

## Chapter 4: 1922-1939

### Introduction

- 4.1 The early history of Ireland's mother and baby homes coincides with the establishment of the Irish Free State. Until the opening of Pelletstown in 1919 (see Chapter 13), there were only two small homes that provided accommodation for unmarried mothers and their children: the Magdalen Asylum (Denny House, see Chapter 23) and St Gerard's (see Chapter 27) which was run by St Patrick's Guild.<sup>1</sup>
- 4.2 The institutional and financial arrangements that were put in place for unmarried mothers and their children between 1922 and 1939 survived until the later decades of the twentieth century. The following mother and baby homes that are central to this Commission of Investigation: Bethany; Bessborough; Kilrush; Glenamaddy - later Tuam; Sean Ross and Castlepollard, opened during these years. Dunboyne was the only substantial home that opened after 1939. In 1920 an unmarried mother who did not enter a workhouse received no financial support from the public purse. During the 1920s and the 1930s a growing number of local authorities began to pay for the maintenance of unmarried mothers and their children in these special homes. The government introduced the *Illegitimate Children (Affiliation Act) 1930* that was designed to make it easier to enforce affiliation orders against the fathers of illegitimate children; new regulations were introduced governing maternity homes; the provisions for children, who were not being raised by their families and the law relating to the provision of public assistance, were updated. England, Scotland and Northern Ireland introduced legal adoption during these years, but in Ireland adoption legislation was not introduced until the 1950s.
- 4.3 The significance of the coincidence between the establishment of mother and baby homes and Irish independence should not be overstated. Mother and baby homes were not an Irish solution to an Irish problem; Ireland was late in establishing mother and baby homes and the initial recommendation in favour of these special homes came from the 1906 Vice-Regal Commission on the Irish Poor Law. The

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<sup>1</sup> There were many private maternity homes/nursing homes where unmarried mothers and their children were accommodated, but these were run at a profit. For details of these homes see Chapter 2.

establishment of the Bethany Home in 1922 also indicates that this 'solution' to the problem of unmarried mothers was not unique to the Catholic church.

- 4.4 The establishment of special homes for unmarried mothers and their children was prompted by a variety of factors.
- Reform of the poor law
  - Greater awareness of the high infant mortality of 'illegitimate' children
  - Concerns at the apparent rise in illegitimacy, and the moral backlash that followed the ending of World War One, which took on a heightened significance with the founding of the Irish Free State.

### **Poor law reform**

- 4.5 Proposals for establishing special mother and baby homes emerged as part of a wider review of the Irish poor law that was initiated when Ireland was part of the United Kingdom. The reforms were implemented by an Irish government. In the 1920s primary responsibility for health and welfare services rested with the local authorities (see Chapter 1). They organised and delivered most services, either directly - as in a workhouse/county home, infirmary and mental hospital, or indirectly, by paying for a child in an industrial school. Legislation enacted by the UK Parliament, and by Dáil Éireann, determined eligibility, set regulations, including capitation rates and made loans to local authorities for capital purposes. The administrative model operated by the Department of Local Government and Public Health (DLGPH) after 1922 was almost identical to the pre-independence Irish Local Government Board. Department inspectors visited local authorities to check whether finances were in order and regulations were being implemented. They reported on conditions in local authority-run hospitals and homes, and the treatment of boarded out children, who were under the care of the local authorities. The department, like its predecessor, drew up detailed regulations, and issued numerous circulars to local authorities, but responsibility for delivering a particular service rested with the local authority, and despite the many circulars and inspections, there were often significant discrepancies between departmental regulations and local practice, and compliance with the regulations varied significantly between counties.
- 4.6 When Sinn Féin gained control of most local authorities following elections in 1920, it set about a programme of major reform of the poor law, which was regarded as

one of the most hated symbols of British rule, and a wasteful and unpopular means of caring for the poor and the sick. The Dáil Éireann proposals involved closing the workhouses - the multi-purpose institutions that catered for all categories of persons in need - and providing specific forms of assistance to each group. The poor law unions took no account of county boundaries and many unions straddled two or even three counties. The reforms substituted a county-based system. In place of the workhouse, each county would designate a county hospital and district hospitals to treat the sick and a county home, catering for the infirm elderly. Children in workhouses would be boarded out. Unmarried mothers might give birth in a county or district hospital, but they should not remain in these institutions beyond the post-partum period.

- 4.7 The first suggestion that special mother and baby homes should be established in Ireland came in the 1906 Vice-Regal Commission on Poor Law Reform in Ireland. Their report stated that the workhouse was an unsuitable 'refuge or asylum' for mothers of illegitimate children. First-time mothers should be sent to institutions owned or managed by religious communities or philanthropic persons. If no such institutions existed, they should be sent to a disused workhouse, adapted for the purpose that would only admit single mothers and their children. These special local authority homes should be managed by a committee of contributory boards of guardians, with a staff of special officers, 'similar to those in charge of the religious or philanthropic institutions'.<sup>2</sup> Mothers should remain in these special homes, caring for their children until they were at least one year old. At this point mothers should be placed in 'suitable situations' probably domestic or institutional service and their baby should be boarded out unless there were medical reasons for not doing so. Mothers of two or more children should be sent to Magdalen homes and should remain there. The 1906 Vice-Regal Commission provided the template for the mother and baby homes established after 1922, though this was not acknowledged.
- 4.8 Every county was asked to draw up a plan for the reformed delivery of health and welfare services. By 1927 schemes had been approved and were in place in every local authority except Dublin county and county borough, where the old poor law system continued. The overwhelming majority of these schemes made no provision for children 'of any kind' to be admitted to institutions; preferring that they

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<sup>2</sup> Poor Law Reform Commission. Report of the Vice-Regal Commission on poor law reform in Ireland, Volume I 1906, (Cd 3202)

should be boarded out. Despite instructions from the DLGPH that all local authorities should make provision for unmarried mothers fifteen local authorities failed to do so. (Kildare, Kilkenny, Louth, Meath, Westmeath, Wexford, Wicklow, North Cork, West Cork, Limerick Borough, Waterford, Roscommon, Sligo, Cavan and Tironaill). Counties Galway and Clare and the Dublin Union established dedicated local authority homes for mothers and children. Cork South Board of Public Assistance (Cork - Ireland's largest county was divided into sections for the purpose of administering health and welfare services), entered into an agreement with the Congregation of the Sacred Hearts of Jesus and Mary to send unmarried mothers in their area to the new mother and baby home at Bessborough (see Chapter 18). The local authority would pay a weekly capitation rate for all mothers and babies. All of these homes - whether they were private homes, such as Bessborough or owned and controlled by the local authority - such as Pelletstown, Glenamaddy/Tuam and Kilrush - were run by religious sisters. The Dublin Magdalen Asylum (later called Denny House), which only admitted protestant women, had no formal agreement with any local authority to admit mothers, but they received payments directly from the DLGPH covering approximately 50% of the cost of keeping a mother in the home for six weeks before the birth, and mother and baby for up to a year after the birth; a continuation of payments that they had received in the closing years of Ireland under the Union. There is no evidence that the Bethany Home, established in 1922, sought financial support from the DLGPH or a local authority until the late 1930s.

- 4.9 As already stated, 15 local authorities failed to make special arrangements for first-time unmarried mothers and there is no evidence that the DLGPH imposed any sanctions for their failure to do so. In the absence of alternatives, unmarried mothers in these counties, who sought assistance from the local authority, were admitted to a county home, or a district hospital (as happened in North Cork and Louth). The county homes (which were all formerly workhouses) that were originally intended to accommodate the elderly and incapacitated continued to house unmarried mothers and expectant mothers - like the workhouses before independence. Unmarried mothers remained in county homes in a number of counties despite the fact that the county schemes made no provision for this. Mothers and babies continued to be found in some county homes until the end of the 1950s, despite the DLGPH issuing recurring orders that they should be removed. But during the late 1920s and 1930s most local authorities began to

send some, though not all, first-time unmarried mothers who applied for assistance to one of the special mother and baby homes.

- 4.10 In 1930 only 8.26% of all illegitimate births were associated with the mother and baby homes that have been examined by the Commission. In 1931 with the opening of Sean Ross, this rose to 13%, and in 1932, it increased to 18.36%. By 1938, with Castlepollard also in operation, 28.3% of illegitimate births were associated with these homes.<sup>3</sup> The 1930s is therefore the decade when mother and baby homes begin to accommodate a significant proportion of Irish unmarried mothers and their infants.

### **Infant Mortality and Illegitimacy**

- 4.11 There was a growing interest in infant health and welfare in the years immediately before and during World War One. Infant mortality in Ireland was substantially higher than in England and Wales, and it showed less signs of improvement, though Ireland, as a predominantly rural country should have had lower infant mortality. The 1923 report of the Registrar General of Births, Marriages and Deaths - the first relating to the area of the Irish Free State, recorded an infant mortality rate of 66 per 1,000. Infant mortality in urban areas was 99 per 1,000; almost double the rate in rural areas. The death rate for 'illegitimate' children was 344 per 1,000 births, about six times the mortality of the children of married couples. At this time the death rate among 'illegitimate' children was significantly higher in every country, and that remained the case throughout most of the 20<sup>th</sup> century, but the adverse impact of 'illegitimate' birth was much greater in Ireland than elsewhere. In England and Wales, the mortality of 'illegitimate' infants was roughly double that of legitimate infants; roughly one child in eight born to a single mother in England and Wales died in the first year; in Ireland the figure was one in three. The highest mortality among 'illegitimate' children was between one and three months. The Registrar General noted that 1923 was the first year when the mortality of 'illegitimate' children was distinguished from overall infant mortality in Ireland. The second report of the DLGPH for the years 1925-27 quoted the annual reports of the Registrar General for the years 1925 and 1926, which showed that the mortality rate amongst infants born out of wedlock 'was about five times greater

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<sup>3</sup> These figures are derived from a table that totals the number of births in 8 large homes: Pelletstown, Tuam, Bessborough, Sean Ross, Castlepollard, Dunboyne, Bethany and Denny House. Regina Coeli is not included because of difficulties in isolating the new-born babies admitted. Statistics on births include babies who were born in these homes; babies born elsewhere to mothers who were in these homes until shortly before the birth, or mothers who gave birth elsewhere and were admitted shortly after the birth

than that of legitimate infants, and that one out of every three of the first-mentioned class died before the completion of the first year of life’.

It is recognised that illegitimate infants are handicapped by constitutional and environmental disadvantages which tend to a heavy incidence of infant mortality, but even when allowance has been made for these factors, the death rate of such infants is disproportionately high in view of the experience of other countries. From analysing the statistics it is evident that this excessive mortality is accentuated at the age period from 14 days up to 3 months and in point of causation is associated with Enteritis and Diarrhoea. It may be inferred that the unfavourable results are traceable to the early separation of mother and infant and to the influence of unsuitable artificial feeding.

- 4.12 The message from this report was that unmarried mothers should remain with their children in the early months of the child’s life, so that the mother could breastfeed her child and reduce the risk of infant death. The high death rate among ‘illegitimate’ children also prompted greater scrutiny of boarded-out children and children placed at nurse,<sup>4</sup> though any improvement in their care was dependent on the willingness of local authorities to enforce the regulations relating to these children, including removing children who were neglected or living in insanitary homes.

### **Illegitimacy and moral panic**

- 4.13 The rate of illegitimacy in Ireland was low. Guinnane claimed that ‘By United Kingdom standards Ireland had very few births to unwed mothers, and by some standards it had practicably none’. He contrasted illegitimacy rates in Ireland with regions in Germany where the rate was five times higher.<sup>5</sup> The official statistics undoubtedly underestimated the illegitimacy rate, but that would also be true for other countries, though the under-estimation/concealment might have been greater in Ireland, where considerable hostility was shown towards illegitimacy. The recorded rate of illegitimacy increased in the first three decades of the twentieth century, but the Irish figure remained low by international standards. The concerns expressed in Ireland about rising illegitimacy during the 1920s and 1930s were

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<sup>4</sup> Boarded out children were placed in foster homes by a local authority who paid the foster parent; children at nurse were either placed by a charity, or by the child’s mother or her family.

<sup>5</sup> Timothy Guinnane, *The Vanishing Irish. Households, migration, and the rural economy in Ireland, 1985-1914*, (Princeton, 1997), p. 259

excessive - verging on the hysterical - but they had an impact on policy and attitudes.

