', p.81

<sup>606</sup> *Ibid.*, p.101

<sup>607</sup> *Ibid.*



schools and the work of Catholic religious orders and congregations.

Hawkins also points to a more widespread apathy in Irish society towards DIS and the failure of campaigners to convince the Irish public of the benefits of DIS. The PRA, who continued to campaign for the introduction of DIS until the outbreak of war in 1914, never managed to raise public support on a scale substantial enough to challenge the institutional system.<sup>608</sup> Instead Irish society – much as it did in the case of boarding out – chose to go down the route of institutional childcare. Irish society, and the British government, was willing to accept a childcare system, dominated by the Catholic Church that isolated the children of the poor from their own families and from the rest of Irish society.

#### Relationships Between the State and the Catholic Industrial Schools

The DIS system was not the only instance where the State and the Catholic Church did not agree on how best to look after the children of the poor. This section will examine that relationship and will concentrate on the industrial schools as they vastly outnumbered the reformatories. The focus will be on the Catholic industrial schools as these institutions were most likely to come into conflict with the State over management. Indeed, Barnes referred to the early years of the industrial school system a ‘tussle for power’ between the IRIS and the managers.<sup>609</sup> The conflict centred on education, the increasing isolation of children in institutions and the reluctance of the Catholic orders and congregations to allow any outside influences.

As previously mentioned, Catholic institutions were gradually taken over by the religious orders and congregations, which appears to have led to increasingly

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<sup>608</sup> Ibid., pp.92-94

<sup>609</sup> Barnes, *Irish Industrial Schools*, p.54

closed-off institutions. As Barnes highlights, all industrial schools were originally managed by a committee. The name of the committee members had to be submitted to the Chief Secretary when applying for certification. In Protestant institutions these committees were maintained. But in the Catholic institutions the religious orders tended to take over management from the committee once the school had been established.<sup>610</sup>

In order to understand the conflict between the IRIS and the school management, one must briefly examine the power structure of the institutional system. The industrial schools system operated on a three-tier system. The highest authority was the Chief Secretary who was responsible for the certification and closure of schools, but he relied on the reports from the IRIS whose job it was to inspect the institutions and ensure that they were run in accordance with legislation. Finally, the school management was responsible for the day-to-day running of the school. This was a flawed system with a power balance skewed in favour of the school managers; they essentially had autonomy in areas such as hiring of staff, licensing/lodging out, and any other issue relating to the day-to-day running of the institutions.<sup>611</sup> They also had considerable autonomy over their financial outlays. In 1899, IRIS Fagan criticised the manner in which industrial school managers used the capitation grant, stating that many spent it on ‘foolish extravagance in matters in no way essential to the children’.<sup>612</sup> He argued that many schools spent money on acquiring land rather than improving the conditions of the schools. He called for a qualified accountant to audit the schools accounts and felt that the IRIS should be

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<sup>610</sup> Ibid., pp.55-56

<sup>611</sup> Ibid., p.54

<sup>612</sup> *Thirty-Eight Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1900 [Cd.345], p.13

consulted before any large outlays.<sup>613</sup> It would appear that the managers were less keen on this idea, two years later Fagan reported that only six out of seventy industrial schools had submitted accounts regularly audited by an accountant or auditor.<sup>614</sup> The IRIS and the Chief Secretary's only real power was the power to close schools. This authority was rarely used, presumably as it would have left the State with a large number of pauper children in need of new accommodation.

When discussing the clash between the IRIS and the industrial schools managers, it is also worth keeping in mind the differing aims of the two. The inspector answered to the State and aimed to uphold the letter and spirit of the laws regulating institutions. Even though the Catholic industrial schools had to be certified by the State, they perceived the Catholic Church as their ultimate authority.

In the early 1880s, the education of children in industrial schools was increasingly criticised. The criticism concerned two main aspects: the lack of inspections and the quality of the teachers. As the Aberdare Commission stated, only the mixed schools, where children from industrial schools were educated alongside children from the national schools, were subject to State examination and inspection. There was no State examination or inspection of schools solely connected to these institutions. Education was left entirely to the discretion of the managers and was only inspected by individuals from the respective religious bodies.<sup>615</sup> The Aberdare Commission recommended that, as the public paid for the maintenance of the children in institutions, there should be State examination and inspection of their education. However, this recommendation does not appear to have been followed up.

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<sup>613</sup> Ibid.

<sup>614</sup> *Fortieth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1902 [Cd.1310], p.15

<sup>615</sup> *Reformatories and Industrial Schools Commission*, pp.liii-lix

In the 1890s, the IRIS stated that there were still several industrial schools not being inspected by the National Board for Education.<sup>616</sup>

There was also a discussion about the qualification of the teachers, as many of the teachers in the institutional schools were not State-certified. IRIS Lentaigne, who expressed concern about the substandard training given to industrial school children, stated that the issue stemmed from this lack of skilled, certified teachers. In his opinion it was unfair that the industrial school children were excluded from the quality of teaching that all other Irish children were entitled to and he called for the State to provide financial support to the industrial schools so that they could hire qualified teachers.<sup>617</sup> However, many religious congregations appear to have wanted to retain their own teachers. They did not see the need to hire State-certified teaching staff or to have their own teachers certified. The Aberdare Commission investigated the possibility of demanding that the religious orders had their teachers properly certified. However, the religious orders did not appreciate the State interfering with how they ran their schools and in the end the Aberdare Commission gave in to their resistance. The Commission stated that ‘the teachers are members of these different religious orders, and might object to submit themselves to examination and to become regular certified teachers. We do not see that there would be any necessity for insisting on this condition.’<sup>618</sup> Thus, the State effectively left the education of industrial school children in the hands of the religious congregations. Furthermore, if members of the religious communities taught in industrial schools they were paid by the government, thus adding to the money the orders and congregations received.

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<sup>616</sup> *Thirtieth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1892 [C.6769], p.14

<sup>617</sup> *Twentieth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1882 [C.3372], p.24

<sup>618</sup> *Reformatories and Industrial Schools Commission*, p.lix

Another aspect of the industrial school system that drew some criticism from the IRIS was the isolation of children and the failure of the religious orders' to prepare them for life outside the institution. It is clear that many religious orders and congregations wished for full control of the children's movements and attempted to minimise their contact not just with their families but with the outside world in general. The wish for isolated institutions can be seen in the issue of mixed education. From the outset many of the female industrial schools had national schools on their premises and the girls from the industrial school mixed freely with the national schools pupils. The IRIS considered this a great advantage as it prevented 'the great defect of isolation peculiar to orphanages and similar institutions.'<sup>619</sup> However, it appears as though some managers did not agree as to the benefits of joint education. In 1870, the IRIS stated that at St Joseph's the girls had recently been withdrawn from the national school and 'placed in a separate room of the establishment'.<sup>620</sup> The IRIS was not pleased with this but could not stop it. In 1884 the Aberdare Commission stated that in 32 institutions (27 girls, 4 boys, 1 mixed) the inmates attended national schools.<sup>621</sup> But considering that the total number of industrial schools in 1884 was 63 this means that almost half of the schools rejected mixed education. Furthermore, it can be argued that many of the children in mixed education were still firmly under the control of the Catholic Church as mixed education was particularly common in institutions for Catholic girls, where the nuns managed both the residential institutions and the national school.<sup>622</sup> In such schools the religious orders and congregations would have been

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<sup>619</sup> *Ninth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1871 [C.461], p.26

<sup>620</sup> *Ibid.*, p.46

<sup>621</sup> *Reformatories and Industrial Schools Commission*, p.lix

<sup>622</sup> *Ibid.*, p.lviii

able to exercise significant control over both the children's education and their interactions with the children from outside the institution.

The religious congregations appear to have been exceedingly fearful of outside influences. Sir Patrick Keenan, the resident commissioner of the Board of National Education, told the Aberdare Commission that the religious orders wished to keep 'their' children separate from harmful external influences. He gave the example of the Poor Clares at Cavan who had withdrawn the children from mixed education as they were 'in danger of contamination by associating with ... the National School pupil.'<sup>623</sup> Whilst inside the institution the children were vigilantly supervised at all times by a member of the order. The Sisters of Mercy 'never leave the girls night or day; they sleep in their dormitories, and associated themselves with them in all their occupations.'<sup>624</sup> This total control was a far cry from the workhouse of ins-and-outs. In 1870 the IRIS remarked that at St Mary's 'latterly a lay sister sleeps in the dormitory with the girls, and is always with them so that they are no longer left to the care of paid servants at night'.<sup>625</sup> This statement indicates not only the wish for control over the children, but also a distrust of outsiders, even servants, and their influence over the children. It is worth noting that the same approach was employed in many of the Magdalen asylums managed by Catholic nuns. As in the industrial schools, inmates of Magdalene asylums were not trusted to be alone and were constantly under the nun's surveillance.<sup>626</sup>

The Catholic industrial school managers went to great lengths to keep the children isolated and in many institutions contact with the outside world was

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<sup>623</sup> 'Evidence of Sir Patrick Keenan', *Reformatories and Industrial Schools Commission*, p.561

<sup>624</sup> *Tenth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1872 [C.671], pp.40-41

<sup>625</sup> *Ninth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1871 [C.461], pp.55-56

<sup>626</sup> Maria Luddy, *Prostitution and Irish Society 1800-1940* (Cambridge, 2007), p.99

minimal. In 1897 IRIS Fagan sharply criticised the isolation of girls in Catholic industrial schools. He stated that 4,101 out of the 4,500 girls confined in industrial schools were under the care of Catholic religious congregations and they were brought up in a secluded, religious atmosphere. The girls' 'knowledge, and relationship with, life outside the convent walls is of the slenderest kind.'<sup>627</sup> The degree of isolation becomes evident when Fagan suggests that it would be beneficial if the girls were occasionally allowed to leave the institutions to visit the shops in the town or village, and/or take messages from the school to the outside world.<sup>628</sup> As the girls were not accustomed to handling money, Fagan recommended that the managers also set up fake shops inside the institutions where the girls could practice purchasing and keeping a record of their outgoings.<sup>629</sup> As a result of their isolated upbringing, the girls left the institutions utterly unprepared for life outside; they were as Fagan observed, 'simple, well-meaning, pious fools'.<sup>630</sup> This left the girls who were unable to find good employment in a precarious situation. Fagan stated that a return to their own family was a bad option, and as a result many girls fell into prostitution.<sup>631</sup> In order to prepare the girls for life after the industrial school, Fagan insisted that they should be brought into contact 'with the world and its ways'.<sup>632</sup> However, as previously mentioned, the IRIS had no real influence over how the schools were run and could only state his opinion. In the following annual reports there is little indication that Fagan's recommendations were followed. In the annual report for 1898, Fagan does state that some managers have implemented some of his suggestions as regards to setting up shops within the institutions but he does not

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<sup>627</sup> *Thirty-Sixth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1898 [C.9042], p.23

<sup>628</sup> *Ibid.*, pp.23-24

<sup>629</sup> *Ibid.*, p.24

<sup>630</sup> *Ibid.*, p.23

<sup>631</sup> *Ibid.*

<sup>632</sup> *Ibid.*

specifically mention that the girls are brought into more contact with the outside world.<sup>633</sup> This further highlights the flawed system that left the inspector unable to really influence how the Catholic orders and congregations managed their institutions.

It should also be noted that, unlike in the case of the workhouse child, there appears to have been no great public campaign in the nineteenth and early twentieth century for the reformatory and industrial school children. The Irish public seems to have been content in the belief that the institutions provided the children of the poor with the best possible childhood for them. The Irish public's willingness to support an institutional system, coupled with the State's and the IRIS' inability to control the day-to-day management of reformatories and industrial schools meant that the Catholic Church were given almost free rein in the upbringing of the children of the poor confined in their institutions.

It is also worth noting that the religious congregations wished to extend their influence over the children beyond their time in the industrial schools. O'Sullivan has shown that in the twentieth century the Catholic Church aimed to control children through the use of a network of Catholic institutions. The development of a network that exercised control over the children throughout the lives can be seen when looking at the industrial schools. Many industrial schools, and reformatories, shared their premises with a Magdalen laundry and children often went from one institution to another.<sup>634</sup> In 1871 it was noted that the Lady of Mercy Industrial School had opened an asylum where girls whose period of detention had come to an

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<sup>633</sup> *Thirty-Seventh Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1899 [C.9495], p.16

<sup>634</sup> Raftery and O'Sullivan, *Suffer the Little Children*, p.18



end could live until suitable employment was found for them.<sup>635</sup> There are other indications that the girls remained under supervision once they had left the reformatories. In 1884, IRIS Lentaigue expressed his belief that the reason for the low re-committal rates among reformatory girls was ‘the careful supervision exercised over the conduct of the girls discharged from the schools.’<sup>636</sup> With the introduction of the Youthful Offenders Act in 1902, the legal right of managers was further extended and industrial school children were to remain under their supervision until the age of 18.<sup>637</sup> The rights of managers were also upheld by the Children Act 1908, which will be discussed in more detail in chapter five, which stated that reformatory children were to remain under the supervision of the managers until the age of nineteen, whilst for industrial school children the age was eighteen.<sup>638</sup>

## Conclusion

This chapter has demonstrated how the reformatory and industrial school system was introduced in order to correct the flaws of the workhouse system, in particular the workhouse system’s lack of control over poor children’s movements. To the supporters of reformatories and industrial schools such a system offered the chance to exercise more control over the children’s movements in order to protect them from the dangers of both the workhouse and their own homes. The institutional system

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<sup>635</sup> *Ninth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1871 [C.461], Appendix I, p.49

<sup>636</sup> *Reformatories and Industrial Schools Commission*, p.liii

<sup>637</sup> *Fortieth Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1902 [Cd. 1310], p.6

<sup>638</sup> *Children. A Bill to Consolidate and Amend the Law Relating to the Protection of Children and Young Persons, Reformatory and Industrial Schools, and Juvenile Offenders, and Otherwise to Amend the Law with Respect to Children and Young Persons*, HC, 1908 (69), p.32

also gave the State and the school managers a significant degree of control over the private lives of the poor and allowed for influence over several aspects of family life, from the family finances to the relationship between parent and child.

Whilst the reformatories and industrial schools were introduced and ultimately controlled by the State, the Catholic Church came to completely dominate and manage the system. The religious orders and congregations were considered both able and willing to manage children in an organised and efficient manner and the State appear to have been quite willing to allow them both to set up new schools and take over already existing schools. However, the system regulating reformatories and industrial schools was deeply flawed. One of the main flaws was the capitation grant that gave the school managers a powerful incentive to admit high number of children and contributed to the high number of institutionalised children in Ireland. Despite having made some attempts at limiting the growth of the industrial schools system, the State appears to have been unable to stop the system expanding significantly.

The system also gave too much control and power to the managers of reformatory and industrial schools. Whilst the State was certainly willing to allow the Catholic orders to manage these institutions, there were a series of clashes between the State, mainly in the form of its representative, the inspector of reformatory and industrial schools, and the school managers. But the structure of the institutional system meant that the State and its inspector were ultimately powerless to really influence and alter the management of reformatory and industrial schools. Instead, the outcome of these clashes seems to demonstrate the power of the Catholic Church within the area of childcare. This power is clearly seen in the issue of DIS in Ireland. The State and the IRIS supported such schools, were more open to

maintaining children in their home environment and emphasised the importance of the connection between the child and the family. However, the Catholic Church was set against it; without its support the DIS system never gained momentum in Ireland and the institutional industrial schools continued to dominate the childcare landscape. The Catholic Church also appears to have managed to outmanoeuvre the IRIS on issues concerning the education of industrial school children where they resisted the suggestion to have State-certified teachers instead of teachers trained by the religious order and congregations. Many schools also remained outside the remit of inspection by the National Board of Education. Likewise, IRIS Fagan's calls for a less isolated existence for girls in industrial schools appear to have had little effect, and, by the early twentieth century, the Catholic Church, through its network of industrial schools, dominated the Irish childcare system.

## Chapter 5: Legislation and its Changing Context: circa 1870-1913

The role of legislation in defining the idea of the child, childhood and, thus, society's attitudes towards the child cannot be underestimated. Legislation simultaneously expressed and shaped attitudes to children. Discussing the English context, Hendrick has pointed to the late nineteenth century and the early twentieth century as a period during which the concept of childhood and the attitude towards children underwent significant change. Whilst the meaning of childhood was ambiguous in 1800, by 1900 this was no longer the case and the concept of childhood was clearly defined.<sup>639</sup> Legislation contributed greatly to the definition of children as different from adults and established special provisions for children. By the early twentieth century, children were defined in law as needing and deserving a certain level of protection from physical and moral injury.

