

COMMISSION TO INQUIRE INTO CHILD ABUSE  
PUBLIC HEARING

HELD AT HERBERT PARK HOTEL  
BALLSBRIDGE, DUBLIN 4

ON MONDAY, 22ND MAY 2006 - DAY 219A

EVIDENCE OF BR. DAVID GIBSON

BEFORE:

MR. JUSTICE SEÁN RYAN  
CHAIRPERSON OF THE INQUIRY

and

MS. MARIAN SHANLEY

MR. FRED LOWE

219A

I hereby certify the following to be a true and accurate transcript of my shorthand notes of the evidence in the above-named action.

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MEMBERS OF THE COMMISSION PRESENT:

REGISTRAR TO INVESTIGATION COMMITTEE: MR. B. REEDY

COUNSEL FOR THE COMMISSION: MS. K. FERGUS SC SC  
MS. C. MCGOLDRICK BL

Instructed by: MS. E. MCHUGH

FOR THE CHRISTIAN BROTHERS: MR. P. HANRATTY SC  
MS. S. MOORHEAD BL

Instructed by: MR. P. LANKFORD  
MAXWELL WELDON & DARLEY

MR. D. McGRATH SC

Instructed by: MICHAEL E. HANAHOE

FOR THE DEPT. OF EDUCATION: MR. B. O'MOORE SC  
MR. C. DIGNAM BL

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I N D E X

<u>W I T N E S S</u>	<u>EXAMI NATI ON</u>	<u>QUESTI ON NO.</u>
BR. GIBSON		
	QUESTI ON - THE COMMI SSI ON	1 - 3
	EXAMI NED - MR. McGRATH	4 - 154
	FURTHER QUESTI ONED - THE COMMI SSI ON	155 - 167
	EXAMI NED - MR. HANRATTY	168 - 216
	FURTHER QUESTI ONED - THE COMMI SSI ON	217 - 255

1                   THE HEARING COMMENCED AS FOLLOWS ON MONDAY, 22ND MAY  
2                   2006

3  
4                   THE CHAIRPERSON:                   Good morning.

5                   MS. FERGUS:                            Good morning, Chairman.

6                                           This morning we are going  
7                   to hear the evidence of Br. David Gibson. He's the  
8                   first witness on behalf of the Congregation of  
9                   Christian Brothers. Letterfrack Industrial School in  
10                  Co. Galway is the first of a series of institutions  
11                  run by the Christian Brothers that we will be  
12                  investigating in Phase III. It will be followed by  
13                  Artane Industrial School, St. Joseph's Tralee and  
14                  Carriglea Park Industrial School. The procedure will  
15                  be the same as that adopted for the other institutions  
16                  we have already heard in this phase of the Inquiry,  
17                  where we have considered general, and some specific  
18                  issues, disclosed by the previous hearings and an  
19                  analysis of the documentary material.

20  
21                  Br. Gibson is the Provincial Leader of St. Mary's  
22                  province, one of the two provinces of Christian  
23                  Brothers in Ireland and this province has  
24                  responsibility for the northern half of the country,  
25                  which included Letterfrack. Perhaps you would like to  
26                  swear Br. Gibson in.

27                  THE CHAIRPERSON:                   Thank you very much.

28                  MR. HANRATTY:                         Just before that, could I  
29                                           just draw the Commission's

1 attention to one matter that arose this morning. You  
2 will recall that in the correspondence we were told  
3 that we would be given a list of documents or copies of  
4 the documents in advance to which reference would be  
5 made in the evidence. Unfortunately we didn't get that  
6 and Br. Gibson has only seen the list of documents this  
7 morning. They came in in the close of business.

8 THE CHAIRPERSON: I understand.

9 MR. HANRATTY: So lest it be suggested or  
10 lest it appear that he is  
11 unprepared because he hasn't had a chance to consider  
12 the documents in advance but he will do his best  
13 because he knows about some of them. He has been going  
14 through them this morning for the last half hour.

15 THE CHAIRPERSON: I understand. That,  
16 Mr. Hanratty, is the  
17 consequence. We certainly took the view that where  
18 there is a large body of documents and you are going to  
19 examine a witness on that body of documents, it is  
20 better for the person who is examining to give the  
21 materials in advance. Because the witness cannot then  
22 say, "I wish I had known this was going to come up, in  
23 which case I would have been able to tell you about  
24 it." So, if it is produced, we took the view that we  
25 are not going to stop somebody producing documents or  
26 referring to one, "by the way, here's one, what do you  
27 say to this?" But the problem is the witness could  
28 always say, "well, I wish I had thought of that, I may  
29 have to come back on that."

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So I mean I sympathise with the position, but it is nobody's fault, it is just a factus, as a former judge used to say. Now Mr. Reedy.

BR. DAVID GIBSON, HAVING BEEN SWORN, WAS QUESTIONED BY THE COMMISSION, AS FOLLOWS:

1 Q. MS. FERGUS: Br. Gibson, your evidence, as I understand it, will be based on a statement given to the Inquiry in Phase I and I understand that you have studied the discovery material and spoken to members of the Congregation. I think you have attended all the private hearings in Phase II?

A. Yes.

2 Q. Where the Committee heard evidence from 26 complainants and 14 respondents?

A. That's right.

3 Q. I am going to hand you now over to Mr. McGrath.

END OF QUESTIONING OF BR. GIBSON BY THE COMMISSION.

BR. DAVID GIBSON WAS THEN EXAMINED, AS FOLLOWS, BY MR. McGRATH:

4 Q. MR. McGRATH: I am David McGrath, senior counsel. I am instructed

1 on behalf of Michael B Hanahoe solicitors. I have a  
2 number of questions to ask you in relation to  
3 Letterfrack.

4  
5 Now, in general the areas that I do intend to try and  
6 cover will be the issues of the buildings, the  
7 clothing, food, education, training, and the question  
8 of abuse, both physical and sexual. But before I go  
9 into that, I am trying to be as careful as I can in  
10 relation to it, I just want to discuss with you matters  
11 that arose in your original evidence before the  
12 Commission, with a view to talking about generally the  
13 types of stories that the Commission has heard in  
14 relation to people's experiences in Letterfrack.

15  
16 Now, one of the matters that you brought up early on on  
17 the last occasion was, first of all, the number of  
18 complaints that were made before the Taoiseach's  
19 apology and before the announcement that the Commission  
20 -- that the Statute of Limitations had been varied.  
21 You indicated that the number of complaints had gone  
22 from 12 to something like 449 and that caused serious  
23 concerns for the Congregation and you wondered about  
24 the nature of the complaints.

25  
26 Now, since that time I am quite sure that you have seen  
27 the statements that were submitted to the Board, you  
28 have heard the evidence from those particular witnesses  
29 at that phase of the hearings. And you also, I would

1 surmise, also have seen many statements that were  
2 furnished by people who didn't attend at hearings here,  
3 but who have gone to the Redress Board because in the  
4 process there you are given an opportunity to reply to  
5 those statements. So you have seen a very large and  
6 significant number of those complaints at this stage, I  
7 take it?

8 A. That's correct.

9 5 Q. Now, can I take it that if, I paraphrase the type of  
10 complaints that are made, is that people have described  
11 in various ways Letterfrack as a living hell, that the  
12 farm there was a force labour camp. That there was  
13 constant fear. That they had painful memories. There  
14 were complaints about physical abuse. There were  
15 complaints about sexual abuse. And there were  
16 complaints about the very hard work that these young  
17 boys were asked to do on the farm. And that there were  
18 occasions when they received severe beatings from  
19 various members of the staff, whether they be lay or  
20 Brothers, and then there were also complaints in  
21 relation to the food, the clothes, the showers, and the  
22 manner in which they were dealt with at the time of the  
23 showers. And that also there were complaints in  
24 relation to their education, complaints of being  
25 constantly beaten in school and being subjected to  
26 humiliation, cruelty, neglect and abuse of all  
27 different kinds.

28  
29 Now, is that a very brief synopsis of the general types

1 of complaints that people who have had complaints to  
2 make made to the Commission, and you have read in  
3 various statements, you have read over a number of  
4 years at this stage?

5 A. So, what are you asking me?

6 6 Q. I am asking you is that what I have just given to you,  
7 a fair summary of the complaints that were made before  
8 this Commission, maybe in other statements you have  
9 read that didn't go before the Commission, that that's  
10 a fair summary of the types of complaints that former  
11 pupils have made about Letterfrack?

12 A. Well, I would make a number of points. I think there  
13 was a private hearing and it is really the private  
14 hearings that bring the complaints where evidence is  
15 brought and where a finding can be made. So, it is  
16 really those complaints that were brought and were  
17 tested that, I think, you know, I presume the  
18 Commission would be judging on. There were many, many  
19 complaints in -- that were brought before the Redress  
20 and there were other complaints brought but weren't  
21 followed up. In other words, there was no evidence  
22 given.

23  
24 So, I have heard all those, many of which I would  
25 reject, many of which would be countered to the  
26 Department of Education's view of the Residential  
27 Institution of Letterfrack, which is very contrary to  
28 what those allegations are saying. So, yes, there are  
29 many complaints, but many of which I wouldn't accept.

1 7 Q. Can I take it now, I am going to ask you the question  
2 again because that didn't deal with the question I  
3 asked, is what I outlined to you the nature of the  
4 complaints that have been made by the pupils? I didn't  
5 ask you to accept that they were true, I didn't ask you  
6 to reject them, all I wanted to know are they a  
7 reasonable summary of the types of complaints were  
8 made?

9 A. They are.

10 MR. HANRATTY: Sorry, if I may object  
11 here. When a matter of  
12 that kind in relation to a broad sweep of complaints is  
13 being put to a witness, given that the detail of the  
14 evidence was not heard in public and that therefore  
15 members of the public observing these proceedings are  
16 not familiar with it, might I respectfully suggest that  
17 it is more appropriate to put it to the witness that  
18 evidence was given in relation to these matters and  
19 rebuttal evidence was also given in relation to these  
20 matters, rather than just saying, "a broad sweep of  
21 complaints were made, what do you think about that?"

22  
23 Because obviously, there are people in the room who are  
24 familiar with some of the evidence, but there are  
25 certainly people in the room who don't know anything  
26 about the evidence that was given. They are listening  
27 to a question being put to a witness about complaints  
28 given about this, that and the other without being  
29 given the other side of the coin, namely that there was

1 evidence in relation to these complaints, the evidence  
2 was tested in cross-examination of the witnesses and in  
3 many cases there was evidence in rebuttal.

4 MR. McGRATH: Chairman, I clearly can't  
5 get this right because when  
6 I tried to introduce statements on a previous occasion  
7 on the basis of all the evidence given the Commission  
8 made a ruling that, in fact, in those instances I  
9 couldn't do it because they were private, they were  
10 controlled by the legislation and I tried this morning  
11 not to do that and do it in a general way as possible  
12 so as not to breach any of those questions of privacy.  
13 Now, if I am again doing it the wrong way, I would  
14 apologise but I don't see anything wrong with the  
15 manner in which I asked that particular question.

16 THE CHAIRPERSON: Just let's take this in  
17 simple stages Mr. McGrath.  
18 First of all, are you submitting that the ruling I made  
19 was wrong?

20 MR. McGRATH: No. No.

21 THE CHAIRPERSON: I am not being the  
22 slightest bit offended  
23 about this but there is some -- let's face it, some  
24 people think that it would be possible to debate the  
25 private hearings here in public. Now, that's  
26 manifestly wrong, but I don't want to start replying to  
27 things and using this position to get into a public  
28 controversy.

29 MR. McGRATH: Last week you made that

1 ruling and I accepted it.  
2 That's why I asked the question in the way I did this  
3 morning.  
4 THE CHAIRPERSON: I understand. I want to  
5 clear that out of the way,  
6 first of all, and I appreciate your position, you may  
7 take it that nobody here would be the slightest bit  
8 offended if anybody were to say, "Look here, you are  
9 wrong about that and here are the reasons why you are  
10 wrong." We can reconsider it. We can get that out of  
11 the way, that you are not suggesting that in any way  
12 that we have misrepresented the legal situation arising  
13 out of the act.  
14 MR. McGRATH: No, Chairman.  
15 THE CHAIRPERSON: That's fine.  
16 MR. McGRATH: Let me say this: If  
17 Mr. Hanratty is right, then  
18 I would have to challenge the ruling; otherwise there  
19 is no point in me being here to cross-examine at all,  
20 because I can't put what was said and I can't put it in  
21 an another way.  
22 THE CHAIRPERSON: We will come to  
23 Mr. Hanratty in a second,  
24 Mr. McGrath. But let's keep it simple, whether  
25 Mr. Hanratty is right or wrong does not affect the  
26 interpretation of the Act.  
27 MR. McGRATH: No.  
28 THE CHAIRPERSON: Very good. If you are  
29 satisfied that you don't

1 want to make any submission about the interpretation of  
2 the Act then we can clear that out of the way for a  
3 start. Is that all right?

4 MR. McGRATH: Yes.

5 THE CHAIRPERSON: Thank you very much. Now,  
6 Mr. Hanratty's point is  
7 really that, rightly or wrongly, and I am not saying we  
8 agree with it or don't agree with it but what I am  
9 saying is simply to say weren't there a lot of  
10 complaints and didn't they include sexual abuse,  
11 physical abuse, lack of food, coldness, in concern --  
12 lack of concern and simply to list off a dozen  
13 complaints is not really a question, that's really what  
14 he's getting at. Now, I would have to confess, there  
15 would seem to be something in that. Do you know what I  
16 mean? If you get to the next bit, which is the  
17 question bit, fair enough. But it doesn't seem to me  
18 to be a big legal issue as much as what he's really  
19 saying is, "look, what's the point in saying weren't  
20 there complaints about everything in sight?" And  
21 asking the witness to say, "well yes, there were  
22 complaints about that." That's really what he is  
23 getting at.

24 MR. McGRATH: Because then at least the  
25 Commission and anybody here  
26 at the public hearings can at least have some idea what  
27 I am debating with the witness and why I am debating  
28 it. I mean, if there aren't some indication of the  
29 types of complaints that were made, well then I'm

1 asking questions not based on any sort of -- any basis  
2 whatsoever. But this cross-examination has to be on  
3 the basis of the evidence given at Phase I and to some  
4 extent in as limited a form as I can make it on the  
5 evidence that was given at Phase II.

6 THE CHAIRPERSON: Yes.

7 MR. McGRATH: On the previous occasion  
8 you made your ruling and I  
9 have accepted that and I have now tried to find a way  
10 around that ruling.

11 THE CHAIRPERSON: But it is not so difficult,  
12 Mr. McGrath, this isn't  
13 a... (INTERJECTION).

14 MR. McGRATH: But I  
15 don't... (INTERJECTION).

16 THE CHAIRPERSON: Sorry, just let me say  
17 something.

18 MR. McGRATH: But I don't see anything  
19 wrong with the particular  
20 question I am asking.

21 THE CHAIRPERSON: This isn't a mystery,  
22 anybody who looks at the  
23 website will find transcripts of our previous  
24 proceedings and in those transcripts there are, to my  
25 recollection, four instances of cross-examinations  
26 probing and revealing and of interest, serious interest  
27 to anybody. And one of those cross-examinations was  
28 done by you Mr. McGrath.

29

1 I mean, the nature of our proceedings here -- you see,  
2 we are being put in the position of looking as if we  
3 are stifling debate, and that's wrong. In fact, we  
4 have had more hearings in public than ever took place,  
5 other than on procedural issues.

6  
7 Sorry, let's focus on the specific issue. The specific  
8 issue here is, if we move on to what you really want to  
9 ask the witness the preliminary matter is probably  
10 unnecessary. That's really what Mr. Hanratty is  
11 saying. So asking Br. Gibson to acknowledge that the  
12 complaints included A to Z, he thinks is somewhat, I  
13 suppose, tendentious, is really what he's saying, that it is  
14 not illuminating and it really tends to be prejudicial.  
15 That's really his point.