Illegitimate Birth-Rate per 1,000 live births

1906 - 1913 from 1.98 (in 1908) to 2.21 (in 1910), average 2.10

1914 - 1918 from 2.31 (in 1914) to 2.50 (in 1917), average 2.43

1919 - 1925 from 2.58 (in 1922) to 2.71 (in 1920), average 2.65

1926 - 1929 from 2.81 (in 1926) to 3.20 (in 1929), average 2.99

- 4.14 The Catholic church had long inveighed against ‘occasions of sin’ - opportunities for young men and women to indulge in courtship. In earlier years priests had often targeted courting couples on country roads, “the horrors of night-walking and company keeping and the loathsome goings on in the lanes of Meelick after dark”. Purpose-built dance halls became common only after the First World War; an earlier generation of priests targeted informal dance platforms at crossroads.<sup>6</sup> Apart from new ‘occasions of sin’ in the form of motor cars, dance halls and cinemas, the main difference after 1922 is the existence of an independent government with the capacity to legislate to regulate dance halls and other ‘occasions of sin’. There was also a belief - not limited to Ireland- that the years of the First World War, and in Ireland, the war of independence and civil war, had resulted in a loosening of moral standards that must be reversed. The rise in illegitimacy was seen as the consequence of increased moral laxity; many believed that the solution was to legislate to enforce more stringent moral standards by censoring films and publications, regulating dance-halls, and associated activities. A number of historians have examined the battery of legislation introduced by the Irish Free State: censorship of films and literature (including periodicals); restrictions on dance halls, and the *Criminal Law Amendment Act 1935* - which was initially intended to address the serious issue of under-age sexual activity, but was later extended to include a ban on the sale, importation, distribution and manufacture of contraceptives. There is no need to repeat this material here.<sup>7</sup> The sense of moral panic was aggravated by a belief in some quarters, that an independent, Catholic Ireland should become a role-model, an exception to the moral decline seen in most other western countries. This implied a need to ensure

<sup>6</sup> K H Connell, *Irish peasant society*, ‘Catholicism and marriage in the century after the famine’, (Oxford, 1968), pp 138-9; quotation is from W P Ryan, *The Pope’s Green Island* (London, 1912), p. 79.

<sup>7</sup> Peter Martin, *Censorship in the two Irelands, 1922=39*, (Dublin, 2006) Terence Brown, *Ireland a social and cultural history, 1922-2002*, (London, 2004). Maurice Curtis, *The splendid cause: the Catholic Action movement in Ireland in the twentieth century*, (Dublin, 2008).

and enforce higher moral standards than might have been expected when Ireland was part of the United Kingdom.

### The coming of mother and baby homes to Ireland

- 4.15 In the early 1920s the *Irish ecclesiastical record*, a periodical supported and approved by the Catholic Church published four articles on the topic of unmarried mothers.<sup>8</sup> The number and timing is significant; the *Irish ecclesiastical record* published no articles on this topic from its foundation in 1867 until 1920. The primary motivation of these articles was to highlight the risks of 'souperism' - the loss of Catholic mothers and children to Protestant charities - which had been a major concern of Irish Catholicism during the 19<sup>th</sup> century. The articles highlighted the lack of places in institutions for Catholic unmarried mothers and their children, but opinions differed as to what type of homes should be established. The articles suggest that a wider debate was underway about the merits of establishing a National Rescue Home or several homes that would admit single mothers from all parts of Ireland. One author, Fr MacInerney, was in favour of smaller homes. The prominent Catholic layman Sir Joseph Glynn suggested establishing hostels, where single mothers could live and work, and care for their child in the evenings and at feeding time. This debate, among Catholic clergy and active laity, can be seen as a response to Dáil Éireann's recommendation that first-time unmarried mothers and their children should no longer be accommodated in a workhouse or county home, and the fact that the Dáil did not suggest alternative arrangements.
- 4.16 Fr MacInerney's first article, which was published in August 1921, i.e. before the Irish Free State was established, prompted a letter from the Mother Superior of the Congregation of the Sacred Hearts of Jesus and Mary, the religious order that ran St Pelagia's Home in London. She indicated that her congregation was interested in establishing rescue homes in Ireland, and explained how they went about this in Britain. The congregation began by raising funds from charitable donations. Mother and child stayed in the home for at least a year. She claimed that 'The greater number, at their own request, remain two, three or four years as the case may require. They are employed in laundry, needlework and household duties'. The congregation tried, but rarely succeeded, in getting the father of the child to

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<sup>8</sup> Rev. H. M MacInerney, 'The souper problem in Ireland, *Irish ecclesiastical record*, 5<sup>th</sup> series, xviii (November 1921), pp 140-56; Sir Joseph Glynn, 'The unmarried mother, *Irish ecclesiastical record*, xviii (November 1921), pp 461-7; Rev. M. H. MacInerney, 'A postscript on the souper problem', xix (1922), pp246-61; 'How to deal with the unmarried mother', by 'SAGART'[this is the Irish term for a priest], xx (1922), pp 145-53;

make a contribution towards the child's upkeep. 'When the mother is placed in a situation the child is sent to one of our Orphanages or boarded-out, the mother paying a weekly or monthly sum out of her salary towards the support of her child. Sometimes the child is adopted by good Catholics'.

- 4.17 In late August 1921 (it is unstated whether this was before or after the letter quoted above), Fr MacInerney met the chaplain and secretary of St. Pelagia's home, who were visiting Dublin. They informed him that the Mother Superior was interested in opening a similar home in Ireland. There were Irish women in St. Pelagia's and her main objective was 'to arrest the evil at its source: to get hold of erring girls and reclaim them in Ireland, instead of allowing them to drift into the underworld of English cities and towns'. They informed Fr MacInerney that the Mother Superior was prepared to buy a house with some acres attached near Dublin, Cork or Waterford. When he contacted the relevant Catholic prelates about this offer, the Bishop of Cork 'promptly closed with the proposal and gave his hearty consent'<sup>9</sup> On 10 February 1922 a meeting of the council of the Sacred Hearts congregation gave its sanction to the purchase of a 210 acre estate and large house in Cork - Bessborough, and Sister Martina was appointed as superior of this new foundation.<sup>10</sup>
- 4.18 The St Pelagia's model, which was similar to the regime followed by Protestant rescue homes in Britain, was transferred to Ireland by the Congregation of the Sacred Hearts, largely unchanged. The aim was to rehabilitate first-time unmarried mothers, by ensuring that they cared for their child for a definite period and the mothers remained in an institution where the practice of religion played a central role in their rehabilitation. The emphasis on keeping mother and baby together made medical sense, because that would enable breastfeeding, which was much safer for the infant, and should ensure better care for the child. It would also prevent 'baby-farming' - very young infants being handed over to uncaring minders for a fee. The process of caring for her child was seen as contributing to the mother's rehabilitation. The women also carried out domestic duties and other forms of work. Although Pelletstown and Tuam were established by the local authorities, they were run by religious sisters, and the general ethos was not dramatically different to that found in Bessborough or Sean Ross and

<sup>9</sup> MacInerney, 'A postscript on the souper problem'.

<sup>10</sup> Sacred Heart Congregation Chigwell, Council Minutes 10 Feb 1922

Castlepollard, the other mother and baby homes established by the Congregation of the Sacred Hearts.

- 4.19 When Fr MacInerney wrote his articles in the *IER*, and when the Mother Superior of the Congregation of the Sacred Hearts responded, it would appear that both parties expected that any home (or homes) would be funded as a charity, perhaps by the Catholic Hierarchy. Fr MacInerney obviously regarded the support of the bishops as central, and the Mother Superior mentioned the need for fund-raising. Yet from its inception Bessborough received significant financial support from the local health authority – the South Cork Board of Public Assistance. The board made a per capita payment of 10s 6d for each mother and a similar sum for the baby (at this stage Bessborough did not admit ante-natal cases). The decision to allocate a per capita payment for the mothers and infants from South Cork admitted to Bessborough was crucial. Over the coming years other local authorities followed the example of South Cork, which meant that Bessborough and all homes established by the Congregation of the Sacred Hearts received most of their funding from local taxation. It is not clear how this transpired. Lucey, citing a 1923 report, states that the vice-guardians<sup>11</sup> had introduced a new system, which involved placing unmarried mothers in the county home ‘under the care of a nun’ and in the belief that her supervision and care would prevent ‘subsequent relapses’.<sup>12</sup> The minutes of Cork County Council in February 1922 discussed a scheme that involved establishing a county nursery, for deserted and orphaned children under the age of three. The nursery would also admit first-time unmarried mothers; single women who were pregnant for the first time would be admitted to a maternity unit attached to the nursery. All would be ‘under the care of the Religious Order in charge’ and overseen by a local authority committee.<sup>13</sup>
- 4.20 The letter and the meeting cited by Fr MacInerney fill in part of that story. An alternative, perhaps complementary, version relates that the Congregation of the Sacred Hearts were contacted by Seamus Lankford, a Sinn Féin member, who had been appointed as one of three vice-guardians with responsibility for the Cork Union under the local government department that was established in 1920.<sup>14</sup>

<sup>11</sup> Vice-guardians were appointed by the DLGPH in place of elected guardians, who were suspended, generally because they had failed to exercise appropriate financial controls.

<sup>12</sup> Donncha Sean Lucey, *The end of the Irish poor law? Welfare and healthcare reform in revolutionary and independent Ireland*, (Manchester, 2015) p 24.

<sup>13</sup> *Cork Examiner*, 16 February 1922

<sup>14</sup> Lucey, *The end of the Irish poor law?*, p. 22

Lankford was introduced to the Congregation of the Sacred Hearts by Michael Sugrue, a Kerryman, who worked in London. Lankford paid a deposit on the large house at Bessborough, but according to his wife's memoir the purchase money was provided by the Archbishop of Westminster.<sup>15</sup>

- 4.21 Bessborough opened in 1922; the first residents were mothers and babies who had been transferred from workhouses in Cork city and county. In 1924 the Cork Joint County Scheme Order listed Bessborough as an auxiliary home of the South Cork Board of Public Assistance,<sup>16</sup> in other words it was regarded as an integral part of the provision that the South Cork Board made for welfare and health in that area. We must presume that an agreement was drawn up between the Sacred Hearts congregation and the local health authority, but we have no copy of such an agreement, and no indication that such an agreement was approved by the Department of Local Government and Public Health.<sup>17</sup>
- 4.22 The first women admitted to Bessborough were transferred from the Cork city workhouse, now designated as the county home, by the South Cork Board of Public Assistance. If unmarried mothers and their infants were being transferred from a workhouse/county home to a mother and baby home, it was obvious that the local health authority should pay for their upkeep. Yet within a relatively short period, the local authority was paying for the upkeep of unmarried mothers and infants from families who would never have contemplated entering a workhouse or county home. Dedicated mother and baby homes were seen by families, and by some pregnant single women, as more acceptable than the workhouse, and an alternative to private nursing homes.
- 4.23 The fact that the local authority funded the maintenance costs for a substantial number of unmarried mothers and their infants was critical in expanding the numbers of women entering mother and baby homes. If middling farmers or small businessmen had been required to pay for the upkeep of their daughter and her child, admissions would have been lower, and few mothers would have remained in a home for two years. Local authorities determined whether a woman should be admitted to a mother and baby home, and whether they would pay for her upkeep.

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<sup>15</sup> The annals of the Sacred Heart Congregation, which might have enlightened us about this, do not survive (and may not have been compiled) for the years 1919-27. Siobhan Lankford, *The hope and the sadness. Personal recollections of troubled times in Ireland*, (1980), pp 269-70.

<sup>16</sup> Lucey *The end of the Irish poor law*, p 84

<sup>17</sup> Dáil Éireann Local Government files have revealed nothing.

This marked a significant extension of public funding at a time when the new government was committed to reducing public expenditure - this is best exemplified by the notorious reduction in the old age pension in 1924. Local authorities were maintaining unmarried mothers and their babies for up to two years, perhaps longer, at a time when a majority of widows had no entitlement to a pension and the only option for those suffering long-term unemployment was to apply for home assistance, formerly known as outdoor relief.

- 4.24 In the early years a single mother who was admitted to Bessborough first had to attend at the county home, and initially it appears that Bessborough only admitted women (with children) after they had given birth. In 1924 a council meeting of the Congregation of the Sacred Hearts noted that the Bishop of Cork and parish council had asked the order 'to undertake the supervision of unmarried mothers before the birth of children' and the congregation had accepted this work 'under certain conditions' - which are not recorded.<sup>18</sup> A later report by the Mother Superior noted that 'there was a certain reluctance' to admit women before the birth, and nothing happened until 1928 when 'the Bishop brought up the question again'. By 1928 the number of women being admitted to Bessborough was falling and the bishop 'almost insisted on the adoption of this work'. Other nuns were doing it and the Council agreed to fall in with the bishop's wish, as the workhouses were closed to these cases'.<sup>19</sup> By the end of the decade arrangements were in place enabling dispensary doctors or priests to arrange for an unmarried mother or pregnant unmarried woman's direct admission to Bessborough. The removal of the taint of the poor law, plus the perception that Bessborough could shield an unmarried mother from public scrutiny, and the fact that the cost was borne by the local authority would have encouraged more families to send a daughter to a mother and baby home.
- 4.25 Bessborough, Sean Ross and Castlepollard were private institutions; the properties were owned by the Congregation of the Sacred Hearts. The congregation was responsible for the maintenance and upkeep of the homes and paying all bills. Lay staff, including nurses, were employed by the congregation. In the three homes established by local authorities - Kilrush, Tuam and Pelletstown, the buildings and grounds were the property of the local authority, and the Sisters were agents contracted by the local authority to run the homes. Kilrush and

<sup>18</sup> Congregation of the Sacred Hearts, council minutes 23 March 1924

<sup>19</sup> Congregation of the Sacred Hearts, general chapter 1933 Report of Superior General

Pelletstown were directly funded by the local authorities - i.e. they met the cost of food, heating, medical supplies etc., and the staff - lay or religious were local authority employees. Tuam had a different arrangement. The local authority was responsible for repairs and any expenditure on the building; they paid the cost of a chaplain, medical officer, and a local midwife - who was paid per delivery - but the running-costs were met by the Sisters, who were paid a capitation payment for each mother and child.