This final chapter will focus on legislative developments relating to children in the period following the introduction of industrial and reformatory schools to 1913. This was a period of intense legislation by the British government in the area of child welfare and protection. Between 1889 and 1910 the British government passed as many as fifty-two acts concerning child welfare.<sup>640</sup>

Three of the most significant legal developments in this period – the Infant Life Protection Act 1872 (ILP Act), the Prevention of Cruelty to Children Act 1889 (the so-called Cruelty Act), and the Children Act 1908 will be explored here. It will also examine the evidence given to the Street Trading Committee 1902, resulting in the Employment Act 1903. Through an examination of these three acts, and the Street Trading Committee, contemporary attitudes to the children of the poor and

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<sup>639</sup> Harry Hendrick, *Child Welfare in England, 1872-1989*, (London, New York 1994) p.37

<sup>640</sup> Sarah-Anne Buckley, *The Cruelty Man, Child Welfare, the NSPCC and the State in Ireland, 1889-1956* (Manchester, 2013), p.21

their families are revealed. The chapter will show that the legislative developments were aimed particularly at the poor and when used they were used mainly against the poor. The chapter will pay special attention to how the expanding legal protection of children represents an increasing interest in, and control over, the life of the working-class family by the State. Much of the legislation was focused on producing healthy and morally sound children who would grow into useful adult citizens. In order to achieve this the State found it necessary to increase its involvement in the upbringing of children. As the children of the poor were considered the most at risk of physical and moral injury from their home environment, much of the legislation relating to the welfare of children aimed to achieve a higher degree of control and access to working-class family life and increased the ability of the State to intervene in how children were raised and treated.

The reception and enforcement of these legislative developments in Ireland will also be analysed. It will be argued that there are clear indications that the social and religious status of the individual/organisation accused of breaching the new legislation affected the authorities' willingness to enforce the legislation. This tendency will be highlighted in cases involving Protestants accused of breaching child welfare legislation.

In light of the high institutionalisation of children in Ireland, the Irish response to the Children Act in particular will be analysed with reference to its impact on industrial schools. The Irish response to and enforcement of the Children Act has been somewhat overlooked by historians and an examination of the act in Ireland reveals much about attitudes to institutionalisation and the position of the Catholic Church. Especially noteworthy is the fact that the Children Act made a clear distinction between Ireland and the rest of the United Kingdom regarding industrial

schools. As discussed in the previous chapter, Irish industrial schools grew in strength throughout the late nineteenth and early twentieth centuries and continued to dominate the landscape of Irish childcare for much of the twentieth century. The development in twentieth-century Britain was the opposite with the British government turning away from institutional care of children.<sup>641</sup> The extensive institutionalisation of the children of the poor in Ireland was enabled by the Children Act 1908 that granted Ireland special provision with regards to industrial schools and confirmed the special position of industrial schools in Irish childcare. This chapter will further show that it was the Catholic Church that instigated the special provisions regarding Irish industrial schools; thus the position of the Catholic Church in matters of childcare was so remarkably strong that it was able to influence the legislation relating to it.

It should be noted that it is not always easy to determine how these laws were received in Ireland. As pointed out by Luddy, Irish MPs were not particularly active in the area of child welfare legislation.<sup>642</sup> Therefore, the main source used to gain an insight into the Irish attitude and responses to the new legislation will be newspaper accounts.

## ILP Act

The first major piece of legislation of interest here is the ILP Act, first passed in 1872, amended in 1897 and then included in the Children Act, 1908. The ILP Act represents an early attempt to address the issue of children not provided for by

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<sup>641</sup> Mary Raftery and Eoin O'Sullivan, *Suffer the Little Children* (Dublin, 1999) p.17

<sup>642</sup> Maria Luddy, 'The early years of the NSPCC', *Eire-Ireland*, 44 (Spring/Summer 2009), p.65

existing State provisions. It is also an example of how the State and voluntary agencies gained increasing access to the lives of the poor.

The ILP Act regulated so-called nursing out, the practice of parents, who were unable to look after their children, paying working-class women to look after them. The act legislated that nurses had to be licensed in order to be allowed to receive children in their homes, and they had to notify the local authorities of any children under the age of 1, later raised to 7, nursed out in their homes. It also allowed for inspectors appointed by the local authorities to inspect the homes of nurses. Infant life protection legislation suffered from loopholes, the most notable being the 1872 and 1897 acts under which only homes with more than one child could be inspected.

The ILP Act 1872 was passed following a campaign by the NSPCC. The Act was the result of a growing concern with baby-farming in England in particular, but the ILP Act did apply to Ireland as well. Baby-farming as a term appeared in Britain from 1867 and was used to describe nurses who took in more than one child and severely neglected them, often resulting in the death of the child.<sup>643</sup> Baby-farming was not a term that the nurses themselves would have used, rather the term was intended to be derogatory. In a series of articles in the *British Medical Journal* by its editor Ernest Hart, he claimed that ‘many baby-farmers committed serial infanticide.’<sup>644</sup> Hart’s articles conjured up the image of a sinister network of working-class nurses who disposed of innocent infants and contributed to an increased concern about the situation of poor infants. A number of high profile ‘baby-farming’ cases further added to the sense of danger. The case that had attracted most attention was perhaps that of sisters Margaret Waters and Sarah Ellis in whose

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<sup>643</sup> Sarah-Anne Buckley, ‘Found in a “dying” condition’: nurse-children in Ireland, 1872-1952’, in Elaine Farrell (ed.), *‘She said she was in the family way’*. *Pregnancy and Infancy in Modern Ireland* (London, 2012), p.147

<sup>644</sup> *Ibid.*, p.148

home ten babies were found. The babies were in a horrific condition: dirty, emaciated, and drugged with laudanum in order to keep them quiet. Five of the ten children died and the case ended with the execution of Waters. The case caused public uproar and led to the foundation of the Infant Life Protection Society in the summer of 1870.<sup>645</sup> It is of course impossible to know how common baby-farming was, in England or in Ireland, but it is certain that there was widespread concern about infant lives at this time.

#### The ILP Act and Attitudes to Poverty

The ILP Act reveals much about contemporary attitudes towards class and the family unit. As Buckley has pointed out, the two ILP Acts demonstrate that there was a perceived connection between class and moral character. Through the exemptions made in legislation such as the ILP Act, the law contributed to the view of the homes of the poor as potentially dangerous to children. The exemptions made in the acts demonstrate a belief that certain caregivers were less likely to mistreat children than others. In the Irish context it is especially interesting to note that the ILP Act exempted a number of institutions from inspections, such as caregivers under poor relief acts, hospitals, convalescent homes, and institutions established ‘for the protection and care of infants conducted in good faith for religious and charitable purposes.’<sup>646</sup> Of course, the industrial schools were inspected under the Industrial Schools Act but it is worth noting that the legislators appear to have felt that there was no need to include such institutions in the ILP Acts. The most notable and

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<sup>645</sup> Ivy Pinchbeck and Margaret Hewitt, *Children in English Society, Vol. II From Enlightenment to the Children Act 1948* (London, 1973), pp. 614-617

<sup>646</sup> *Infant Life Protection. [H.L.] A Bill Intituled an Act to Amend the Law for the Better Protection of Infant Life*, 1897 (273), p.5



debated exemption was the nurse who took in only one child. The fact that only nurses who took in more than one child were required to register shows that the legislators did not consider those who took in only one child to be a potential danger to the child. Nurses with only one child were believed to be unlikely to mistreat the child, presumably this belief stemmed from a notion that a nurse who only took in one child did not do so for monetary gain. Thus, the ILP Acts were guided by a belief that women who supported themselves through nursing – that is, women more likely to belong to the poorer classes – were more likely to abuse and/or neglect children. Their poverty determined their moral character and their behaviour.

The director of the NSPCC, Robert Parr, spoke of this idea stating that he was ‘quite aware of the argument that one child may be taken for love; but two or more must be taken for trade.’<sup>647</sup> Parr himself did not subscribe to this belief but had found that children in one-child homes were as likely to be ill treated and neglected as other nurse children. The one-child home exemption did attract a great deal of attention and debate. In 1908 a Select Committee finally recommended the extension of the ILP Act to one-child homes but did point out that several witnesses had expressed concern that such an extension would reduce the number of homes willing to take in children and place the parents of such children in a very difficult situation. It therefore also recommended that the local authority should have the right to exempt homes they considered exemplary from inspection.<sup>648</sup>

The one-child exemption was also criticised in Ireland. Following the 1897 ILP Act, a letter to the *Irish Examiner* that appears to be from a representative of the NSPCC, called the ILP Act ‘most inadequate’ and strongly criticised the

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<sup>647</sup> ‘Evidence of Robert Parr’, *Report from the Select Committee on Infant Life Protection. Together with the Proceedings of the Committee, Minutes of Evidence, and Appendix*, HC, 1908 (99), p.14

<sup>648</sup> *Ibid.*, p.iii

exemption.<sup>649</sup> According to the writer, 75 per cent of the ill-treatment cases dealt with by the Society concerned one-child homes.<sup>650</sup> A 1902 report from the Bray Borough Court and Petty Sessions shows that the Irish courts were aware of attempts to evade the ILP Act through the one-child loophole. In December 1902 Mary Croker was charged with having kept two infants in her home without being licensed and with having kept more than one child without registration. During the trial, her daughter claimed that ‘some of the children had been left in her charge, and that the act did not apply.’<sup>651</sup> This attempt to evade the ILP Act was unsuccessful, but the case demonstrates that some Irish nurses were aware of the loophole and attempted to exploit it. The one-child exemption was discussed again in the 1908 Select Committee and ILP inspectors, the NSPCC, as well as the Irish witnesses favoured an extension. They argued that not only were one-child homes just as likely to be abusive as other homes, but only those who had something to hide would object to inspection. In the Children Act 1908, the one-child exemption was removed and the age of children covered by the law was raised to seven, indicating a belief that children up to this age were vulnerable.

#### The ILP Act and Ireland

In Ireland, there appears to have been a reluctance to use the ILP Act to prosecute nurses. The first case prosecuted under the ILP Act did not occur until 1894, more than twenty years after the act was first passed, and on that occasion, the *Irish Times* stated that up until then the act had remained a ‘dead letter’.<sup>652</sup> There are indications

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<sup>649</sup> *Irish Examiner*, 1 January 1898

<sup>650</sup> *Ibid.*

<sup>651</sup> *Freeman's Journal*, 8 December 1902

<sup>652</sup> *Irish Times*, 21 September 1894

that the local authorities had been reluctant to enforce the ILP Act. In connection with the first ILP case prosecuted, the *Freeman's Journal* called for the Dublin Corporation 'to wake up' and exercise its legal powers in relation to nursed out children.<sup>653</sup> The first case prosecuted under the ILP Act was that of Mrs Coffey in whose care at least thirteen children had died. The *Freeman's Journal* claimed that Mrs Coffey had openly taken in infants without registering for at least seven years and that the authorities had failed in their duty to stop her. In the end, it was the NSPCC that forced this duty on the authorities.<sup>654</sup>

There are several factors that might explain the apparently sparing use of the ILP Act in Ireland. The first versions of the ILP Act were not really applicable to the Irish context, as large-scale baby-farming/nursing out was not as common in Ireland as it was in England. It seems likely that most Irish nurses only took in one or two children.<sup>655</sup> Buckley suggests that this was due to the lack of urbanisation and the high level of institutionalisation of Irish children.<sup>656</sup> Furthermore, the Irish population was considerably smaller than the English and it was only natural for nursing out to be conducted on a smaller scale. The evidence of Miss FitzGerald Kenney, inspector of boarded-out children, supports this theory; she told the Select Committee that infant life protection was not a prominent question in Ireland as 'we do not have very many of these children in the first place.'<sup>657</sup> It should be noted that the Irish context does not seem to have been considered by the British legislators. In 1871, the Protection of Infant Life Select Committee heard no Irish witnesses. Later ILP legislation does not seem to have taken much more account of the Irish context,

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<sup>653</sup> *Freeman's Journal*, 21 September 1894

<sup>654</sup> Ibid.

<sup>655</sup> Buckley, 'Found in a "dying" condition', p.148

<sup>656</sup> Ibid., pp.148-149

<sup>657</sup> 'Evidence of Miss FitzGerald Kenney', *Report from the Select Committee on Infant Life Protection*, 1908, p.57

and at the 1908 Select Committee on amending the ILP Act, Miss FitzGerald Kenney was the only Irish witness.

The lack of prosecution under the ILP Act might also have been connected to an Irish belief that the act was unnecessary; Irish nurses did not neglect or mistreat children. In 1874, the *Irish Times* wrote that ‘In this country, happily, we have no need for a law to protect infant lives. The foster-mother loves the nurse-child fully as tenderly as she loves her own, and the woman who treated a nurse-child unfairly would suffer at the hands of her own sex penalties more severe than the law could convict.’<sup>658</sup> Some also used the ILP Act to point out the moral superiority of the Irish over the English. The *Nation* claimed that baby-farming had become a ‘regular British institution’ and it could ‘hardly think there is another country in the world besides England in which such a Bill would be necessary.’<sup>659</sup>

However, when looking at the reports of baby-farming and ill-treatment of nurse children in Irish newspapers during the second half of the nineteenth century, it appears as though it was well known that Irish nurses frequently abused such children. Buckley claims that during the period 1872-1952, the Irish press was very reluctant to use the term ‘baby-farming’ in an Irish context and that this was connected the Irish reluctance to confront the issue of child abuse.<sup>660</sup> However, cases described as baby-farming did appear fairly regularly in Irish newspapers during the second half of the nineteenth century so the notion that the Irish print media, and thus the Irish reading public, chose to overlook ill-treatment of nurse children does not appear to hold up. As early as 1868, a case of suspected baby-farming came before the Limerick Board of Guardians. The board discussed the application by a woman, Anne Gleeson, for admission to the workhouse of an infant. Gleeson claimed that the

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<sup>658</sup> *Irish Times*, 21 December 1874, quoted in Buckley, ‘Found in a “dying” condition’, p.151

<sup>659</sup> *Nation*, 9 March 1872

<sup>660</sup> Buckley, ‘Found in “a dying condition’, p.148

child's mother had paid her 3s to look after the child for a few days. The mother had not returned and Gleeson wanted the child admitted to the workhouse. The guardians did not believe Gleeson's story and 'warned her against trying any little baby-farming game in Limerick.'<sup>661</sup> One of the guardians mentioned that there had been similar cases in previous years.<sup>662</sup> An 1883 case indicates that the situation for Irish nurse children could be precarious and that baby-farming on a larger scale did occur. In July 1883, the *Belfast Newsletter* reported on a case of 'baby-farming in Ireland', which, it claimed, had caused a great sensation. On a summer's night, a Limerick night watchman observed the bodies of several infants lying in a pool of water. Following a search, four infants and portions of bodies of at least two other children, all in a state of advanced decomposition, were found. At the inquest a doctor stated that three fully developed child bodies and parts from several other children's bodies were found in the pool. The inquest returned an open verdict. It was impossible to determine how the remains had ended up in the pool but the newspaper stated that it was 'believed that they were brought from some baby farming institution.'<sup>663</sup> It has not been possible to find any more information on this case but it does at least show that the Irish newspapers did use the term 'baby-farming' in an Irish context and reported on such cases. It is also worth noting that in 1893, the year prior to the first conviction under the ILP Act, the *Freeman's Journal* used the headline 'baby-farming' to describe a case involving a 3-month-old boy who had been removed from his nurse and subsequently died. The newspaper made no mention of any other children involved which indicates that the label 'baby-farming' could be used even if the nursing out was not conducted on a larger scale.