16  
17 But why don't we leave that, Mr. McGrath. Why don't  
18 you move on to your area and if necessary, if  
19 necessary, we will make a ruling on it. I am not sure  
20 it is the sort of thing that needs it, it is a comment,  
21 essentially, made by Mr. Hanratty for your information,  
22 I suppose, that's his general position is what he's  
23 really saying.

24 8 Q. MR. McGRATH: Very good, Chairman, I will  
25 move on.

26  
27 (To the witness) Now, the first thing I want to ask  
28 you something about is the situation with regard to  
29 education and I want to know whether I am correct or

1 not in my understanding, that as far as you are  
2 concerned, and on the basis of your evidence on the  
3 last occasion, as far as you are concerned the children  
4 in Letterfrack were very well educated at a primary  
5 level and had very good results in the Primary  
6 Certificate, is that correct?

7 A. Yes, that's correct.

8 9 Q. Have you had any cause to have questions in your own  
9 mind or doubts about the actual results that were  
10 achieved as far as the Primary Certificate was  
11 concerned in Letterfrack?

12 A. No.

13 10 Q. Well, given -- and there is quite a number of documents  
14 which you yourself have dealt with on the previous  
15 occasion which would suggest that the children who went  
16 into the institution were, in fact, very low in their  
17 standard of education and yet, on the basis of your  
18 analysis of the documentation you got in relation to  
19 the number of students who sat the Primary Certificate  
20 and passed it and on the basis of comparison with other  
21 primary schools, never mind industrial schools,  
22 Letterfrack seems to be above the average; is that  
23 right?

24 A. Yes.

25 11 Q. And that doesn't strike you as being in any way  
26 peculiar or strange given the lack of education on the  
27 part of those children when they went in there?

28 A. Basically it shows the quality of the teaching that  
29 took place. I think it was the Tuairim Report in 1966

1 that talked about boys coming in of ten years of age  
2 and who had maybe only spent a couple of days at school  
3 and yet when they left the primary school they had an  
4 extremely good education. So I think it is basically  
5 underlining the care and the professionalism of the  
6 Brothers' teaching that they were able to bring  
7 children who had very little education because of  
8 truancy, absconding from the day schools and who in a  
9 matter of a number of years arrived at the primary  
10 school certificate and succeeded with a very high rate  
11 of success.

12 12 Q. Now, in that regard you are aware that there have been  
13 people who have given evidence or suggested surprised  
14 that they actually had passed their Primary Certificate  
15 because as far as they were concerned they actually  
16 never sat it. Does that give you cause or concern?

17 A. Well, the results of the Primary Cert are tabulated,  
18 recorded and so people's memories may be short, but the  
19 actual results are tabulated and it is fact, it is one  
20 of the facts that can't be disputed.

21 13 Q. We have had people who are surprised to discover that  
22 they had done very well in Irish in the Primary  
23 Certificate when they couldn't speak a word of Irish as  
24 far as they are concerned ever. Does that not give you  
25 cause for concern that there may be something wrong in  
26 relation to results?

27 A. No, I mean, the results are results, you get results,  
28 they are published, they can be checked so that's it.

29 14 Q. I am not sure if it was in Letterfrack but certainly

1           there have been people who have suggested that when  
2           they did the Primary Certificate in other schools, that  
3           in fact it was done with a Brother standing beside  
4           them, telling them what to put down in the answers.  
5           Now, if that was the situation would that cause you to  
6           pause for concern over the results?

7           A.    That wasn't the case in Letterfrack, it didn't come up  
8           in the Phase II so it is not relevant.

9   15   Q.    Well, if we have a scenario where people are surprised  
10          they got their Primary Certificate, they don't believe  
11          they ever sat it, that that they passed Irish, which  
12          they don't believe they did, and we had evidence in  
13          other institutions that they were helped with regard to  
14          doing the exams, would it not give you cause for  
15          concern, given the educational situation with regard to  
16          most of these children when they came into this  
17          institution, that there must be a question mark over  
18          the fact that this school, of all the schools in the  
19          country, performed much better than ordinary primary  
20          schools? It doesn't give you any cause for concern or  
21          cause for thought at all?

22          A.    First of all, I'm looking at the content of the Phase  
23          II and I can't actually see that there were many cases  
24          of that being said. So I am not going to refer in  
25          detail to Phase II. But basically, the results are  
26          there, people did exams, they got their results, and I  
27          can't say anything more. Except that it seems that  
28          they got a very good education.

29   16   Q.    Is it at all possible somebody could do an exam in

1 somebody else's name?

2 A. Everything's possible.

3 17 Q. It would be an explanation as to why people did so well  
4 in the exam; wouldn't it?

5 A. I am wondering why. I mean, some schools have been  
6 accused on not giving education and then when people  
7 give education it is doubted that the actual results  
8 are true results, so I don't think you can win.  
9 Basically, I would say there was a very good education,  
10 very good results and we could put all sorts of  
11 hypothesis as to why the results were good. But I  
12 would say the best one is that they were taught well.

13 18 Q. Now, there is a letter I want to refer to you, it is in  
14 the discovery, it is folder two of the documents  
15 discovered by the Christian Brothers. The reference is  
16 CBLFR 0113/1.

17 A. Could you repeat that?

18 19 Q. I think it may be on -- it is 0113/1.

19 THE CHAIRPERSON: From whom to whom,  
20 Mr. McGrath?

21 MR. McGRATH: This is a letter to the  
22 Brother Provincial, it is  
23 dated 23/10/1956 and it seems to be signed -- do you  
24 want me to mention the name signed at the bottom,  
25 Chairman?

26 THE CHAIRPERSON: Well I don't have it in  
27 front of me, let me have a  
28 look at it.

29 MR. McGRATH: The number at the bottom of

1 the page is 0113/1.  
2 THE CHAIRPERSON: All right. Anyway it is a  
3 letter to the Brother  
4 Provincial.  
5 MS. SHANLEY: Sorry, what is the date  
6 again, Mr. McGrath?  
7 MR. McGRATH: 23/10/56. It says the  
8 Christian Brothers, Co.  
9 Galway on the left hand.  
10 THE CHAIRPERSON: All right.  
11 20 Q. MR. McGRATH: In that letter, it says:  
12  
13 "My very dear Brother Provincial, I  
14 have your letter of 23".  
15 ... (INTERJECTION)  
16 THE CHAIRPERSON: Do you have that?  
17 A. I do, yes.  
18 21 Q. MR. McGRATH:  
19  
20 "With all due respect and deference, I  
21 must say it would not only be  
22 impractical but impossible to manage  
23 our school as you have outlined.  
24 Speaking of industrial schools in  
25 general, the very smallest bit of  
26 experience or even without any  
27 education in these boys are far from  
28 average. In fact, they would not be in  
29 these schools at all in the majority of  
cases if they had been in attendance at  
school. It is evident, therefore, that  
there is great need of solid  
instruction with a small number as  
possible in each class.  
To speak of the ideal class of such  
boys under the present conditions would  
be nothing short of fantasy. The

1 conditions obtaining in our other  
2 industrial schools apply equally to the  
3 boys we have who were here before the  
4 change two years ago. They were far  
5 below the average in intelligence and  
6 it required the very best efforts of  
7 the Brothers to advance them in any  
8 degree.

9 A change in condition in that school  
10 brought about two years ago has altered  
11 all that radically. The old hands, if  
12 I may call them so, have become the  
13 intelgenesia (sic) and the new pupils  
14 are in a state of ignorance that has to  
15 be experienced to be realised. Of the  
16 41 boys still here who have been  
17 admitted in the two years 35 are still  
18 in the school. This is more than half  
19 the number of boys on roads. These  
20 boys in the main do not even know the  
21 letters of the alphabet"

22 And yet this is the school that was able to produce  
23 those fantastic results in the Primary Certificate.  
24 Now, do you believe that there is any reality in those  
25 figures and statistics? That's your own school  
26 writing, saying about these pupils that have done so  
27 brilliantly in the Primary Certificate, does it not  
28 cause you to question as to whether or not those  
29 results are valid?

30 A. Well, the results can be checked with the Department of  
31 Education, the results are there. The Tuairim Report,  
32 I repeat, in 1966 says:

33 "The standard is deplorable in first  
34 room, as is usual in industrial  
35 schools, but it improves quickly from  
36 class to class and 6th standard is  
37 excellent".

1 22 Q. Now, in relation to education, there have been a number  
2 of complaints about boys being taken out of class and I  
3 just want to deal with that for a moment. The letter I  
4 am referring to is reference No. 0067/10.

5 A. What are the letters?

6 23 Q. CBLFR?

7 A. So 00?

8 24 Q. 0067/10 is the page of the letter, it is a rather long  
9 handwritten letter, it is dealing with some problem  
10 that had arisen in the school between various Brothers?

11 A. Uh-huh.

12 25 Q. Now, one of the complaints has been that boys were  
13 taken out of school on a regular basis, and I just want  
14 to deal with that. This letter would seem to suggest  
15 that that was the case. Now, the letter seems to  
16 relate to around 1940, so 19/11/40 is the actual  
17 letter. At that page it says:

18

19

20 "When Br. Blank worked on the farm here  
21 he had only one boy out of school in  
22 the morning. Br. Blank had two boys.  
23 Br. Blank, in order to avoid a row with  
24 Blank, gave him four boys. Then when I  
25 came here he wanted more and to satisfy  
26 him I gave him two more boys, then he  
27 had six boys out of school in the  
28 morning. Of late, however, he has got  
29 it into his head that he should get  
more, but I refused him. Now he's  
looking for his revenge".

27 Now, in those terms would you accept that that's a  
28 confirmation of complaints from boys that they were  
29 taken out of school and sent to the farm?

1 A. Well, in the Phase II I don't remember that being  
2 raised.

3 26 Q. Would you accept that that letter suggests that they  
4 were?

5 A. That letter is saying that there were some boys taken  
6 out of school at different times.

7 27 Q. THE CHAIRPERSON: Brother, is there not  
8 material in the Visitation  
9 Reports where the visitor is complaining -- correct me  
10 if I am was a because I am speaking from memory, where  
11 the visitor is complaining that the farming methods are  
12 very old fashioned, that it is all done by hand. That  
13 a huge number of boys are required for it. Leaving  
14 aside now the specific question that Mr. McGrath is  
15 asking.

16  
17 So there is a huge number of boys engaging in fairly  
18 primitive farming, if I can put it that way, and the  
19 visitor, in fairness to him, is raising the question,  
20 is this a good idea, especially where the -- I mean, it  
21 is a sort of two way street in one way. In fairness to  
22 you, you can say, "Look, the visitor was complaining  
23 about it." But in fairness to Mr. McGrath's point or  
24 the people there who should have been getting farming  
25 training, if the Cussen Report of 1936 was being  
26 implemented were, in fact, sort of engaging in fairly  
27 primitive farming. Is that not a reasonable -- is that  
28 not in the area that Mr. McGrath is?

29 A. Well, I am not sure -- the fact that -- well, first of

1 all, with regard to farming, the boys went out on the  
2 farm at different times, for instance collecting the  
3 turf and doing the hay at different times they would  
4 have gone out. The land in Letterfrack was such that  
5 it couldn't actually take machinery so it was mostly  
6 done by hand. So, there were two things, I suppose.  
7 There were boys who after school, in the afternoon,  
8 went out and helped out on the farm, so that was one  
9 group. There was another group of boys after they had  
10 finished the Primary Cert and were on the farm as a  
11 preparation for their work experience later on.

12 28 Q. THE CHAIRPERSON: Yes?

13 A. And there were criticisms over the years that they were  
14 working on the farm but there was no teaching about  
15 agricultural science and so on and that was true. One  
16 of the difficulties of that was that it was, first of  
17 all, lack of funding to get teachers to do that and No.  
18 2, because of the remoteness of Letterfrack they  
19 couldn't get teachers to actually go over there. So  
20 there was a real difficulty. But having said that,  
21 people who were on the farm were the ones actually who  
22 got the jobs afterwards. And in fact in a lot of  
23 apprenticeships, apprenticeship starts with just  
24 literally doing and it is the learning that takes place  
25 later.

26  
27 But I would accept the fact that the visitor looking at  
28 the situation is saying they are not learning a lot in  
29 going out on the farm and it is difficult work. And I

1 would say at times it was difficult work. Yes, so I  
2 will leave it at that.

3  
4 But what I think, Mr. McGrath, if I am correct, is  
5 using the idea that boys were brought out of the  
6 classroom and it could be one boy one day, another boy  
7 another day, as a sort of justification for the fact  
8 that the results mightn't be as good as they are shown  
9 to be in the reports from the Department of Education.  
10 And I wouldn't accept that.

11 29 Q. MR. McGRATH: Now, if I can just refer to  
12 the Interdepartmental  
13 Report Committee, which is at DELF 203?

14 A. Would you repeat that?

15 30 Q. DELF 203. If your book is paginated, I think it is No.  
16 5 in the book, folder one.

17 A. Yes, got it here. This is 1962, I think, is it?

18 31 Q. Yes. This is a report which starts talking about the  
19 number of former inmates of various establishments who  
20 end up in St. Patrick's and that they are industrial  
21 school boys in St. Patrick's were of a low standard  
22 educationally. It goes on to talk about a visit, I  
23 think, in Letterfrack. Again, in that particular  
24 document, at 003/2 it says:

25

26

27

28

29

"The typical Letterfrack boy is a delinquent. His home background is unsatisfactory, his schooling has been neglected. Though he is of normal intelligence, his standard of education attainment is below the normal level

1 for his age. He therefore requires  
2 more individual attention than the  
ordinary national school child.

3 In this regard, it would be desirable  
4 to have the curriculum revised. At  
5 present the teachers are obliged to  
6 follow the full national school  
7 programme, English, Irish, arithmetic,  
8 history and geography, with algebra as  
9 an additional subject in the higher  
10 class.

11 It would seem that while some of the  
12 boys can plot and pursue the full  
13 Primary Certificate course, the  
14 majority of them would probably derive  
15 more benefit from intensive instruction  
16 confined in the main to English and  
17 arithmetic."

18 Again, would that not suggest to you that there is a  
19 question mark over the exam results?

20 A. No, it wouldn't. I mean, the results are the results.  
21 I cannot say anything other than these were the results  
22 that they got. The Primary Cert was in Irish, English  
23 and arithmetic. So it wasn't in algebra, it wasn't in  
24 geography or history. I presume that, even though I  
25 wouldn't be aware of it, that probably in the education  
26 they focussed on those three subjects. As I say, it is  
27 before my time so I wouldn't be sure. All we can go on  
28 is the results that are there and I don't think it is  
29 that useful to say that they are not the results or  
30 that there is a reason why they shouldn't be the  
31 results that they are other than those good teaching.

32 Q. Okay, I'll leave that subject then. Now, can I ask you  
something that arises and, first of all, it is just the  
whole question of training. As far as that is  
concerned there seems to be two different types of

1 people who worked in the industrial schools, those who  
2 were actually teaching in the school in Letterfrack and  
3 that would have consisted of a number of primary  
4 teachers?

5 A. Yes.

6 33 Q. It would appear, and you can correct me if I am wrong,  
7 both from your evidence and from the statement that you  
8 made and from various bits of documentary evidence over  
9 the years that there seems to have been a mixture of  
10 people who were fully qualified, people who had done a  
11 year and were out doing some experience before going  
12 back again and there was over a significant period of  
13 time quite an amount of change of people because there  
14 had to be movement when they had done their period of  
15 training to go back to college and that sort of thing.  
16 Am I right in understanding that teachers changed on a  
17 fairly regular basis in Letterfrack over the years?

18 A. Well, the average stay in Letterfrack over its  
19 existence was four years. That would be the average.  
20 But I wouldn't have exactly before me now the numbers,  
21 but there were Brothers who were there, who arrived  
22 there, and they would have had their first year  
23 training in teacher education and the practice at the  
24 time was that Brothers would go to Letterfrack or to  
25 any other primary school after the first year and they  
26 would get practical experience. Then after a number of  
27 years, two or three years, they would go back and in  
28 the light of the experience they gained in the  
29 classroom then, they were better able to benefit from

1 the second year training. So that was the practice at  
2 the time.