- 4.26 The fact that local authorities were supporting mothers and babies in these homes marked a significant change from earlier practice. In 1916 government funding had been given to charitable agencies that assisted unmarried mothers and their children, (see Chapter 3) but this was mainly dedicated to the costs of placing children in foster homes. Kilrush, Tuam and Pelletstown were owned and controlled by the local authorities, whereas Bessborough and the two later homes, were owned and controlled by a religious congregation, but all these institutions depended on public funding. All these homes, whether owned and controlled by a local authority or a religious congregation had a strong religious ethos that was central to their mission.

### **The Commission on the relief of the Sick and Destitute Poor**

- 4.27 The Commission on the Relief of the Sick and Destitute Poor was established in 1925 to review the changes introduced by local authorities under the *Local Government (Temporary Provisions) Act 1923*. It was also charged with recommending legislation 'for the effective and economical relief' of various destitute classes including 'unmarried mothers and their children'. In 1925 mother and baby homes were new, and they admitted less than 10% of unmarried mothers giving birth in Ireland, so it can be argued that future policy for unmarried mothers and their children had not yet been fully determined.
- 4.28 Statements by witnesses and members of the commission give some insights into attitudes at the time among health professionals, local government members, local and national officials and clergy. Many of the views expressed were similar to the attitudes that resulted in the establishment of mother and baby homes in Britain, the USA and Australia. Witnesses and commission members expressed concern over the high infant mortality rate, the exploitation and mistreatment of single mothers in private nursing homes, and the fact that children at nurse were often

placed in unsuitable homes. The paramount concern was the ‘problem’ of illegitimacy. How could the rise in illegitimacy be contained? What measures should be taken to prevent women who had one child from giving birth to additional children outside of marriage? There was widespread support for keeping mother and child together for at least one year, and while this was seen as having a positive impact on infant mortality - because the mother could breastfeed and give her child better care than in a foster home - that appears to have been a secondary consideration. Most of those who advocated keeping mother and child together believed that requiring a mother to remain in an institution would provide an opportunity for repentance and rehabilitation, and make her responsible for her child. The assistant secretary of the Department of Local Government and Public Health (DLGPH) told the commission that the department opposed permitting a mother to leave her child in an institution and go out to work, ‘we hold that this relieves the mother of responsibility’.<sup>20</sup> Edward MacLysaght, a commissioner in the Dublin Union, who as a member of the Dáil Éireann Local Government Department appears to have been responsible for the establishment of the Kilrush home, also believed that a mother should remain with her child for approximately a year after the birth.

- 4.29 Sir Joseph Glynn, who was a member of the commission, was in favour of mothers and children living in hostels, which would care for the children during the day while the mothers worked nearby and contributed towards the upkeep of their children. He wanted hostels to accommodate a maximum of 20 mothers and children. He cited an official in the Child Welfare Department of the British Ministry of Health, who told him that ‘medical men condemned the living together in one building of a large number of babies of about the same age, owing to the rapid spread of infantile complaints among them’.<sup>21</sup> Sean O’Farrell, Commissioner for the North and West Cork Boards of Health, was critical of Bessborough:

a large Home where you put a hundred or more than a hundred of these girls together is a disadvantage because they lose the sense of shame they would have had when they meet so many others who are in a like predicament to themselves. I would be rather inclined to favour smaller Homes for them. In the large Homes it becomes too much of an Institution and I think the people in charge would not have the intimate touch and association required.<sup>22</sup>

<sup>20</sup> Oireachtas Library. Minutes of Evidence, Commission on the sick and destitute poor, First Day, 27 May 1925

<sup>21</sup> Glynn, ‘The unmarried mother’, p. 464.

<sup>22</sup> Evidence, Twenty-second day, 10 February 1926

- 4.30 The arguments against establishing large mother and baby homes did not receive serious consideration, and the only institution that came close to providing a hostel where mothers could work and keep their child was Regina Coeli, which was run by the Legion of Mary - but that role evolved gradually and almost by accident. (See chapter 21)

#### **'First Offenders'**

- 4.31 There was widespread agreement among members of the Commission and witnesses that first-time mothers should be classified and segregated from mothers who had more than one child. Jennie Wyse Power, a member of the board of the Dublin Union, suggested that 'you will get some very good mothers' among second-time mothers, but she believed that 'persistent offenders' should remain in an institution for a longer period of time. The secretary of the Galway board of health was of the opinion that single mothers who had a second child had 'very little' chance of reformation. In such instances mother and child should be separated shortly after birth and the mother sent to a Magdalen home.<sup>23</sup> One member of the Commission, in the course of questioning a witness drew a distinction between 'the unfortunate girl who falls, not through her own fault, perhaps, and the others [are] the hardened people who come mostly from towns, and the lanes in towns'. He asked whether 'the association of the first class with the second class tends to make the first class become more dissolute?' MacLysaght was asked whether cases 'where a woman has fallen more than a couple of times – put whatever limit you like on the number of her falls – cases of that kind may be treated as quasi-criminal?'. He agreed; he also agreed with the observation by the commission's chairman that 'that class of woman is a possible danger to the community' and legislation should be introduced enabling her to be kept in an institution for some unspecified period.<sup>24</sup>
- 4.32 There was widespread support for involving religious sisters in caring for unmarried mothers. Religious sisters had been working in Irish workhouses for almost fifty years, and many of the matrons appointed to the new county homes were religious sisters, so it is not surprising that they should be invited to supervise single mothers in whatever institutions might be established. Mrs Wyse Power wanted the nuns to keep in touch with first time mothers when they left the workhouse so that, 'often she would keep straight for a while, or perhaps settle

<sup>23</sup> Evidence, Sixteenth day, 22 October 1925

<sup>24</sup> Evidence, Fifth day, 23 June 1925.

down altogether'. The only dissenter was Sir Joseph Glynn, who proposed that hostels should be supervised by trained social workers, (who were almost non-existent in Ireland in the 1920s), with a committee of women, ideally married women, because he believed that they would have a better prospect of gaining the mothers' confidence.<sup>25</sup>

### **Fostering versus institutional care**

4.33 The mother and baby homes that opened during the 1920s were designed with the mothers primarily in mind: rehabilitating, perhaps punishing them and allegedly training them for future employment. Little thought appears to have been given to what would happen to the children once they reached their first birthday. Witnesses disagreed about their long-term care. At this time few single women were in a position to provide for a child. It was generally expected that mother and child would separate - either permanently or perhaps maintaining some contact. The DLGPH was strongly in favour of boarding-out. In September 1924 the minister wrote to each county board of health noting that:

many healthy children are being maintained in County Homes. ...adequate consideration has not always been given to the general advantages of the boarding out of children in suitable homes. It is believed that the successful upbringing of the children would best be achieved by having the children individually cared for in the families of the respectable poor.

4.34 The department wanted children to be boarded out in 'rural locations...healthy surroundings', which might enable them to work in agriculture.<sup>26</sup> Pre-1922 poor law regulations which remained in force precluded children being boarded out in a town or village unless the minister gave express permission. The belief that rural homes were healthier than towns was correct, given that the death rate among children in urban areas was almost double the rural rate.

4.35 The DLGPH, in its enthusiasm, failed to consider the fact that Ireland had limited experience of boarding out under the poor law. A Cork witness noted that it was only possible to find foster families in poorer districts; there was little interest in becoming foster parents in prosperous areas such as Fermoy. MacLysaght noted that some local authorities were not in favour of boarding out. Miss Litster, an inspector of boarded-out children attached to DLGPH, noted that while she has

<sup>25</sup> Evidence, Eighth day, 14 July 1925; Glynn, 'The unmarried mother'

<sup>26</sup> Commission on the Sick and Destitute Poor, Appendix VII. Letter 2 September 1924

had little difficulty in getting boards of health to adopt boarding out, 'speaking generally there is a tendency to put the child into the industrial school...Boards of Health seem to think children are better off under the care of a religious institution'. She disagreed. She also cited 'evidence of mothers leaving the county home with their child, and then applying to the court to have the child admitted to an industrial school' - the mother would then take up a job, probably as a domestic servant.<sup>27</sup>

- 4.36 Many witnesses, including the assistant-secretary of DLGPH, expected mothers who were in paid employment to make a financial contribution to the cost of their child's maintenance - whether the child was in an institution or boarded out. This determination to make mothers financially responsible for their child resulted in wholly unrealistic expectations;<sup>28</sup> it ignored the reality that very few women at this time earned an income that would support a mother and a child. Many mothers who committed to paying for their child ceased doing so after one or two years.

### **Working in the homes**

- 4.37 As the name indicates, the Poor Law required all able-bodied adults to work while in the workhouse. Most witnesses to the Commission on the Sick and Indigent Poor believed that the women in mother and baby homes should carry out some work. One witness claimed that women in Pelletstown did 'any work the nuns ask them to do, but there is not sufficient employment for them'. They noted that women in the Dublin Union 'do quite a lot of this laundry work'. Dr Thomas Hennessy TD, a member of the Commission claimed that single mothers in the workhouse worked hard: one described it as 'slavish work. They were delicate refined girls who had the misfortune to fall and the idea seemed to be that because they were unmarried mothers it was good enough for them'.<sup>29</sup> The annual report of the DLGPH for 1928-29 stated that mothers in Bessborough were trained in domestic duties, cookery, needlework, laundry and dairy work, poultry keeping and gardening. In 1930 the Congregation of the Sacred Hearts signed a lease on a shop in Cork that sold produce from Bessborough.<sup>30</sup> No Irish mother and baby home ran a commercial laundry - probably because the maintenance payments by local authorities made this unnecessary. The report of a 1943 inspection of Bessborough by Miss Litster noted that there were nine former patients, who were

<sup>27</sup> Evidence, Tenth day, 16 July 1925

<sup>28</sup> Evidence, fourteenth day, 24 September 1925, Coonan, Kildare Board of Health

<sup>29</sup> Evidence, Fifth day, 23 June 1925

<sup>30</sup> Congregation of the Sacred Hearts annals 19 August 1930. The shop was run for many years by two sisters; it closed in 1977; council minutes 10 February 1977

described as 'old girls' resident in the home. These long-term residents carried out 'a good deal of work' unpaid. They were not maintained by local authorities; she described them as 'voluntary workers'.<sup>31</sup>

- 4.38 House work was viewed as training women for future employment and married life. It was widely assumed that most single mothers would either return home to their families (probably without the child), or find 'a situation', as servants with a family or in institutional employment. These assumptions were common-sense; in the 1920s the overwhelming majority of single Irish women of working age were either living with their family, and helping with domestic or farm chores - unpaid - or employed as live-in servants in Ireland or overseas.
- 4.39 The commission's terms of reference included a reference to 'economical relief'. There were strong pressures in the 1920s to reduce the cost of local taxation - rates, which was a heavy burden on farmers.<sup>32</sup> The cost of maintaining women and children in county homes or mother and baby homes was met from local taxes. The secretary of the Co Limerick board of health wanted to make mother and baby care self-supporting by running a laundry or a similar activity; others suggested that some type of dressmaking/textile business should be attached to Pelletstown. Local authorities in the south-east investigated the possibility of establishing a mother and baby home, which would be supported by the mothers working in industries such as mattress covering, or shirt-making.<sup>33</sup>
- 4.40 The Farmers' Union, which represented larger farmers and lobbied for a reduction in rates, wanted the family of a single mother to be financially responsible for her upkeep, if she had been living at home prior to her pregnancy: 'one feels that there must have been something wanting in parental control and that they should not be permitted to evade a natural and positive obligation to maintain her'. Admission to an institution should be an exceptional arrangement. Women from rural Ireland who became pregnant in Dublin should be returned to their families, who would be asked to maintain them. If a domestic servant became pregnant her employer should be responsible for the upkeep because she/he had failed to exercise proper supervision.

<sup>31</sup> Department of Health, CCP/IMP/O/ 45492

<sup>32</sup> Britain derated agricultural land in the 1920s, but that was financially impossible in Ireland because agricultural land accounted for a majority of rateable valuation in many counties.

<sup>33</sup> County Kilkenny Board of Health and Public Assistance minutes, 25 March 1925

- 4.41 One of the most revealing statements came from a member of the Mayo Board of Health, who explained that although he was in favour of the principle that unmarried mothers should be removed from county homes:

I think the financial conditions of the County do not permit...I cannot see any advantage having this class under a religious order in a Central Home when they can be left in charge of a religious order in the ordinary County Home doing useful work. Their removal would mean the employment of several extra wardmaids which would be very difficult to procure. If it were possible to employ them it would be at great extra expense to the Ratepayers. ... If they were taken away to a Central Home it would mean employing 20 wardmaids at the rate of about £1 a week, and you would have to keep other attendants as well.<sup>34</sup>

- 4.42 Although women were expected to carry out domestic duties in county homes and in mother and baby homes, a distinction should be drawn between the two. The residents in a mother and baby home consisted of young women with their babies and the workload was divided between all the mothers. Some witnesses alleged that there was insufficient work in Pelletstown to occupy the mothers. Single mothers in county homes were among the minority of residents who were young and healthy. Most residents were elderly, infirm, children or people with physical or mental disabilities, so the workload in terms of laundry, personal care, feeding and cleaning was considerable. Many county homes did not employ any indoor staff other than the matron; the work was carried out by single mothers, who were unpaid (See Chapter 10). The reluctance of local authorities to lose this significant source of unpaid labour is one reason why single mothers were found in county homes until the 1960s.