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<sup>661</sup> *Cork Examiner*, 26 June 1868

<sup>662</sup> *Ibid.*

<sup>663</sup> *Belfast Newsletter*, 23 July 1883

By the late nineteenth and early twentieth century the newspapers reported regularly on prosecutions brought under the ILP Act and devoted considerable attention to the more sensational cases. The *Freeman's Journal* appealed to the public to watch out for baby-farmers and to help the infants, as there was 'no class in the country that so imperatively demands public protection as infants who are put out to livery in this fashion.'<sup>664</sup> The *Freeman's Journal* saw these children as being in grave danger. The danger came from the nurses as well as from their own parents who gave them to nurses with the tacit understanding that the children might not survive.<sup>665</sup> It is worth noting that the situation of one group of nurse children was particularly precarious, the Irish attitude towards illegitimacy led to illegitimate children being particularly vulnerable. The Catholic Church strongly condemned illegitimacy and this attitude prevailed throughout Irish society. Speaking to the Select Committee on Infant Life Protection in 1908, Miss FitzGerald Kenney, inspector of boarded-out workhouse children, highlighted the stigma attached to illegitimate children in Ireland. She spoke of the 'intense repugnance to children of unmarried parents.'<sup>666</sup> She also recounted cases where women who had taken in illegitimate children had been forced to give them up due to the intense aversion to the child expressed by their neighbours.<sup>667</sup> This meant that it was very difficult to find reliable nurses/foster parents for illegitimate children. According to FitzGerald Kenney some foster parents even questioned the point of illegitimate children surviving and felt that it would be better for them to die.<sup>668</sup>

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<sup>664</sup> *Freeman's Journal*, 21 September 1894

<sup>665</sup> Ibid.

<sup>666</sup> 'Evidence of Miss FitzGerald Kenney', *Report from the Select Committee on Infant Life Protection*, 1908, p.56

<sup>667</sup> Ibid.

<sup>668</sup> Ibid.,p.57

## Enforcing the ILP Act in Ireland: The Tennant Case

Thus, judging from the evidence found in Irish newspapers, it would appear that the fact that children in the care of Irish nurses risked neglect and ill-treatment was well known to the reading public. However, despite being aware that such abuse took place, the ILP Act appears to have been used sparingly. In order to further understand why this was, a case study of the so-called Tennant case will be conducted.

The Tennant case involved the aforementioned Cottage Home for Little Children and a nurse named Sarah Tennant. During the autumn of 1905, three children, two boarded out from the Cottage Home, in the care of Mrs Tennant died. Tennant was charged with causing their deaths through ill-treatment and with breaching the ILP Act as she was not registered as a nurse.

The Tennant case illustrates that there were a number of difficulties connected with the enforcement of the ILP Act. One of these difficulties was that the majority of the workload in connection with enforcing the ILP Act fell on one person – the ILP inspector. The ILP Act gave the local boards of guardians the right to appoint inspectors whose job it was to inspect the homes of nurses. In the Tennant case, it was inspector Lucy Griffins, appointed by the Rathdown Board of Guardians, who was responsible for enforcing the act. Miss Griffins' actions attracted much attention and it is clear that the guardians and their inspector had rather different views on how the inspector should carry out her job. Griffins was criticised for not performing her duties as an inspector. One Rathdown guardian accused Griffins of not having performed her duties properly and claimed that there were several unregistered

children nursed out in Kingstown.<sup>669</sup> The *Bray and Herald* supported this assertion and asked if Griffins ‘simply by cycling through a district and making an enquiry here and there [could] render a complete compliance with the Act.’<sup>670</sup> In response to this criticism Griffins argued that the population of Kingstown was too large for her to be able to inspect every home looking for nurses violating the ILP Act.<sup>671</sup> So, not only does there appear to have been a disagreement over what the exact role of the ILP inspector should be, it also seems that the inspector in this case felt that it was not possible for her to properly inspect all homes. Thus, one plausible reason for the lack of enforcement of the ILP Act in Ireland was that the burden to enforce it fell to a lone inspector; the workload was too great and some illegal nurses were never discovered and inspected.

Some guardians were happy to place the blame for the lack of enforcement on their inspector but it appears as though the board itself was somewhat lax in their duties relating to the ILP Act. They were reluctant to spend money on enforcing the ILP Act and Griffins lacked the financial support needed to carry out her duties properly. When Griffins applied to the guardians for monetary compensation for the work she had carried out in connection with the Tennant case a dispute broke out. The ILP Act stated that ‘all expenses incurred by or on behalf of the guardians in connection with the execution of the Act are to be defrayed out of the fund applicable to the general expenses of the union.’<sup>672</sup> The Rathdown Board of Guardians refused to pay Griffins’ the sum she applied for and felt that she was ‘rather too fond of prosecutions, and did not think of the ratepayers when she was

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<sup>669</sup> *District Press*, 23 September 1905, Newspaper Scrapbook, CH

<sup>670</sup> *Bray and South Herald*, 23 September 1905, Newspaper Scrapbook, CH

<sup>671</sup> *District Press*, 23 September 1905, Newspaper Scrapbook, CH

<sup>672</sup> *Annual Report of the Local Government Board for Ireland, for the year ended 31st March, 1907, being the Thirty-fifth Report under the Local Government Board (Ireland) Act, 1872,* "35 & 36 Vic., c. 69, Appendix B, HC, 1907 [Cd. 3682], p.92



incurring this expense.<sup>673</sup> After a heated dispute it appears that the board of guardians did offer Griffins some compensation.<sup>674</sup> In addition to the financial question, there was also a feeling that the guardians did not take the ILP Act seriously and had been lax in their duty in informing the public of its provisions. The Cottage Home committee felt that the guardians had ignored the ILP Act and ‘taken no trouble to make the Infant life Protection Act known.’<sup>675</sup>

Finally, it is worth noting that following the Tennant case, Griffins appears to have become somewhat disillusioned with the ILP Act, her chances of enforcing it, and its ability to prevent ill-treatment of children. Tennant was only fined a small sum for not being registered and was acquitted of all charges of having caused the children’s death. Griffins felt that this was far too lenient and that the ILP Act was incapable of preventing baby-farming. Instead, she argued that the lenient sentence was ‘a direct encouragement to baby-farmers to defy the law.’<sup>676</sup> She suggested that the guardians write to the Lord Lieutenant explaining the impossibility of working the ILP Act if ‘the law is not strictly administered by the imposition of proper fines.’<sup>677</sup> It is also worth noting that Griffins felt that Tennant was given a light sentence due to her connection to the very respectable Cottage Home. Griffins argued that the ILP Act was particularly difficult to enforce when ‘as in this instance, those responsible for the non-registration of infants are persons of position and influence.’<sup>678</sup> This might indicate that Irish society was unwilling to confront issues connected to child abuse when the abuse involved respectable, high-status members of society.

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<sup>673</sup> *District Press*, 11 November 1905, Newspaper Scrapbook, CH

<sup>674</sup> *Bray and South Dublin Herald*, 18 November 1905, Newspaper Scrapbook, CH

<sup>675</sup> MS Committee Minute Book for The Cottage Home for Little Children, 6 November 1905, CH

<sup>676</sup> *Bray and South Dublin Herald*, 4 November 1905, Newspaper Scrapbook, CH

<sup>677</sup> *Ibid.*, 18 November 1905

<sup>678</sup> *Ibid.*, 4 November 1905

## The Prevention of Cruelty to Children Act

Following the ILP Act, the Prevention of Cruelty to Children Act 1889 (amended in 1894 and 1904) further expanded the legislative protection of children in England, Scotland, and Ireland. Whilst the ILP Act was concerned with the activities of paid nurses, the Cruelty Act firmly opened the door to the family home. The Cruelty Act was an important step in giving children legal rights in relation to their parents, and in the development of a view in which children were not just an appendage to their parent to be treated as they pleased. It is also worth noting that the Cruelty Act contributed to the definition of childhood and adulthood as decidedly separate by clearly determining who was a child in the eyes of the law. Under the 1889 Act boys under the age of 14 and girls under the age of 16 were protected from the ill-treatment by individuals aged over 16.<sup>679</sup> The gender distinction was removed in the amended Cruelty Act that applied to both girls and boys under 16.<sup>680</sup> The inclusion of boys under the age of 16 must be seen as a sign of the extension of the period of childhood that took place during this time. The idea that boys aged 14-16 needed protecting went against the traditional view that at the age of 14 a boy was independent of his parents and capable of looking after himself.<sup>681</sup> Thus the period of childhood, vulnerability, and dependency was prolonged in law.

The Cruelty Act achieved two main things: it defined the concept of cruelty to children in law and it extended the State's power over the family unit. Cruelty was defined as ill-treating, neglecting, abandoning, and/or exposing a child 'in a manner

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<sup>679</sup> *Prevention of Cruelty to, and Protection of, Children Act*, 1889 [52&53][Ch.44], p.1

<sup>680</sup> *Prevention of Cruelty to Children. [H.L.] A Bill Intituled an Act to Consolidate the Acts Relating to the Prevention of Cruelty to, and Protection of, Children*, 1894 (342), p.1

<sup>681</sup> George K. Behlmer, *Child Abuse and Moral Reform in England, 1870-1908* (Stanford, 1982), p.158

likely to cause such a child unnecessary suffering, or injury to its health'.<sup>682</sup> The act's definition was a significant widening of the concept of cruelty. Not only did it include several types of behaviour, it also made it a misdemeanour to cause a child to be ill-treated, neglected, abandoned or exposed.<sup>683</sup> Thus the act notably increased the legal responsibility placed on parents and guardians regarding childcare and welfare. It should be pointed out that the act suffered somewhat from its broad definition of cruelty, especially problematic was the term 'unnecessary suffering' which was not further defined leaving it up to the constables, inspectors, and courts to determine what constituted unnecessary suffering. The 1894 amendment act attempted to clarify the terms used. Injury to health was specified as incorporating a range of physical injuries but, most notably, it also included 'any mental derangement'.<sup>684</sup> This was an early attempt to widen the definition of cruelty to include not just physical abuse, but also mental abuse. It is also worth noting that whilst the Cruelty Act mainly focussed on physical suffering; it did also express concern for the child's moral welfare. Clauses restricting children's employment aimed to prevent children begging, working in licensed premises, and restricted their working hours in public entertainment.<sup>685</sup> The introduction of such clauses was not solely based on the fear of physical abuse of the children, but also stemmed from concerns of moral corruption.<sup>686</sup>

The influence on the act of organisations such the NSPCC with its emphasis on parental responsibility is evident, but the act also signalled that the State was now prepared to assume a greater role in the lives of children and families. The Cruelty

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<sup>682</sup> *Prevention of Cruelty to, and Protection of, Children Act*, 1889 [52&53][Ch.44], p.1

<sup>683</sup> *Ibid.*

<sup>684</sup> *Prevention of Cruelty to Children. [H.L.] A Bill Intituled an Act to Consolidate the Acts Relating to the Prevention of Cruelty to, and Protection of, Children*, 1894 (342), p.1

<sup>685</sup> *Prevention of Cruelty to, and Protection of, Children Act*, 1889 [52&53][Ch.44], p.1

<sup>686</sup> Behlmer, *Child Abuse and Moral Reformation*, pp.104-108

Act determined that a parent had certain duties towards its child and if s/he failed in those the State would mete out a punishment. This punishment came in the form of a fine or a prison sentence with the possibility of hard labour.<sup>687</sup> In the attempt to regulate the relationship between parent and child, and between the family and the State, the Cruelty Act represented a radical new direction. Previously parental rights to the child had been sacrosanct. In the mid-nineteenth century most theories of family government held that the child's subordination to the parent was paramount for the formation of an ordered society.<sup>688</sup> The difficulty for the State was to determine how much force parents could reasonably use as any limit placed on parental power was equated with a violation of the privacy of family life.<sup>689</sup> Thus, the definition of cruelty was not always straightforward and the legislators had to thread a fine line between safeguarding children and not interfering with family privacy and parents' right to use physical force to discipline their children. The act contained a caveat stating that parents and teachers still had the right to punish children in their care.<sup>690</sup> But overall the concern that children were harmed by cruel treatment and subsequently grew up to become non-useful citizens, overrode traditional approaches to family privacy. In the name of child protection, the family home could now be entered and examined. If suspicion existed that a child was being ill-treated or neglected, a magistrate could issue a warrant to search for and remove the child. The act gave any person named in such a warrant the right to enter the home by force if necessary.<sup>691</sup> The NSPCC and its inspectors came to take on the main responsibility of investigating and prosecuting cruelty offenders.

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<sup>687</sup> *Prevention of Cruelty to, and Protection of, Children Act*, 1889 [52&53][Ch.44], p.1

<sup>688</sup> Behlmer, *Child Abuse and Moral Reformation*, p.2

<sup>689</sup> *Ibid.*

<sup>690</sup> *Prevention of Cruelty to, and Protection of, Children Act*, 1889 [52&53][Ch.44], p.7

<sup>691</sup> *Ibid.*, p.5

## The Cruelty Act in Ireland

Turning to the question of how the Cruelty Act was received and enforced in Ireland in the late nineteenth and early twentieth centuries one must first note that there are some difficulties with sources. The implementation of the Cruelty Act is closely associated with the NSPCC, although it is worth remembering that the police, with whom the NSPCC had a close co-operation, also enforced the act. However, the best sources would be NSPCC case files and annual reports, unfortunately these have not been preserved. As Buckley notes in her book on the NSPCC in Ireland, which focuses mainly on the twentieth century, the first case file in the NSPCC archives dates from 1919 and many of the annual reports prior to the 1930s have been lost.<sup>692</sup> In her article on the NSPCC in Ireland, Luddy has focused on the annual reports of the Dublin branch of the NSPCC that provide excellent insight into the Society's work in Dublin.<sup>693</sup> Luddy has also made good use of contemporary newspaper accounts and this is a source that should be explored further in relation to the Cruelty Act. Overall, it needs to be kept in mind that there is scant information as to how the Cruelty Act was enforced in Ireland in the late nineteenth and early twentieth centuries.

With these caveats in place one can turn to the question of how the act was received in Ireland. The reaction to the Cruelty Act was similar to the reaction to the ILP Act; there was a certain reluctance to believe that Irish children were cruelly treated. The *Freeman's Journal* welcomed the act as 'an important measure' but stated that cases of 'deliberate cruelty to children are comparatively rare amongst our

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<sup>692</sup> Buckley, *The Cruelty Man*, pp. xix-xx

<sup>693</sup> Luddy, 'The early years of the NSPCC', p.64

people'.<sup>694</sup> The belief in Ireland appears to have been that children were not treated cruelly by their parents, rather they were neglected and the neglect was caused by parents' drinking. Miss FitzGerald Kenney told the ILP Select Committee that 'our people neglect the children through want of cleanliness, and perhaps through drink or something of that kind: but systematic cruelty does not exist.'<sup>695</sup>

Unlike the ILP Act, the Cruelty Act appears to have been enforced in Ireland from its introduction. Judging from the increasing caseload of the Irish NSPCC, they were not afraid of attempting to enforce the act. In 1899, the Dublin branch dealt with 2,067 children, the following year the number had doubled.<sup>696</sup> A report describing the work of the Irish NSPCC from 1884-1912 stated that the Society's work had led to 51,036 prosecutions with a conviction rate of 96 per cent.<sup>697</sup> Irish society appears to have been prepared to contribute to the act's enforcement and during the period examined by Luddy, it was the general public that reported the majority of cases reported to the NSPCC.<sup>698</sup>

As for how the Cruelty Act was used by the NSPCC, it is important to note that the Society shared the belief that neglect was more common than cruelty and this can be seen in the type of cases they dealt with.<sup>699</sup> The majority of cases were neglect cases, and many of them were connected to inebriation.<sup>700</sup> When discussing the enforcement of the Cruelty Act in Ireland it is impossible to avoid the issue of class. The NSPCC professed that cruelty was a classless crime, but this stood in contrast to contemporary society who tended to believe that social evils were closely connected

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<sup>694</sup> *Freeman's Journal*, 29 August 1889

<sup>695</sup> 'Evidence of Miss FitzGerald Kenney', *Report from the Select Committee on Infant Life Protection*, 1908, p.59

<sup>696</sup> Buckley, *The Cruelty Man*, p.49

<sup>697</sup> *Ibid.*, p.53

<sup>698</sup> Luddy, 'The early years of the NSPCC', p.74

<sup>699</sup> *Ibid.*, p.70

<sup>700</sup> *Ibid.*, p.80

to class.<sup>701</sup> As Behlmer states, the wish by middle-class reformers to civilize the urban slums, which they considered detrimental to family relations, may have been a driving factor behind child cruelty campaigns.<sup>702</sup> In the Irish context, Buckley has interpreted the NSPCC focus on neglect cases, and aspects such as cleanliness and drinking, as stemming from class bias.<sup>703</sup> To support her claim she points out that all surviving case files from the 1930s concern working-class families.<sup>704</sup> Due to the lack of case files, it is difficult to make such a confident assertion of how, and against whom, the Cruelty Act was used in its early years. But judging from contemporary newspaper articles there seems little doubt that the majority of cases concerned the poor and the working class. It should be noted that there were some high-profile cruelty cases concerning higher sections of Irish society. Luddy highlights the case of Mrs Montagu, the wife of a Londonderry Justice of the Peace.<sup>705</sup>

This focus might in part have stemmed from a wish to assist the Irish poor to achieve the middle-class ideal of ordered and hygienic domesticity. The NSPCC was a middle-class organisation and during the late nineteenth century there was a general feeling that the poor needed help to achieve the middle-class ideal.<sup>706</sup> But the middle-class ideal of the NSPCC clashed with the reality of the poor and working-class. As pointed out by both Luddy and Buckley, the inspectors viewed the homes of the poor and working class through the lens of the middle-class domesticity and interpreted signs of poverty as signs of neglect. Filthy rooms might be seen as equating to neglect; but the underlying cause was poverty, not lack of parental care.