3 34 Q. So, in this school, where these pupils were way below  
4 the national average, they on a very regular basis  
5 would have had a teacher who had no experience  
6 whatsoever and wasn't fully trained?

7 A. Well, they would have had a teacher who was trained in  
8 the first year of training. He would have gone out and  
9 as a result of his teaching they got excellent results.

10 35 Q. In your evidence on the last occasion you were quoting  
11 from a document and what you said in the -- you were  
12 asked a question by Mr. McGovern and he said as  
13 follows:

14 "I would like you to look a document  
15 which I am going to put up on the  
16 screen by the same author which is  
17 dated September 1972. At the top of the  
page there..."

18 And this is at page 83 of the evidence given on 16th  
19 June, it says:

20  
21 "At the top of the page there deals  
22 with the lack of trained Brothers.  
23 Brothers come here fresh and green from  
24 normal schools quite unprepared for  
25 what they meet here, when faced with  
26 awkward situations they do not know how  
to react, such changes have been  
disastrous. Brothers coming here need  
training in delinquent care".

27 Now, as far as that is concerned, now I know and it has  
28 been said here time after time after time that there  
29 were no courses for training at that particular time,

1 but given you were running Artane, you were running  
2 Glynn, you were running Letterfrack and most of these  
3 were running from the 1800's, did you not have an awful  
4 lot of in-house knowledge about industrial schools and  
5 how did the situation arise that they came fresh and  
6 green and knew nothing and were given no sort of  
7 guidance before they went from people with experience?

8 A. Can I just check, who was saying that, in that  
9 statement?

10 36 Q. I can check and see if I can find a reference for it.  
11 I think it arises from a 1972 letter. I think you will  
12 find it at CBLFR 0129/2, it is on the second page of  
13 the letter.

14 A. CB?

15 37 Q. CBLFR 0129/1, it is just before tab 2 in folder No. 2.

16 A. Okay.

17 38 Q. It is to the Provincial and his counsellors dated  
18 14/98/72 and it is signed -- I don't know whether  
19 you... (INTERJECTION)

20 A. I have the signature, yes.

21 39 Q. At the top of page 2 it says:

22 "B - lack of trained brothers.  
23 Brothers come here fresh and green from  
24 normal schools quite unprepared for  
25 what they meet here. When faced with  
26 awkward situations, they do not  
27 know..... (INTERJECTION).

28 THE CHAIRPERSON: Just slow down a little  
29 bit. Could you speak at a  
normal pace even when you are reading because  
Ms. McCarthy has to take a note. You are inclined to

1           rush when you get to the thing, for understandable  
2           reasons because Br. Gibson has it in front of him.

3    40   Q.   MR. McGRATH:                           Page 2, top of page 2:

4                           "B - lack of trained Brothers.  
5                           Brothers come here fresh and green from  
6                           normal schools quite unprepared for  
7                           what they meet here. When faced with  
8                           awkward situations they do not know how  
9                           to react. Such changes have often been  
10                           disastrous. Brothers coming here need  
11                           training in delinquent care."

9

10

11           Now, is there any explanation why by 1972, with all the  
12           experience you had since the 1800's, I think, in  
13           Letterfrack and in Artane and elsewhere in the country,  
14           that no training could have been provided, even just  
15           from people who had experience in the system? At that  
16           stage there must have been hundreds and hundreds and  
17           hundreds of Brothers who had worked in the system?

18    A.   Well, I would have a number of comments about the  
19           letter. First of all, the author of the letter, I  
20           would have to say that there has been a lot of debate  
21           about that particular person, so I won't go into that.  
22           Now, about his comment, it is his own personal view.

23                           "Brothers here come fresh and green  
24                           from normal schools".

25           well, I don't know what that means. People who came  
26           from schools were qualified. They were trained, they  
27           were professional. They came to Letterfrack and  
28           certainly there were awkward situations. It is not  
29           true in 1972 that there was no training. There had

1           been courses in childcare in the late 1960's and early  
2           1970's and one of the Brothers actually in Letterfrack  
3           at the same time was trained, fully trained, in  
4           childcare.

5  
6           There had been Brothers which came up in Phase II,  
7           without going into detail, who actually during their  
8           holidays went and did courses in childcare to better be  
9           able to respond to very difficult children in the early  
10          1970's. Because in the 1970's they were particularly  
11          difficult with many of them accused of arson, larceny  
12          and physical and sexual assault. So it was a  
13          particularly difficult situation in the early 1970's.

14  
15  
16          What this Brother is writing basically is an apology  
17          to get more people. I would suggest that he's gilding  
18          the lily to ensure that he gets the help.

19    41    Q.    Okay. So, for particular reasons of your distrust of  
20           this particular person you are not prepared to accept  
21           the point that he makes, that there is a problem that  
22           Brothers are sent without training? You don't accept  
23           that happened?

24           A.    Well, I put it this way, there was no training in  
25           childcare and in how to deal with very difficult  
26           psychologically disadvantaged, socially disadvantaged  
27           children. There were no courses available and there  
28           was very little resources available. So, certainly it  
29           wasn't an easy station. But I would say that the

1 Brothers who went there did amazing work in the type of  
2 care that they gave to the young people. And that's  
3 attested to by the Department of Education, who praises  
4 them highly each year in the reports.

5 42 Q. We will get to the Department in a minute, Brother, you  
6 needn't worry. If we forget about the time and the  
7 year that letter was written, 1972, and the fact that  
8 you have said that there are problems with that  
9 particular letter, there are problems in relation as to  
10 whether or not people had training at that particular  
11 time, would that be a fair comment about Brother who  
12 were sent there in the 1940's, 1950's and 1960's, that  
13 they were given no training and no idea of what was  
14 going to meet them when they arrived into these places  
15 straight out of teacher training college or after one  
16 year in teacher training college? Would that be a fair  
17 comment on that time?

18 A. Well, it is never simple, I would say in the schools  
19 you may not have had all the teachers, in fact I would  
20 say hardly ever would you have had all the teachers  
21 there who had only one year training. So you could  
22 have quite experienced teachers there at the time.  
23 There may have been one Brother there who came straight  
24 into the situation. That would be true of every  
25 school, a person coming out of training going into a  
26 school, he is not aware of what was facing him.  
27 Letterfrack would be no exception and it was much more  
28 difficult.  
29

1 Fundamentally there were not courses available. They  
2 would have had training now and again. We are talking  
3 about a time before I was born, I am not sure what was  
4 on the programme, but I am sure they were trained  
5 adequately. I am sure they were given all the help  
6 that they needed. But I would say it was a difficult  
7 station.

8 43 Q. Now, you indicated early on in your evidence on the  
9 previous occasions that... (INTERJECTION)?

10 44 Q. THE CHAIRPERSON: Br. Gibson, in the late  
11 1960's three Brothers went  
12 as teachers to Letterfrack, they had one year's  
13 experience between them.

14 A. Yes.

15 45 Q. THE CHAIRPERSON: Do you think that was  
16 satisfactory?

17 A. No.

18 46 Q. THE CHAIRPERSON: And they were to take on  
19 the heavy burden, I mean in  
20 fairness to them?

21 A. Yes.

22 47 Q. THE CHAIRPERSON: And the boys?

23 A. This is the late 1960's?

24 48 Q. THE CHAIRPERSON: The late 1960's.

25 A. I just have to check the names of the Brothers. I  
26 think the people sending them may have thought that  
27 these were excellent teachers, I am not sure. But I  
28 would say generally that it is not a good idea that  
29 three people with one year's experience would come. I

1 would agree with that.

2 49 Q. THE CHAIRPERSON: That's the evidence, as I  
3 recall. I mean, I can  
4 remember the three Brothers, the average age was very  
5 young as well?

6 A. Yes.

7 50 Q. THE CHAIRPERSON: But you agree, I mean you  
8 may take it that that was  
9 the situation?

10 A. Yeah, I think I can remember.

11 51 Q. THE CHAIRPERSON: There is no particular --  
12 but since we are respecting  
13 the confidentiality, we may as well. But I can write  
14 it down for you, if you like. But that is the  
15 situation, that between three of them, I mean to be  
16 fair, I think the evidence was that the Superior looked  
17 a bit disappointed when he saw at least one of them,  
18 and he seemed to be short of stature and he thought he  
19 wasn't impressing the Superior terribly much. But that  
20 was the reality that the three of them arrived within a  
21 couple of days with one year's experience between them.

22 A. Yes.

23 52 Q. THE CHAIRPERSON: I mean, in the context of  
24 what we are talking about,  
25 of children with particular needs, it doesn't sound  
26 great, does it?

27 A. It doesn't sound great, no, it doesn't. The only thing  
28 I would say is that these people in the late 1960's  
29 would be coming from training college. They would have

1 had the latest in educational theory, they would be  
2 energetic, enthusiastic, but they hadn't the  
3 experience. And at the time unfortunately we can't  
4 judge what were the results because the Primary Cert  
5 wasn't there, in existence. So, what way -- what was  
6 the education like that the young people got we really  
7 don't know. And how effective were they, again I am  
8 not too sure.

9 53 Q. MR. McGRATH: Now, one of the matters  
10 that arose on the previous  
11 occasion you gave evidence was the fact that you had  
12 doubts about many of the complaints that were coming  
13 forward and you indicated, as most of the various  
14 Brothers and Sisters organisations have put forward, is  
15 that it is so long ago that it was difficult to check  
16 the veracity of those complaints and that you were all  
17 having to prove a negative, that you didn't do it  
18 rather than it did happen, and that the situation was  
19 reversed from your point of view. But am I correct in  
20 understanding, I think it is borne out by your  
21 evidence, you can disagree with me if I am wrong. That  
22 there was quite an amount of information in documents  
23 that did suggest from time to time knowledge on the  
24 part of the school or on the part of somebody in the  
25 Christian Brother organisation that there were  
26 problems, either of a physical abuse nature or a sexual  
27 abuse nature?

28 A. Yes, I think what I'd say is that from the 1940's, and  
29 maybe a little bit before that, individual instances of

1 physical abuse and sexual abuse emerged and came to the  
2 attention of the authorities. And I think in my  
3 original submission I outlined those individual  
4 instances which came before the authorities, and which  
5 were dealt with sometimes well and sometimes less well.

6 54 Q. Okay. Now, I don't necessarily want to go through  
7 those, those have been dealt with already by  
8 Mr. McGovern and we have covered significant ground in  
9 relation to it. But I just want to be absolutely clear  
10 on this, the impressions I have got listening to quite  
11 a number of the different Congregations that have come  
12 here and reading your own evidence in relation to it,  
13 is that you all have given this expression of surprise  
14 and shock that people have complained about physical  
15 abuse and sexual abuse in Letterfrack or whatever  
16 institution it happens to be, but am I not correct in  
17 understanding that the reality is that perusing through  
18 the documents it is quite clear that on your own  
19 studying of documents you knew or somebody knew at  
20 various times that it was happening?

21 A. Well, as I say, I have outlined in my presentation that  
22 at different times from the 1940`s on individual cases  
23 of physical abuse and sexual abuse came to the  
24 attention of the Brothers in these institutions. And  
25 we have stated very clearly our apology, in 1998, for  
26 any boy who was physically or sexually abused in our  
27 institutions. So we have no doubt that there were,  
28 over a 40-year period, a number of complaints of  
29 physical and sexual abuse.

1 55 Q. Okay. Now, do I understand what you are saying there,  
2 is that you accept the documented physical and sexual  
3 abuse?

4 A. Yeah.

5 56 Q. All right. So, what you are saying is that you are  
6 still surprised that there might have been physical or  
7 sexual abuse occurring that wasn't documented; are you?

8 A. No, I didn't say I was surprised.

9 57 Q. Well that's the general tenor I got from your evidence  
10 on the previous occasion, that you had suspicions about  
11 any allegations of sexual abuse or physical abuse that  
12 wasn't documented?

13 A. No, I -- well, I didn't certainly say that. I think  
14 you may be referring to the initial part of my  
15 document, which is on page 3, Submission of the  
16 Christian Brothers. On the top paragraph there I said  
17 that in 1998 we made an apology and at that stage there  
18 were three complaints. And we sent this message and in  
19 the following year there were nine further complaints.  
20 Then when the Taoiseach made the apology on the part of  
21 the State and offered compensation that increased to  
22 449. Now, that's what I said.

23  
24 I think what I would be saying is that the evidence  
25 that has come to our attention is that some of the  
26 complaints that are there, and we would be inclined to  
27 think quite a number of them, may be motivated by the  
28 Redress. Now, this is probably not a politically  
29 correct thing to be saying, but the evidence would show

1           there have been a lot of meetings around the country  
2           organised by solicitors, where people in pubs in  
3           England and in Ireland came together and where people  
4           stood up and gave their complaints. We would have a  
5           strong impression that there has been very big  
6           contamination of evidence. It is obviously the  
7           Commission will have to judge in that, where a  
8           complaint in one institution is applied to another  
9           institution.

10  
11           So, what I would say is that we have to be very careful  
12           that simply because there are 25 complaints against one  
13           person, they can't be found guilty by accumulation of  
14           complaints. And it is difficult when one is talking  
15           about the 1940's to prove one way or another whether  
16           abuse took place. So, in a sense we have to just stand  
17           back and say -- and sometimes we don't know or in other  
18           cases the Commission itself will have to make a  
19           judgment on the balance of probability, did it happen?

20  
21           So, really more than that I couldn't say. But we were  
22           aware that despite having put in all the national  
23           papers and on the media for an entire year, nine  
24           complaints against Letterfrack emerged. And following  
25           then an offer of compensation 449 came. So, I think we  
26           are just wondering about that.

27       58    Q.    Were there two Brothers who worked in Letterfrack who  
28                   were accused of sexual abuse and convicted?

29           A.    There were, yeah.

1 59 Q. Do you have details of any of those sexual abuse in the  
2 documentation that you perused before you prepared your  
3 statement for this Commission?

4 A. No. During the time that they were in Letterfrack  
5 there was no evidence, contemporary evidence that those  
6 two Brothers were abusing.

7 60 Q. But it happened?

8 A. It did.

9 61 Q. So you have no reason to doubt that there are lots of  
10 incidents of physical and sexual abuse which are not  
11 contained in the records which did happen?

12 A. Well all we can do is take each complaint and look at  
13 it and the Commission will make a judgment.

14 62 Q. You are a grown man, you have given evidence here  
15 before, you have had plenty of time to peruse the  
16 documents. Are you suggesting that at this stage you  
17 do not accept that there were instances of sexual abuse  
18 and physical abuse that happened in Letterfrack that  
19 you didn't know about before now, but which did happen?

20 A. Well, that's a supposition. I can't answer that. What  
21 I can say is that the two people you mentioned, it  
22 emerged that they had seriously sexually abused  
23 residents in Letterfrack, which was abhorrent. That  
24 has been discovered. Now, I'm not going to go down and  
25 say I would imagine there were others. If they emerge  
26 they emerge and we look at them. But I am not going to  
27 say it probably was more, it was probably less. The  
28 Commission will have to decide that.

29 63 Q. All right. Well, let's put it this way: When this

1 started and you heard those complaints against those  
2 Brothers for the first time, I take it you were  
3 horrified at those allegations?

4 A. I was, yeah.

5 64 Q. You found it difficult to accept they were true?

6 A. Well, having been in this situation and having had an  
7 advisory panel in place very early, in the early 1990's  
8 when this began to emerge, we put in place a panel of  
9 advisors and the one thing that I was determined to do  
10 was not to make any decision one way or the other. So,  
11 if there was a complaint I brought it to the advisory  
12 panel and we looked at the situation and we brought the  
13 complaint to the Brother in question and the strong  
14 recommendation to me, as Province Leader, was not to  
15 make a decision one way or the other as to what  
16 happened. But we had to put procedures in place to  
17 withdraw the person from ministry. So I am not going  
18 to say whether one incident of abuse happened or  
19 another. All I can do is take each one as it is.

20

21 But there is evidence in Letterfrack that abuse did  
22 take place, serious abuse, for which we regret and  
23 would be deeply sorry. But I cannot go down and say  
24 well, do you think there were more. Maybe there were.