### **Key Recommendations from the 1927 Commission**

- 4.43 The recommendations of the Commission on the relief of the Sick and Destitute Poor reflected the tone of the evidence summarised above. The commission favoured placing unmarried mothers in special institutions; they did not consider whether these institutions should be big or small, and they gave no consideration to the suggestion that hostels should be provided that would enable mothers to work and keep their child.<sup>35</sup>

<sup>34</sup> Evidence, Twenty-fourth day, 20 January 1926

<sup>35</sup> The recommendations relating to unmarried mothers and their children are in Chapter VI, paragraphs 227-73.

***First-time mothers***

- 4.44 The commission endorsed the view that there were two categories of unmarried mothers - 'those who may be considered amenable to reform' and 'less hopeful cases'. The first class was mainly comprised of first-time mothers; they concluded that first-time mothers required 'a moral upbuilding...requiring firmness and discipline...characterised by and blended with a certain amount of individual charity and sympathy'. Those in charge should make 'a true estimate of the character of each girl'. The 'treatment' of unmarried mothers should not be overly regulated or too hide-bound.
- 4.45 The commission considered that responsibility for first-time mothers should rest with the boards of health and voluntary organisations: 'Boards of Health should be allowed an almost complete discretion in the matter of dealing with and paying for this class through the agency of Rescue Societies and other voluntary organisations'. They should pay for the mothers, and make arrangements with charitable organisations for their care. There is no suggestion that these homes should be inspected or should conform to any standards with respect to accommodation, sanitation, food, staffing or living arrangements.

***Others***

- 4.46 As for the 'residue...those who are the least open to good influences', the commission would have wished to recommend the creation of 'special homes...for this residue', were it not for the expense. They estimated that there was a need for 500-600 places in 'institutions under the control of the Boards of Health' for women who were not deemed 'amenable to reform'. Boards of Health also needed to accommodate approximately 500 children under one year of age and 1,000 older children. Pelletstown and Kilrush were viewed as suitable for this 'residue'; it was recommended that these homes should include 'a probationary department and a maternity department' - where mothers could give birth and be 'kept out of contact with the County Home'.

***Duration of Stay and Detention***

- 4.47 The commission recommended that women on a second pregnancy should be detained for two years; for subsequent pregnancies 'the Board should have power to retain for such a period as they think fit, having considered the recommendation of the Superior or Matron of the Home'. The commission emphasised that the recommended periods of detention were 'not intended to be in any sense penal. It

is primarily for the benefit of the woman and her child...We are not in favour of the rigid application of fixed periods of detention; those that we have mentioned are maximum periods within which the widest discretionary power should be used.' The Board of Health should 'normally' act on the advice of the Matron.

No mother should be discharged until she has satisfied the Board of Health that she will be able to provide for her child or children, either by way of paying wholly or partially for maintenance in the Home or boarding it out with respectable people approved by the Board of Health.

- 4.48 Boards of Health should have discretion to permit a woman to leave without taking her child. Superiors (of religious institutions) and matrons had a duty 'to endeavour to place those fit for discharge in suitable positions outside and to see that they will not be altogether without supervision'.
- 4.49 The goal of removing unmarried mothers from county homes came into conflict with pressure to control costs. The commission noted that unmarried mothers carried out a lot of work in county homes, and they saw 'no objection in such women as the Matron considers suitable being transferred to the County Home for the purpose of assisting in the work of cleaning etc.', presumably unpaid.
- 4.50 Despite government statements favouring boarding out, the commission wanted to leave boards of health with considerable discretion as to whether children should be boarded out or sent to industrial schools. Although they described boarding-out as 'particularly suited to the present circumstances of the country, inasmuch as it involves no capital expenditure', they concluded that there 'is good in both systems - boarding-out and Industrial Schools'. Children who could not be boarded out should be sent to an industrial school; the cost should be shared between the board of health and the department. Measures should be introduced to enable this to be done without requiring a court order. The commission saw no reason why a board of health should keep any record of these children, once they had been transferred to an industrial school; this recommendation, plus the shared costs, would have acted as an incentive for boards of health to place children in institutions instead of boarding-out.
- 4.51 The commission noted that there had been a slight increase in the number of births outside marriage over the previous ten years. They expressed the hope that 'with returning stability of Government and the gradual tightening of the reins of

discipline, both governmental and parental, that we may look forward to a decrease in the number of these births'. This paragraph can be read as an implicit endorsement of measures to control dance halls, and other activities that were believed to have contributed to the rise in the illegitimacy rate.

- 4.52 The commission also recommended strengthening the law with respect to affiliation orders, and sexual offences. They recommended that all private maternity homes should be licensed by local authorities, and subject to annual renewal of the license; licences should only be granted to homes that are 'properly and suitably equipped for the purpose ....in charge of a respectable person trained in maternity care and nursing'. The *Children Act 1908* should be amended so that anybody proposing to take a nurse child should be required to give advance notice to a local authority, including notification of the number of children in the home. Foster parents should be required to notify the board of health if a child died or was removed from their care, and they should report on the condition of all the children under their care every three months. There was a brief reference to pregnant Irish women going to England, but the commission failed to propose any scheme for their repatriation, hoping that the numbers would decline 'with better organisation' of 'the machinery for dealing with expectant unmarried mothers', in Ireland.
- 4.53 The most significant outcome of the report of the Commission on the Sick and Destitute Poor, as it related to unmarried mothers and their children, was that there was no recommendation to change the arrangements whereby responsibility rested with the local authorities, working closely with religious institutions. There were no proposals to change the discretion of the boards of health on key decisions, such as retaining some mothers in county homes to carry out unpaid labour and whether children should be boarded out or sent to industrial schools. While the commission recommended the introduction of legislation relating to private maternity homes, and tougher regulations with respect to children placed at nurse, there was no suggestion that mother and baby homes, owned and run by religious congregations should be inspected or regulated by the state or by local authorities, despite the fact that the mothers and children were funded by taxpayers.
- 4.54 The key principles underlying the recommendations were local autonomy, concern for costs, and an innate belief that religious sisters were the best judge of how to rehabilitate an unmarried mother. A health authority, which wished to send

mothers to a mother and baby home run by a religious order or a charity, signed a generic agreement with that home. The memorandum of agreement signed in 1931 between Tipperary North Riding Board of Health, and Shan (sic) Ross Abbey<sup>36</sup> acknowledged that the Mother Superior had almost total discretion over decisions relating to the home. It stipulated that she 'shall be the sole judge of the suitability for admission of any person...and also after consultation with the Medical Officer in charge of the person of his (sic!) fitness for discharge' from the home.<sup>37</sup> There is evidence that the agreement with Castlepollard - which the Commission has not seen - was altered by the congregation to enable them to refuse admission to women 'suffering from disease, with a vicious history, or who had been in prison'.<sup>38</sup>

- 4.55 Underlying the recommendations there is also an implicit distinction being made on the basis of family circumstances and social class; some mothers, (presumably poor women) required a lengthy stay in an institution, others could be released at an earlier stage.
- 4.56 The Dáil showed very little interest in unmarried mothers or their children. The only references occur in debates on the Estimates for the DLGPH when some speakers referred to the number of single mothers and children in county homes. Deputies obviously believed that unmarried mothers should be removed from the county home, not because of any concern for their well-being, but because of a belief that respectable older people should not be in contact with this undesirable group. Money was extremely scarce in 1920s Ireland - and the needs of unmarried mothers were outranked by a considerable margin by demands to build or improve county hospitals, and introduce pensions for widows and their children. Widows with one child could apply for home assistance (under the British system relief outside the workhouse was available only to widows with two or more children), but no consideration appears to have been given to extending home assistance to the unmarried mother and her child, to enable them to live in the community, though it is possible that some local authorities paid home assistance in such cases. None of the legislation passed by the Oireachtas which impacted on unmarried mothers

<sup>36</sup> As is explained in the Commission's 5<sup>th</sup> Interim Report, the correct spelling is Sean Ross; the correct pronunciation is Shan Ross

<sup>37</sup> Memorandum of Agreement made the 21<sup>st</sup> day of September 1931 between Tipperary (North Riding) county Board of Health and Shan Ross Abbey

<sup>38</sup> Congregation of the Sacred Hearts Archives. J. A Shaw and co Solicitors Mullingar to Mother General Chigwell re Castlepollard 14 Feb 1952

or their children involved a significant increase in public spending by central government, though several measures impacted on local authority finances.

### Changes in provision 1928-39

4.57 The annual report of the DLGPH for 1927-28 stated that following the publication of the commission's report:

A lot of valuable interchange of views has taken place between representatives of this Department and experienced social workers, and as regards unmarried mothers of first born children, an awakened interest is shown for their welfare and measures are being developed to provide institutions hitherto lacking.<sup>39</sup>

4.58 Regrettably this Commission has not seen any contemporaneous files that might inform us of these discussions.

4.59 The 1927 commission's recommendations affirmed the central role of local boards of health in determining the care and support to be given to unmarried mothers and their children. Given their central role it is not surprising that councillors and officials were often concerned at the cost. The Galway county secretary reported that each illegitimate child cost ratepayers approximately £300; in 1928 one member of Galway County Council called on Dáil Éireann 'to introduce legislation giving power to commit second offenders to a Magdalen Asylum'; he suggested that a copy of this resolution should be sent to every TD in the county.<sup>40</sup> The board of health in Tipperary North protested at paying 21s a week for a mother and child in Sean Ross, compared with 12s in the county home.<sup>41</sup>

4.60 However this concern about the cost to ratepayers had to be weighed against the general opinion that unmarried mothers should be segregated from more 'respectable' sections of the community, such as older residents in county homes, and married women giving birth in public hospitals. While Dublin maternity hospitals had long provided maternity care for all women - single and married - this does not appear to have been the case elsewhere. Despite the potential cost, the Galway board of health agreed to open a maternity unit in Tuam, which would

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<sup>39</sup> DLGPHG Report 1927-28

<sup>40</sup> *Connacht Tribune*, 8 September 1928

<sup>41</sup> *Nenagh Guardian*, 29 July 1931

make it possible to exclude unmarried mothers from the Central Hospital in Galway.

4.61 In the mid-1920s there were four homes for unmarried mothers in receipt of local authority funding; three of which - Pelletstown, Tuam and Kilrush - were owned by local authorities, one - Bessborough - was a private institution. Local health authorities in Wexford, Waterford and Kilkenny were exploring the possibility of establishing another local authority home, catering for the three counties in the former New Ross workhouse.<sup>42</sup> This plan did not materialise for reasons that remain unclear. From 1930 the expansion in institutional places for unmarried mothers was in private institutions established by the Congregation of the Sacred Hearts with the opening of Sean Ross and Castlepollard. The local authority home in Kilrush closed in 1932 (see Chapter 16).

4.62 The apparent withdrawal by local authorities from providing mother and baby homes in favour of homes owned by religious orders is consistent with the views expressed by Richard Mulcahy, the Minister for Local Government and Public Health, during the debate on a private member's bill to provide money for nursing organisations from the Irish Hospitals Sweepstake.

We are trying in a gradual way to bring about a situation in which county homes, instead of being under the direct management of the local authorities, will be under the management of a religious order, responsible to the local authority for taking into the institution, on a capitation basis, persons whom the local authority directs should be taken in.

4.63 He claimed that such arrangements were already in place in the old county home in Mallow.

It is common knowledge to deputies that every institution in the country dealing with unmarried mothers is run in the same way (as this former county home in Mallow), entirely under the control of religious organisations fed by State money in one way on a definite basis but under the control of the religious orders and drawing funds and inspiration and help from charitable, as well as State sources.<sup>43</sup>

<sup>42</sup> Kilkenny Board of Health minutes, 25 March 1925

<sup>43</sup> Dáil Debates, 18 Nov. 1931 cols 1633-34.