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<sup>701</sup> Behlmer, *Child Abuse and Moral Reformation*, p.95

<sup>702</sup> Ibid., pp.47-50

<sup>703</sup> Buckley, *The Cruelty Man*, pp.57-58

<sup>704</sup> Ibid., p.57

<sup>705</sup> Luddy, 'The early years of the NSPCC', p.85

<sup>706</sup> Hendrick, *Child Welfare in England*, p.51

As the Cruelty Act did not define what constituted ‘neglect’ individual inspectors were, in the first instance, free to determine what it meant. Thus, the role of the NSPCC in determining what constituted cruelty and neglect was vital. As pointed out by Luddy, the NSPCC employed a fairly broad interpretation of ‘neglect’ that included want of food, clothing, and lack of shelter.<sup>707</sup> Signs of filth and dirt were also interpreted as indicating neglect and the physical state of the child’s body was central. Just as with the 1850s workhouse child in the Cork scandal, it was the body of the child that symbolised suffering and potential danger. In order for a child to be considered neglected or treated cruelly, it was paramount that the body showed visible signs of this. In 1894 a case brought under the Cruelty Act was dismissed, as the court did not think that the children looked ‘habitually neglected’.<sup>708</sup>

It is also important to remember that the NSPCC inspectors and the courts did not always interpret the Cruelty Act in the same manner. In 1890 the NSPCC prosecuted a father for ill-treatment of his daughter after he had come home drunk and shouted at his wife. The judge told the NSPCC representative that he could ‘hardly be serious in asking him for a conviction’ and dismissed the case as he did not consider prosecution under the Cruelty Act possible for ‘a man merely being drunk, and shouting and frightening his children.’<sup>709</sup> Cases could also be dropped when the circumstances arose from poverty. In 1899, the D.I. asked Baltinglass Petty Sessions to drop a case involving the exposure of a child as he had concluded that it was a ‘case of destitution – not one of cruelty to children.’<sup>710</sup>

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<sup>707</sup> Luddy, ‘The early years of the NSPCC’, p.80

<sup>708</sup> *Kildare Observer*, 15 December 1894

<sup>709</sup> *Freeman’s Journal*, 13 September 1890

<sup>710</sup> *Irish Examiner*, 30 June 1899



## The Cruelty Act and Irish Institutional Childcare: the Cotton Case

In the Irish context with a high number of children contained in children's homes, industrial schools and reformatories it is worth examining how the Cruelty Act was used with regards to such institutions. It would appear that the Cruelty Act was less successfully applied to childcare institutions than it was to the homes of the poor.

Like the ILP Act, the Cruelty Act focused attention on the homes of the poor and the working class, often portraying them as potentially dangerous, and the act appears to have been used selectively, with childcare institutions escaping the scrutiny afforded to the poor.

With regards to the industrial and reformatory schools and the Cruelty Act both Luddy and Buckley have noted that despite the powers granted under the act the NSPCC does not appear to have considered entering these institutions. Nor does any other organisation or individual appear to have attempted this. Unlike the ILP Act, the Cruelty Act did not exempt such institutions so it would certainly have been possible to apply for a warrant to enter them. Whether or not such a warrant would have been granted is a different question.

One of the few opportunities to examine how the Cruelty Act was applied in relation to childcare institutions is provided by the high-profile case of the Protestant Rev Samuel George Cotton and his orphanage for illegitimate children at Carogh, Co. Kildare. The Cotton case highlights how Irish society, in some cases, appears to have turned a blind eye to child abuse/neglect and reveals much about the significance of religion and of class, both that of the victims and the perpetrator, in issues of child welfare. Rev Cotton's orphanage came to the attention of the courts already before the introduction of the Cruelty Act. In 1883, he was fined £10 for

cruelty to four children in his care. According to head constable O'Sullivan, who had twice visited the orphanage, he had found the children chained by their bare ankles with wooden blocks. One little girl had been chained in this manner for nine days and nine nights.<sup>711</sup> In spite of this, Cotton was to continue to take in children, and ill-treat and neglect them, for several years – even after being convicted under the Cruelty Act. In 1890 Cotton, and his wife, was again taken to court, this time by Sarah Bolton who accused them of kidnapping and holding three of her children in their orphanage against her will. The court case resulted in a hung jury.<sup>712</sup> In 1891, the Cottons appeared in court again. This time they were prosecuted under the Cruelty Act for ill-treating and neglecting several children in their care. Rev Cotton was also prosecuted on two accounts of manslaughter. The first account of manslaughter concerned an infant boy who had been removed from the orphanage and died at hospital in the autumn of 1891. The second account concerned the death of a boy in 1879, highlighting again that Cotton had long ill-treated children without the authorities being able to prevent it.<sup>713</sup> This 1891 case was widely reported in the Irish newspapers and the trial attracted much public attention, the courtroom was filled with spectators during the trial.<sup>714</sup> Mrs Cotton was acquitted, but Rev Cotton was, after being re-tried in Belfast, eventually sentenced in 1892 to six months in prison and £400 in fines.<sup>715</sup> Despite this conviction and the fact that the NSPCC had played an active part in bringing Cotton to court, and thus were well aware of how children were treated in his home, Rev Cotton was able to continue taking in illegitimate children and subjecting them to appalling conditions. In 1894, he and his wife were once again prosecuted under the Cruelty Act, this time for ill-treating and

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<sup>711</sup> *Leinster Express*, 20 October 1883

<sup>712</sup> *Kildare Observer*, 15 February 1890

<sup>713</sup> *Leinster Express*, 5 December 1891

<sup>714</sup> *Evening Herald*, 25 March 1892

<sup>715</sup> *Leinster Express*, 30 July 1892

neglecting two siblings, Mary and Thomas, aged 3 and 5. Following concerns about the state of the children, the police, accompanied by a doctor, entered Cotton's home on 20 February 1894 and found the siblings in a deplorable condition. Dr McDonough described Mary as covered in dirt, extremely thin, and her hair crawling with vermin. He stated that she was 'very much neglected' and 'half-starved'.<sup>716</sup> Thomas was also found covered in dirt and his feet bound with rags. When the dirty pieces of cloth were removed, the feet were found to be seriously inflamed and ulcerous.<sup>717</sup> In July 1894, Rev Cotton was convicted and sentenced to 12 months imprisonment for the ill-treatment of Thomas and Mary.<sup>718</sup>

The newspapers expressed incredulity at the fact that Cotton had been able to continue taking in children after being convicted for neglect. The *Dundalk Democrat* stated that 'incredible as it may appear, the notorious Rev George Cotton, of Carogh Orphanage fame, is still being patronised and supported by some of his former dupes'.<sup>719</sup> The fact that the newspaper refers to 'former dupes' indicates that parents of illegitimate children had very few options and for some, Cotton's orphanage was perhaps the only alternative, even if they knew about Cotton's past record. It was the responsibility of the State to ensure that institutions such as Cotton's could not operate but, as evidenced by the fact that Cotton was able to continue operating, it would appear that the Cruelty Act was not enforced as stringently as it could have been. Considering Cotton's previous conviction under the Cruelty Act it is remarkable that his orphanage not only continued to operate but that it did so in the same location. We do not know exactly what happened following the 1892 conviction and if Cotton returned immediately to his old ways. But we do know that

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<sup>716</sup> 'Deposition of Francis McDonough, M.D', Kildare Assizes files, 27 March 1894, NAI

<sup>717</sup> Ibid.

<sup>718</sup> *Evening Herald*, 20 July 1894

<sup>719</sup> *Dundalk Democrat*, 21 July 1894

by the time the police intervened in February 1894, Thomas and Mary had been in the care of the Cottons since May 1893.<sup>720</sup> It is remarkable that neglect in an orphanage run by a man previously convicted for cruelty to children and who, according to the *Evening Herald*, already in 1892, had been ‘in bad repute for a very long time’<sup>721</sup> could go on for eight months.

The *Dundalk Democrat* also strongly criticised the Protestant Church of Ireland for permitting Cotton to preach as ‘a duly recognised minister’.<sup>722</sup> This echoed the criticism voiced by the *Evening Herald* in connection with the 1892 conviction when the newspaper called for the Irish Protestant Church to take responsibility for institutions founded and managed by their clergy by claiming the right to supervise them.<sup>723</sup> That Cotton’s religious position allowed him to continue taking in children under horrific conditions is further indicated by the *Dundalk Democrat*’s claim that Cotton was able to use the fear of Catholic proselytism to convince parents to give up their children to him.<sup>724</sup>

The fact that Cotton was able to continue accepting children indicates not only a lack of inspection of orphanages and children’s homes, but also that issues of social class and religion was paramount in the enforcement of child welfare legislation. As a reverend, Cotton enjoyed a relatively high social status; his and his orphanage’s status was no doubt further elevated by the claim that HRH The Princess of Wales was a patroness of the orphanage.<sup>725</sup> As stark contrast to Cotton’s social position stood the illegitimate children who were considered to be of little value; *Leinster Express* described the children in Cotton’s orphanage as having been

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<sup>720</sup> ‘Deposition of Mary Denison’, Kildare Assize Files, 27 March 1894, NAI

<sup>721</sup> *Evening Herald*, 30 March 1892

<sup>722</sup> *Dundalk Democrat*, 21 July 1894

<sup>723</sup> *Evening Herald*, 30 March 1892

<sup>724</sup> *Dundalk Democrat*, 21 July 1894

<sup>725</sup> *Leinster Express*, 6 December 1890

brought into the world ‘with the sin of shame upon them’.<sup>726</sup> This view of illegitimate children as less deserving must be considered one of the main reasons why Cotton’s orphanage was able to continue operating. Thus, the Cotton case demonstrates the inherent ambiguity present in Irish childcare during this period – Irish society was willing to confront child abuse and neglect to a certain extent, but the willingness was dependent on the standing of the perpetrator, and to some extent on the social class of the child involved.

As a final note on the Cruelty Act and institutions, in the Irish context of extensive use of institutions, it is especially interesting to consider where children were placed when removed from their homes under the Cruelty Act. The act expanded the circumstances under which children could be committed to industrial schools. In the first instance, children were removed to a place of safety. This was defined as the workhouse or ‘any place certified by the local authority’.<sup>727</sup> If parents were convicted of cruelty, the court could order the child to be placed in the custody of a relative or other fit person approved by the court. The expression ‘other fit person’ included ‘industrial schools or charitable institutions.’<sup>728</sup> When summarising the main points of the new act, the *Freeman’s Journal* made it very clear that the act gave magistrates power to send children to industrial schools.<sup>729</sup> Considering the high number of children in Irish industrial schools it seems reasonable to assume that this was a primary destination for children under the Cruelty Act, but this is not as straightforward as it seems. The number of children in Irish industrial schools did increase by circa 200 children during 1890 as compared to 1889. But the number of

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<sup>726</sup> *Leinster Express*, 12 December 1891

<sup>727</sup> *Prevention of Cruelty to, and Protection of, Children Act*, 1889 [52&53][Ch.44], p.8. In the 1894 amendment act the definition was extended to include ‘police stations, hospital surgeries and places of the like kind.’ *Prevention of Cruelty to Children. [H.L.] A Bill Entitled an Act to Consolidate the Acts Relating to the Prevention of Cruelty to, and Protection of, Children*, 1894 (342), p.15

<sup>728</sup> Behlmer, *Child Abuse and Moral Reform*, p.109

<sup>729</sup> *Freeman’s Journal*, 29 August 1889

children in Irish industrial schools increased steadily throughout the nineteenth century, and the increase between 1889 and 1890 is not remarkable in comparison to the increase in other years. Thus it is difficult to establish here how, if at all, the Cruelty Act affected the number of industrial school children. An 1892 letter to the *Irish Examiner* further indicates that we must exercise caution and not assume that these children were sent to industrial schools in this period. William D'Esterre Parker wrote complaining of the increasing number of children in Cork workhouse following the Cruelty Act. According to D'Esterre Parker, magistrates tended to send children whose parents had been imprisoned for cruelty to the workhouse. In his opinion, they should be committed to industrial schools, as this was the cheaper option.<sup>730</sup> More research needs to be carried out in the Irish context in order to establish where children were sent to under the Cruelty Act during this period.

#### The Street Trading Committee 1902

Since the passing of the first Cruelty Act in 1889, the Home Office had supported further regulation of children's street trading.<sup>731</sup> The Cruelty Acts of 1889 and 1894 made it an offence for parents or guardians to cause children to be in the street for the purpose of begging or otherwise obtaining alms between the hours of 9 pm and 6am. But the law applied to the child only through the parent and there was a wish to regulate the trade further by a law aimed at the child. The Philanthropic Reform Association (PRA) pointed to a number of issues with the Cruelty Act in relation to street trading children. One of the main issues was that it had to be proved that the

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<sup>730</sup> *Irish Examiner*, 16 February 1892

<sup>731</sup> Gillian McIntosh, 'Children, street trading and the representation of public space in Edwardian Ireland', in Maria Luddy and James Smith (eds), *Children, Childhood and Irish Society: 1500 to the Present* (Dublin, 2014), p.63

parent ‘causes or procures’ or ‘allows’ the child to street trade. This created a loophole by which parents could say that the child had acted against their will when trading in the street. The law was also ineffectual when it came to children who actually were beyond parental control and witnesses expressed a desire for a law dealing with children who defied parental control.<sup>732</sup>

In an attempt to solve the issue of children street trading, a number of inquiries focussing on children’s employment were held across the United Kingdom and Ireland.<sup>733</sup> In Ireland the Street Trading Committee heard evidence from the three largest cities of Ireland (Dublin, Belfast, and Cork) with a focus on the employment of children of school age, street trading in particular, and how such trade could be regulated. The Committee reported that the number of street trading children in Dublin was 633 (433 boys, 180 girls). The majority of the boys sold newspapers, whilst the most common occupation among the girls was selling fruit. In Belfast, 1,240 boys were engaged in street trading, most of them sold newspapers. There is no figure stated for the total number of street trading girls in Belfast, but the majority of them, 45, took work as messengers. For Cork, no figure at all is given for girls, but 114 boys were street traders. As in the other two cities, selling newspapers was the most common occupation.<sup>734</sup> The inquiries culminated in the 1903 Employment Act that allowed Irish and British local authorities to make byelaws regulating children’s employment.<sup>735</sup> Children under the age of eleven were prohibited from trading in the streets and those under sixteen were subject to local byelaws.<sup>736</sup>

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<sup>732</sup> ‘Evidence of Mrs Tolerton’, *Street-Trading Children Committee (Ireland). Report of the Inter-Departmental Committee on the Employment of Children During School Age, especially in street trading in the large centres of population in Ireland, appointed by His Excellency the Lord Lieutenant of Ireland. Together with minutes of evidence and appendices*, HC, 1902 [Cd. 1144], p.21

<sup>733</sup> ‘Evidence of Rev. Gilbert Mahaffy’, *Ibid.*, p.49

<sup>734</sup> Report: Committee on Street Trading By Children’, *Ibid.* p.vi

<sup>735</sup> McIntosh, ‘Children, street trading’, p.49

<sup>736</sup> *Ibid.*, p.62

Turning to the Irish context, the 1902 report of the Street Trading Committee is an interesting source that highlights the situation of, and attitude towards, poor children in early twentieth-century Ireland. In the attempt to regulate the economic activities of working-class children the Committee stood at a crossroads in the history of childhood. Ultimately, the street trading question touched on the very question of what a child is and what a child should do. Street trading was placed in opposition to school attendance. Should a child work and contribute towards the economic stability of its family or should a child be in school in order to be turned into a useful citizen? The issue was a complex one, and many witnesses tended to pull in both directions – there was a feeling that children should be in school but many witnesses also felt that it was useful for children to earn money and to contribute to the family. The idea that children would do nothing but go to school was novel and the Committee asked Charles Eason, Honorary Secretary of the PRA, if he meant that children who were not employed after school should do ‘nothing but amuse themselves?’ Eason said yes.<sup>737</sup> Other witnesses felt that it was better for children to be employed under safeguards than not to be employed at all.<sup>738</sup> Even the NSPCC believed that employment was beneficial to the child as long as it did not interfere with the child’s moral or physical welfare, which included their education.<sup>739</sup>