25 65 Q. Can I take it that I am correct in this supposition.  
26 When you first heard those complaints about the  
27 Brothers that there is no documentation about at all in  
28 there, can I take it that your first reaction was  
29 similar to that about all these 449 complaints that

1 have come in since the apology, since the Redress  
2 Board, since the Commission was set up, that your first  
3 reaction when you heard those complaints was one of "we  
4 don't have any documentation, nobody has ever  
5 complained about this before" and you had doubted about  
6 the veracity of those complaints?

7 A. No, I didn't say that. I would say that any person who  
8 came to me personally, or indeed to the Christian  
9 Brothers, we would have listened very sympathetically,  
10 we would have offered counselling to the person, we  
11 would have outlined and collected the information that  
12 they had. We would have encouraged them to go to the  
13 police authorities. So, we would have taken them very  
14 seriously. But we would not have immediately said this  
15 happened, because we would have to bring it to the  
16 Brother and ultimately the only people that can make a  
17 judgment on this would be a court. Consequently, I  
18 would say we listened to every complaint very  
19 sympathetically, took the details, but had to remain  
20 neutral.

21 66 Q. When you said in evidence on the last occasion here:

22 "From the twelve complaints we had in  
23 that following year, 449 complaints  
24 were now. That caused serious concern  
25 in the Congregation and we wondered  
26 about the nature of those complaints".

26 Now, that suggest to me that you didn't believe the  
27 complaints. Now, am I right or am I wrong in my  
28 interpretation of that? If that's not the meaning of  
29 it, what was the meaning of it?

1 A. Well the meaning of it was this, that around the time  
2 when the Redress Board was set up we were receiving  
3 reports anecdotally of groups of solicitors, for  
4 instance copying a thousand copies of some RTÉ  
5 programmes and distributing them to former residents.  
6 We also had information that at meetings of former  
7 residents lists of Brothers were handed around. We  
8 also had information that the Gardaí themselves had  
9 handed out a list of named people. So, we could see  
10 that there was serious danger that complaints were  
11 being made against people simply because they were  
12 teaching in the institutions. And we were alarmed that  
13 people who may have spent one year in an institution  
14 like Letterfrack and then went on to spend maybe 35  
15 years teaching in schools and taking up important  
16 positions in the Congregation were now being accused of  
17 child abuse and we had serious concerns about the truth  
18 of them, in some cases.

19 67 Q. And in a number of cases they proved to be true; is  
20 that right?

21 A. Well, the ones that I am talking about, that we doubted  
22 very much, I don't think they have been proved to be  
23 true.

24 68 Q. But certainly some of them have proved to be true?

25 A. There have been two Brothers in Letterfrack who have  
26 got a jail sentence or a suspended jail sentence and  
27 they have been proved to be true.

28 69 Q. Now, you stressed here a number of times this morning  
29 about the various very good reports you were getting

1 from the Department over a number of years, I would  
2 like to go through some of those with you and see what  
3 the view of the Department was in that regard. If I  
4 can start, and it is in folder No. 1, and it is a  
5 report from Dr. McCabe from 1942, it is DELF 172-008/1.

6 A. Eight?

7 70 Q. Slash one.

8 A. Yeah.

9 71 Q.

10 "Date of inspection 31/8/43, previous  
11 inspection... READING TO THE WORDS..."

12 In that particular one, Food and Diet, it seems to say:

13 "Ample, well balanced varied diet.  
14 Clothing; fair, rather patched with  
suits and stockings".

15 Okay. So, clothing is only described as fair in that  
16 document. She goes on to say: "This school is well  
17 conducted." However, on the second page there is a  
18 problem that arises with a boy who had a black eye and  
19 she interviewed him and was informed by him that he  
20 received a blow from one of the Brothers for talking in  
21 class. Then she goes on to say:

22 "I need hardly say I thought that I  
23 must condemn this type of correction as  
being", something, "extremely dangerous  
24 and most unkind".

25 Then there are a number of letters then from the  
26 Department to the Resident Manager. Then there is a  
27 request for a reply. Then the reply is on a copy of  
28 the letter and it is written at the bottom.

29 "The Reverend Manager regrets the  
concerns indicated and he has no doubt

1                   that there shall not be recurrence of a  
2                   like nature. The Brother while  
3                   remonstrated with his class happened  
4                   accidentally to strike the boy who  
5                   stood behind him, with his elbow in the  
6                   face. Sorry the original communication  
7                   was over looked".

5

6                   Does that sound plausible to you?

7           A.       Well, it doesn't, but I'm not going to judge. I mean  
8                   you are talking about 60 years ago, so I just don't  
9                   know. It doesn't sound plausible, no, it doesn't.

10   72   Q.       Have you been a teacher?

11           A.       I have.

12   73   Q.       How long have you been teaching for?

13           A.       About 15 years.

14   74   Q.       Yeah. You know a plausible excuse when you hear one,  
15                   don't you?

16           A.       Well, what I repeat again is -- what I'm saying is it  
17                   doesn't sound plausible, but I wasn't there, it may  
18                   have happened. But it doesn't sound plausible.

19   75   Q.       Now, moving on to the inspection of 1944. Again,  
20                   clothing "fairly good"?

21           A.       Could you give me the reference?

22   76   Q.       If you just go on about three or four pages.  
23                   172-010/1.

24           A.       Sorry, 010/1 yeah. 1943.

25   77   Q.       1944.

26                   "Clothing fairly good. Clothing very  
27                   patched. Wooden clogs", something, "to  
28                   be taken. Difficulty of providing,"  
29                   something.

29                   Then she goes on down in the general observation and

1 suggestions to say.

2 "The clothing is very patched. I  
3 pointed this out to the manager and he  
said that it was about", something.

4 A. "Almost impossible".

5 78 Q.

6 "To provide, clothing material and also  
7 commented re the price".

8

9 Now, she also brought to the attention in that report  
10 the worn toothbrushes and the fact that they needed to  
11 be replaced. Again, when you turn over to the  
12 following page, we are talking about 1945. Again the  
13 clothing is described as:

14 "Fairly good, again patched clothing.",  
15 something, "difficult to obtain."  
"Wooden clogs attached to rather".

16 A. "Leather uppers."

17 79 Q. "Leather uppers". Again, nothing seems to have  
18 happened much between the three years in relation to  
19 clothing, they are still in a bad way, isn't that the  
20 situation?

21 A. Well, we are talking about the war years, we are  
22 talking about very inadequate funding of these schools.  
23 We are also saying that in those reports it is saying  
24 that the school is:

25 "Well conducted. The children are well  
26 cared for. The Resident Manager is a  
kindly humane man."

27

28 And they are saying that the clothing was patched. So,  
29 obviously it wasn't easy to get material during those

1 war years, to buy it, and it is saying that that hasn't  
2 changed. But I don't think it is saying anything  
3 strange. I would say most families around the time of  
4 the 1940's, again before I was born, probably had  
5 patches in their clothes. I think if you keep going up  
6 over the years, with regard to clothing I would say  
7 generally they are saying the clothing, you know, could  
8 have been better, until you come to the Turim Report  
9 again, which says that, particularly in Letterfrack,  
10 there was excellent clothing. So I think you will find  
11 that sometimes there was good.

12 80 Q. Again as we go through 1946, 1947 whilst there is some  
13 talk of the clothing improving, every year the clothing  
14 is only ever described, all the way even up to 1951,  
15 as --

16 A. As fairly good.

17 81 Q. -- fairly, a lot of the clothing is patched.

18 "I asked the manager to provide new  
19 material for clothes."

20 That is being said over and over again. By the second  
21 examination of 1951 it is still "fairly good, has  
22 improved a whole lot", but there are still problems  
23 with regard to it?

24 A. Well I think he could have said fairly bad. I mean  
25 fairly good is fairly good.

26 82 Q. In 1959, and this is at DELF 172-056/1, the situation  
27 with the cooking facilities is discussed in some note  
28 from Dr. McCabe, it is dated 8 September 1959. She  
29 says:

1 "I have found the manager most  
2 cooperative about the food and he has  
3 made improvements in the facilities  
4 available for cooking and", something,  
5 "quite improvement has occurred".

6 I think it is. She says:

7 "Improvement has also been made about  
8 the clothing".

9 So, it has taken really until 1959 for improvements to  
10 still need to be made to the clothing and it is only  
11 happening at that particular time. In a report of  
12 1961, this DELF 172/062-1. She says in relation to  
13 food and diet "improved" and clothing improved, "much  
14 needs to be done". So there is still in 1961 problem,  
15 or whatever the Turim Report might say. So really all  
16 the time from the 1940's to the 1960's, There is  
17 problems with clothes; is that right?

18 MR. HANRATTY: My friend keeps using this  
19 phrase "problems", the  
20 inspector said it was fairly good consistently. So if  
21 he's going to say there was a problem and given that  
22 this is all relative to present day standards that we  
23 would expect, relative to the standards of the war, if  
24 my friend is putting to the witness there is a problem  
25 he should identify the problem in that context.

26 MR. McGRATH: The problem that arises is  
27 she keeps saying from 1941  
28 on that things need to be improved as far as the  
29 clothes are concerned. She can say they are fairly  
30 good but we don't know what standards she's judging by.  
31 But if she's say saying that they need improving there

1 is a problem.

2 A. Well I think just in my submission it said:

3 "New material was obtained by the  
4 1950's. The inspector could say that  
the clothes had improved on the whole".

5

6 That's 172022/1.

7 83 Q. Sorry, say that again?

8 A. If I'm correct, 172022/1.

9 84 Q. That's 1951?

10 A. Uh-huh.

11 85 Q.

12 "Fairly good", something, "improved on  
13 whole."

14 That's the clothing, yes.

15 A. Yeah.

16 86 Q. If we move on to 1951, she says -- sorry, going past  
17 that, I think, it is 1962?

18 A. What's the reference there?

19 87 Q. 1962, 172064/1?

20 A. I haven't got that document.

21 88 Q. It is in the same sequence of documents that we were  
22 looking at a moment ago. It is in folder 1, it is the  
23 inspection for August 1962?

24 A. Is it page 64?

25 89 Q. 63.

26 A. No, it is missing.

27 90 Q. It says "clothing much improved." In the following  
28 year, 1964, we have "much improved". So we are in a  
29 situation where she's noting that things are getting

1 better but it has taken, I suggest to you, from 1940 to  
2 the 1960's and she's still using improved?

3 A. Yeah, but I would have to say though, at the base of  
4 each of those documents you will see that the children  
5 are well cared for. It is saying that the clothes need  
6 to be improved. I would say that's fair enough. But I  
7 think consistently from 1942 onwards it talks about the  
8 school as:

9 "Being well conducted, children well  
10 cared for and fed.

11 1948 all children dressed and clean  
12 clothes changed weekly".

13 So, I mean consistently it is talking about the care  
14 and the boys are well cared for.

15 91 Q. Now, if you go back to folder No. 2. And I'm looking  
16 for document 0115/1?

17 A. Yes.

18 92 Q. That appears to be a letter, I think, to Br. Jerome  
19 from Br. McKinney on 22nd March 1959; is that right?

20 A. Yeah, it is to Br. Jerome Kinney (sic), they have a  
21 funny way of doing it. McKinney, yes.

22 93 Q. I am not quite sure who it is from because there is  
23 ... (INTERJECTION)?

24 A. I think it is from the Provincial at the time, I may be  
25 wrong there, but I think it is.

26 94 Q. The second paragraph of that letter says, and this is  
27 March 1959:

28 "I have been in with Br. De Salles a  
29 few times and wisely or unwisely for  
his sake. I spoke to him about the  
food of the boys. I mentioned about

1 the small quantity of porridge and the  
2 three meatless days in the week. He  
3 could not understand the latter point  
4 at all. He knew about two, but  
5 Br. Blank mentioned three to me.

6 I would like you to check up on the  
7 last point quietly and let me know if  
8 it was correct to say that boys had  
9 three dinners of bread and tea during  
10 the week over a long period".

11 Now, there is one matter you have  
12 permission to remedy immediately and  
13 that's the meat, the Superior asked you  
14 to see to that before he left for  
15 hospital. You ought to get that  
16 righted".

17 Okay. So somebody in the upper echelons is complaining  
18 at that stage, in 1959, about the food, whatever  
19 Dr. McCabe might be saying, somebody internally seems  
20 to think there might be a problem; is that right?

21 A. Yes, and the letter following that saying:

22 "That this statement is without  
23 foundation".

24 95 Q.

25 "As I was speaking to Br. Blank last  
26 night about another matter and drew up  
27 the question of meat, he told me the  
28 boys are getting meat on Monday,  
29 Tuesday, Wednesday, Thursday and  
30 Saturday. Only during an 'ember week  
31 when there is absence on Wednesday," it  
32 says, "would the boys be without meat  
33 for three days in that particular week.  
34 I hope to have the meat question  
35 settled by Saturday next and then the  
36 Superior may change the arrangements  
37 when he returns if he's not satisfied".

38 So, despite the fact that the Brother told him that  
39 they were getting meat Monday, Tuesday, Wednesday,  
40 Thursday and Saturday he seems to put a question mark

1 over it on the basis that he still has to settle the  
2 meat question by Saturday. So why that's what he may  
3 have been told, he seems to have some doubts about it;  
4 is that right?

5 A. As you are say, if you are talking about 60 years  
6 ago -- 40 years ago, sorry, I am not sure, I just don't  
7 know.

8 96 Q. Why do you think somebody in a letter would say:  
9 "I hope to have the meat question  
10 settled by Saturday next."

11 If he wasn't still having some doubts as to whether or  
12 not they were getting meat as often as was being  
13 suggested?

14 A. Well he may be finding out was it the case.

15 97 Q. So, we can take it that that letter suggests some  
16 Brother denied the allegation made, right? But  
17 Br. McKinney isn't quite satisfied with the explanation  
18 he got; isn't that the situation?

19 A. Yeah well he's obviously hoping that he will have  
20 further information by Saturday. I don't know why, or  
21 how he would get it, or what the situation about these  
22 'ember days are. I think it was mentioned somewhere  
23 about 'ember days. I am not sure if they had fish when  
24 they hadn't got meat. I just don't know.

25 98 Q. It certainly would appear that somebody inside the  
26 organisation was questioning the quality of the food?

27 A. Yes, it does. I think that probably comes from a  
28 concern that was actually raised by a former resident  
29 in Letterfrack, or a resident in Letterfrack who was in

1 Cabra and said, in fact, the food wasn't good.

2 99 Q. But that was a letter in 1940, this is a long, long  
3 time after that?

4 A. Yes.

5 100 Q. That was a letter in 1940 when he was getting a meal in  
6 Cabra and he was asked how it compared and he gave  
7 certain information which certainly led  
8 to... (INTERJECTION).

9 101 Q. THE CHAIRPERSON: The boy in Cabra that gave  
10 information, the Brother  
11 reported it and it came back, it made its way?

12 A. That's right, yes.

13 102 Q. MR. McGRATH: I think the complaint was  
14 that he liked Cabra better  
15 because he got enough to eat?

16 A. That's it. But I think what you'll see in the  
17 Department of Education reports is that they are  
18 reporting that the food was good every year almost. So  
19 I mean, there may have been times when it was less than  
20 good, but generally speaking, if you are looking at the  
21 reports they are saying over the 60 or 70 years that we  
22 are talking about the food was adequate. Sometimes it  
23 was bad, needed to be improved, depended on the cook.  
24 Other times it was noted in the Visitation Reports,  
25 because Visitation Reports can be quite critical at  
26 times. I think you will find, even though I just  
27 haven't got it in front of me now, that it would say  
28 the following year, food has improved.

29

1 So in other words, the manager was very clear to  
2 examine very carefully the dietary needs of the young  
3 people and took steps to improve them if any complaint  
4 was made. So, I would say overall I would say the food  
5 was very adequate, in fact, I think there is a report  
6 of Mr. Sugrue saying that he gave ample opportunity to  
7 the children to complain but they appeared happy and  
8 content and well fed.

9 103 Q. Sorry Chairman, if you just give me a moment. Can I  
10 also refer you to -- it is again folder 2, document  
11 CBLFR 0124/1.