- 4.64 There is evidence that the DLGPH actively encouraged the Congregation of the Sacred Hearts to establish additional mother and baby homes. In the summer of 1929 Mrs Margaret Crofts, the senior inspector in the DLGPH visited Hayling, on the south coast of England, where the congregation ran an open air school, and it would appear that she met the Mother Superior. She subsequently wrote to the congregation, suggesting that they might establish a home 'in connection with' Bessborough that would accommodate young women over the age of 16 who were 'feeble-minded'. This proposal reflects a belief that many unmarried mothers or women who were deemed to be at risk of becoming unmarried mothers were 'feeble-minded'. Mrs Crofts wrote again some months later suggesting that they should establish homes - presumably mother and baby homes - in Waterford and Limerick.<sup>44</sup> In July 1930 the Mother Superior of the congregation visited several dioceses in Ireland and met bishops to discuss the possibility of opening a home in their diocese. She visited one unnamed institution in Carlow with Mrs Crofts. In September she informed the triennial council meeting of the congregation that the Irish government was 'anxious that a house should be opened' and she read a letter from Bishop Fogarty of Killaloe welcoming them into the diocese 'with certain conditions', which are not stated. Mrs Crofts appears to have been involved in the search for a suitable house, though Corville House near Roscrea was identified by a member of the local Cistercian Order. When the Mother Superior travelled to Roscrea to inspect the house, having already purchased it unseen, she 'had a long chat with Mrs Crofts and after consideration it was thought advisable to erect a new wing in Corville'.<sup>45</sup> Mrs Crofts visited Chigwell in November 1931.
- 4.65 By March 1932 fourteen health authorities had agreed to maintain women in Bessborough or Sean Ross: South Cork, Kerry, Waterford, Wexford, Wicklow, Kildare, Kilkenny, Laois, Offaly, Tipperary North Riding, Tipperary South Riding, Clare, Galway and Mayo. Efforts were underway to establish a home for unmarried mothers for the counties of northern Leinster plus Monaghan and Cavan. By the following year Limerick City, Leitrim and Monaghan were sending mothers to special homes, and the Congregation of the Sacred Hearts had obtained permission from the Bishop of Meath to establish a third home. The congregation's archives suggest that the department encouraged this expansion. The council minutes of 11 May 1932 record that 'Owing to the near date of the

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<sup>44</sup> Congregation of the Sacred Hearts annals 10 Sept, and 3 Dec. 1929

<sup>45</sup> Congregation of the Sacred Hearts council minutes 23 Sept. 1930, 11 Nov. 1930 Annals 23 July 1930 19 Aug. 1930, 10 Oct. 1930, 12 Feb. 1931; 24 Feb. 1931

Chapter, Rev Mother General and Her Council reluctantly give their consent to accept an offer from the Local Government Board of Dublin [sic- the records of the Congregation contain numerous errors in titles of Irish government departments and Irish dioceses] to open another home for unmarried mothers in the diocese of Meath, but in the future interests of the congregation they consider it would not be advisable to refuse the work'. In 1934 two members of the congregation travelled to Ireland to inspect possible sites for a third home. They visited four properties accompanied by Mrs Crofts and an architect, and decided to purchase Castlepollard. They met officials of the DLGPH. Draft terms for the new homes were agreed some days later.<sup>46</sup>

### **Irish Hospitals Sweepstake and mother and baby homes**

- 4.66 In the 1920s most mothers entered mother and baby homes following the birth of their child. Babies were born elsewhere; for Bessborough this was generally Cork county home; Pelletstown, in the Dublin Union (James's Street); for Tuam the Central Hospital in Galway. The Clare County nursery in Kilrush was the exception - women gave birth in that institution, as they did in many county homes. In March 1930 the minutes of the South Cork board of public assistance recorded that their proposal to arrange for the admission to Bessborough of pre-natal unmarried mothers, chargeable to the South Cork board, had been submitted to the minister, and he saw no objection to the terms of the draft agreement with the Bessborough authorities.<sup>47</sup> The minutes of the Congregation of the Sacred Hearts council record that the Bishop of Cork had asked them to do this in 1924.<sup>48</sup> No copy of this agreement to admit pregnant women has been found in the records of the congregation or the records of the Cork board of public assistance or the DLGPH.
- 4.67 The extension of the remit of mother and baby homes to provide maternity services was made possible by the Irish Hospitals Sweepstake.<sup>49</sup> The sweepstake, which was founded to meet the financial needs of Dublin voluntary hospitals, had turned into a remarkably lucrative source, with the result that there was pressure to make some of the revenue available for other causes. In February 1931, Dr PJ O'Dowd, Fianna Fáil TD for Roscommon, introduced a private members' bill to extend the sweepstake to public hospitals outside Dublin. He suggested that mother and

<sup>46</sup> Congregation of the Sacred Hearts, council minutes, 11 May 1933, 26, and 27 Feb. 1934 and 27, 28, 29 Mar. and 2 April 1934

<sup>47</sup> Minutes, Cork Board of Health and Public Assistance, Letter 12 March

<sup>48</sup> Council minutes 23 Mar. 1924

<sup>49</sup> Marie Coleman, *The Irish Sweep: a history of the Irish Hospitals Sweepstake, 1930-1987* (Dublin, 2009)

baby homes should also qualify for funding, in order to speed up the removal of unmarried mothers from county homes. Dr O'Dowd abandoned his bill when the government announced that they would introduce similar legislation. Section 6 of the *Public Charitable Hospitals (Amendment) Act 1931*, which was introduced in place of Dr O'Dowd's bill provided that one-third of the available surplus in any sweepstake would be paid to the Minister for Local Government and Public Health 'and shall be applied by him in such manner as he shall think fit in or towards the provision, improvement or equipment of institutions for the prevention, treatment or cure of physical or mental diseases or injuries of human beings'.<sup>50</sup>

- 4.68 Although section 6 of this Act is headed 'Application of portion of proceeds of sweepstakes to poor law hospitals', Bessborough mother and baby home was one of the first beneficiaries. On 9 December 1931 the Mother-General of the Congregation of the Sacred Hearts wrote to the DLGPH applying for a grant under this section.<sup>51</sup> She explained that the community had opened two hospitals during the past year, one at Bessborough, the other at Sean Ross Abbey. Her request received strong support from Mrs Crofts, who emphasised that the hospitals were 'absolutely separate institutions from the Homes for Unmarried Mothers', and it would be necessary 'to enlarge the accommodation in the near future. We want to encourage expectant unmarried mothers to avail of hospitals consequently the charge cannot be prohibitive'. She described the charge for keeping mother and baby in these homes, one guinea per week, as 'more or less prohibitive', but she suggested that the Sisters had 'to a certain extent to balance the loss on the hospital'.<sup>52</sup>
- 4.69 On 25 January 1932 the Mother Superior phoned Mrs Crofts in relation to alterations in the building plans for Sean Ross.<sup>53</sup> Some days later a letter in the name of the Minister for Local Government and Public Health was sent to Chigwell asking for an estimate of 'works that would come within the terms of the 1931 Act'. The Mother Superior responded promptly explaining that the hospital at Bessborough was 'merely a cottage'; to build and equip the necessary hospital would require £5,000. To build and equip the hospital at Sean Ross, where apparently work was underway would cost £2,500. She claimed that the hospitals were necessary because

<sup>50</sup> Dail Debates 20 Feb. 1931

<sup>51</sup> Congregation of the Sacred Hearts Annals 9 December 1931

<sup>52</sup> Department of Health, INACT/INA/0/ 463708

<sup>53</sup> Congregation of the Sacred Hearts Annals 25 January 1932

when unmarried mothers are received they are in all cases in need of nursing, due to physical suffering, and in many cases, although not perhaps actually feeble-minded, close study reveals a certain amount of mental deficiency.

- 4.70 The hospitals were developed 'to meet the need of nursing and the continuing possibility of mental disease'. In the absence of nursing care she believed that 'the girls would develop into chronic invalids and mental deficient'. She expressed the opinion that these hospitals came within the terms of the 1931 act. The highlighting of mental deficiency and mental illness may have been designed to bring this application within the terms of the 1931 act; it is unclear otherwise how hospitals attached to mother and baby homes would qualify. On 11 February 1932, five days before a general election, the department informed the Sacred Hearts congregation that the 'Minister is prepared to give favourable consideration to your application'. An application for a grant towards the cost of a hospital at Bessborough would be approved on condition that plans and estimates were submitted to the department. With respect to Sean Ross 'a report from a medical inspector would probably satisfy the secretary that suitable provision is being made for unmarried mothers both before and during their confinement'.<sup>54</sup> A medical inspector visited Bessborough and Sean Ross some weeks later. He described the work carried out in Bessborough as 'most valuable'; the institution was 'very well administered; they should be given 'every possible assistance'. When he visited Sean Ross he suggested to the Sister in charge that if 'she put her requirements on paper that I would look at them and report to the Dept.'<sup>55</sup>
- 4.71 The initial letter had requested £5,000 to set up and equip a hospital at Bessborough, but once the congregation had received ministerial approval in principle, their ambition soared. They received initial approval for a grant of £13,000, which was later increased to £17,000 - the cost of constructing a new maternity hospital at Bessborough, minus the cost of the architect's and quantity surveyor's fee.<sup>56</sup> If the department or the Hospitals Commission attached conditions to this grant, no copy survives. We must presume that Bessborough was awarded funding on the basis that the institution was 'partly maintained by a local authority' - though the maintenance amounted to paying for mothers and children.

<sup>54</sup> Congregation of the Sacred Hearts Annals 8 February 1932, 11 February 1932

<sup>55</sup> INACT/INA/0/463708 Grants from Hospitals Trust Fund

<sup>56</sup> *First report Hospitals Commission*, 54,

- 4.72 It is unclear whether this generous award was approved by Richard Mulcahy, or by Seán T. O'Kelly, who succeeded him as Minister when a Fianna Fáil government took office following the 1932 general election. Tenders for the new hospital were advertised in January 1933.<sup>57</sup> In 1934, as the hospital was nearing completion, the congregation applied to the Hospitals Commission for a grant of £2,802 15s towards the cost of equipment. They received a grant of £1,500, under the provisions of the *Public Hospitals Act 1933*.<sup>58</sup> While these grants were recommended by the Hospitals Commission (whose records do not appear to survive), all decisions on grants were made by the Minister for Local Government and Public Health under the 1933 Act (see Chapter 1).<sup>59</sup>
- 4.73 The *Public Hospitals Act 1933* extended the definition of a hospital to include 'any institution or organisation for affording asylum to blind, deaf, dumb, or mentally defective persons or to expectant mothers, or others with their children of less than five years'. Organisations and institutions catering for unmarried mothers and children were eligible to apply for funding; likewise 'the portions of County Homes utilised as infirmaries'.<sup>60</sup> The construction of a dedicated hospital in Bessborough, and the opening of maternity units in Tuam, Pelletstown, Sean Ross and Castlepollard extended the capacity of these homes significantly, and their remit now included childbirth. This happened at a time when religious sisters were not yet permitted to attend at births. The papal restriction was removed in 1936.
- 4.74 The introduction of maternity units into these homes reflects pressure to segregate unmarried mothers from other maternity cases in public hospitals. Figures presented to the Commission on the Sick and Destitute Poor suggest that most unmarried mothers outside Dublin gave birth in former poor law institutions, and the quality of the infirmaries in the county homes was very unsatisfactory - they were often without indoor toilets or running water - making them utterly unsuitable as maternity units.(see Chapter 10)
- 4.75 The Hospitals Commission, which was responsible for advising the minister on the use of the Hospitals Trust Funds, appears to have approved of the segregation of unmarried mothers. Their first report contains a short description of St Patrick's

<sup>57</sup> *Cork Examiner*, 3 and 4 Jan. 1933.

<sup>58</sup> *First report Hospitals commission*, pp 205-6.

<sup>59</sup> Council Minutes Chigwell 3 Feb. 1933, 16 Feb. 1933, 3 Mar. 1933

<sup>60</sup> *First report Hospitals commission*, p 2.

Guild, and St Gerard's, the guild's 24-bed home for unmarried mothers in Dublin's Mountjoy Square (see Chapter 27). It stated that:

confinements do not take place in the Home except in emergencies, the patients being usually sent to the City Maternity Hospitals. It is doubtful if this is good practice under the circumstances and the Commission would recommend that suitable accommodation for delivery in the Home be provided. This Home offers a desirable privacy not easily attainable in Public Maternity hospitals.<sup>61</sup>

- 4.76 St Patrick's Guild received a total of £31,274 from the Hospitals Commission in the years up to 1941. The Hospitals Commission met the deficits of voluntary hospitals and in the 1930s it paid a total of £8,338 to meet deficits incurred by St Patrick's Guild. However in 1936 the Hospitals Commission determined that it could only meet deficits on St Patrick's Infant Hospital at Temple Hill, which housed children before they were placed at nurse, and nurse children who were returned to the guild because they were ill. It refused to meet the deficit on the guild's placement services, though it continued to meet deficits on other activities. In 1933 St Patrick's Guild made a successful application for payments under the Maternity and Child Welfare Scheme, which met 50% of the cost of placing children at nurse.<sup>62</sup>
- 4.77 The Hospitals Trust Fund provided substantial capital funding for dedicated mother and baby homes. Bessborough received £23,605 for the construction and equipment of its new maternity unit; Sean Ross secured £44,063, for improvements and extensions including a new nursery, improvements to drainage and sanitation and a new cow shed and dairy, to ensure that the home would be supplied with clean milk. The largest sum, £68,000, went to Castlepollard. This covered the entire cost of fitting and equipping a 120-bed unit, which included the maternity and infant units, and accommodation for mothers. The building was completed in the 1940s, and although we have no descriptions of the accommodation available in the 1930s, evidence indicates that until it opened some women were sleeping in unheated lofts above the stables (see Chapter 20). Pelletstown received £43,385 for additions to the maternity wing, including a new storey, a 20-bed isolation unit and sanitary annexes.<sup>63</sup> The Hospitals Commission

<sup>61</sup> *First Report Hospitals Commission*, p. 55.