It is clear that education was seen as very important and that compulsory schooling represented a way of bringing working-class children under control. The Committee heard evidence from several members of the School Attendance Committees, and street trading and school attendance were considered to be closely

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<sup>737</sup> ‘Evidence of Mr. Charles Eason’, *Street-Trading Children Committee*, p.8

<sup>738</sup> ‘Evidence of Mrs Tolerton’, *Ibid.*, p.19

<sup>739</sup> ‘Evidence on behalf of the Dublin and District Branch of the National Society for the Prevention of Cruelty to Children, by W.E. Adeney, D.Sc. Hon. Secretary’, *Ibid.*, Appendix No.12, *Ibid.* p.178



related. Evidence from Dublin and Belfast suggested that many poor children, street trading or not, were not on the school rolls and those who were attended irregularly.<sup>740</sup> Of children in Dublin of school age, the School Attendance Committee estimated that about one quarter were truant.<sup>741</sup> Both the Street Trading Committee and the NSPCC believed in the vital role of the school in regulating and monitoring the lives of poor children. The order and regulation of school would provide the children with a level of protection from their otherwise haphazard existence.<sup>742</sup> In contrast to the ordered world of the school stood the working-class home. The Committee spent a considerable amount of time discussing with witnesses the cause of the children being on the streets. Two main reasons were given for street trading: economic necessity or parents' idleness. Witnesses disagreed on the cause with some, like the Revd. Busby, maintaining that children's street trading only helped parents maintain their sloth and idleness.<sup>743</sup> This view held that parents were too lazy to work and preferred to send their children on to the streets to earn money for the family. Contrary to this view the NSPCC provided a list of examples of children's income being necessary and children's earnings keeping families out of the workhouse.<sup>744</sup> Some felt that the children's earnings through street trading were absolutely necessary to the family's economy. Furthermore, the inability to earn money by trading might place girls in increased moral danger, as they would have to resort to 'worse' things in order to earn money.<sup>745</sup> Overall, the witnesses were in agreement that the vast majority of parents were respectable. This view was supported by data from the Dublin Metropolitan Police, stating that the majority of

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<sup>740</sup> Report: Committee on Street Trading By Children', p.x

<sup>741</sup> 'Evidence of Police Superintendent Dempsey, Dublin Metropolitan Police', Ibid., p.40

<sup>742</sup> McIntosh, 'Children, street trading', p.63

<sup>743</sup> 'Letter from Society of St Vincent de Paul in reply to Circular (No.1) of 27:3:02', *Street-Trading Children Committee*, Appendix No.17, p.186

<sup>744</sup> 'Case of street trading by school children dealt with by the Dublin and district branch of the N.S.P.C.C', Ibid., Appendix No.12, p.179

<sup>745</sup> 'Evidence of Police Superintendent Laracy, Dublin Metropolitan Police', Ibid., p.37

Dublin street trading parents were respectable and that the vast majority of children gave their earnings to their parents.<sup>746</sup>

The issue of these children's economic importance to their families was complex and there appears to have been an emerging understanding of this among the Committee, and the majority of witnesses, who were well aware that the child's earnings were crucial. The Committee found themselves unable to ban street trading completely but they did recommend that it should be discouraged, especially for girls and recommended a system of licensing and badges for street trading children.<sup>747</sup> They also suggested that an emergency license could be issued in situations that threatened the economic stability of a family, for example if the main breadwinner of the family died.<sup>748</sup> It is true though that the issue was perhaps more complex than the Committee's suggestions allowed. An example of the Committee's counter-productive suggestions is the recommendation that if parents bought alcohol from the child's earnings the license should be refused.<sup>749</sup> Such a family would still need an income but the Committee failed to make any suggestions about how the family would achieve this.

Despite assertions that the majority of parents were respectable, the witnesses and the Committee did perceive a link between insanitary homes, immorality and a lack of recreation. The Committee stated that they had 'no doubts that insanitary homes and immoral surroundings, with the want of open spaces where the children could enjoy healthy exercise and recreation, are strong factors in determining towards evil courses in the cases of children of the poor.'<sup>750</sup> The homes of the poor

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<sup>746</sup> 'Street-trading children', Dublin Metropolitan Police, 11 January 1902, Ibid., Appendix No.3, p.143

<sup>747</sup> Report: Committee on Street Trading By Children', Ibid., p.vii

<sup>748</sup> Ibid., p.viii

<sup>749</sup> Ibid., p.vii

<sup>750</sup> Ibid.

were potentially centres of immorality and some witnesses felt that it would be right for the State to remove children from parents deemed insufficient. These children should live in children's homes and if the behaviour of parents improved, the children could return.<sup>751</sup> The focus on parental behaviour remained strong and facilitated the removal of children from their homes.

The Committee and several witnesses expressed a strong faith in the industrial schools system and much of the discussion focussed on the role of industrial schools and day industrial schools in relation to street trading. The Irish tendency to rely on the industrial school system to solve issues connected to poverty is evident in the Committee's recommendations and in the testimony of several witnesses. The Committee wanted to broaden the range of children eligible for industrial schools in that any legislation passed to regulate street trading should make it possible to send children contravening street trading bye-laws twice to industrial schools.<sup>752</sup> Whilst many witnesses agreed with the Committee's recommendations concerning industrial schools, it should be pointed out that the NSPCC were less enthusiastic about the possibility of increasing numbers of admissions to industrial schools. NSPCC witnesses expressed concern that if Irish children could be sent to industrial schools for breaking the street trading regulations, the abuse of the industrial school system would return, and children not eligible for industrial schools would be admitted to them.<sup>753</sup> However, there was no significant increase in the number of children admitted to industrial schools during the early twentieth century. In 1903, 8,324 children resided in industrial schools; the following year the number had increased by about 100 children to 8,420. The number remained steady throughout the first decade of the twentieth century and in 1913 the number of industrial school children

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<sup>751</sup> 'Evidence of Mrs Tolerton', *Ibid.*, p.18

<sup>752</sup> 'Report: Committee on Street Trading By Children', *Ibid.*, p.viii

<sup>753</sup> 'Evidence of Dr W.E. Adeney', *Ibid.*, p.15

was 8,420.<sup>754</sup> This seems to indicate that the act did not have a significant effect on the number of children in industrial schools.

The Committee, and witnesses, also expressed traditional attitudes concerning poverty and the emphasis was firmly on preventing the pauperisation of children. An example of this is the discussion concerning children's clothing. Much focus was placed on children's clothing being insufficient and there was a suggestion that the Police-Aided Clothing Society, a charity that provided poor children with clothing, would receive support from the rates for their work.<sup>755</sup> But it was believed to be of great importance that the children should, if possible, pay something towards the clothes they received.<sup>756</sup> It was vital not to accustom the children to receiving hand-outs and witnesses agreed that it would be good for the children's character to pay.<sup>757</sup> Mrs Tolerton, of the Police-Aided Clothing Society and the PRA, expressed an interesting view on this subject; whilst she did think children should pay towards their clothes, she pointed out that 'we all of us as children got what we wanted without working for it, and it has not done any harm.'<sup>758</sup> But in general the view that the children of the poor needed to be taught independence and self-reliance remained strong. Whilst the middle-class child could receive clothing and food without becoming idle and work-shy, this was evidently not the case for the pauper or working-class child who needed to be trained and controlled by the State in order to not become a burden on the rates. Hendrick's victim/threat dichotomy holds true for the Street Trading Committee's discussions. Street trading children were victims of

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<sup>754</sup> *Forty-Second Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1905 [Cd. 2257], p.10 *Fifty-second Report of the Chief Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1914 [Cd. 7554], p.11

<sup>755</sup> *Street-Trading Children Committee*, p.xi

<sup>756</sup> *Ibid.*, p.xii

<sup>757</sup> 'Evidence of Sir Thomas Pile', *Street-Trading Children Committee*, p.1, 'Evidence of Mrs Tolerton', *Ibid.*, p.17

<sup>758</sup> *Ibid.*, p.17

the parents' behaviour and exposed to the dangers of the street, but they were themselves a possible danger.

The recommendations of the Committee showed that the overall view of street trading children was favourable, as a rule they were described as 'well-disposed'.<sup>759</sup> The Committee expressed concern for their 'future well-being' and the regulations were introduced with the children's well-being in mind.<sup>760</sup> The Committee produced a list of dangers arising from street trading such as late hours, truancy, insufficient clothing, entering licensed premises to sell their wares, begging, smoking and 'playing football and other games in the streets'.<sup>761</sup> To some witnesses, the street was a dangerous environment where children experienced things that hardened them and caused them to lose their childhood. Rosa Barrett associated children playing in the street with future criminality. Barrett talked about young boys now in prison who had started their criminal career by throwing stones in the streets. However, she was unable to produce any evidence for this actually being a common occurrence.<sup>762</sup> As much as the children were victims, they were also potential threats. The encounter with the streets, where they might have come into contact with the criminal classes, contaminated the children. Charles Eason of the PRA expressed concern about street trading children mixing with 'ordinary children' in school and stated that 'care should be taken that the street children should not be allowed to contaminate respectable children.'<sup>763</sup>

Some witnesses regarded street-trading children as deprived of a 'real' childhood as they had nowhere to go for recreation and play. Children needed, and

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<sup>759</sup> 'Report: Committee on Street Trading By Children', Ibid., p.vi

<sup>760</sup> Ibid.

<sup>761</sup> Ibid.

<sup>762</sup> 'Evidence of Miss Rosa M. Barrett', Ibid., p.63

<sup>763</sup> 'Evidence of Mr Charles Eason', Ibid., p.8

should have, somewhere to go to and play after school hours.<sup>764</sup> This is interesting as it further highlights the emerging definition of children as separate from adults. In the debate surrounding the Cork workhouse in 1859 we can see the beginnings of the belief in healthy recreation as an essential part of a 'real' childhood, and by the early twentieth century it would seem that the access to recreation and play had become one of the defining features of childhood as opposed to adulthood.

Whether or not the work of the Street Trading Committee and the resulting Employment Act 1903 was successful is, according to McIntosh, 'questionable'.<sup>765</sup> In the decade following the act's introduction there do not appear to have been many prosecutions.<sup>766</sup> Street trading remained a concern to philanthropic organisations in Ireland. In 1907, the PRA wrote to Archbishop Walsh concerning street trading and begging by children noting that it was a 'considerable evil in Dublin'.<sup>767</sup> The PRA's complaint that the issue was hard to deal with since there was no proper system in place to deal with children who offended against the law indicates that the attempts to deal with street trading were not successful.<sup>768</sup>

### Children Act 1908

The final topic for consideration is the Children Act of 1908, which was the brainchild of Herbert Samuel, the Liberal Under-Secretary of State at the Home Office. The idea for an act consolidating and simplifying legislation relating to children is said to have come to Samuel following a meeting with Mrs Inglis, a

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<sup>764</sup> 'Evidence of Rev. John Connell', *Ibid.*, p.34

<sup>765</sup> 'Evidence of the Right Hon. the Lord Mayor of Dublin', *Ibid.*, p.62

<sup>766</sup> McIntosh, 'Children, street trading', p.63

<sup>767</sup> Letter from PRA to Archbishop Walsh, 1 June 1907, Walsh Papers, Laity 379/I, DDA

<sup>768</sup> *Ibid.*

campaigner for the formation of a government ministry for children.<sup>769</sup> There was certainly a need for such an act as child welfare and protection was governed by numerous acts, including the ILP Act, Cruelty Act, and the Industrial Schools Act. As an example, reformatories and industrial schools were governed by no less than 17 separate statutes for Ireland, England, Wales, Scotland, the Channel Islands and the Isle of Man.<sup>770</sup> As Parker has highlighted, the act was also influenced by concern over Britain's declining power in the world. Two inquiries, the Royal Commission on Physical Education and the Inter-Departmental Committee on Physical Deterioration, emphasised issues connected to the physical state of the nation and focussed attention on the living conditions of the children of the poor.<sup>771</sup> In order for Britain to maintain her imperial position, the children of the nation had to grow up strong and healthy. The act must also be seen in the context of legislative interest in child welfare which, as we have seen, dates back to the later half of the nineteenth century.

#### The Children Act: Content

The act has often been lauded as milestone in the history of child welfare, and was described by Behlmer as the 'greatest tribute to Edwardian philanthropy'.<sup>772</sup> As most historians, Behlmer included, agree the act introduced little new legislation and mainly aimed to consolidate existing child legislation. In order to ensure that the act passed smoothly through both Houses, its creators had purposefully omitted topics deemed too controversial as well as topics that fell under the sphere of departments

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<sup>769</sup> Roy Parker, 'The evolution of landmark legislation', *Journal of Children's Services*, Vol.5 Issue 2 (2010), p.29 [accessed through [www.emeraldinsight.com](http://www.emeraldinsight.com) 1 October 2015]

<sup>770</sup> Behlmer, *Child Abuse and Moral Reform*, pp.220-221

<sup>771</sup> Parker, 'The evolution of landmark legislation', pp.29-30

<sup>772</sup> Behlmer, *Child Abuse and Moral Reform*, p.220

other than the Home Office; therefore issues such as education and employment were not addressed by the act.<sup>773</sup> Nevertheless, the Children Act became the cornerstone of Ireland's approach to childcare during the twentieth century.<sup>774</sup> The Children Act consisted of six parts: infant life protection, cruelty to children and young persons, juvenile smoking, reformatories and industrial schools, juvenile offenders, and the final part entitled miscellaneous and general which dealt with issues such as the cleansing of verminous children and the sale of alcohol to children.<sup>775</sup> As already mentioned, the act mainly strengthened already existing laws. For example, allowing for the inspection of one-child homes strengthened infant life protection legislation.<sup>776</sup> The most novel part of the act was the one dealing with juvenile offenders. This part introduced juvenile courts (for children aged 7-16) to which the public did not have access and the aim was to keep juvenile and adult criminals separated at all times.<sup>777</sup> Prior to the Children Act, juvenile courts had been tried in a number of cities, among them Dublin and Cork, but with the passing of the Children Act the scheme became general.<sup>778</sup> The introduction of juvenile courts further emphasised the separation between childhood and adulthood and underlined the belief that children were not fully responsible for their actions in the way that adults were. Indeed, Davin argues that the Children Act was the final recognition of children's identity and needs as being separate from those of adults.<sup>779</sup>

Just like the child welfare legislation of the late nineteenth century, the Children Act centred on three relationships: between family and the State, between

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<sup>773</sup> *Hansard's Parliamentary Debates*, vol 183, cc1432-7

<sup>774</sup> 'Report by Dr Diarmaid Ferriter, St Patrick's College, DCU', *Report of the Commission to Inquire into Child Abuse*, Vol.V, (Dublin, 2009), p.9

<sup>775</sup> *Children Act 1908* (8 Edw,7 Chapter 67), p.5

<sup>776</sup> *Ibid.*, Part I

<sup>777</sup> *Ibid.*, Part V

<sup>778</sup> *Freeman's Journal*, 2 April 1909

<sup>779</sup> Anna Davin, *Growing Up Poor. Home, School, and Street in London 1870-1914* (London, 1996), p.212



the voluntary sector and the State, and between social classes. The Children Act, like other contemporary child welfare legislation, was somewhat ambiguous in its approach to children and families. Whilst it certainly aimed to safeguard children, it did so by regulating and controlling the lives of children and families. This has been highlighted by several historians, such as Buckley, who emphasised the punitive nature of the Children Act,<sup>780</sup> and Hendrick who underlined the act's attempt to control the lives of children.<sup>781</sup> Davin argues that the act was not really an act for children but rather served to underline the dependency of children and the right of adults to define what childhood was and how it should be lived.<sup>782</sup> As pointed out by Ferriter, the act's main focus was the parents. Rather than placing the emphasis on children, the act centred on punishing parents for perceived parental failings.<sup>783</sup>

Building on legislation such as the Cruelty Act and the Industrial School Act, the Children Act further regulated the relationship between the family and the State. The act attempted to establish the boundaries of parental and State responsibility, and determine how responsibility was enforced. Above all, it aimed to enforce parental responsibility and significantly increased parents' liability for their children's actions. This was especially true in the case of juvenile offenders. Increasingly, parents were to be punished for their children's wrong-doings. It was their failure to exercise parental control that had caused the child to err and they had 'committed the grave offence of throwing on society a child criminal'.<sup>784</sup> Such parents, Samuel stated 'cannot be allowed to ...escape scot-free.'<sup>785</sup> The act required parents of juvenile offenders to attend court and made them responsible for paying the child's fines;

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<sup>780</sup> Buckley, *The Cruelty Man*, p.23

<sup>781</sup> Hendrick, *Child Welfare in England*, p.124

<sup>782</sup> Davin, *Growing Up Poor*, p.212

<sup>783</sup> 'Report by Dr Diarmaid Ferriter, St Patrick's College, DCU', Vol.V, p.9

<sup>784</sup> *Hansard's Parliamentary Debates*, vol 183, cc1432-7, 1908

<sup>785</sup> *Ibid.*

failure to pay could result in imprisonment.<sup>786</sup> Thus the State chose to enforce parental responsibility through punitive action. The same pattern is seen in the clauses dealing with overlaying and accidental burning. There is little doubt that these clauses were introduced to safeguard the lives of children. But the act attempted to achieve this by punishing parents after accidents had occurred.<sup>787</sup> In the first instance it was the parent's duty to protect and control their children, but if they failed it was the State's role to step in, punish the parent and in some cases remove the child from harmful parental influence and control its upbringing. As pointed out by Hendrick, the act extended the State's power over what it perceived as at-risk children, for example juvenile courts were given not just criminal jurisdiction but also jurisdiction over children under 14 deemed in need of care and protection.<sup>788</sup>

Some MPs felt that the act gave the State too much power over family life. Arguing vehemently against the clause banning the sale of tobacco to children under the age of 14, Sir Banbury (MP City of London) stated that 'this continual interference on the part of the State in the home life of the young was wrong, and was likely to lead to more mischief than the particular evil in question would bring about'.<sup>789</sup> There was concern that State interference in the relationship between parent and child might lead to an undermining of parental control.<sup>790</sup> However, the proponents of this view found themselves fighting a losing battle and the Children Act consolidated the State's right, and duty, to intervene and regulate family life.