12 A. Yeah.

13 104 Q. It is from Br. O'Shea, it is dated 24/8/1960.

14 "My dear Br. Consul tor. "

15  
16 In the second paragraph he deals with the question of  
17 the infirmary and he says:

18 "A few boys suffering from pneumonia  
19 were sent to the Clifden hospital  
20 during the past few years due to the  
21 fact that our infirmary here is totally  
22 unsuitable for the reception of  
23 patients.

24  
25 I may add that there is no means of  
26 heating the building, neither is there  
27 any proper sanitary accommodation or  
28 drinking water available. "

29  
30 Now, does that seem to you to be an absolutely  
31 appalling situation in an institution the size of  
32 Letterfrack?

33 A. Well, I think what it is showing is that because of  
34 gross underfunding the situation in some of the

1 buildings was inadequate. But you will note that in  
2 1961, the following year, there was a raffle in the  
3 school hall to repair the work and alterations in the  
4 infirmary, where there was a new bathroom put in,  
5 showers installed, central heating. So, when it was  
6 noted that things were bad I think action was taken and  
7 I think Br. O'Shea is writing to the authorities.  
8 Again, we have to look at the context, he's looking for  
9 funding so he's going to say this is totally  
10 unsuitable, because he wanted funding.

11 105 Q. But it has been like that for some considerable time?

12 A. Well that's what he's saying.

13 106 Q. Do you have doubts that he was ... (INTERJECTION)?

14 A. Well I am just conscious of the fact that if I were  
15 manager of an institution and I wanted to get funding  
16 quickly I would certainly say, "Look, this is  
17 abominable, we need this change." I don't know and  
18 Br. O'Shea isn't around. But all I'm saying is that  
19 subsequent to that letter, immediately on receipt of  
20 that letter, action was taken and funds were found.  
21 But it shows the abysmal type of funding that was given  
22 by the Department of Education to these places. And  
23 that in fact they had to resort to things like raffles  
24 to try and get money to facilitate an important  
25 facility like an infirmary. I think it is interesting  
26 that they sent them to the hospital knowing that it  
27 wasn't suitable, in other words they didn't keep them  
28 there. And that at expense to the institution.  
29 Because unlike primary schools residential schools had

1 to actually pay for the medical care of the children.  
2 So that was eating into the resources of the school as  
3 well.

4 107 Q. Now, am I correct in understanding, from reading the  
5 various documents here, that the buildings, in fact,  
6 were in a pretty bad condition for a very long long  
7 time throughout the 1940's, 1950's and 1960's?

8 A. No, I wouldn't say you are correct. I think what you  
9 would have to do is go through each of the reports,  
10 Visitation Reports. Also, I think a you would have to  
11 do is go through the improvements that were made. I  
12 think particularly during Br. O'Shea's period, where he  
13 did an enormous amount of work. I refer you to my  
14 statement, on page 98. So, there you have:

15 "1959. Work and painting of the  
16 refectory begun, a new stove was  
introduced".

17

18 The toilets. New chairs introduced into the refectory.  
19 It says in 1960:

20 "Br. O'Shea always on the watch for  
21 improvements, never gave himself rest  
as long as he saw work to be done".

22

23 So in other words, I would say that constantly  
24 throughout the period, despite the fact that there was  
25 no funding the Brothers themselves actually did the  
26 work, painted the buildings, laid the concrete in the  
27 yard. This was in addition to teaching.

28 108 Q. Was that with help from the boys?

29 A. With help from the boys, yes. And all these things,

1 why? Because there was no funding. It was either let  
2 the place go to wrack and ruin or actually work  
3 themselves to improve the place, which they did, right  
4 up from 1935 onwards.

5 109 Q. Yes. And if we look at your summary on page 99,  
6 23/12/1960:

7 "Work started at 6:30 a.m. on new  
8 concrete floor for St. Michael's wash  
9 hall. Boys and Brothers worked in  
10 relays all day supply in... READING TO  
11 THE WORDS... with cement which  
successfully concluded that evening.  
Drinking water piped to the monastery  
for the first time."

12 That wasn't the purpose the boys were sent to  
13 Letterfrack for; was it?

14 A. The boys were -- I mean, I don't understand your  
15 question. Here we have on 23 December, I don't know  
16 what day it was, it could have been a weekend, I don't  
17 know. "The boys worked in relays all day supplying".  
18 The boys were sent to Letterfrack as an industrial  
19 school, part of the work of the industrial school was  
20 to give them experience of work. They were educated  
21 but they were also trained and in the improvements in  
22 the school they would have learned things like  
23 plastering, building, woodwork. So, I would say  
24 that...

25 110 Q. Was plastering or building one of the trades that they  
26 were supposed to learn in Letterfrack?

27 A. What I'm saying is that in doing all these things they  
28 would have learned these things.

29 111 Q. Do you think it was suitable that the boys should have

1           been working in relays from 6:30 a.m. on 23 December  
2           1960 rebuilding the school?

3           A.    I don't see why not. It depends the way it was done.  
4           I mean the impression could be got that they weren't  
5           resting or they weren't -- we have no idea. But there  
6           was certainly no complaints about that incident in the  
7           private hearings, or indeed about the work generally.

8   112   Q.    Does that make it acceptable?

9           A.    There is nothing wrong with it. I can't see anything  
10          here that's saying it is not acceptable.

11   113   Q.    Wasn't the last Trocaire campaign trying to outlaw the  
12          use of children in the Third World for heavy manual  
13          work?

14          MR. HANRATTY:                         Sorry, sir, at this stage I  
15                                                         can't really restrain  
16          myself from intervening because I have been trying to  
17          refrain from intervening as far as possible. I might  
18          just ask you a brief indulgence to allow me to address  
19          you on this. As I understand the nature of this phase  
20          of the Commission's work, is that certain matters in  
21          respect of which evidence has been given privately in  
22          Phase II of a general nature can be canvassed in  
23          evidence in the light of the evidence but without  
24          reference to the specifics of the evidence in  
25          particular in relation to abuse and that various  
26          articles are designation the act in the capacity of  
27          amicus curiae or analogous to amicus curiae to canvass  
28          these issues for the benefit of the Commission and the  
29          inquiry in general.

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Since we started this morning, we have had a succession of selectively extracted negative things, which undoubtedly (inaudible) the evidence. But there were a lot of positive things in the evidence. And when you take the evidence to include the Inspector's reports from the Department of Education and the Visitation Report from the schools themselves all of these issues, food, clothing, the infirmary and the children engaging in repair work and in maintenance work in the school itself were canvassed extensively. They were also canvassed extensively in the evidence of Br. Gibson in Phase I where he gave a very detailed report which put into evidence and which explains the context in which, for example, in most recent piece of evidence, the boys were engaged in this work effectively because of resources, there was no other alternative.

I just query the validity of an exercise of a person acting in the purported capacity of an amicus curiae concentrating on all the negatives stuff and not mentioning any of the positive stuff, because if that is allowed to continue, with respect, it is going to give a skewed, distorted view of the evidence which is not in accordance with the actual evidence that is before the Commission.

Undoubtedly there are negative things and undoubtedly Br. Gibson has, to the best of his ability,

1 particularly not having seen the documents, trying to  
2 give the other side but in a somewhat defensive way,  
3 which perhaps he shouldn't have to do if a balanced  
4 view of the evidence in its totality was being  
5 presented, which I regret to say I don't think it is.

6 THE CHAIRPERSON: Well, I think it seems to  
7 us, Mr. Hanratty, that  
8 there is no perfect way of doing this. We would be  
9 very slow to say to Mr. McGrath, "please ask the  
10 following questions and don't ask any other ones." I  
11 suppose like any inquiry or tribunal or court there  
12 will be some questions that are asked that are less  
13 interesting than some others, but we can't very well  
14 get into a marking of this. It may be that what  
15 appears at first to be an unfruitful line of  
16 questioning, as we all know sometimes it turns out to  
17 be of much more interest. Indeed, speaking for myself,  
18 I have to say that sometimes when I read the transcript  
19 I am reminded of something or get a different take on  
20 something than I had at the time when I was actually  
21 listening to it.

22  
23 So I have to say that while I wouldn't feel it  
24 appropriate that we should, so to speak, rule on a  
25 submission, I mean you are quite free to come back and  
26 elucidate, elicit any information that you think  
27 relevant. But in principle it would seem very -- first  
28 of all, we would be very reluctant to interfere, having  
29 engaged lawyers to do a particular job, we are not

1 going to say, "please do it a different way", unless we  
2 were satisfied that it was in some way illegitimate  
3 that it was being done. And that's not to say that we  
4 agree or disagree with the comment that you make. But  
5 they are matters for us to take, I am sorry to speak in  
6 riddles.

7  
8 The short point is we would be reluctant to interfere  
9 unless we thought that counsel was engaging in some  
10 quite wrong approach, point 1. Point 2, the fact that  
11 counsel is acting as amicus curiae, albeit from a  
12 particular point of view, I have to say would seem to  
13 be perfectly legitimate for Mr. McGrath to make every  
14 negative point that he felt like and ignore every  
15 positive point and say, "I don't care about those. I  
16 am just going to pick, here are the black spots, here  
17 are the things that look bad for Letterfrack, I'm going  
18 to put these to Br. Gibson and let's see what he says  
19 about them."

20  
21 I mean, after all Br. Gibson is there with the  
22 information able to comment on those and reflect on  
23 those. It is equally, legitimate for you to come back  
24 and say, "well, after all the " -- I mean, we already  
25 had an exchange of that, for instance, with the  
26 Inspection Reports, Mr. McGrath sought to make one  
27 thing out of it, Br. Gibson said, "well, fairly good  
28 isn't fairly bad." And there is an exchange about  
29 that.

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So there is no perfect way of doing this so that at every moment or even every day or even every month the scale is calibrated so that equilibrium is to be seen. There is no way of doing it. We get just as much criticism from the other side of the fence, so to speak, that we don't have half enough interrogation of a proper kind that we should have.

MR. HANRATTY: Can I say sir, I accept all of that, and I understand the validity of that, but it is just that -- and what really prompted me to intervene, as you recall, was the reference to the Trocaire reference to child labour. Not the kind of language -- and previous to that in reference to the infirmary, a comment by my Friend of the appalling conditions. That's not the kind of language, with respect, even if he's only presenting the negatives, that one would expect from a neutral presenting the negatives, if I might just leave it at that.

THE CHAIRPERSON: All right. I don't feel that we are entitled to stop Mr. McGrath or say, "please don't do this" or "please use different language." Some people will, some people won't, whatever. Our preferences might be -- would be -- well, I hope we are not going to disclose what our preference would be.

MR. McGRATH: Can I just say in relation to that, Chairman, I was

1 invited to come and do a cross-examination.

2 THE CHAIRPERSON: An examination.

3 MR. McGRATH: Sorry, an examination. I  
4 can only do that on the  
5 basis of what I have seen in the papers that I have  
6 read of relevance. I have taken no direction, I want  
7 to be quite clear on that, I have taken no direction  
8 from any particular client, former client of mine, or  
9 any direction from the Commission, other than when you  
10 have stopped me making a question, made a ruling and I  
11 have accepted it and moved on. In those circumstances,  
12 I am doing the job as I see should be done.

13 THE CHAIRPERSON: That's my very point.

14 MR. McGRATH: If I get it right I get it  
15 right, if I get it wrong I  
16 get it wrong. That's the best I can do, I can do no  
17 more than that.

18 THE CHAIRPERSON: Let me just say, we would  
19 feel free to say, "please  
20 investigate this area or please ask questions about  
21 that area or not." We would feel free to say that,  
22 although we haven't, in fact, done so. Anyway yes,  
23 that's our situation, Mr. McGrath.

24 114 Q. MR. McGRATH: Sorry, Chairman, can you  
25 just give me a moment until  
26 I see where I was. I covered the matter on page 99 so  
27 just give me a moment until I find a page number.

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29 (LONG PAUSE)

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(To the witness) Could I just deal for a moment with some matters that arise in relation to the situation with regard to children leaving the institution and the trades that they were trained for. There is a letter -- it is quite late on in the history. In relation to equipment, it is on page DELF 172-075/2. That's folder No. 1.

- A. 172, is it?
- 115 Q. 172-075/2.
- A. Yeah.
- 116 Q. It is a letter dated 13 March 1963, it is from the Toghermor Reablement and Training Centre?
- A. Sorry, I have got the wrong one. Say that again, 172?
- 117 Q. No, it is 172-075.
- A. 075. Yeah, forward slash.
- 118 Q. Forward slash 2. It is a letter from the Toghermor Reablement and Training Centre, Toghermor, Tuam. 13th March 1963, Mr. John Geoghegan, TD, Carnagh, co. Galway.

"Dear Mr. Geoghegan, I have been directed to contact you in connection with equipment in Letterfrack CB school. As you are probably aware, this centre deals with the training of disabled boys in joinery, upholstery and boot making, etc.

Recently one of our trainees was appointed as boot making instructor at Letterfrack and he's informed us that the tools and equipment available are obsolete and scarce. In the course of a recent discussion on this case it was agreed that you would be written to and requested to help in having the required equipment provided."

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Again, it suggests that certainly in 1963 there were problems as far as teaching of trades were concerned?

A. Yeah, it is saying that the equipment was obsolete.

119 Q. Not only obsolete, but a lot of it seemed to be missing as well?

A. It says it was obsolete and scarce.

120 Q. Scarce would suggest that it was missing, or there wasn't enough of it?

A. Yeah, scarce.

121 Q. One or the other?

A. Well, missing would mean that it was stolen.

THE CHAIRPERSON: We don't need a debate about missing being obsolete -- being scarce, sorry.

A. Yeah.

122 Q. MR. McGRATH: So, as far as somebody who was brought in to teach one of the trades that was to be taught in Letterfrack, it would appear certainly in 1963 that he hadn't got the equipment that was necessary and it would suggest that whoever was there before him hadn't got the necessary equipment to properly teach that particular trade; is that right?

A. Yeah. I think it is important to say that, you know, at that time the trades were coming to an end. You will probably remember that, I think it was the Tuairim Report again that recommend that had from now on trades would be discontinued. So, I think you are talking in

1 those -- in the 1960's, at a time when the use of  
2 trades was being downplayed and there was greater  
3 emphasis being put on the more formal education.

4 123 Q. There is another letter at 172-071/1.

5 A. 071/1.

6 124 Q. It is one where somebody in Letterfrack, I think the  
7 name is scratched out so I can't tell you who it is  
8 from, I don't even know who it is to, it doesn't give  
9 any indication. It says:

10  
11 "We are faced with a rather huge  
12 overdraft here, which is mainly due to  
13 a big decrease in pupils in September  
14 1954 when 95 boys were transferred to  
15 other industrial schools or discharged  
16 by the Minister. This was done to make  
17 room for juvenile delinquents and if we  
18 were to get half the boys for whom the  
19 Gardaí made application for vacancies  
here the school would be full long ago.

16 We have boys here who were six or ten  
17 and even 20 times in court before they  
18 were committed. Naturally, the vast  
19 majority of the boys sent here are  
illiterate and I feel the parents and  
the justice are responsible for it".

20 Now, at that stage in 1963, there seems to be a problem  
21 arising for Letterfrack, in that the people who are  
22 being sent there have more than one problem. They have  
23 more than a problem of just stealing or robbing or  
24 whatever their problems might be, but they are  
25 illiterate as well. Now, this is at a time when the  
26 Primary Certificate is still there, but is phasing out.  
27 What was done for those boys when they came to  
28 Letterfrack, I mean the trades are being wound down,  
29 the Primary Certificate is about to disappear in about

1 three years time, what's the situation?

2 A. Well, the situation, I presume, is that they were  
3 educated. They came in illiterate and again, to quote  
4 the Tuairim Report:

5 "When they arrived at 6th class they  
6 are very well educated".

7 You will see the results in 1964, 1965, 1966, up to  
8 1967 are still in the very high percentile.

9 125 Q. Can I move on to DELF 172-090/1, page 89, I think in  
10 the book?