<sup>62</sup> Department of Health, RM/ARC/0/521022

<sup>63</sup> *Hospitals Trust, Ireland's Hospitals, 1930-55*, Appendix II, pp 63-72.

ensured that mother and baby homes had modern facilities - maternity units, sanitation, heating - facilities that were probably comparable to maternity units in the county hospitals that were being constructed or renovated at this time. Galway County Council provided funding for a small maternity unit in the Children's Home in Tuam. This was the only part of the building to undergo any significant improvement (see Chapter 15). In 1938 a grant of £400 from the Hospitals Trust Fund was made to Tuam, which was two-thirds of the cost of erecting a new laundry and disinfecting equipment. A later application for a new entrance gate and wall was rejected.<sup>64</sup>

- 4.78 The generous capital resources allocated to mother and baby homes reflected the policy of the DLGPH - initiated under a Cumann na nGaedheal government - and continued, apparently seamlessly, by Fianna Fáil. The second report of the Hospitals Commission for the years 1935 and 1936 noted that 'The completion of the institution [Castlepollard] will go far towards meeting the requirements of the scheme initiated by the Department for dealing in an enlightened manner with a particular important aspect of the unmarried mother problem'.<sup>65</sup> There is evidence that the department was keen to see the establishment of an additional mother and baby home. In 1936 the council of the Congregation of the Sacred Hearts noted that the 'Local Government Board of Health Dublin [sic] are anxious another house will be established in or around Sligo'. The congregation secured the approval of the Bishop of Sligo (sic - the correct name is Bishop of Elphin) and a superior was appointed for the proposed Sligo home. The Mother Superior and another Sister visited Sligo 'touring with Mrs Crofts' but they failed to identify a suitable house in that area. Mrs Crofts contacted Chigwell the following year suggesting that they should open a home in Wexford. The minutes note that 'she had an interview with Bishop Codd [Ferns] and he is evidently anxious that we should take up the work of unmarried mothers in the diocese. She thought that Sligo should not be considered until something better offers itself in or around Sligo'. The congregation duly contacted Bishop Codd seeking his permission, and the Mother Superior visited the DLGPH to meet the new secretary of the department. She had 'a very favourable meeting' before Mrs Crofts drove her and her companion to Wexford where they inspected houses, but found 'nothing satisfactory'.<sup>66</sup> By this

<sup>64</sup> The reports of the Hospitals Trust list all applications for funding, both successful and unsuccessful.

<sup>65</sup> The Hospitals Commission, *Second general report, 1935&1936*, (Dublin: Stationery Office 1937), p. 12.

<sup>66</sup> Congregation of the Sacred Hearts, annals 10 Aug. 31 Aug and 14 Sept. 1936 8 Mar., 13 Mar., 26 May 1 June 2 June 1937. Council meetings 31 July 1936, 11 Mar. 1937, 9 July 1937

time the existing mother and baby homes were overcrowded - hence the department's wish that an additional home should open.

- 4.79 The inclusion of mother and baby homes among the institutions eligible for funding from the Hospitals Commission made it possible to expand the number of places, and to add maternity units, marking a further extension in the segregation of unmarried mothers. Unmarried mothers and their infants do not feature in Dáil or Seanad debates and parliamentary questions during these years. Many questions were tabled about availability of hospitals sweepstake money for various institutions, but none relate to mother and baby homes.

### **The Legitimacy Act 1931**

- 4.80 The funding of mother and baby homes and associated maternity units was only one aspect of government 'policy' towards unmarried motherhood during these early decades after independence. The *Legitimacy Act 1931* provided that the child of a single mother was 'legitimate' if the parents married within ten months of the birth. The UK had introduced a similar act in 1926; the terms were broadly similar in both instances, but in the UK the man could make a statement that he was the child's father either at the time of the marriage, or within a year, which was less stringent than the Irish requirement.<sup>67</sup>

### **The Illegitimate Children (Affiliation Orders) Act 1930**

- 4.81 This was designed to make it easier to claim maintenance payments from fathers of illegitimate children. Local authorities were financially responsible for maintaining mothers and children in institutions and for the cost of boarded-out children. Many councillors and officials believed that they could reduce the costs to ratepayers by pursuing putative fathers. The Affiliation Orders Act can also be presented as a means of levelling the burden between single mothers and the fathers. Giving evidence to the Commission on the Sick and Destitute Poor, Rev Patrick Devane expressed the view that 'it seems rather unjust to the woman that she should bear the whole brunt of the trouble'; the father of the child should be made 'answerable for his conduct'.<sup>68</sup>
- 4.82 In the 19<sup>th</sup> century the law on affiliation orders in Ireland was much more restrictive than in Britain. The only legal remedy was to take a case for seduction against a

<sup>67</sup> Thane & Evans, *Sinners? Scroungers? Saints?*, (London, 2013), p. 50

<sup>68</sup> Evidence Commission on the Sick and Destitute Poor, Twentieth day 5 Nov. 1925

putative father; the case could not be taken by the woman; it could be taken only by her father or her employer. This reflected the subordinate status given to women. Few cases were taken and the success rate was extremely low. A memorandum prepared as background to the 1930 Act noted that the existing remedy 'is a costly one and is of no avail unless the putative father is a "good mark" and has means or property which can be made available to meet an execution order of a Court or an instalment order'.<sup>69</sup> Poor law guardians had powers under nineteenth century legislation to recover the cost of maintaining an illegitimate child under 14 years who was a charge on the rates, but these proceedings required the mother to be examined in court and have her evidence corroborated; it gave the mother no personal redress.

- 4.83 The Department of Justice memorandum reflected a degree of sympathy for unmarried mothers, while also expressing the unsubstantiated opinion that there was a link between single mothers and prostitution:

It is doubtful if anybody would be found to question the wisdom or justice of enabling the mothers of illegitimate children to compel the fathers of such children to contribute to their support. Many unfortunate unmarried mothers are denied the shelter of their own families and it is possible that some of them, who might otherwise reform, drift into the prostitute class in a spirit of despair induced by the hardships they suffer. It can be readily appreciated that girls of the domestic servant class who get into difficulty find themselves in a position of great hardship trying to earn their living and to maintain an illegitimate child away from their ordinary place of work. A weekly contribution from the father of the child would ease this situation considerably. It is not impossible too, that the ability to obtain an affiliation order may lessen the number of cases of infanticide.<sup>70</sup>

- 4.84 In 1928 Roscommon county board of health adopted a resolution, which had previously been passed by Cavan county board of health, asking the minister to introduce amending legislation to enable district justices to make affiliation orders against alleged fathers of illegitimate children 'thereby relieving the Board of a stupendous burden'.<sup>71</sup> Several local authorities interrogated pregnant women who applied to them for admission to a mother and baby home about the identity of the

<sup>69</sup> National Archives of Ireland, Note on illegitimate children bill, 1929 s5931 Children Act 1934

<sup>70</sup> Note on illegitimate children bill, 1929 s5931 Children Act 1934

<sup>71</sup> *Connacht Tribune*, 28 January 1928

putative father; the local authority solicitor would review the cases and determine whether or not to prosecute. In his evidence to the Carrigan Committee, Rev Richard Devane included a report by the secretary of the Galway board of health, titled, 'The Fruits of the Dance-Hall', which stated that the Galway county homes committee had passed a resolution urging the government to introduce laws to make the putative father responsible for the cost of maintaining his child. It claimed that each illegitimate child who became a charge on the poor rates from infancy until the age of 15 cost the county £300; the total bill for the 54 illegitimate children born during the previous year, maintained in the county institutions would reach £16,000.<sup>72</sup>

4.85 There were few successful prosecutions under the 1930 Act. A mother had to provide corroborating evidence as to the identity of the putative father; she needed a witness who was willing to testify. The Minister for Justice claimed that corroborating evidence was necessary to prevent men being blackmailed, and several TDs appear to have been sympathetic towards putative fathers. Cases had to be brought to court, either before the child was born or within six months of the birth. In 1936 the solicitor to Mayo County Council told the board of health that they had failed in a few recent prosecutions against putative fathers. He recommended that the board should cease prosecuting on the evidence of unmarried mothers 'owing to the expensive nature of proceedings'.<sup>73</sup> In 1949 a Department of Health file noted that no proceedings had been taken in Co Monaghan 'In this county, as in many others it is considered a waste of time and money to pursue putative fathers either possessing no means or liable to leave the country as soon as an action is mooted'.<sup>74</sup>

4.86 Some local authorities persisted in attempting to enforce affiliation orders despite the low success rate. In 1943 Galway county council determined to pursue the putative father of one infant admitted to the home, who was serving in the army. Another putative father would be interviewed about his means when he was discharged from Limerick prison.<sup>75</sup> Westmeath County Council was among the most assiduous in this respect. When a woman from that county was admitted to

<sup>72</sup> NAI Department of Justice, Criminal law amendment committee (1930) D Jus90/4/9 Copies of Two Articles by Fr Devane from the *Irish Ecclesiastical Record* (February 1931), forwarded to the Secretary, Criminal Law Amendment Committee, 16 February 1931.

<sup>73</sup> *Connacht Tribune*, 23 May 1936

<sup>74</sup> Department of Health, INACT/INA/0/ 454516

<sup>75</sup> Galway county archives; Galway Manager's Orders 1906/1776; 1916/1186 8 Sept. 1943

Castlepollard, a Senior Assistance Officer (SAO) visited to interview her about the putative father, and he might follow up on her report by carrying out further investigations in her native area. In 1938, for example, the SAO 'interviewed [...] in connection with the case'. This man was described as single, 36 years old, living with his mother on a 30 acre farm. He denied 'ever keeping company with [...] and stated that he is not the father of the baby'. He claimed to have an alibi for a particular date (presumably the date when [...] alleged they had sexual relations). The SAO also interviewed a woman, who could not confirm the statement that [...] had made 'regarding the events of 7 November'. A putative Westmeath father investigated the following year was described 'a young labourer and son of a labourer, residing with his father and is presently employed on a relief scheme',<sup>76</sup> so presumably not worth pursuing for child support. Another was traced to the Curragh, where he was serving in the army. One man, who admitted keeping company with a single mother but denied that he was father to her child, was pursued in the courts. One father who had already had a decree issued against him requiring him to pay £1 a week for the maintenance of his child was pursued for the full maintenance cost. It was reported that he had an equal right to a 28 acre farm; he worked with several farmers and did not hand up any money to his mother. In 1941 Westmeath secured £15 15s 6d from a putative father, and then pursued him for the legal costs. His solicitor contacted the board of health, indicating that he would pay the board, but not the mother of the child. A number of mothers interviewed in Castlepollard gave vague descriptions of the putative father - alleging that he was a stranger to the area; sometimes giving what was evidently a false name, but the local authority often pressed for more information. One report from the Westmeath board of health's solicitor in 1941 described the statement of one Castlepollard mother as 'vague and unsatisfactory. No date of any kind is given, neither the date of birth of the child. Nor even the year or month when she first met [...] or even started to keep company with him'. The solicitor asked about the occupations of the mother and the alleged father; whether any letters between them existed; had he ever visited her family home? He also threatened to summon other (named) witnesses to give evidence, if they refused to make voluntary statements.<sup>77</sup>

4.87 Westmeath local authority persisted with these investigations. Managers' orders were issued throughout the 1950s, noting the admission of women (initials only

<sup>76</sup> Mullingar, Westmeath Board of Health and Public Assistance minutes 26 Sept. 1938 and 30 Mar. 1939,

<sup>77</sup> Westmeath Board of Health and Public Assistance Minutes, 8 April 1940; 12 July 1940; 3 Oct. 1941 22 June 1942

recorded) to Castlepollard with the accompanying instruction: 'X to be instructed to take the usual statement' (as to paternity). Only a tiny proportion of inquiries resulted in prosecutions, either because of lack of corroborating evidence, or the putative father was not worth pursuing. County Kildare took seven affiliation actions between 1939 and 1950, and five were approved. Of the 280 affiliation cases taken in Dublin between 1940 and 1948, the judge's ruling is recorded for 236; an affiliation order was approved in 122 cases - just over half. In only four cases did the man admit paternity. Although the Department of Justice recommended that all affiliation cases should be tried 'without the presence of the public or the press', and the District Justice should arrange where a mother was 'young and friendless' that a 'suitable woman' should accompany her to the court,<sup>78</sup> many local newspapers published details of these cases and gave the names of both the mother and the putative father. Some cases were adjourned repeatedly; some mothers withdrew their claim following a number of adjournments.<sup>79</sup> A 1950 memorandum by the Adoption Society of Ireland claimed that 'in only two out of two hundred cases before the court was paternity successfully established, and the man solvent'.<sup>80</sup> Nevertheless local authority records suggest that the threat of an affiliation order was used to put pressure on putative fathers, and an unknown number probably made payments without being brought to court in order to avoid publicity. The visits of assistance officers, who were generally men, to the mother and baby home to interrogate mothers about intimate personal details would have been traumatic; subsequent inquiries conducted among family, friends and neighbours threatened to destroy her privacy, while exercising social pressure on the putative father, even if he avoided prosecution.