The act can also be read as the State further accepting responsibility for the welfare of children and passing into law provisions that the voluntary sector had long campaigned for. Indeed, the influence of the philanthropic sector is obvious. As

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<sup>786</sup> *Children Act 1908* (8 Edw, 7 Chapter 67), Part V

<sup>787</sup> *Ibid.*, Part II

<sup>788</sup> Hendrick, *Child Welfare in England*, pp.123-124

<sup>789</sup> *Hansard's Parliamentary Debates*, vol 194, cc172-288, 1908

<sup>790</sup> *Hansard's Parliamentary Debates*, vol 194, cc41-160, 1908

mentioned previously, issues such as parental responsibility had long been central to philanthropic organisations such as the NSPCC. Speaking in the House of Commons, Samuel acknowledged that the Children Act was inspired by organisations such as the NSPCC.<sup>791</sup> Parker argues that the Children Act should be interpreted as recognition by the State that it had to undertake greater responsibility for child welfare as it ‘could not be adequately discharged by ... relying on voluntary action.’<sup>792</sup> However, with regards to the State assuming responsibility for child welfare, the Irish situation differed somewhat from the British. In Ireland, the State largely handed over this responsibility to institutions run by the Catholic Church and thus it can be said that responsibility for child welfare remained reliant on a voluntary organisation into which the State lacked full insight and control.

As always in the discussion of child welfare legislation, class was an important component. The provisions dealing with overlaying/burning and its relation to the living conditions of the poor and the working-class were discussed at length. Some MPs argued that the creators of the act failed to fully understand the living conditions of the poor. More than one MP felt that the penalties enforced on parents with regards to overlaying and burning were unnecessarily harsh. Such incidents were due more to ignorance and the living conditions of the poor than to wilful neglect or cruelty.<sup>793</sup> Mr Rawlinson (MP Cambridge University) argued that fines imposed for the burning of children were unfairly administered and punished the poor unnecessarily harsh. A fine of £10 would be vast sum for the poor.<sup>794</sup> Many would be unable to pay leading to their imprisonment and their children would end

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<sup>791</sup> Ibid.

<sup>792</sup> Roy Parker, ‘The Hope is in the Children’, <http://www.childrenwebmag.com/articles/child-care-history/'the-hope-is-in-children-the-times-671908>, [accessed 28 January 2014], p.10

<sup>793</sup> *Hansard's Parliamentary Debates*, vol 194, cc41-160, 1908

<sup>794</sup> £10 was the highest fine that could be imposed for the accidental burning of a child under the Children Act 1908.

up in the care of the State. The same sum was nothing to ‘a rich person’.<sup>795</sup> Mr Collings (MP Birmingham) saw the act as an attempt to control the poorer classes arguing that ‘this was a Bill framed by and with the ideas of the well-to-do classes for dealing with the poorer classes of the country.’<sup>796</sup> Despite the concern for the punitive nature of the provisions and the concern about class bias, the provisions punishing parents for overlaying and burning remained.

### The Children Act in Ireland

The first reading of the Children Bill caused considerable unease within the Irish childcare system. The main concern was the section dealing with industrial and reformatory schools, and particularly with clause 56 which restricted the categories of children eligible for industrial schools. The strong Irish reaction against these restrictions demonstrates the fundamental importance of the industrial schools to childcare in Ireland by the early twentieth century, as well as the existence of a network of different childcare providers in Ireland who worked to ensure that poverty would remain a cause for committal to Irish industrial schools. Following the first reading, North Dublin Union relieving officer, David Fagan, wrote to Archbishop Walsh stating his concerns. He enclosed suggestions for amendments and asked the Archbishop to use his influence to have these inserted. Unfortunately, Fagan’s suggested amendments were not found with the letter in the Dublin Diocesan Archive. We do not know the exact nature of the suggested amendments, if they were Fagan’s work alone or if they were the result of collaboration with other poor law officials and/or industrial school officials. The loss of the suggested

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<sup>795</sup> *Hansard’s Parliamentary Debates*, vol 194, cc41-160, 1908

<sup>796</sup> *Hansard’s Parliamentary Debates*, vol 194, cc172-288, 1908

amendments also makes some aspects of the letter difficult to interpret. Fagan seems to have two main issues with the industrial school section. Firstly, he appears to want an amendment inserted that states that children ‘found wandering and not having proper guardianship’ are eligible for industrial schools.<sup>797</sup> He states that this section is in the ‘old act’ (presumably he is referring to the Industrial Schools Act) and that under it he had ‘some 250 children yearly committed and under all other sections only 40 or less.’<sup>798</sup> It is somewhat unclear why Fagan has an issue with the wording as the first draft of the Children Act did allow for the committal to industrial schools of children ‘found wandering without a guardian or with a guardian who is unfit to have the care of the child.’<sup>799</sup> Nonetheless, Fagan’s comments demonstrates the importance of being able to send a large number of children to industrial schools, and a concern that the number might be limited. If the clause is not amended, Fagan claims, only children found begging, frequenting the company of thieves or prostitutes, or whose parents were in prison could be sent to industrial schools. This excluded ‘the children of destitute poor widows, who may be out working all day’.<sup>800</sup> Secondly, Fagan brings up the question of orphans. The proposed act stated that children ‘found destitute, not being an orphan’<sup>801</sup> whose parents or surviving parent were in prison were eligible for industrial schools. Fagan wanted an amendment inserted to say children ‘found destitute and being an orphan’.<sup>802</sup>

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<sup>797</sup> Letter from D. Fagan, Relieving Officer, North Dublin Union to Archbishop Walsh, 2 March 1908, Walsh Papers, Laity 379/I, DDA

<sup>798</sup> Ibid.

<sup>799</sup> *Children. A Bill to Consolidate and Amend the Law Relating to the Protection of Children and Young Persons, Reformatory and Industrial Schools, and Juvenile Offenders, and Otherwise to Amend the Law with Respect to Children and Young Persons*, HC, 1908 (69), p.27

<sup>800</sup> Letter from D. Fagan, Relieving Officer, North Dublin Union to Archbishop Walsh, 2 March 1908, Walsh Papers, Laity 379/I, DDA

<sup>801</sup> *Children. A Bill to Consolidate and Amend the Law Relating to the Protection of Children and Young Persons*, HC, 1908 (69), p.27

<sup>802</sup> Letter from D. Fagan, Relieving Officer, North Dublin Union to Archbishop Walsh, 2 March 1908, Walsh Papers, Laity 379/I, DDA

In other words, Fagan wished to ensure that children could be sent to industrial schools for being poor and not having parents. In a debate in the House of Commons on 24 March 1908, Irish MP Hugh Law, (MP West Donegal) pressured Samuel on the issue of destitute orphans. There is no evidence that Archbishop Walsh was in contact with Law concerning the act, but it does not seem too farfetched to assume that following Fagan's letter, the Archbishop would have contacted MPs to influence the act. Law told Parliament that whilst the first reading had generally been well received in Ireland, there was a strong objection to clause 56. Under the existing law destitute orphans could be sent to industrial schools, clause 56 would prevent this, which would be 'bitterly resented in Ireland where there was a great deal of feeling in regards to industrial schools.'<sup>803</sup> The discussion between Law and Samuel demonstrates the fundamental difference in how industrial schools and their use was viewed in Ireland and England. Law stated that, in Ireland, the industrial schools were not viewed 'as of the nature of penal settlement.'<sup>804</sup> In other words, Ireland wanted the possibility of admitting poor children to industrial schools and letting the Church bring them up. According to Law, industrial schools were not considered a punishment, which allowed for the committal of destitute orphans who had committed no offence or had parents who had failed to exercise control. Samuel argued that destitute orphans were not industrial school cases; they should be dealt with under the Poor Law.<sup>805</sup> Thus, Samuel adheres to the original intention of the industrial schools, which was to safeguard children who, through their home environment, were in danger of becoming criminals. Children who were merely poor were to be dealt with by the Poor Law. The Industrial School Act allowed for the committal of destitute orphans both in Ireland and England, but this

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<sup>803</sup> *Hansard's Parliamentary Debates*, vol 186, cc1251-300, 1908

<sup>804</sup> *Ibid.*

<sup>805</sup> *Ibid.*

clause was rarely used in England. Samuel stated that during the last year only a handful of destitute orphans in England were admitted to industrial schools, whilst the number in Ireland was over 200.<sup>806</sup> Underlining the importance of the issue to Ireland, Law told Samuel that unless he could see a way to change clause 56 the Irish response the act would become ‘more hostile than at present.’<sup>807</sup> Samuel maintained that, in his view, destitute orphans fell under the Poor Law but as he did not want to introduce any change opposed by a ‘large body of the community’ he was willing to exempt Ireland from the change concerning destitute orphans.<sup>808</sup> Thus, the Children Act ensured that a greater number of children remained eligible for industrial schools in Ireland than in England, Scotland and Wales. It also upheld the notion that being destitute and poor was sufficient reason for committal to an industrial school – but only in Ireland, not in England, Scotland, or Wales. Whilst these countries moved away from industrial schools during the twentieth century, the use of industrial schools remained central to Irish childcare. Thus, the separate nature of Irish childcare was affirmed and protected in law, and the Children Act must be seen as a missed opportunity to stem the flow of children to Irish industrial schools.

It is difficult to determine why Samuel gave in to the Irish demands so easily, especially considering his own belief that industrial schools should not be used as they were in Ireland. There appears to have been no political reason for him bending to Irish demands. The Liberals had a majority in Parliament, and were not dependent on the Irish Parliamentary Party’s (IPP) support. There had been some agrarian disturbances in Ireland since late 1906.<sup>809</sup> But it seems unlikely that these disturbances would have caused Samuel to feel he had to appease the IPP on this

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<sup>806</sup> Ibid.

<sup>807</sup> Ibid.

<sup>808</sup> Ibid.

<sup>809</sup> Alvin Jackson, *Ireland 1798-1998. War, Peace and Beyond* (Chichester, 2010), p.160

issue. Most likely, Samuel, who had already chosen to avoid potentially controversial topics in the bill, simply wanted the bill to pass. It was easier to give in to the Irish demands than to risk Irish opposition to the bill.

Following the passing of the Children Act, the inspector of reformatories and industrial schools Fagan noted that the passing of the Children Act was ‘the most notable event in the history of Reformatories and Industrial Schools that has occurred since these institutions were first established.’<sup>810</sup> He noted especially that the number of children eligible for industrial schools had been enlarged through section 58 of the Children Act that for example placed the duty on the police to instigate proceedings against children who were eligible for committal under the Act and also allowed for the committal of uncontrollable children at the instance of their parents. Furthermore, section 133 meant that children could be committed for non-attendance at school following a complaint from a school attendance committee.<sup>811</sup>

When passed, the Children Act was greeted with a great deal of optimism and enthusiasm in Ireland. The *Irish Independent* felt the Act was of ‘considerable importance for Ireland’, but did not elaborate on how it was important.<sup>812</sup> Other commentators were more inclined to expound on the subject and the most commonly expressed hopes for the Children Act was that it would reduce crime, and thus save society money, and that it would function as a tool for social mobility and lift children out of poverty.<sup>813</sup> The *Fermanagh Herald* believed that not only would the Children Act overthrow the workhouse system, but it would also save ‘unfortunate slum children’ from drifting into criminality.<sup>814</sup> Exactly how the act would achieve

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<sup>810</sup> *Forty-seventh Report of the Inspector Appointed to Visit the Reformatory and Industrial Schools of Ireland*, HC, 1909 [Cd. 4852], p.5

<sup>811</sup> *Ibid.*, p.6

<sup>812</sup> *Irish Independent*, 11 February 1908

<sup>813</sup> *Fermanagh Herald*, 27 March 1909, *Irish Independent*, 23 March 1909

<sup>814</sup> *Fermanagh Herald*, 27 March 1909



these high hopes is unclear but a letter from Denis O'Carroll to the *Irish Independent* pointed to the importance of removing children from harmful influences at an early age. O'Carroll considered the origins of pauperism to lie in 'the early training given to children by vagrants, and unfortunately also by many resident in the towns and country'.<sup>815</sup> Thus, it would appear that the introduction of the Children Act served to further reinforce the notion that the home environment of the poor was the cause of immoral and criminal behaviour and that children needed to be protected from their own families and neighbourhoods.

Turning to the question of how the Children Act was enforced in Ireland, an analysis of newspaper accounts from the period 1909-1912 reveals that the majority of cases concerned the poor or the working-class. Only one of these newspaper accounts appears to deal with a family of some middle-class standing. This was the so-called Crozier case that concerned the death of a 16-year-old boy named John Crozier. John was removed from school by his father and stepmother and was exposed to severe neglect, cruelty, and starvation resulting in his death. Following the evidence given by the Crozier family's servants the father and stepmother were sentenced to five and twelve years of penal servitude respectively.<sup>816</sup> The social position of the family appears to have been of great interest to the general public. Frequently occurring occupations are labourer, farmer, and carpenter, all fairly typical working-class occupations. Further down the social scale there are a number of cases involving vagrants and their children.