11 A. 09?

12 126 Q. 172-090/1. I think it is page 89 in your book.

13 A. 09/1, is it?

14 127 Q. It is a report of 1970, it appears to be a report of an  
15 inspection.

16 A. 09/1, is that it?

17 128 Q. 090/1.

18 A. I don't have it here.

19 129 Q. Are you sure that's not it there. The heading is  
20 St. Joseph's Letterfrack, manager... (INTERJECTION)

21 A. Yeah, I have it there.

22 130 Q. It appears to be a report on an inspection that was  
23 carried out on 23rd May 1970. In the second paragraph  
24 it discusses:

25 "Br. McKinney as being an energetic  
26 manager. Considering that Letterfrack  
27 is almost an all male  
28 institution, ... READING TO THE  
29 WORDS... the standards of the kitchen  
and dormitories are high and the five  
Brothers and the staff are attentive to  
the welfare of the young delinquents."

1 So, high praise in the first paragraph. It goes on  
2 then to say:

3 "The increase in grant has enabled him  
4 to get out of cows and he now buys the  
5 milk required for the school. He  
6 installed central heating last year and  
7 the...READING TO THE WORDS...is no  
8 longer a feature of training. The  
9 issues of departure from tradition he  
10 feels has removed a cause of trouble  
11 among the city boys in residence.

12 He was encouraged to dispense with the  
13 boot repair shop too and he promised to  
14 give this consideration. Dress was  
15 also discussed. He stated that had the  
16 day been fine the boys would have been  
17 playing in togs in the Gaelic field but  
18 not in their third best outfits in the  
19 yard. Third best outfits are mostly  
20 unmatched coat and pants."

21

22 Now in that particular paragraph it would certainly  
23 seem that great strides had been made in terms of  
24 improving conditions in Letterfrack; isn't that right?

25 A. Uh-huh.

26 131 Q. They are now buying in milk, they are not having to  
27 milk the cows every morning. The boys no longer have  
28 to go to bog to take turf because there is now central  
29 heating, which means there is proper heating in it, but  
30 it does seem that the boot repair shop is still in  
31 existence at that stage because he is only giving  
32 consideration to get rid of it. So whatever problems  
33 there were in 1963 in terms of items being needed for  
34 the repair shop and the winding down of trades it does  
35 still seem to be in existence in 1970 according to that  
36 report?

37 A. Yes.

1 132 Q. Now it goes on to say:

2 "In view of the number of boys in  
3 residence many of them mitchers, slow  
4 learners and needing special attention,  
5 I think a Department Inspector should  
6 assess afresh the staff requirements  
7 here on the academic side as a first  
8 step towards developing Letterfrack on  
9 modern, special schools reformatory  
10 lines, with say a population of 60 to  
11 70 boys. This school will have a place  
12 in the system for some time to come  
13 unless closed by the Order but will  
14 need development by the Department if a  
15 proper return to society is to be  
16 achieved".

10

11 I am not trying to denigrate when I ask this question  
12 but it does seem at that stage the Department was  
13 considering that there were still deficiencies in  
14 Letterfrack as an educational establishment because of  
15 the type of boys that were going there and there was  
16 going to have to be a radical rethink of how they were  
17 trained. Am I right in understanding that that is what  
18 is being discussed?

19 A. I think what's being discussed is, this looks as if it  
20 was 1970.

21 133 Q. 23rd May 1970 is what it says.

22 A. So, at that stage I think the quality of the boys  
23 coming to Letterfrack would indicate that many of  
24 them -- and I just don't have the reference, that many  
25 of them have serious learning difficulties.

26 134 Q. I think you will find that reference that you are  
27 looking for about two pages further on, a 1970's  
28 report. Have you got that two pages further on? It is  
29 a typed up document, it is 094/4?

1 A. Yeah.

2 135 Q. If you go down to the third paragraph it says:

3 "The majority of the pupils are slow  
4 learners and it appears that they are  
5 very much behind, except in the subject  
6 of art, music and physical education."

7 A. Yes.

8 136 Q.

9 "The pupils are five years on average  
10 behind their chronological ages."  
11

12 So if somebody is 15 they can only read to ten, if they  
13 were ten they can only read to five years of age?

14 A. Yes, I think Brothers at that stage were very aware of  
15 the need for a different type of education. And in  
16 fact, I think I have just forgotten the date, the  
17 status of the school was changed to a special school  
18 and additional resources were promised. I don't think  
19 they were ever given. So I mean obvious there was  
20 obviously boys who up to that would have benefited from  
21 the normal type of education, it was fairly obvious now  
22 that they were not going to benefit from that. I think  
23 also one of the Brothers who had just finished or in  
24 around that time had finished a special course in  
25 special care was encouraging the Department, who  
26 responded at that stage to provide a different type of  
27 education, so I think yeah that's true.

28 137 Q. Can I just go into the page that I drew your attention  
29 to before, the page I am reading at:

1 "The pupils in the other class are not  
2 that far behind but the majority are  
3 probably three years behind. The  
4 situation is just as bad in mathematics  
5 and there is very little knowledge  
6 gained there. In my opinion, the  
7 reading material is less than suitable  
8 for such pupils".

5

6 On the following page it goes on to say:

7 "There is no doubt that the pupils have  
8 many problems. The majority are slow  
9 learners for one reason or another, it  
10 is very obvious that some are disturbed  
11 and consequently it is very difficult  
12 to engender enthusiasm for learning.

10

11 I recommend, therefore, that a teacher  
12 for every 20 pupils on rows be  
13 recognised for the school. There are  
14 only four classrooms in the school and  
15 at present there are two teachers  
16 working in one room."

14

15 Now, this is as consequence, I take it, of the change  
16 that happened in 1954, that only delinquents were being  
17 sent to the school?

18 A. Yes.

19 138 Q. But would this suggest -- I don't mean this as a major  
20 criticism, but would it suggest that changes weren't  
21 made early enough and quickly enough in the education  
22 system there, given the type of pupil who was now being  
23 sent to the school?

24 A. No. As I say, I think the results up to 1967, 1968  
25 would show they were able to manage and I think -- but  
26 obviously we are talking now about the 1970's, August  
27 1970, and I think something you omitted there was, it  
28 says here:

29 "Even though the Brothers are doing  
their best they have little enough of

1                   modern equipment. In my opinion, the  
2                   reading material is less than  
3                   suitable."

4                   So, I think the Brothers themselves were recognising  
5                   that there was need for change and they were  
6                   implementing that change. There is no indication in  
7                   1969, maybe it was a particular group coming in or a  
8                   sudden dawning on the Brother that there was need for  
9                   change, I'm not sure. But certainly they were aware  
10                  there and change emerged fairly soon after that.

11 139 Q. Now, I want to ask you also about the situation with  
12                  regard to leaving the institution. I just want to ask  
13                  you a little bit in terms of whether or not you are  
14                  aware was there any procedure put in place for giving  
15                  the boys any sort of training or any sort of  
16                  preparation for going into the outside world?

17                  A. Well, as I say in my presentation on page 71, I have it  
18                  under "preparation for leaving". Now, I quote a  
19                  document that was actually used in Artane. Sorry, I,  
20                  first of all, quote the document which was from the  
21                  Resident Managers, which outlines the way they were to  
22                  be taken care of. And I quote a document on page 72,  
23                  where obviously Br. Flannery in Artane highlights sort  
24                  of advice to boys who are leaving. Now, all I have  
25                  said is that given that Resident Managers met, shared  
26                  best practice and so on, it is not unlikely that that  
27                  sort of advice was also given in Letterfrack. But I  
28                  have nothing to say yea or nay to that.

29 140 Q. But certainly there is a letter somewhere in the

1           discovery which suggests certainly there was no follow  
2           up procedure in Letterfrack after the boys were gone?  
3        A.     Well the Cussen Report of 1936 criticises the Brothers  
4           for lack of aftercare. But if you look at the Resident  
5           Managers' reports, constantly there was this concern  
6           about aftercare. The problem in Letterfrack was, first  
7           of all, it was the role of the manager to do that,  
8           there is a pro forma in the discovery somewhere which  
9           gives the type of letter that used to be written to the  
10          boy, so a boy would leave, he would be sent -- if he  
11          wasn't sent home he would be sent to employment. That  
12          employment, the cost and the pay would be settled, the  
13          boy was encouraged to have that in a post office  
14          savings account. If he was changing jobs he was  
15          encouraged to contact the Brothers. There was a  
16          difficulty in Letterfrack because of the fact that  
17          people were there from Dublin, so it would have  
18          involved a lot of travel to follow up on these, even  
19          though there was a duty until they were 18 to do so.

20  
21           I think because of the difficulty they employed the  
22           Legion of Mary and the Gardaí to keep in contact with  
23           the boys. So there seems to have been -- well in fact  
24           there was a real concern on the part of the Resident  
25           Managers about aftercare. I would say it was very well  
26           done in Artane, they had two full time Brothers there,  
27           in Letterfrack it was less than well done.

28   141   Q.     Certainly if you look at 1972-066/10, that's in folder  
29           No. 1 again. I think there is some criticism in an

1 interdepartmental committee on the "Prevention of Crime  
2 and Treatment of Offenders, second report of working  
3 party." 066/10. I think it is page 65?

4 A. "Machinery for aftercare", is it?

5 142 Q.

6 "No positive steps are taken at present  
7 to meet the Institution's obligations  
8 in this respect. A partial solution  
would be the appointment of a visiting  
Committee".

9 A. You see, what they are looking for is to put the onus  
10 of the aftercare on the Department and not to put it on  
11 the Resident Manager, who had an amazing amount to do.  
12 Basically I think -- and it is about the financial  
13 arrangements.

14 143 Q. Yes, but it does confirm that the institution, at that  
15 particular time, whenever this form was written, was  
16 not following up on that?

17 A. No, it says it wasn't adequate.

18 144 Q. In that regard, and at this stage I can't remember  
19 whether anyone in Letterfrack actually complained of  
20 this, but certainly a lot of the institutions there  
21 have been complaints of people being sent to jobs and  
22 never being paid and there were problems?

23 A. I don't think that was brought up.

24 145 Q. Am I correct in understanding that despite the fact  
25 that there were a number of different trades being  
26 taught in Letterfrack that the vast majority of boys,  
27 if they weren't sent home, went to work on farms?

28 A. Well, the answer is yes, because Ireland at that time,  
29 in the 1950's, was an agricultural country. It was in

1 the report on the occupational training provided in the  
2 industrial schools, in the Glencree reformatory, it is  
3 DELF 198-006. It says here:

4 "Farming is the most natural and  
5 suitable employment for the boys. The  
6 work was healthy and hold a great  
7 variety and interest. Both essential  
8 qualities in the education of the  
9 adolescent."

10 And it says:

11 "It was the greatest chance of  
12 employment for those who were trained  
13 in farm work."

14 It says that:

15 "Many boys who had been raised in other  
16 trades, often found themselves working  
17 on farms".

18 One of the difficulties of that because of the trade  
19 unions, they would not recognise the training of boys  
20 in other trades and consequently a lot of boys who were  
21 trained in the various trades in Letterfrack could not  
22 find employment so they went farming.

23 146 Q. In that regard, I think the Chairman has already drawn  
24 attention to the fact that there were some criticisms  
25 in relation to how farming was dealt with and that most  
26 of the people who left the industrial schools were  
27 only... (INTERJECTION)?

28 THE CHAIRPERSON: And the Cussen Report said  
29 that the institutions  
30 should negotiate with the trade union and do some deal  
31 with them, that was in 1946.

1 A. Yes.

2 MR. McGRATH: And nothing happened.

3 THE CHAIRPERSON: Nothing seems to have  
4 happened, well certainly  
5 nothing worked.

6 147 Q. MR. McGRATH: Also in relation to the  
7 farm situation, wasn't  
8 there complaints that the farming... (INTERJECTION)?

9 148 Q. THE CHAIRPERSON: It is a bit unreal,  
10 Brother, to be taking kids  
11 from the most deprived areas of urban Ireland and  
12 saying let's make them farmers?

13 A. It is.

14 MR. McGRATH: Now, Chairman, the area in  
15 relation to abuse was very  
16 much covered by Mr. McGovern in the original hearing  
17 and I don't really intend to go through those, unless  
18 the Commission would like me to do so?

19 THE CHAIRPERSON: No, I don't think so.

20 149 Q. MR. McGRATH: You have heard the evidence  
21 in relation to that, there  
22 is a conflict as to what did or didn't happen, that's a  
23 matter for you. Given that Br. Gibson was not in the  
24 institution, certainly I don't see any point in me  
25 going into that particular area. I think I have  
26 covered most of the areas, unless there is anything  
27 else. Sorry, Chairman, there is one other thing that  
28 did occur to me.

29

1 (To the witness) Now, this is going to be a slight  
2 problem for you, Br. Gibson, because this isn't in the  
3 discovery from Letterfrack. What I really want to find  
4 out is as to whether or not you know anything about  
5 this or whether Letterfrack knew anything about this  
6 particular problem. It actually arises in the abuse  
7 context. In the discovery, as I was reading it for the  
8 next module, which is Artane, there was a document in  
9 -- somebody from the Christian Brothers might be able  
10 to help us.

11  
12 In the Christian Brother discovery Artane Industrial  
13 School folder No. 4, there is a document at CBART  
14 285/114. Now, this particular discovery, as I  
15 understand it, seems to be the annals of the Christian  
16 Brothers house and school in Artane 1935 to 1969. In  
17 the middle of a case note, one of the pages is a  
18 letter, and I think it is dated 4th March 1953 and it  
19 is from St. Mary's, Marino, Whitehall, Dublin and it is  
20 headed "Direction For All Our Residential Schools".

21 A. Yes, okay.

22 150 Q. Sorry, it seems that there isn't a copy for you at the  
23 moment. The letter is:

24 "Direction For All Our Residential  
25 Schools.

26 My very dear Brother Superior, should  
27 it be a custom that Brother, teachers  
28 or night watchmen take boys out of bed  
29 at nighttime and beat them, that custom  
is to cease, I am now forbidding it.  
The Brother Superior is to call the  
attention of the Brother  
disciplinarian, Brothers, teachers or  
watchmen who may have to supervise boys

1 in the dormitory to this prohibition.  
2 Such a custom, if it ever existed, could  
3 only bring serious trouble and shame on  
4 our management. The regulation  
5 regarding corporal punishment in our  
6 rule and acts of chapter are to be  
7 adhered to.

8 Wishing our Brothers all success in  
9 their great work. I am, my very dear  
10 Brother Superior, . . . READING TO THE  
11 WORDS . . . Brother. It is signed JA  
12 Mulholland.

13 A copy of this direction is to be  
14 entered in the annals."

15 And I presume that's why it appears there. I may have  
16 missed it, it may be somewhere in the discovery that  
17 you have from Letterfrack. . . (INTERJECTION).

18 A. It is, yes.

19 151 Q. But did Letterfrack, to your knowledge, get a copy of  
20 that letter?

21 A. Well, I have in my statement, on page 88. I say:

22 "In a direction for all our residential  
23 schools, 4th March 1963, the Provincial  
24 directed. . ."

25 And so on. So it would appear that incidents like that  
26 did take place, whether it was -- it would appear that  
27 that's the case, hence the letter, and it says -- I  
28 just said: "The Congregation was swift to forbid it.  
29 Now, whether it happened in Artane, whether it happened  
30 in Letterfrack, it was not clear, but I would imagine  
31 that letter was read out at the Resident Managers'  
32 meeting and consequently it probably was sent to all  
33 schools.

34 152 Q. Given that it was a direction to all the residential

1 schools and at the bottom it says L?

2 "A copy of this direction is to be  
3 entered in the annals."

4 It would certainly suggest that?

5 A. Yeah. And I have it in my documentation here so.

6 153 Q. And it would suggest that this was a problem that arose  
7 somewhere?

8 A. Yes, it would.

9 154 Q. And it would be in keeping with some of the stories  
10 that had been heard in terms of what happened at that  
11 time?