#### **Registration of Maternity Homes Act 1934**

4.88 It is because of the high death rate amongst illegitimate children that we want to establish some more effective control over the numerous maternity homes now operating. As Deputies are probably aware, these institutions take it upon themselves to dispose of and to board out these children. From the abnormally high death rate amongst this class of children one must come to the conclusion that they are not looked after with the same care and attention as that given to ordinary children.<sup>81</sup>

<sup>78</sup> National Archives of Ireland, Department of an Taoiseach, S5931

<sup>79</sup> Ann-Marie Graham, 'Unmarried mothers: the legislative context in Ireland, 1921-1979, (M Litt, Maynooth University, 2012), pp 53-5.

<sup>80</sup> Adoption Society of Ireland Memorandum 9 Feb 1950s

<sup>81</sup> Dáil Éireann 7 Feb. 1934

4.89 The *Registration of Maternity Homes Act 1934* was a significant piece of legislation, which had the potential to improve conditions for all women who gave birth outside the family home, irrespective of marital status. It was explicitly seen as a measure to improve the health and survival prospects of unmarried mothers and their children, as it would entail the registration and inspection of the many private nursing homes where unmarried women gave birth and others placed their child. The paragraph in the annual report of the DLGPH for 1934-5 relating to the Act noted that:

The Commission [on the relief of the Sick and Destitute Poor] adverted to the high death rate of illegitimate children and went on to point out that it frequently happens that the mother of an illegitimate child, or the mother's family at the time the mother leaves the hospital or home, makes arrangements with someone to take the child, either by paying a lump sum down or undertaking to pay something from time to time. These arrangements are often made or connived at by those who carry on the poor class of maternity homes, and the results to the child can be read in the mortality rates. If a lump sum is paid or if the periodical payments lapse, the child becomes an encumbrance on the foster-mother who has no interest in keeping it alive. The aim of the Registration of Maternity Homes Act is to bring maternity homes under proper control, to ensure that the patients who enter them will get skilled treatment, and that the infants will be protected.

4.90 Local authorities were required to keep a register of maternity homes; they had power to refuse registration if the applicant was not a 'fit and proper person'; if the premises were unsuitable or if the superintendent nurse was not a qualified nurse or a certified midwife. Premises would be subject to inspection. Introducing the bill, the Parliamentary Secretary to the Minister for Local Government and Public Health, Dr Conn Ward, who was effectively Minister for Health, but without a Cabinet seat, quoted several paragraphs from the report of the Commission on Sick and Destitute, including statistics showing that in 1924 the infant mortality rate of illegitimate children was five times the national average. He referred to the fact that 'the poorer class of maternity homes' often made arrangements to place the children of single mothers, sometimes for a lump sum.

4.91 A maternity home was defined as 'any premises which are, either wholly or partly, used or intended to be used for the reception of pregnant women or of women immediately after childbirth.' It was not necessary that women gave birth in the

home. In the initial draft any hospital or premises maintained or controlled by a department of the state or by a local authority, or by a body constituted by special act or by charter was exempt from the act, and the minister was given power to exempt from registration any hospital or maternity home, which was 'not carried on for private profit'. This clause would have exempted the mother and baby homes, but speakers in the Seanad demanded that all maternity homes should be registered. An amendment to that effect was introduced at committee stage, though the minister retained the discretionary power to exempt an institution from registering.<sup>82</sup> Each maternity home was required to keep a register recording admissions, discharges, confinements, miscarriages, births, deaths; details about the removal of children and the address to which they were removed.

- 4.92 Most private maternity homes, catering primarily if not exclusively for single mothers were in Cork and Dublin, though others may have existed elsewhere. Before the 1934 Act, the only powers to inspect these maternity homes were under the *Midwives Act 1918*, which was designed to ensure that only registered midwives and other qualified persons (such as medical practitioners) attended women in childbirth. In 1931 the superintendent medical officer of Cork county borough inspected twenty-two private maternity homes in Cork city and determined that thirteen were unsatisfactory; they had no bathrooms, ten had outside water closets. One home had a water closet in the yard, which was also used to keep pigs.<sup>83</sup>
- 4.93 When the 1934 Act came into operation, the department was determined that the register should be comprehensive, and they rejected requests by the Dublin maternity hospitals for exemption, arguing that their inclusion was important to send a message.<sup>84</sup> All county homes were included on the register, as were Pelletstown, Bessborough, Sean Ross and Castlepollard, Tuam and the Bethany Home, though Denny House and Regina Coeli were not. Perhaps they did not apply because they thought they were not covered as mothers did not give birth in these establishments. The act subjected mother and baby homes to inspections by the DLGPH for the first time, though only to ensure their compliance with the terms of the 1934 Act, so there appeared to be some doubt as to whether the inspection extended beyond the maternity units.

<sup>82</sup> Dáil Debates, 7 Feb 1934; 20 Mar. 1934

<sup>83</sup> J.C. Saunders, *Cork County Borough: annual report of the medical officer of health for the year 1931 (1932)*, pp 54-5.

<sup>84</sup> National Archives of Ireland, M.34.58 Dublin County Borough M.C.W. - Registration of Maternity Homes Act 1934 Reports, Registrations and Cancellations.

- 4.94 The inspections under the 1934 act were carried out by the medical inspectors of the DLGPH, and by Mrs Margaret Croft, Chief Inspector in the Department, and her successor Alice Litster. The non-medical inspectors who were assigned to this role, required a letter signed by the secretary of the department authorising them to inspect maternity homes.<sup>85</sup> Inspectors completed a detailed printed form that did not distinguish between a mother and baby home and other maternity units. The Commission has seen a number of these inspection reports; they indicate that the DLGPH used these inspections to press for higher standards in all aspects of maternity and infant care, in mother and baby homes and private nursing homes. Maternity homes were also subject to inspection by the local authority; the Commission does not know if their inspections were equally stringent. The department could press for higher standards but it could not de-register a nursing home; this power was available only to the relevant local authority.
- 4.95 In 1936 the DLGPH inspected the Bethany mother and baby home for the first time. The inspection determined that the bedrooms were overcrowded and the medical staff (which included nursing staff) was inadequate. Several nurses who had previously worked in Bethany had not secured Irish registration, or lacked a CMB (the Central Midwives Board) qualification. Following this inspection Bethany decided to employ a CMB-registered nurse for a week, and give notice to another nurse, who appears to have lacked the appropriate qualifications. This is one indication of the impact of the Act on the standards in maternity homes.<sup>86</sup> However the department only inspected maternity homes at annual or longer intervals, so enforcing higher standards was dependent on the local authorities, and there is considerable evidence of poor and sub-standard private maternity homes well into the 1950s.

#### **Children Act 1934**

- 4.96 The DLGPH regarded the *Children Act 1934*, which amended Part I of the *Children Act 1908* as complementing the Registration of Maternity Homes Act - both measures were designed to improve the survival prospects of illegitimate children.<sup>87</sup> Introduced within days of the second reading of the Maternity Homes Bill, it also followed the recommendations made by the Commission on the Sick and Destitute Poor. It was designed to close some gaps in the *Children Act 1908*.

<sup>85</sup> Department of Health, INACT/INA/O/ 451286

<sup>86</sup> Representative Church Body, Church of Ireland, Library, Bethany board minutes, 11 Sept. 1936 and 9 Oct. 1936.

<sup>87</sup> National Archives of Ireland, S6430 Registration of Maternity Homes 1934

The 1908 Act gave no function to the Minister for Local Government and Public Health, which is not surprising as the act predated independence. This meant that the department had no power to ensure that local authorities were enforcing the 1908 Act. This was rectified. The 1934 Act also implemented the commission's recommendation that anybody proposing to take a child at nurse would have to register their intention 48 hours before doing so, which would (in theory) give the local authority time to prevent a child being placed in an unsuitable home. In future the presumption would be that any child placed in a private home was being kept for reward, unless proven otherwise, and the oversight of the local authority, hitherto limited to children under the age of seven was extended until the age of nine.<sup>88</sup> The act made it an offence to publish advertisements seeking foster homes (small ads of this nature featured in national and local newspapers), unless the name and address of the person who was arranging the placement was given.

4.97 Dr Conn Ward emphasised that the proposed reforms had the support of a wide circle of social welfare workers and societies, including the NSPCC, Irish Women's Citizen's Association, CPRSI, the Nursery Rescue and Protestant Children's Aid Society, Saint Patrick's Guild and the Sacred Heart Home.<sup>89</sup> During the second reading in the Seanad, Sir E. Coey Bigger - former chief medical officer of the Irish Local Government Board expressed the opinion that the Bill 'may reduce very materially the death rate of illegitimate children. These children are not wanted, they are boarded out, and if they died so much the better'. He described the Bill as a 'good one'. Senator Jennie Wyse Power suggested that a mother might come to Dublin with her child 'on a train and she must get rid of the child immediately, as she wants to go back'. Following the passing of the Act she believed that mothers could go to a local assistance officer and find a suitable foster home on their panel of names.<sup>90</sup>

4.98 The concern that children at nurse were being placed in 'unsuitable' homes was not entirely altruistic. The report of the DLGPH noted that:

If the home or the foster-parent was unsuitable, the only remedy was to proceed to have the infant removed to a place of safety until it could be restored to its relatives or otherwise lawfully disposed of. There was a great

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<sup>88</sup> Dáil Éireann 15 Feb. 1934

<sup>89</sup> Seanad Éireann, 11 April 1934.

<sup>90</sup> Seanad Éireann, 11 April 1934, 18 April 1934

likelihood that the infant would then become a charge on the rates, and the persons who should be responsible for it would escape their liabilities'.<sup>91</sup>

- 4.99 Children placed at nurse by voluntary societies were supported by a combination of government payments and payments by the mother or her family. However the government grant expired when the child was five and most mothers contracted to pay for the maintenance of their child for three to four years. When payments ceased the charitable society would commonly ask the foster parent(s) to 'adopt' the child, but many children had been placed in impoverished homes, and when payments ceased they were commonly sent to a county home, or an industrial school. Although the 1934 Act strengthened the regulations governing the placement and inspection of children at nurse, the benefits of these reforms were largely dependent on the commitment of local authorities to enforcing the regulations, and this varied considerably - see Chapter 11.

#### **The Public Assistance Act 1939**

- 4.100 The *Public Assistance Act 1939* consolidated the laws relating to the relief of the poor by local authorities; it updated and amended the laws, and repealed obsolete provisions but did not significantly change the poor law provisions (see Chapter 1). Although the overwhelming majority of women and children in mother and baby homes were maintained by a public assistance authority, there is no reference in the act to the homes or the maintenance of unmarried women and their children. It does not specify an entitlement to public assistance, for any defined categories of destitute persons, so the decision to maintain a woman or her child in a mother and baby home, or a county home remained at the discretion of the local authority. Local authorities had discretion to charge women, (or their families) for maintenance; the extent to which these charges were levied or enforced is unknown. They would have been levied and collected by the local authority, not by the mother and baby home or county home.
- 4.101 The specific provisions in the 1939 Act relating to unmarried mothers and their children emphasised duties rather than rights and they were mainly concerned with children. Section 27 retained a core provision of the nineteenth century poor law: that 'every woman was liable to maintain her children - legitimate or illegitimate - under the age of sixteen'; whereas a man was only liable to maintain his legitimate

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<sup>91</sup> Report DLGPH 1934-35 para. 166.

children. It specified that 'every illegitimate person shall be liable to maintain his or her mother'; legitimate persons were liable to maintain both parents. A married man was liable to maintain his wife and 'every child, whether legitimate or illegitimate, of his wife who was born before her marriage to him', and was under 16 years of age. The act increased the age at which children could be regarded as dependents, from 15 to 16 years.

4.102 It set out the circumstances under which a public assistance authority would assume the rights of parents over children, and the powers of local authorities to place children at nurse; board out children or send them to special schools - a category that included industrial schools - and place children in service or in a trade. These provisions only applied to children ('legitimate or illegitimate'), whose parent(s) were dead, or a child who was deserted by his parent(s). If an 'illegitimate' child was deserted by his/her mother, the mother could reclaim her child from the public assistance authority at any time. Vesting of parental rights in a public assistance authority did not relieve a parent of the responsibility to maintain their child.

4.103 The 1939 Act reiterated the responsibility placed on a single mother for the maintenance of her child - a responsibility that took no account of her financial and personal circumstances. This was a long and complex Act and there was no real debate about unmarried mothers during its passage through the Oireachtas, though it is perhaps worth quoting from a speech by Deputy Cogan about county homes.