The newspaper accounts also show that a significant number of cases prosecuted under the Children Act concerned relatively minor offences. In May 1909, when the Children Act had been in force for just over a month, the *Freeman's*

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<sup>815</sup> *Irish Independent*, 23 March 1909

<sup>816</sup> *Freeman's Journal*, 23 December 1912

*Journal* stated that the majority of prosecutions brought so far related to children in public houses and children injured or killed by fires.<sup>817</sup> The fireguard clause appears to have been the aspect of the Children Act most covered in the Irish newspapers. In the months preceding the introduction of the act numerous reminders of the act's provision were published in the Irish newspapers and many especially highlighted the fire clause.<sup>818</sup> The emphasise placed on informing and reminding the general public of the soon-to-be legal requirement to protect young children against fire indicates that the newspapers knew how widespread the lack of fireguards was. The clause was widely condemned in Ireland as being futile. In order for the clause to come into play a child had to be injured or die due to the lack of a fireguard, but the act did not make it compulsory to install a fireguard. During a 1910 inquest on a child burnt to death, the Coleraine district coroner criticised the shortcomings of the Children Act and declared that it was 'absurd' that it was not a crime to not possess a fireguard until a child had died.<sup>819</sup> Criticism also focused on the cost of fireguards. The argument that defendants could not afford fire a guard was often made in court by solicitors. In a 1909 case, the defending solicitor stated that his clients were 'desperately poor' and could barely afford food, let alone a fireguard.<sup>820</sup>

Whilst the fireguard clause did undoubtedly hit poorer families the hardest, it is important to note that in these cases the Children Act was often applied with a great deal of sympathy towards the parents; there are several cases involving children injured by fire in which the Court expresses sympathy with the parents and gives them the lowest sentence possible. In the 1909 case mentioned above, the court felt sympathy with the parents and fined them a smaller sum on account of their poverty

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<sup>817</sup> *Freeman's Journal*, 7 May 1909

<sup>818</sup> *Irish Independent*, 29 December 1908, *Anglo-Celt*, 2 January 1908

<sup>819</sup> *Ulster Herald*, 26 February 1910

<sup>820</sup> *Meath Chronicle*, 16 October 1909

and the loss they had suffered.<sup>821</sup> Another example is the case of Mrs Brown. She had left her daughter home alone to go fetch milk at a neighbour's house. During her short absence her daughter got too close to the fire and her clothes caught fire. She was taken to the infirmary where she died. The *Donegal News* stated that there was widespread sympathy with the mother, indeed the Chairman and the magistrates felt so sorry for Mrs Brown that they decided to pay the fine for her.<sup>822</sup> It appears that the loss of a child was deemed enough of a punishment for a parent and in none of the cases looked at here was the highest fine awarded. The Children Act was also applied with leniency in other cases. In some cases involving children begging the courts decided to adjourn the case to give the parents a chance to put a stop to the begging.<sup>823</sup>

As previously mentioned the Children Act did seek to control the behaviour of children, and that of their parents. Children could be admitted to industrial schools for a lack of proper guardianship and for being neglected. In some cases neglect and lack of guardianship were interpreted rather broadly. Parents could be charged with neglect for being unable to control their children which in some instances, amounted to the child having played in the street. In the case of a boy hurling in the street, his father was given a fine of 1s plus costs.<sup>824</sup> However, the court did not always agree with the prosecutor as to what constituted neglect under the Children Act. For example, the parents of a group of boys throwing stones were charged with neglect. The court did not think this was a case of neglect and dismissed it.<sup>825</sup>

In general, the Irish courts placed great importance on parental responsibility, just as the framers of the act had intended. The cases reported in the Irish newspapers

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<sup>821</sup> Ibid.

<sup>822</sup> *Donegal News*, 5 March 1910

<sup>823</sup> *Freeman's Journal*, 20 May 1909, *Kerryman*, 19 June 1909

<sup>824</sup> *Limerick Leader*, 29 August 1910

<sup>825</sup> *Irish Independent*, 17 April 1909

demonstrate just how important the role of the parent was. If parents behaved in the correct manner, in a manner deemed appropriate by the court, they could prevent their children being removed to industrial or reformatory schools. In several cases, the offending child was spared committal to an industrial or reformatory school on the basis that the parent, usually the father, guaranteed the future good behaviour of his offspring. For example, when the boy S.M was accused of stealing lead from the Great Northern Railway Station, he and his father were summoned before the children's court in Omagh in May 1910 where S.M pleaded guilty. S.M's father promised that he would ensure that his son was carefully looked after and sent to school. The boy was thus placed under a rule bail in the father's recognisances of £10.<sup>826</sup> A fine, and a guarantee of the child's good behaviour, appears to have been the most common manner in which a parent demonstrated to the court that they took responsibility for their child. But the use of physical punishment could also convince the court that the parent could control the child. In the case against T.L, a boy charged with rolling a hoop in the street, his father ensured that his son could stay in the family home by appearing in court to tell 'the bench that he had given the boy a sound trashing.'<sup>827</sup> This appears to have impressed the bench so that 'in consequence of the action of the father the bench administered a caution.'<sup>828</sup> The case of T.L demonstrates the importance of parents being seen to administer discipline and punishment to their wayward children. The main duty of a good parent was to exercise control over their children, and a parent who showed willingness to do so could be allowed to keep their child.

The failure of parents to properly care for their children could result in the child being sent to industrial school. Of the newspaper accounts concerning the

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<sup>826</sup> *Ulster Herald*, 7 May 1910

<sup>827</sup> *Limerick Leader*, 29 August 1910

<sup>828</sup> *Ibid.*

Children Act examined for the period 1909-1912, eleven cases resulted in a committal to an industrial school and only one case resulted in committal to a reformatory. Only two of the industrial school cases show a child being committed for a crime. J.Q., aged 12, was sentenced to an industrial school for breaking into a schoolhouse and stealing books, pencils, and a tennis ball.<sup>829</sup> The other case concerned a girl who had stolen some money and the court considered itself lenient when it sentenced her to industrial school rather than a reformatory.<sup>830</sup> The vast majority of industrial school cases involved some form of physical neglect of the children. A typical case was that of a country farmer whose children were found dirty and verminous, sleeping on old rugs on the floor.<sup>831</sup> A common denominator between the industrial school cases was the connection between neglect and vagrancy. In half of the cases, the parents were described as tramps, indicating once again that the very poor were prime candidates for confinement in industrial schools.

## Conclusion

This chapter has shown that during the late nineteenth and early twentieth century significant legislative developments took place. This new legislation was mainly aimed at the poor and it was used against the poor. This is particularly obvious when considering for example, the ILP Act's exemption of one-child homes.

The issue of enforcement is interesting and it is striking that the enforcement of both the ILP Act and the Cruelty appears to have been inconsistent, this underlines the ambiguity that characterised Ireland's relationship with child welfare. The ILP Act was met with certain reluctance in Ireland and, due to a number of factors; it was

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<sup>829</sup> *Freeman's Journal*, 19 February 1910

<sup>830</sup> *Connacht Tribune*, 27 November 1909

<sup>831</sup> *Freeman's Journal*, 21 July 1909

not enforced during its first twenty years. As the Tennant case study revealed, even after the ILP Act had begun to be used there were considerable difficulties relating to its enforcement, principally a reluctance of the responsible boards of guardians to promote its enforcement and disillusionment with the Act's potency on the part of the inspector. At the same time, there also appears to have been a belief that these laws were not strictly necessary in Ireland, as the Irish did not abuse or neglect children. Furthering adding to the ambiguity is the fact that the Irish newspapers were writing about instances of ill-treatment of children in Ireland. As shown by the newspaper accounts concerning nurse children and baby-farming it must have been known to the Irish reading public that children were sometimes abused and neglected. Despite this the first conviction under the ILP Act did not occur until 1894. The Cruelty Act appears to have been more widely used, presumably because it had the enthusiastic support of the NPSCC who also had the ability to enforce it. However, enforcement of both the ILP Act and the Cruelty Act indicate an unwillingness to confront individuals from the higher classes of society, the majority of cases dealt with concern the lower classes but it is only reasonable to assume that many children of wealthier parents also suffered neglect and cruelty. The acts aimed at protecting children from dangers arising at home, but failed to safeguard children in the institutions that were supposed to protect them. Institutions such as industrial schools were exempt under the ILP Act and, whilst not exempt under the Cruelty Act, there appears to have been no attempt to enter such institutions using the Act. Whilst the act appears to have been actively used against the poor, the instances in which it was used against the providers of institutional childcare, in the form of reformatories, industrial schools, and children's homes, were far fewer. The Tennant

case and the Cotton case indicate that there was an unwillingness to use the legislation against institutions and against individuals of a higher social standing.

However, it is worth remembering that in the case of the Children Act, the sentences given to parents for violating the act were in many cases rather lenient. The Children Act meted out rather harsh punishment for burning, but when looking at the application of the burning clause in Ireland it seems to have been quite lenient and often applied with a great deal of sympathy. Cruelty and neglect cases appear to have been treated with far less lenience. As seen from the newspaper accounts concerning the Children Act, the majority of industrial school committals seem to have been related to neglect. The leniency shown towards parents, who had lost their children due to burning, might have something to do with the fact that the child was dead and thus no longer represented a chance of redemption or a danger to society. Children who were neglected or beyond parental control constituted a potential danger, they could grow up to be criminals or paupers costing society money and spread immorality. Such children needed to be controlled and redeemed. In Ireland, the way to achieve control and redemption of these children continued to be to place them in industrial schools. The Irish response to Samuel's attempt at restricting the number of children eligible for industrial schools, show that the industrial schools had attained a dominant position in the landscape by the early twentieth century and Ireland was not willing to look for alternatives to the industrial schools.

The children of the poor and their families were increasingly monitored and judged, not only by the State but also by the Catholic Church. The dominant position of the Catholic Church within Irish childcare and its relationship to the new legislation is of great interest, especially with regards to the Children Act on which the Church appears to have had significant influence. As seen in previous chapters,

through its complete dominance of the reformatory and industrial school system, the Catholic Church had emerged as the most powerful player in Irish childcare. So by the early twentieth century the Catholic Church had a vested interest in childcare and in particular in ensuring that the number of children in industrial schools remained high. The letter from Fagan to Archbishop Walsh and the subsequent actions of Irish MPs indicate that the Church had significant influence over the content of the Children Act. It seems as though the Church was able to use its power to influence legislation relating to children in its favour. This is particularly interesting when considering the enforcement of these child welfare acts in Ireland. There appears to have been no attempt to inspect childcare institutions using these laws and it took until the second half of the twentieth century for the abuse and neglect of children in Catholic industrial schools to be fully revealed.

Thus, although the State expanded its control, the second half of the nineteenth century saw the Catholic Church become the primary care giver for children who were removed from their families and as such it was the Church, rather than the State, that was able to control the lives of thousands of Irish children.



## **Conclusion**

In light of the well-known extensive institutionalisation of Irish children in the twentieth century, the first conclusion to be drawn from this thesis might seem both foregone and simplistic. However, it is nonetheless vital as it is the most significant outcome of the examination of attitudes and approaches to the children of the poor and their care. Therefore it is worth commencing the conclusion of this thesis by emphasising that the institution as a way of caring for pauper children had a remarkably powerful and enduring appeal in Ireland throughout the second half of the nineteenth century. The high number of institutionalised children, in workhouses but particularly in the industrial schools, in Ireland in this period is striking, especially when considering that the rest of the British Isles was moving away from institutional care by the late nineteenth century. As we have seen, England never relied on institutional care to the extent that Ireland did and Scotland was considerably more amenable to non-institutional alternatives such as boarding out of workhouse children. However, in Ireland attempts at introducing non-institutional care were repeatedly rejected, and neither the boarding out scheme nor the day industrial schools (DIS) gained a strong foothold. Both boarding out and DIS failed to gather the support of the majority of parties and individuals involved in childcare for the children of the poor. With regard to boarding out, the majority of boards of guardians never wholeheartedly supported the scheme and there was a limited number of families willing to open their homes to workhouse children. As for the DIS, they faced the powerful opposition of the Catholic Church who wished to protect the dominant position of their residential industrial schools. In sharp contrast

to the hesitant approaches to boarding out and DIS, the industrial school system grew rapidly.

The prevailing appeal of institutional care highlights how, during this period, the care of the children of the poor was increasingly surrounded by fear and distrust, in particular there was a growing sense that these children needed to be controlled and monitored. Fear and distrust of the families of the poor in particular, and to some extent of the workhouse system, resulted in a system of more rigid institutional care and an extensive legal framework relating to children and their treatment. Firstly, it is important to note that these developments were closely connected to changing attitudes towards pauper children and the increasing importance placed on them. In the second half of the nineteenth century, there was a growing realisation that the childhood years influenced adult behaviour and, in order to ensure that pauper children grew up to be respectable and self-sufficient citizens, any harmful influences during childhood had to be minimised. Thus children and childhood took on a new importance and their development became a question of national and social importance. In the period immediately following the Famine this discussion focused on the high number of orphaned and deserted workhouse children. The interest in workhouse children increased and both philanthropists and the Catholic Church partook in the national discussion. As the discussion surrounding the Cork inquiry showed, the health of these children needed to be robust – otherwise the health of all of Ireland was under threat. The South Dublin Union riot highlights how the children's morals also needed to be sound; otherwise pauper girls would grow up to be prostitutes spreading illness. Sound morals also included a good work ethic preventing pauper children from becoming lazy, idle and reliant on ratepayers to survive. During the 1850s and 1860s the workhouse was increasingly perceived as

failing to ensure children's health and morals, indeed the workhouse environment was seen as causing poor health and immorality.

However, it was not just the workhouse that was perceived as dangerous – the homes of the poor also became a site of danger. As the chapter on boarding out demonstrated, there was an element of distrust towards potential foster families and the Poor Law authorities could not fully control what happened in the home environment in which the boarded-out children were placed. The discussion on the Irish workhouse child also highlighted how one of the main criticisms levelled against the workhouse system was its lack of control over the movement of children. Workhouse children were able to enter and leave the workhouse rather frequently and were believed to be exposed to harmful influences when they returned to their home environment. These harmful influences would then be spread through the workhouse upon the children's return. Thus both the workhouse, and particularly the homes of the poor were identified as sites of moral and physical danger. From this grew a sense that the environment and movements of the children of the poor needed to be controlled – this appears to have been a point on which all interested parties, from philanthropists to the Catholic Church, could largely agree. Thus, driven by fear and a sense of danger, the preferred solution to this problem was to replace the workhouse and the family home with the almost hermetically sealed reformatories and industrial schools. The children could be removed from their homes and kept isolated from their families and the rest of society. This was believed to protect the children, and in the long run, Irish society, from harmful influences.

Secondly, one must consider the role of legislation. For the children of the poor and their families, the increasing distrust of them came to have far-reaching consequences. Perhaps the most important outcome of these developments was the

rise of two twin powers, the State and the Catholic Church, that were able to intervene and control family life to an extent previously unimaginable. This period saw a shift in responsibility for the upbringing of children whereby the State, but above all the Church, gradually took over responsibility from parents. The role of legislation was absolutely central to this take-over. In connection with child legislation, one must note the work of child welfare groups such as the National Society for the Prevention of Cruelty to Children (NSPCC) who campaigned successfully for its introduction and also had a role in enforcing it. Thus, it was not just the State that was able to access the family home, but also representatives of philanthropic organisations. However, it should be noted that the NSPCC did not favour the separation of children and parents, but rather advocated for reforming the behaviour of parents and thereby keeping families together.

Gradually, the State took more control over the lives and treatment of children through the use of legislation aimed at regulating the treatment of children. As this thesis has shown, legislation such as the Infant Life Protection (ILP) Act, the Cruelty Act, and the Children Act, but also the Industrial Schools Act, were used to gain access to the family home and allowed the State to control the interaction between parent and child. It also allowed the State to remove children from parents deemed neglectful or abusive. By 1913, the day-to-day life of children was surrounded by an extensive legal framework touching on most aspects of their existence. This, of course, was not always a negative development and did significantly increase the protection afforded to children. It should be noted that more research is needed to establish exactly how and to what extent the new legislation was used to institutionalise children.

However, these laws and their enforcement highlight an inherent ambiguity towards childcare in Ireland. On the one hand, Irish society recognised that there were children in need of protection, but on the other hand, only the children of the poor needed this protection. Furthermore, they needed it in their own homes or in the homes of working-class nurses, not in the childcare institutions. The new child welfare legislation contributed towards a society in which the poor were perceived as incompetent parents and strengthened the notion that their homes were filled with danger. They also contributed to a society in which the State had the right to remove children from their homes based on the scrutiny of poor parents by individuals who perhaps did not understand the reality of working-class lives. As chapter five demonstrated these laws appear to have been used mainly against the poor with instances of more high-status members of society able to evade punishment for breaking the law. Rev Cotton was able to continue operating an orphanage for illegitimate children for over ten years despite it being known he physically abused the children in his care. When a nurse connected to the very respectable Cottage Home for Little Children violated the ILP Act, the Cottage Home's social standing might have contributed to the nurse being given a relatively light sentence.

When discussing ambiguity in the approach to Irish childcare, one must also mention the use of financial resources on pauper children. The reluctance to spend money on the children of the poor is a re-occurring theme in this period. Whilst there was growing recognition for a need of improved living conditions for the children of the poor, there was also a persistent reluctance to spend financial resources on them. The boarding out scheme failed partly because board of guardians were unwilling to spend money on pauper children and we can also see that the enforcement of the ILP Act was hampered by guardians reluctance to pay their inspectors. It would seem that

Ireland never managed to completely rid itself of the notion of less eligibility and the idea that pauper children should not be accustomed to conditions above their social status.