12 A. Yeah.

13 MR. McGRATH: I have no further  
14 questions.

15

16 END OF EXAMINATION OF BR. GIBSON BY MR. McGRATH

17

18 THE CHAIRPERSON: All right. Thank you very  
19 much. Now, Ms. Fergus,  
20 have you anything to ask?

21 MS. FERGUS: I have just one question  
22 for Br. Gibson.

23

24 BR. DAVID GIBSON, WAS FURTHER QUESTIONED, AS FOLLOWS,  
25 BY THE COMMISSION:

26

27

28 155 Q. MS. FERGUS: Br. Gibson, in your  
29 statement at page 92 you

1 say that you made a detailed study of the incidents of  
2 physical and sexual abuse in Letterfrack and the study  
3 shows that you drew a number of conclusions as a result  
4 of that study?

5 A. Yes.

6 156 Q. Just one or two areas I want to explore with you. The  
7 first one is that you say:

8 "The structure in the industrial  
9 schools made it possible for boys to  
10 report incidents of abuse and when this  
11 happened the reports were acted upon."

12 A. Yes.

13 157 Q. I was just wondering could we explore that with you,  
14 the structures you are talking about, could you  
15 describe what structures you are talking about there?

16 A. My understanding of the structure in Letterfrack was  
17 the Resident Manager was the person who was present in  
18 the institutions and was available to boys if they  
19 wanted to express their concerns or fears or problems.  
20 I am aware that one particular Resident Manager in the  
21 late 1950's was noted for having the boys coming to  
22 him. And I am aware that with regard to the first  
23 incident, which I have mentioned, about sexual abuse,  
24 in fact the two boys, I think it is two boys, were  
25 interviewed. So, in other words, there was a structure  
26 where the Resident Manager was a person that people  
27 could go to, to express an incident of abuse. Now, I  
28 know it was a very difficult thing to do and I am not  
29 saying everyone did it. But it did happen there.

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And also I have referred to other instances in other institutions where it similarly happened. So that's what I am talking about, that structure. The Resident Manager as the person. The disciplinarian may also have been a person whom people go to, because the word disciplinarian was somebody not only who disciplined but also gave out needy things and letters and all that sort of stuff. So that's what I am talking about. I am not saying it was very great, but it was there.

158 Q. Do you think it was conceivable that in a school with, at one stage, up to 190 boys in it that the children would have had serious access to somebody like the Resident Manager, genuine accessibility?

A. Well, one person for 190 isn't a lot. I do know -- again I couldn't put my fingers on it, but I do know that the particular Resident Manager I am thinking about used to actually call into a class and ask for a boy to come out and have a chat. So there could have been a system of boys going out on a regular basis to meet the Resident Manager. I am not sure of that but I am aware that that did happen with regard to him.

159 Q. Did it depend very much on the personality of the Resident Manager?

A. I would say so, yes.

160 Q. Would you say it worked over the years, this system or this structure?

A. Well sexual abuse, if it is happening, very few people feel free and, in fact, some of the boys asked did they

1 not feel they could reveal it, basically said no. I  
2 think the Savey Report, which is in the late 1990's,  
3 points out that something like .6% of people who are  
4 abused, and I am talking about adults here, don't  
5 report it to the guards -- that only 6% do report it to  
6 the guards. In fact, reporting sexual abuse of  
7 physical abuse, I would say people would be very  
8 reluctant to do it to anyone. In fact, I think in the  
9 private hearings, when people were asked could they not  
10 talk to somebody about it, basically they said no, and  
11 people who were seriously abused, one of the things  
12 that emerged very clearly in the private hearings was  
13 that this was done secretly, that the boy was scared  
14 and was most reluctant to reveal it to anyone. But it  
15 did happen on occasions.

16  
17 But I would say I am not sure with sexual abuse,  
18 whatever structure you have in place, would people  
19 actually go. I would say even today the reporting of  
20 sexual abuse it is improving, but there is still a lot  
21 not reported.

22 161 Q. Another conclusion that I would like to refer to, it is  
23 No. 6, where you say:

24 "Sexual abuse was seen as a serious  
25 moral weakness rather than a criminal  
26 offence."

27 Are you talking in general terms there?

28 A. Yeah.

29 162 Q. Across the Congregation?

1 A. Well, I am thinking of more than that. I am thinking  
2 of the time when I think it was the baker, in 1936 in  
3 Letterfrack, there was an incident where he was -- it  
4 doesn't clarify exactly what he did, and the Superior  
5 was reluctant to expel him. There was something about  
6 that he's gone to mass and all that sort of thing. So  
7 obviously they could see this more as a moral failure  
8 than, in fact, a crime. Now we know now it is a crime.  
9 But I would say it seems that it was seen more as a  
10 moral weakness than actually a criminal offence. In  
11 fact, I am still not sure the level of reporting to the  
12 Gardaí from the 1940's to the 1960's of sexual abuse.  
13 I would say it was minimum.

14 163 Q. Well, I accept that there wasn't reporting to the  
15 Gardaí, but what I am more interested in is your  
16 statement that:

17 "Sexual abuse was seen as a serious  
18 moral weakness rather than a criminal  
19 offence."

20 I just want to refer to a number of documents that have  
21 come from the Rome files, which I am going to suggest  
22 would indicate that there was a different view amongst  
23 the authorities. I just take a few examples. I think  
24 the reference, first of all, ACB 020005/1. This is  
25 dated August 19th, 1932.

26 MR. HANRATTY: Could I just inquire which  
27 book is this?

28 MS. FERGUS: Which book this is? It is  
29 in the Rome file.

1 A. Folder 2. AC?

2 164 Q. MS. FERGUS: ACB 02 005/1. Actually if  
3 you don't mind I will go to  
4 ACB 020093/1, which is an earlier document. Have you  
5 found that?

6 A. Can you just repeat it again?

7 165 Q. ACB 020093/1?

8 A. No, I don't seem to have it. Anyway, read away.

9 166 Q. It is a letter dated April 14th, 1930 from St. Mary's,  
10 Marino, Dublin. It is addressed to your Excellency, we  
11 are not quite sure, Denuncio, I think it is. It is a  
12 letter in which a member of the Congregation had been  
13 found to have indecently interfered with boys and at  
14 the end of the letter, towards the end of it, it says:

15 "While in the cases that occurred in  
16 1929 the members of the council held  
17 that the young men who were assaulted  
18 by him would be entitled to summoning  
19 before the civil authorities and thus  
20 public scandal would arise. Should  
21 this have occurred the Christian  
22 Brothers would be in a position to  
23 state that this man as no longer a  
24 member of the Congregation. Moreover  
25 it is certain that his offences are  
26 known members of the large religious  
27 community with whom he lives. This  
28 case has required a certain degree of  
29 notoriety."

23

24

25 Moving on to August 1932, again a letter to "my very  
26 dear Provincial", it is from, I think, maybe St.  
27 Helen's in Booterstown. Again, it is describing an  
28 incident in which a member of the Congregation was  
29 applying for dispensation rather than stand trial. And

1 it says towards the end of the letter:

2 "He is a great danger to us. Two  
3 Brothers were hanged in Canada within  
4 the last two years for murder of their  
5 victims after such an offence. A  
6 Brother of a community in charge of an  
7 industrial school in Rome awaits his  
8 trial for the murder of boy in the  
9 school who told it was offence to his  
10 Superior. "

7  
8

9 Again it would seem that the authorities are well aware  
10 of the criminality.

11

12 Again, in a letter from St. Helen's in Booterstown  
13 Dublin, dated 13th October 1942, again to the Brother  
14 in St. Mary's, Marino I think, again it was from  
15 persons in authority in the Order.

16

17 "A member of the Order was found to  
18 have been interfering with boys. "

18

19 And the letter describes:

20 "I showed his statement to the Bishop  
21 and expressed to him how ashamed and  
22 how humiliated we all felt because of  
23 the criminal and disgraceful conduct of  
24 this Brother. Were it not that he had  
25 to have so many expulsions and  
26 inspections within the last few months  
27 I would inclined to recommend that this  
28 Brother should be dismissed on the  
29 grounds that he has given grave  
30 external scandal and that there is  
31 danger that the Congregation may suffer  
32 grave injury because of the shameful  
33 conduct."

27

28 Then finally one more document which I will refer to  
29 dated October 15th, 1942 in which the Provincial is

1 from St. Helen's in Booterstown to the Brother  
2 Provincial and it says:

3 "Instruction - how can the danger be  
4 kept sufficiently before the minds of  
5 the Brothers, at least once a month the  
6 Superiors in the houses of formation  
7 should speak in the plainest terms of  
8 the offence. Tell them that it is  
9 punishable by civil law and unfits a  
10 man for the profession of his  
11 teaching."

12 So they are a number of documents that would clearly  
13 indicate that the authorities in the Congregation were  
14 well aware of the criminality?

15 A. Yes, it does.

16 167 Q. And it wasn't just moral?

17 A. Yes, it does. I am not sure at what stage I had -- I  
18 am not sure if I had those documents when I was writing  
19 this, but certainly it does show very clearly that they  
20 could see it both as a crime and as a moral failure,  
21 yes. As a crime really.

22 MS. FERGUS: Thank you.

23 END OF FURTHER QUESTIONING OF BR. GIBSON BY THE  
24 COMMISSION.

25 MR. HANRATTY: Do you wish to continue,  
26 sir?

27 THE CHAIRPERSON: What's the most convenient?

28 MR. HANRATTY: I am entirely in your  
29 hand.

1 THE CHAIRPERSON: In general, I think we  
2 would prefer to finish.  
3 But that's subject very much to Br. Gibson because he  
4 is the principal person, he has been here since 10:30.  
5 If anybody wanted to do otherwise, Br. Gibson or  
6 yourself, then obviously... (INTERJECTION).

7 MR. HANRATTY: If it seemed a conclusion  
8 of his evidence would be a  
9 natural breaking in any event. Br. Gibson, just a few  
10 questions and I will try and be as net as I can.

11 THE CHAIRPERSON: Take your time, because we  
12 may have some questions as  
13 well.

14

15

16 BR. DAVID GIBSON WAS EXAMINED, AS FOLLOWS, BY

17 MR. HANRATTY:

18

19

20 168 Q. MR. HANRATTY: This Commission was  
21 established, I think and  
22 subject to correction in 2000, after a process where  
23 information emerged into the public consciousness about  
24 complaints being made about people being sexually  
25 abused as children in residential institutions. We  
26 have now reached Phase III of this Inquiry, very much  
27 towards the latter end of it. Up until today did you  
28 ever hear a complaint from anybody, in any context,  
29 about there being something wrong with the records of

- 1 the Department of Education with regard to the  
2 examination achievements and the Primary Certificate of  
3 the pupils in Letterfrack?
- 4 A. No.
- 5 169 Q. Just to be clear about this, the Primary Certificate  
6 examination, am I right in thinking, was a public  
7 examination?
- 8 A. Yes.
- 9 170 Q. What does that mean in practice?
- 10 A. Well, it basically means that the boys sit the exam,  
11 there probably is -- it is so long ago since I did it  
12 myself, but I presume there were external invigilators  
13 and that the boys would have done the exam and the  
14 results of it would have been processed by the  
15 Department.
- 16 171 Q. And the examination of the papers would have been done  
17 by whom?
- 18 A. I would imagine by the Department.
- 19 172 Q. Up until today have you ever heard anybody making a  
20 complaint to the effect that, for example, a Brother  
21 standing beside a boy and telling him how to answer the  
22 question?
- 23 A. No.
- 24 173 Q. Up until today did you ever hear of complaints by  
25 anybody of boys -- or allegations that boys did the  
26 Primary Certificate examination in Letterfrack in a  
27 name other than in their own name?
- 28 A. No.
- 29 174 Q. You mentioned the Turim Report when you were being

1 asked about this, could I ask you to explain for the  
2 record, I am sure the Commission are fully familiar  
3 with it, what the Turim Report is and what it does?

4 A. The Turim Report was by a committee that examined  
5 childcare in Ireland and went into great detail about  
6 the structure of childcare, about the funding, about  
7 the quality of education. In other words, all aspects  
8 of childcare and published this document. I am not  
9 exactly sure the providence of the group, it may have  
10 been an English group, in fact.

11 THE CHAIRPERSON: A London group, as far as I  
12 know.

13 A. Yes.

14 175 Q. MR. HANRATTY: On the basis of your  
15 knowledge of Letterfrack  
16 and in particular the educational arrangements in  
17 Letterfrack and on the basis of the extensive research  
18 you have done for the purpose of assisting this  
19 Commission and in giving your evidence, do you have any  
20 reason to believe that there is anything inaccurate in  
21 any way in the records of the Department of Education  
22 with regards to the exam results achieved by the pupils  
23 in Letterfrack?

24 A. No.

25 176 Q. Reference has been made to the Visitation Reports and  
26 in particular to comments and observations made in the  
27 Visitation Reports specifically with regard to the  
28 education of the boys. Is it correct to say that in  
29 each case of a visitation the report dealt extensively

1 with the educational arrangements in Letterfrack?

2 A. Yes, it would have commented on the education of the  
3 boys, yes.

4 177 Q. Can I ask you just briefly to summarise the process of  
5 a visitation and the production of a Visitation Report  
6 and the purpose of this exercise?

7 A. Well every year a member of the Provincial team would  
8 visit all our communities and institutions. They would  
9 come and they would spend four, five or six days there,  
10 during which they would examine all aspects of the  
11 community and the institution. They would have access  
12 to all the boys and all the Brothers, every brother  
13 would have been interviewed individually and would have  
14 been free, if he wanted to, to make any statement that  
15 he wanted to make. The boys similarly. And the  
16 visitor then having examined the books, the finances,  
17 the educational standards, visited the schools and the  
18 classes, talked to the Resident Manager, who was also  
19 Superior, would then have gone away and would have  
20 written a report. That report was written for the  
21 leadership team in the particular province and a copy  
22 of that was sent to the General Council, where they  
23 then dealt with it.

24  
25 A letter then was sent back to the school summarising  
26 the positive and negative points of what they found in  
27 the school. And if there were areas of concern would  
28 have indicated that they would have like to see work  
29 done in that area.

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So, it was a very extensive and very accurate and carefully compiled report.

178 Q. You are, I think, thoroughly familiar with the contents of all of these Visitation Reports, so far as Letterfrack is concerned. In general when recommendations for improvements were made were they acted upon?

A. In the main I would say, yes. I am aware of occasions the visitor would say that the Brother hasn't done enough yet. But on the whole, I would say from year to year -- there are some exceptions, the toilet facilities was always a problem in the 1950's and even into the 1960's and the main problem was funding. Each Visitation Report as saying this needs to be done. But also they would be saying there were negotiations going on with the Department of Education that maybe a capitation grant would be given for these.

So I think in short what we are saying is the visitor would have examined the previous year's report and would have follow up on subsequent report, whoever that visitor was, to see that things were put in place.

179 Q. In general is it true to say that the Visitation Reports dealt with every aspect of life in the school?

A. Yes, every aspect of life in the school and they wouldn't have been slow to criticise if they saw cause for criticism.

180 Q. We know from exchanges this morning that they dealt

1 with things like buildings, facilities, the infirmary,  
2 I think?

3 A. Yes.

4 181 Q. Food, clothing?

5 A. Yes.

6 182 Q. THE CHAIRPERSON: What was the principle  
7 function of the Visitation  
8 Report? Was it religious or was it educational?

9 A. It was both. It was to look at the quality of  
10 community living. And it was the look at the ministry  
11 that was being carried on. Usually the Visitation  
12 Report would start off with the community and would  
13 deal with... (INTERJECTION).

14 183 Q. THE CHAIRPERSON: The religious affairs?

15 A. Yes.

16 184 Q. THE CHAIRPERSON: The devotion to the rule of  
17 the Brothers and the regime  
18 of the religious... (INTERJECTION).

19 A. Exactly. It would also have looked at the workload  
20 that Brothers had in the schools and commented on  
21 occasions that Brothers were overworked. And then it  
22 would go to the school and it often did things like put  
23 out the results and it did a detailed financial look at  
24 it, at the time of the visit, they weren't the final  
25 reports at the end of the financial year, but at that  
26 particular time always the financial statement of the  
27 institution at the time. So if there were concerns  
28 there they would have brought those up.