People who have worked all their lives and who have been in the habit of earning their living cannot be expected to go into an institution, no matter by what name it is called, so long as that institution is also open to other sections of the community. For that reason, I think the county homes, if they are to be continued at all, must be confined exclusively to one section of the community that is the aged and infirm. Other institutions must be provided for the various other types of people who are treated in those county homes.<sup>92</sup>

## Conclusions

4.104 The years from 1922-39 were marked by significant changes in provision for unmarried mothers and their children. In 1922 most unmarried mothers received

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<sup>92</sup> Dáil Éireann 6 June 1939

no state support. Some gave birth in poor law institutions and remained there for many years; these were probably the poorest and most isolated women, who had no assistance from family and no personal financial resources. Others gave birth in Dublin maternity hospitals, private nursing homes or poor law institutions and they departed with their children shortly after the birth. Most of these children were probably placed 'at nurse' either by the mother, or her family, or through one of the charitable organisations, and the cost was borne by the mother or her family.

- 4.105 In 1925 there were 772 unmarried mothers in county homes, and an additional 242 women in special institutions. In March 1940 there were 338 women maintained by poor law authorities in extern institutions - Sean Ross, Bessborough and Castlepollard - a significant rise from the 82 in 1931. A further 188 mothers were in Tuam and Pelletstown, but 584 unmarried mothers remained in county homes. The numbers entering mother and baby homes were rising. In 1935 Bessborough was 'obliged to put up extra beds in each ward' and was reported to be overcrowded.<sup>93</sup> When the Mother Superior of the Congregation of the Sacred Hearts visited Sean Ross in February 1935 she 'found a crowded house'.<sup>94</sup>
- 4.106 In 1938 the home for unmarried mothers and children run by St Patrick's Guild in Mountjoy Square transferred to the suburbs but in the following year there was a dispute between the Committee of St. Patrick's Guild regarding the operation of the home, and Miss Cruice decided to close it 'as she considered that the type of cases for which this home was intended were not coming there'.<sup>95</sup> She made several attempts to persuade the Congregation of the Sacred Hearts to take over this home, but the secretary to Dr McQuaid, Archbishop of Dublin refused them permission to open a house in Dublin.<sup>96</sup>
- 4.107 By 1938 over 28% of births to unmarried mothers took place in the main mother and baby homes. Pregnant women and unmarried mothers continued to be admitted to county homes, because the three homes run by the Congregation of the Sacred Hearts admitted only 'first offenders', and some local authorities refused to pay for women in mother and baby homes, because they valued their unpaid labour as a means of reducing the rates bill. The refusal to accept mothers who were giving birth to a second or subsequent infant was not confined to the

<sup>93</sup> Department of Health, INACT/INA/O463708

<sup>94</sup> Congregation of the Sacred Hearts annals 26 Feb 1935

<sup>95</sup> Department of Health, RM/ARC/O/521022

<sup>96</sup> Congregation of the Sacred Hearts Council Minutes 19 February 1941 and 24 March 1941

Catholic homes; the Magdalen Asylum, Leeson St. (later known as Denny House) would not admit women on their second pregnancy, though Bethany admitted some second-time mothers. There are indications that women from families who would never have entered a workhouse, for example women who would have formerly given birth either at home,<sup>97</sup> or in the hidden world of private maternity hospitals and private child placements were being admitted to mother and baby homes.

- 4.108 Bessborough was established at a time when Ireland was in transition between being part of the United Kingdom, and the founding of the Irish Free State, so political and administrative arrangements were in flux. The initiative in establishing Bessborough and arranging for local authority funding rested with the local authorities, the religious order and the local diocese. By the early 1930s the DLGPH was encouraging the Congregation of the Sacred Hearts to expand in Ireland. The minister disbursed Hospitals Commission funds that were under his discretionary control; Mrs Crofts, the Department's chief inspector was in regular contact with the congregation, visiting them in England, chauffeuring them around Ireland and keeping them in touch with developments. In January 1933 she wrote telling them that she expected 'some good news about Sean Ross'; a grant of £8,000 towards the new nursery was approved some days later.<sup>98</sup> The department hoped that the congregation would open an additional mother and baby home. The congregation used their presence in Ireland to meet local clergy and recruit postulants. Minutes of the council of the congregation in 1937 record that the mother general spoke of 'the difficulty in securing Postulants'; she suggested that a sister should be sent to Ireland to tour schools, and there are reports of sisters who visited Ireland returning with a postulant.<sup>99</sup>
- 4.109 The state and the local authority did not coerce women to enter these homes, and neither did the Catholic church. However it is not surprising that many families or single women, faced with a crisis pregnancy and the cost of ensuring their daughter's privacy and care, resorted to mother and baby homes. They provided accommodation, which was undoubtedly superior to what was available in a county home or some private nursing homes, and maternity care, free of charge, without

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<sup>97</sup> Rev PJ Roughneen of Ballaghderreen, giving evidence to the 1930 Department of Justice Committee to review the Criminal Law Act referred to the number of single mothers who gave birth in their family home or in a district hospital. He believed that the number of recorded illegitimate births did not reflect the true figure.

<sup>98</sup> Congregation of the Sacred Hearts, annals 31 Jan. and 3 Feb. 1933

<sup>99</sup> Congregation of the Sacred Hearts, council minutes 18 Oct. 1937

the stigma associated with the poor law. This was a considerable financial saving for the women and their families.

- 4.110 There are many statements indicating that women who gave birth in the three mother and baby homes run by the Congregation of the Sacred Hearts were expected to remain until their child was two years old and often older, whereas mothers were discharged from Pelletstown and Tuam when their child was one year old. In the 1930s the average stay for a Tuam mother was 256 days after the birth, compared with 379 in Bessborough.<sup>100</sup> In theory the mothers were given training that would enable them to find work when they left the home. The time spent caring for her child was seen as increasing her sense of responsibility and reducing the prospect of a second pregnancy. One of the arguments advanced in favour of mother and baby homes was the belief that mothers would be assisted in finding employment, in contrast to the single mothers who might remain in the county home for many years at ratepayers' expense. The Annual Report of the DLGPH noted that:

The policy of special institutions recommends itself on the ground of economy, for unless active measures designed to enable them to return eventually to the work-a-day world are taken at the critical time, they are in danger of becoming a permanent burden on the ratepayers or of drifting into a life of degradation.<sup>101</sup>

- 4.111 It was widely believed that single mothers who left a county home often returned on a subsequent pregnancy; the regime of mother and baby homes was designed to prevent such recurrence.
- 4.112 Decisions as to the length of stay were left to the Sisters who ran the homes. They had no legal right to retain a mother, (neither did the local authorities) or indeed to insist, as they did that mothers should leave only having been entrusted to a family member, provided that a mother took her child when she left. The two-year stay would appear to have also been the practice in the Sacred Heart home in Highgate (London) - St Pelagia's, however in 1940 the Catholic Moral Welfare Committee (presumably of the Westminster Archdiocese) wrote to Chigwell and suggested that mothers in this home should not be compelled to remain for two years. A meeting was arranged to discuss this change with the Archbishop of Westminster

<sup>100</sup> Mothers whose babies died left the institutions shortly after the death.

<sup>101</sup> Annual report 1929-30

and Canon Craven - who were responsible for the Catholic Moral Welfare Committee - and it was agreed that mothers should in future stay for six months. The congregation's annals record that it was 'all very satisfactory'.<sup>102</sup>

4.113 It is puzzling that local authorities, who were always conscious of the need for economy, did not try to reduce the length of stay in order to save money. Public officials deferred to the views of the Sisters that 'a number of the girls are very weak willed and have to be maintained in the home for a long period to safeguard them against a second lapse'. The belief that the religious orders knew best is also evident in Galway county council's agreement that children should remain in the Tuam home until the age of 6 or 7; it is also found among local authorities who preferred to send children to industrial schools rather than board them out. In the early years after Bessborough was established the Mother Superior of Bessborough asked the approval of the Cork board of public assistance before agreeing to a mother being discharged; in all such cases the mother was said to be going to live with a family member; a number of mothers would join a sibling in America. The board was also asked to approve mothers being placed in 'situations' by the congregation. Women who were 'too weak-willed to care for themselves', in the opinion of the Bessborough Sisters, were transferred to the county home; there is no indication that this alleged incapacity was verified by a doctor. The board also approved Bessborough's decision to 'detain' 16 women in the home, free of charge in order 'to safeguard them from a second relapse and to avoid incurring more expense'.<sup>103</sup>

4.114 A mother's length of stay was determined by her family's circumstances. Mothers were expected to contribute to the support of their infant. Those who could pay to have a child placed at nurse could leave at an earlier date, generally with the support of their family. But for many women the length of stay was determined by the future arrangements that a local authority made for her child - and local authorities generally did not board out children until they were at least two years old, and often older. The number of children boarded out (not all would have been children of single mothers) increased from 1895 in March 1927 to 2,253 in March 1935 and 2349 in March 1939. The report of the DLGPH for 1934-35 stated that:

it is expected of every mother that when she is placed in a situation she will contribute to the maintenance of her child. The amount of the contribution is

<sup>102</sup> Congregation of the Sacred Hearts, annals 18 March 1940 and 1 May 1940

<sup>103</sup> Minutes Cork Board of Public Assistance, 4 May 1927; 23 Nov, 1927; 27 Aug. 1930; 26 Nov. 1930

based on the wages earned by the mother, the generally accepted principle being that a working girl should be allowed to retain ten pounds annually for her own requirements and should contribute the balance of her wages towards the maintenance of her child should the latter be boarded out by the Board of Health and Public Assistance. No accommodation is provided to children over two years of age, because it is assumed that by the time the child is a couple of years, provision will be made elsewhere for it, either by the mother herself, who should by that time be ready to take up a situation, or by the Board of Health and Public Assistance. For one reason or another, the Boards experience difficulty in finding suitable foster homes and extra accommodation may have to be provided in the special homes for children over two years of age.<sup>104</sup>

4.115 The 1930s brought a significant expansion in welfare provision. The *Unemployment Assistance Act 1934* provided a means-tested income to able-bodied individuals and their families whose income was below a certain level and who were available for work. Although women were not excluded from claiming Unemployment Assistance, in practice very few were successful, though it would appear that some unmarried mothers sought and may have received this payment. In particular, mothers of young children had difficulties meeting the criterion of being available for work. The *Widows' and Orphans' Pensions Act 1935* introduced both insurance based and means-tested pensions for widows, plus additional payments for each dependent child. This had also been among the recommendations of the Commission on the relief of the Sick and Indigent Poor. No reference was made to unmarried mothers or their children during the debate on this Act or subsequent acts relating to widows and orphans' pensions. Widows and orphans were universally regarded as deserving of government support, though the means-tested pensions provided only minimal support. Nobody suggested extending these pensions to unmarried mothers who were supporting a child and this was also true of debates over widows' pensions in other countries. Unmarried mothers and their children ranked low in the hierarchy of deserving welfare claimants.

4.116 In 1939 Alice Litster a DLGPH inspector compiled a report about unmarried mothers and their children for the secretary of the department. In 1938, 1878

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<sup>104</sup> Annual Report DLGPH 1934-35, para. 179

births of illegitimate children were registered in Ireland; 426 of these children, 227 per thousand, died before their first birthday, compared with 80 per thousand in England and Wales. She noted that 352 of the 446 deaths occurred in institutions. She continued:

The chance of survival of an illegitimate infant born in the slums and placed with a foster-mother in the slums a few days after birth is greater than that of an infant born in one of our special homes for unmarried mothers. I except the Manor House, Castlepollard, in which the infantile death rate is comparatively low. In theory, the advantage should lie on the side of the child institutionally born. Pre-natal care, proper diet, fresh air, sufficient exercise, no arduous work, proper & comfortable clothing, freedom from worry, the services of a skilled doctor, the supervision and attention of qualified nurses, all should be available and should make for the health of the expectant mother and the birth or survival of a healthy infant. The mothers are in general young and healthy; the men named as fathers frequently young countrymen, often farm labourers. Skilled attention is available at birth. It should be unnecessary that many of these babies should require to be artificially fed. Cleanliness, medical attention, dietetic knowledge, all that human skill may continue to preserve child life should be at hand. Yet any infant born in any other circumstances appears to have a better chance of life. I have grave doubts of the wisdom of continuing to urge Boards of Health and Public Assistance to send patients to the special homes so long as no attempt is made to explore the causes of this abnormally high death rate.<sup>105</sup>

- 4.117 One of the reasons why mother and baby homes were established was to reduce the appallingly-high mortality of illegitimate infants, and to reduce the illegitimacy rate. By 1939 some modest improvement had been achieved with respect to infant mortality - but the gulf between the mortality of illegitimate and legitimate infants remained enormous - and Ireland was seriously out of line with neighbouring countries. The rate of illegitimacy was rising. Miss Litster's report appears to be the first criticism of the mother and baby homes by a public servant. The paragraphs quoted above were in a hand-written draft; they were omitted from her typed report, on the recommendation of either the secretary or the assistant secretary of the department.

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<sup>105</sup> Department of Health 489778

4.118 It is important not to overstate the amount of attention given to unmarried mothers by the government, the Oireachtas or public opinion, during the first twenty years after independence. There is little evidence that ministers or politicians had a serious interest in their welfare. The detailed arrangements for public support were left to local authorities, with the role of central government limited to legislation, inspections, and making hospitals sweepstake grants available for mother and baby homes. Local authorities appear to have often disregarded government directions but they often deferred to the views of the Sisters in charge of mother and baby homes.