There was also a dichotomy between how Irish society believed it treated children and how it actually treated them. There appears to have been an idealised view of Ireland and its relation to children, there was an element of belief that Irish children were not mistreated. As we have seen in the discussion surrounding the ILP Act and the Cruelty Act, Irish newspapers expressed a belief that such legislation was not necessary in Ireland as the Irish in general did not abuse and/or neglect children. It is interesting to note that the newspapers were able to propound this view, whilst at the same time reporting, as chapter five showed, on cases of baby-farming. This leads us back to the notion of the poor family home as a source of danger. There was definitely an unwillingness to admit that the Irish mistreated children, but there was a prevailing notion that ill-treatment of children was connected to poverty. As seen from the discussion concerning the Cruelty Act, the NSPCC tended to interpret signs of poverty, such as dirt and filth, as signs of neglect. Thus, once again child abuse and neglect was firmly connected to the homes of the poor from which children needed protection. This belief undoubtedly contributed towards the rapid expansion of the industrial schools in Ireland. Despite the intention of the Industrial Schools Act was for the schools to provide for children at risk of becoming criminals, in Ireland, the schools were mainly used to house children whose only crime was poverty.

One must also consider the role of the Catholic Church in the rise of institutionalised childcare in Ireland. Whilst the new legislation meant that the State could assume responsibility for these children and their upbringing, in Ireland the

State essentially abdicated this responsibility to the Catholic Church. Thus, through their network of industrial schools, the Catholic Church came to dominate the landscape of Irish childcare. This situation must be regarded as a peculiarity to Ireland, in the rest of British Isles the State did not hand over responsibility to the Church. So, how did the Irish situation come to emerge? It was enabled by the particularly strong standing of the Catholic Church in Ireland whereby it was able to use the changing attitudes and approaches to childhood to gain influence over the children of the poor. The religious tensions in Ireland greatly aided the Catholic Church in this. Ireland was ruled by a British Protestant government and the agencies of the State, such as the workhouse, was largely Protestant but the vast majority of pauper children were Catholic. As seen in the discussion on the SDU riot, the Catholic Church were able to portray itself as the protector of Catholic pauper children against the Protestant workhouse management that threatened the virtue of Catholic children. Thus, Ireland came to trust the Catholic Church to bring up Catholic pauper children better than the Protestant workhouse could. In addition, the British State also appears to have regarded the Catholic Church as more dependable and competent than Irish pauper families. The State was willing to allow the Church to take on the main responsibility for the rearing of pauper children, one example of this is the way in which the inspector for reformatory and industrial schools (IRIS) appears to have welcomed the Catholic congregations take-over of industrial schools. Handing over the care of the children of the poor to Catholic congregations had several benefits. Not only did it relieve the State of the burden of housing these children, the congregations were also regarded as well organised and capable of managing large institutions. Thus the State could hand over the management of children into the capable hands of Catholic congregations that would neither demand

nor wish for the State to involve itself in the day-to-day management. The capitation-grant system also ensured that the State only paid a set sum per admitted child, in theory this meant a relatively cheap system as the State did not for example have to pay for the building of schools. In practice, the capitation grant drove up the number of admissions and the treasury's outgoings increased significantly. However, the system was presumably still cheaper than housing children in workhouses where the State and the ratepayers were responsible for all costs.

The Church's rise to dominance over the institutional system also relied on its ability to make use of the flawed industrial school system. As chapter four highlighted, the system failed to give the State key powers over the daily operation and management of the reformatories and industrial schools. The IRIS made some attempts to gain more control over the system, but the British State does not seem to have backed these attempts up in any significant manner, instead preferring to allow the Catholic Church to manage the schools as they saw fit.

By the end of the nineteenth century the Catholic Church had a lot of power and prestige in Ireland. In some respect the Catholic Church rivalled the State in terms of power and it appears that it was able to influence child legislation as well. We can see this in lead-up to the introduction of the Children Act where the Church fought to allow industrial schools to keep admitting children largely on grounds of poverty. Thus child welfare legislation was used to enable institutionalisation of Irish children and the Children Act served to confirm the special status of industrial schools in Ireland.

Finally, what did these developments in institutional care and legislation mean for the children of the poor? Whilst the workhouse afforded a relatively great degree of freedom to children and their families, in practice they could often enter



and leave the workhouse as they pleased, the reformatories and industrial schools curtailed the movements of the children and isolated them from their families and the rest of society. These institutions were essentially closed to the outside world. John Arnott's exposure of conditions in the Cork workhouse was much harder to repeat with regard to the reformatory and industrial schools. An outsider would not have gained access to what was an increasingly closed system of childcare. Whilst the Irish newspapers frequently reported on workhouse events, they did not report to the same degree with regard to reformatories and industrial schools. Children were actively cut off from their families, the school managers could withhold communications and children were often sent far away from their home so that their poor parents were prevented from visiting them. Despite these attempts to isolate children, chapter four also highlighted how many families fought for the release of their children. In terms of the effects of institutionalisation, as seen from chapter four, the IRIS expressed strong concern that children were isolated and that this had an adverse effect on their development. Shut away inside these institutions, the children of the poor became invisible. Thus, in Ireland, the increasing attention given to pauper children in the aftermath of the Famine ironically led to a situation in the early twentieth century where these children became more isolated and invisible.

## Appendix A

Table showing the number of children in Irish workhouses on the last Saturday of each month, 1859-1913.

Month	1859	1860	1861	1862	1863	1864	1865	1866	1867	1868	1869
January	13,021	12,041	13,352	16,289	18,512	17,804	17,410	16,061	16,779	18,086	17,199
February	12,677	12,188	13,625	16,412	17,959	18,108	17,654	16,047	16,609	18,126	16,940
March	12,311	12,072	13,602	16,148	17,539	17,524	17,026	15,379	16,747	17,725	16,584
April	11,467	11,786	12,865	16,012	17,335	16,689	15,720	14,489	16,176	16,879	15,738
May	11,036	11,499	12,624	15,668	17,445	16,214	15,303	13,868	15,037	16,286	15,036
June	10,842	11,709	12,467	15,495	17,488	15,439	14,468	13,765	15,712	15,799	14,483
July	10,100	11,135	11,989	15,124	16,440	15,074	13,819	13,183	14,911	14,922	13,641
August	9,580	10,382	11,206	13,545	14,422	13,841	13,119	12,594	13,632	14,184	12,620
September	9,874	10,127	11,721	13,174	14,458	13,985	13,029	12,861	13,769	14,310	12,881
October	9,983	10,733	12,420	13,854	15,088	14,307	13,303	13,104	14,270	14,773	13,161
November	10,763	11,540	14,289	15,508	16,209	15,486	14,417	14,038	15,473	15,823	13,969
December	11,522	12,494	14,871	16,514	16,896	16,449	15,092	15,193	16,670	16,700	14,822

Table ranking the months by the number of children in Irish workhouses on the last Saturday of each month, 1859-1913.

The number 1 represents the month of each with the highest number of workhouse children and 12 the month with the lowest number of workhouse children.

Colour-coding has been used to visualise the ranking with red representing the higher number of children in Irish workhouses and green representing lower numbers.

Month	1859	1860	1861	1862	1863	1864	1865	1866	1867	1868	1869
January	1	4	5	3	1	2	2	1	1	2	1
February	2	2	3	2	2	1	1	2	4	1	2
March	3	3	4	4	3	3	3	3	2	3	3
April	5	5	6	5	6	4	4	5	5	4	4
May	6	8	7	6	5	6	5	7	8	6	5
June	7	6	8	8	4	8	7	8	6	8	7
July	9	9	10	9	8	9	9	9	9	9	9
August	12	11	12	11	12	12	11	12	12	12	12
September	11	12	11	12	11	11	12	11	11	11	11
October	10	10	9	10	10	10	10	10	10	10	10
November	8	7	2	7	9	7	8	6	7	7	8
December	4	1	1	1	7	5	6	4	3	5	6

Month	1870	1871	1872	1873	1874	1875	1876	1877	1878	1879	1880	1881	1882	1883	1884	1885	1886	1887	1888	1889	1890	1891
January	15,543	13,710	12,327	13,331	12,776	12,453	11,139	10,754	11,499	11,753	13,403	12,736	11,495	11,401	9,820	9,349	9,413	8,030	8,478	8,212	7,425	6,891
February	15,373	13,520	12,703	13,096	12,854	12,314	11,215	10,607	11,481	11,825	13,397	12,512	11,323	11,593	10,776	9,215	9,281	8,845	8,603	8,289	7,285	6,731
March	14,686	13,039	12,114	12,701	12,567	11,968	10,989	10,266	11,136	11,463	12,854	12,458	11,142	10,972	9,829	9,096	9,113	8,671	8,375	7,887	7,317	6,732
April	13,875	12,395	11,640	12,170	12,162	11,305	10,489	10,047	10,974	11,302	12,680	11,995	10,922	10,662	9,323	8,952	8,874	8,399	8,123	7,629	7,070	6,660
May	13,349	11,745	11,363	11,492	11,572	10,864	10,000	9,875	10,722	11,216	12,238	11,592	10,580	10,292	9,148	8,753	8,600	8,204	7,848	7,851	6,936	6,462
June	12,871	11,437	10,977	11,132	11,421	10,436	9,572	9,647	10,530	11,031	11,903	11,388	10,121	9,828	8,827	8,599	8,452	7,996	7,501	7,017	6,738	6,285
July	12,028	10,801	10,446	10,747	11,152	9,861	9,106	9,434	10,051	11,249	11,419	11,113	10,015	9,508	8,728	8,417	8,111	7,898	7,473	6,898	6,552	6,163
August	11,594	10,213	9,934	10,216	10,635	9,575	8,864	9,133	9,696	10,903	10,749	10,516	9,789	9,128	8,425	8,139	8,024	7,850	7,475	6,859	6,388	6,128
September	11,662	10,484	10,391	10,428	10,643	9,652	9,156	9,280	9,895	10,996	10,739	10,385	9,824	9,000	8,539	8,314	7,918	7,858	7,437	7,008	6,555	6,112
October	11,791	10,734	10,923	10,878	10,858	9,902	9,224	9,534	10,074	11,527	11,093	10,406	10,082	9,122	8,649	8,598	8,297	8,023	7,182	7,050	6,515	6,303
November	12,620	11,485	11,654	11,316	11,430	10,366	9,738	10,330	10,942	12,428	11,917	10,882	10,616	9,468	9,127	8,942	8,518	8,253	7,783	7,334	6,752	6,376
December	13,332	12,152	12,217	11,972	12,036	10,867	10,387	11,042	11,345	12,987	12,133	11,352	11,023	9,926	9,185	9,006	8,667	8,338	8,060	7,310	6,745	6,484

Month	1870	1871	1872	1873	1874	1875	1876	1877	1878	1879	1880	1881	1882	1883	1884	1885	1886	1887	1888	1889	1890	1891
January	1	1	2	1	2	1	2	2	1	4	1	1	1	2	3	1	1	7	2	2	1	1
February	2	2	1	2	1	2	1	3	2	3	2	2	2	1	1	2	2	1	1	1	3	3
March	3	3	4	3	3	3	3	5	4	6	3	3	3	3	2	3	3	2	3	3	2	2
April	4	4	6	4	4	4	4	6	5	7	4	4	5	4	4	5	4	3	4	5	4	4
May	5	6	7	6	6	6	6	7	7	9	5	5	7	5	6	7	6	6	6	4	5	6
June	7	8	8	8	8	7	8	8	8	10	8	6	8	7	8	8	8	9	8	9	8	9
July	9	9	10	10	9	10	11	10	10	8	9	8	10	8	9	10	10	10	10	11	10	10
August	12	12	12	12	12	12	12	12	12	12	11	10	12	10	12	12	11	12	9	12	12	11
September	11	11	11	11	11	11	10	11	11	11	12	12	11	12	11	11	12	11	11	10	9	12
October	10	10	9	9	10	9	9	9	9	5	10	11	9	11	10	9	9	8	12	8	11	8
November	8	7	5	7	7	8	7	4	6	2	7	9	6	9	7	6	7	5	7	6	6	7
December	6	5	3	5	5	5	5	1	3	1	6	7	4	6	5	4	5	4	5	7	7	5

Month	1892	1893	1894	1895	1896	1897	1898	1899	1900	1901	1902	1903	1904	1905	1906	1907	1908	1909	1910	1911	1912	1913
January	6,732	6,788	6,785	6,578	6,571	6,316	6,588	6,702	6,186	5,871	5,844	5,824	5,854	5,775	6,116	5,944	6,025	5,793	5,544	5,295	5,125	4,976
February	6,837	6,748	6,780	6,549	6,338	6,175	6,621	6,552	6,161	5,714	5,962	6,037	5,990	5,831	6,223	6,039	6,013	5,680	5,576	5,282	5,173	4,898
March	6,683	6,615	6,478	6,429	6,279	6,281	6,640	6,358	6,941	5,733	5,697	6,018	5,914	5,872	6,052	5,803	5,993	5,521	5,278	5,213	5,097	4,851
April	6,517	6,878	6,891	6,251	6,155	6,178	6,461	5,856	5,768	5,531	5,716	5,595	5,680	5,751	5,876	5,576	5,801	5,286	5,076	5,058	4,895	4,728
May	6,484	6,120	6,287	6,048	5,960	6,123	6,444	6,286	5,534	5,278	5,581	5,620	5,538	5,616	5,818	5,474	5,587	5,177	5,032	4,821	4,788	4,559
June	6,200	6,124	6,118	6,805	5,881	5,970	6,451	6,183	5,341	5,378	5,566	5,547	5,447	5,572	5,572	5,349	5,472	5,101	5,032	4,866	4,609	4,334
July	6,063	6,139	6,121	5,920	5,933	5,923	6,337	5,748	5,814	5,346	5,436	5,437	5,290	5,519	5,507	5,370	5,350	5,054	4,982	4,835	4,568	4,292
August	6,089	6,118	6,039	5,970	6,025	5,955	6,239	5,739	5,330	5,244	5,467	5,412	5,295	5,531	5,600	5,436	5,466	5,033	5,022	4,829	4,566	4,238
September	6,154	6,275	6,021	5,994	6,059	5,990	6,234	5,779	5,280	5,358	5,613	5,455	5,309	5,658	5,494	5,488	5,511	5,045	4,938	4,860	4,530	4,314
October	6,303	6,456	6,226	6,040	6,168	6,178	6,226	5,806	5,327	5,459	5,461	5,572	5,500	5,724	5,660	5,634	5,731	5,138	4,995	4,889	4,615	4,295
November	6,418	6,594	6,299	6,213	6,252	6,313	6,383	5,995	5,449	5,635	5,587	5,678	5,723	5,951	5,735	5,744	5,720	5,165	5,081	4,884	4,815	4,486
December	6,552	6,658	6,498	6,275	6,201	6,578	6,412	5,988	5,582	5,703	5,722	5,781	5,763	5,946	5,943	5,805	5,730	5,248	5,108	4,987	4,771	4,494

Month	1892	1893	1894	1895	1896	1897	1898	1899	1900	1901	1902	1903	1904	1905	1906	1907	1908	1909	1910	1911	1912	1913
January	2	2	2	2	1	2	3	1	2	1	2	3	3	5	2	2	1	1	2	1	2	1
February	1	3	3	3	2	7	2	2	3	3	1	1	1	4	1	1	2	2	1	2	1	2
March	3	5	5	4	3	4	1	3	1	2	5	2	2	3	3	4	3	3	3	3	3	3
April	5	1	1	6	7	5	4	8	5	6	4	7	6	6	5	7	4	4	6	4	4	4
May	6	11	7	8	10	8	6	4	7	11	8	6	7	9	6	9	8	6	7	12	6	5
June	9	10	10	1	12	10	5	5	9	8	9	9	9	10	10	12	10	9	7	8	9	8
July	12	9	9	12	11	12	9	11	4	10	12	11	12	12	11	11	12	10	11	10	10	11
August	11	12	11	11	9	11	10	12	10	12	10	12	11	11	9	10	11	12	9	11	11	12
September	10	8	12	10	8	9	11	10	12	9	6	10	10	8	12	8	9	11	12	9	12	9
October	8	7	8	9	6	5	12	9	11	7	11	8	8	7	8	6	5	8	10	6	8	10
November	7	6	6	7	4	3	8	6	8	5	7	5	5	1	7	5	7	7	5	7	5	7
December	4	4	4	5	5	1	7	7	6	4	3	4	4	2	4	3	6	5	4	5	7	6

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