29 185 Q. THE CHAIRPERSON: It is hard, I suppose, to

1 summarise all the reports  
2 of a particular institution and we have them and they  
3 are very informative. But I have to say my own  
4 impression would be that that they were first a  
5 religious reporting to the Provincial and in relation  
6 to the practical matters that Mr. Hanratty is asking  
7 you, and I would like your comment on this, my  
8 impression is it depends on who the visitor is.  
9 Sometimes you can recognise indeed from even the style  
10 of the thing that this visitor was here some time ago  
11 and he's also interested in the boys, the toilets, the  
12 buildings, the whatever, or he might say, "Look, how  
13 are the Brothers getting on among themselves?" Whereas  
14 another isn't.

15 A. Yes.

16 186 Q. THE CHAIRPERSON: I am not suggesting  
17 criticism, but simply -- or  
18 one finds in a report that somebody will say, "there  
19 has been a problem here for a few years with relations  
20 between Br. X and Br. Y"?

21 A. That's right.

22 187 Q. THE CHAIRPERSON: Now, if you flick back you  
23 won't find that in the  
24 visitor the previous year, who may not have noticed it  
25 or whatever. Sorry, this would be a very longwinded  
26 way and I would be critical if somebody was asking this  
27 question and was down there, sorry, I apologise. What  
28 it comes down to is (A) my impression, am I right in  
29 thinking it was the priority, I am not saying the only

1 function, was religious?

2 A. I would think so, yes.

3 188 Q. THE CHAIRPERSON: And that the second thing,  
4 the practical thing rather  
5 depends on who the visitor is?

6 A. Yes.

7 THE CHAIRPERSON: I am sorry, Mr. Hanratty,  
8 for making a speech while  
9 you were asking questions.

10 189 Q. MR. HANRATTY: A number of issues were  
11 raised in relation to  
12 clothing, food, the quality of the infirmary, children  
13 with pneumonia having to be sent out to hospital and so  
14 on. In general, did the visitors who were writing  
15 these reports seek to address problems that they  
16 perceived in the school with a view to having them  
17 rectified?

18 A. Yes, I think if they saw, particularly things like the  
19 food, if they saw the state of the buildings and so on.  
20 If they saw that they were in any way less than  
21 adequate, they put that down and in the letter that  
22 went back to the community they would have been noted  
23 and the community or the manager would have been asked  
24 to see to it that something was done about that. Or  
25 indeed, the cook, who might have been not up to  
26 standard was replaced. So, basically, they did try and  
27 address the situation, if it wasn't perfect.

28 190 Q. It is true to say that you do find occasionally  
29 deficiencies which were identified and addressed?

- 1 A. Yes.
- 2 191 Q. But in general, taking for example the period in the  
3 1940's?
- 4 A. Yes.
- 5 192 Q. The war years in particular. In general is there  
6 anything in the Visitation Reports to suggest that the  
7 standard of food in terms of nutrition was any worse  
8 than the population at large?
- 9 A. No.
- 10 193 Q. Reference was made to the standard of clothing of the  
11 boys and the fact that there were a lot of patches,  
12 These patches would have been repairs done on the  
13 premises, I take it?
- 14 A. Yes.
- 15 194 Q. Again, in general, do you think that there was any  
16 deficiency here relative to the population at large of  
17 any significant kind?
- 18 A. No, I wouldn't, no.
- 19 195 Q. You were asked about the question of training in  
20 childcare. First of all, in relation to the 1940's,  
21 1950's and 1960's and subsequently in relation to the  
22 1970's. If I might just start with the 1940's, 1950's  
23 and 1960's. First of all, were any resources provided  
24 to the school by the Department of Education or any  
25 other departments specifically for the purpose of  
26 providing this specialised form of childcare?
- 27 A. No, I think -- the answer is no, and I think basically  
28 it was seen that industrial schools were more concerned  
29 with the physical needs of the children, physical and

1 maybe material needs of the children. The whole  
2 emotional development of the child wasn't certainly  
3 highlighted in the early years of the 1940's and  
4 1950's.

5  
6 Now, if Cussen Report says that the particular type of  
7 education in institutions was the best form in the  
8 1930's, 1936 onwards. When the Turim comes it  
9 highlights and the Kennedy Report highlights this is  
10 totally inadequate and there is need for smaller  
11 groupings and family structures and all that. So it  
12 was a gradual dawning on people.

13  
14 But certainly initially the Government were grossly  
15 underfunding these institutions, I mean grossly, right  
16 from the very beginning. So any resources was  
17 literally for the material needs of the children. But  
18 any extras it just wasn't possible.

19 196 Q. I will come to the question of resourcing in a moment,  
20 but I just want to stay for the moment, if I may, with  
21 the question of the concept of special needs of  
22 children or special requirements to educate children,  
23 particularly children of the categories that were  
24 coming into Letterfrack, some of which were for truancy  
25 and some of which increasing as the years progressed,  
26 particularly into the 1970's, were for criminal  
27 activity.

28  
29 But in terms of the special needs of children and the

1 perception of the special needs of children in the  
2 1940's and in the 1950's and 1960's, have you seen any  
3 evidence that the Congregation of Christian Brothers  
4 was in any way deficient in its knowledge of these  
5 matters as opposed to society in general?

6 A. No, I wouldn't. Because I think right from the  
7 Visitation Reports they all talk about the atmosphere  
8 in the place, the care that was given. That's mirrored  
9 in the Department of Education. The Department of  
10 Education at no stage was saying that the schools were  
11 in any way deficient, right up through the 1940's,  
12 1950's and 1960's. They are always say well conducted,  
13 children well cared for, friendly atmosphere is  
14 prevailing and so on. So all the written  
15 contemporaneous documentation is pointing to the fact  
16 that it was a very positive place. That doesn't take  
17 away from those singular individual incidences of abuse  
18 that take place.

19 197 Q. Yes. I think in general the evidence has been that the  
20 interface between these residential institutions and  
21 specifically Letterfrack and the State was primarily  
22 through the department, the Department of Justice on  
23 one hand and the Department of Education. And the  
24 Letterfrack school, so far as education was concerned,  
25 was subject to the school inspectorate regime as all of  
26 the schools in the country?

27 A. Yes.

28 198 Q. And the Department of Education Inspectors would visit  
29 the school in Letterfrack to look at the education?

1 A. Yes.

2 199 Q. What was the position of inspection from the point of  
3 view of the Department of Justice?

4 A. Well, I mean, the Department of Justice was mainly  
5 involved in the allocation of the people initially to  
6 the institution. So that was their main role, probably  
7 done very badly in that usually what happened was the  
8 manager was phoned prior to the trial, in adverted  
9 commas, of the person and the school was asked would  
10 they accept another child. Now, there was no  
11 information given about the needs of the child, about  
12 what he was in for. I think subsequently it was said  
13 at one stage as long as they weren't in danger of  
14 setting the place on fire anyone was sent in there.  
15 But all the concerns or needs or individual situations  
16 wasn't really explained.

17 200 Q. In general, again drawing on your research and the  
18 knowledge of this institution in particular and the  
19 wider community of institutions conducted by the  
20 Christian Brothers, are you satisfied that the State,  
21 through its organ the Department of Justice and the  
22 Department of Education, were fully aware of the nature  
23 of the regime that was in place in Letterfrack?

24 A. I would say yes. I would say they visited the place on  
25 a regular basis. Dr. McCabe was very assiduous in  
26 looking at the whole medical structure of the place and  
27 the physical concerns of the children. The reports  
28 from the Department of Education, although skimpy, do  
29 point to areas of positive areas and negative areas.

1 So they were aware. That seemed -- I have just a list  
2 of quotations by the State about the spirit of the boys  
3 in visitation and from 1939 to 1973 almost  
4 uninterrupted there are positive things said about  
5 these institutions by the State, as a result of  
6 visitations by the Department of Education, by the  
7 Department of Justice.

8 201 Q. You mentioned in your evidence that in the early 1970's  
9 a number of Brothers during their own holidays started  
10 to go to seminars or lectures or courses in relation to  
11 special needs of children or addressing the  
12 non-physical needs of children?

13 A. Yes.

14 202 Q. Was that from their own initiative or from the  
15 initiative of the Congregation or from the initiative  
16 of the Department?

17 A. My understanding, that came out in Phase II, and my  
18 understanding was, listen from the evidence, that it  
19 was the person themselves who wanted to do this,  
20 contacted one of the Brothers who was a professor of  
21 education and asked him to put on courses especially  
22 for people in this kind of set up and he would have  
23 done that.

24 203 Q. At any time up until the early 1970's, did the  
25 Department, did any Government department, make any  
26 requirements of the Congregation or the managers of  
27 residential institutions with regard to provision of  
28 special care teaching or special care of any kind for  
29 children in those institutions?

1 A. Well, the 1962 report, the interdepartmental report  
2 highlighted the difficulty of education. There was  
3 subsequent visit which pointed to the need to improve  
4 the quality of the education, the curriculum, to change  
5 the curriculum, to adapt it more to the needs of the  
6 people. But always it was a case the Department and  
7 the hope was the Department would actually fund this  
8 and at no stage was the funding available for that.  
9 But by the time the Letterfrack was considered a  
10 special school and where it was beginning now to  
11 approach the real needs of children, it was near the  
12 end and, in fact, it probably would have closed a year  
13 or two later after that.

14 204 Q. Just on this question of funding, you said there was no  
15 funding made available specifically for this, such  
16 funding as was made available you have described in  
17 your evidence as not just deficient but grossly  
18 deficient?

19 A. Yes.

20 205 Q. Could you just elaborate on what you mean by that?

21 A. Maybe I should refer to official documents which made  
22 comments on the underfunding of residential schools.  
23 The Cussen Report I quoted says:

24 "Local authorities are unwilling to  
25 contribute, even towards the  
26 maintenance of the children. As the  
27 treasury grant was insufficient for the  
28 building and equipment in such schools  
29 their establishment was a matter of  
some difficulty."

That's in 1936. The memorandum from the Association of

1 Resident Managers in 1950 says:

2 "They are emphatic in stating that the  
3 grants paid are far short of what would  
4 be required to run these schools  
5 efficiently and to keep the standards  
6 in food, clothing and general upkeep to  
7 a reasonably high standard."

6

7

8 Subsequently the residential homes and special schools  
9 had a special visit in 1964 and it says:

10 "Reformatory industrial schools are  
11 absolutely inadequately endowed. No  
12 institution could run on £3.10 per boy  
13 per week."

13

14

15 That's Residential Homes and Special Schools Visiting  
16 Committee

17 206 Q. MS. SHANLEY: What year was that?

18 A. 1964. In 1966 it says, the Tuairim:

19 "There appears to be little change in  
20 the situation since 1963. In one  
21 instance quoted to us. Eight Local  
22 Authorities had not honoured a claim  
23 for a six monthly period two months  
24 after the end of that period. The  
25 school has been maintaining the  
26 children for eight months without Local  
27 Authority grants."

24

25

26

27 Then in the Kennedy Report in 1970, it says:

28 "Managers in charge of the schools were  
29 faced with the task of running the  
institutions on a totally inadequate  
financial provision and were forced to

1 supplement their incomes by whatever  
2 means possible to enable their work to  
3 continue".

4 That report in 1970 was after the Department of  
5 Education doubling the allocation the year previous to  
6 the report. So, I mean it is fairly obvious that the  
7 funding -- and of course we can compare funding that  
8 was available to schools in Ireland with that in  
9 England and Northern Ireland and Scotland and so on  
10 which shows that it was totally inadequate.

11 207 Q. I think the evidence you gave previously was that in  
12 all of those cases the funding was provided to  
13 institutions in those jurisdiction were a multiple in  
14 some cases, a substantial multiple per capita?

15 A. That's right.

16 208 Q. Just going back to that reference in the Kennedy  
17 Report, where it was said that they were forced to  
18 supplement the funding by whatever means possible. Did  
19 those means include the school having to become, to a  
20 degree, self-sufficient both in terms of the provision  
21 of food, in terms of the provision of clothing and the  
22 repair of clothing and indeed in the provision of  
23 repair and improvements to buildings?

24 A. Yes.

25 209 Q. Using the resources of the Brothers themselves who were  
26 working a full day and the resources of the boys that  
27 were there?

28 A. Yes.

29 210 Q. At any stage throughout the period under Inquiry by

1 this Commission was the State unaware of the perilous  
2 financial situation in each of these institutions,  
3 specifically Letterfrack?

4 A. No, right from the earliest years there is  
5 correspondence between the residential managers and the  
6 Department of Education. Now, it was correspondence  
7 where the Resident Managers were basically saying that  
8 there wasn't adequate funding and the Department of  
9 Education was writing back and saying that they felt  
10 the grants were sufficient. But this debate was going  
11 on continuously right up through the history of the  
12 institution. And I think it is only when external  
13 bodies like Cussen's, Tuairim, Kennedy and indeed the  
14 Residential Homes and Special Schools Visiting  
15 Committee when an external body comes and judges it,  
16 they see that, in fact, it was totally inadequate.

17 211 Q. Just while we are on the question of resourcing, is it  
18 the position that the Congregations were required to  
19 provide all of the services that they were inquired to  
20 provide out of this capitation grant that they  
21 were... (INTERJECTION).

22 A. Yes.

23 212 Q. Did that include whatever provision could be made for  
24 the training of boys in trades and for the purchase of  
25 tools and for the purpose of agricultural equipment to  
26 provide food?

27 A. Yes.

28 213 Q. And the follow up that was mentioned this morning?

29 A. Yes. When boys were leaving Letterfrack or an

1 institution they were provided with a range of clothes,  
2 a small sum of money, their ticket home and this was  
3 all at the expense of the school.

4 214 Q. At any time during the period under Inquiry by this  
5 Commission was the funding that was provided by the  
6 Department, specifically in the case of Letterfrack,  
7 sufficient for the job that was required to be done in  
8 this residential institution without further subvention  
9 in the means that you have indicated?

10 A. No, at no stage.

11 215 Q. There is just one final matter I want to ask you about  
12 and that is Ms. Fergus asked you about the Rome  
13 documents, in which views are expressed as to the  
14 implications of child abuse. I think you have already  
15 dealt with this to some extent in your evidence in  
16 Phase I. Just to remind people and in summary form, in  
17 those instances which you find in the documents were  
18 complaints were, in fact, made, can I just ask you to  
19 state in what manner were they dealt with by the  
20 Congregation when such complaints were made?

21 A. Well, when complaints were brought to the attention of  
22 the Christian Brothers and the authorities, the Brother  
23 was confronted with the allegation and he was either  
24 sent away from the Congregation, as has happened in  
25 some cases, he was withdrawn from the institution and  
26 sometimes instead of being in a residential home was  
27 sent to a day school, in the belief that if a person is  
28 taken away from the residential setting he may not  
29 offend in the day setting. However, we know now that

1 that is not the case, with child abuse. We also know  
2 that in some of the cases that I outlined that there  
3 were cases where a Brother was moved from, say,  
4 Letterfrack, but also into another residential  
5 institution, unfortunately there are some ways to  
6 explain it, it certainly can't be excused.

7  
8 One of the ways of explaining it was that the  
9 leadership team at the time that dealt with it were  
10 followed by another leadership team, who may not have  
11 explored or examined the file of those individual  
12 Brothers. Certainly up to the early 1960's the files  
13 in the archives wouldn't have been kept in the way that  
14 they are kept now. But I mean it was remiss of the  
15 authorities at the time not to have ensured that these  
16 people would never enter an institution again.

17 216 Q. Indeed. But as we are aware there has in recent years  
18 developed a greater understanding of the recidivistic  
19 nature of pedophilia, have you seen any evidence in any  
20 of the documents that you have read or evidence that  
21 you have heard that the Christian Brothers as a  
22 Congregation were any slower to come to understanding  
23 of this form of recidivism than society in general?

24 A. No, I wouldn't, no.

25 MR. HANRATTY: Thank you Br. Gibson.

26  
27 END OF EXAMINATION OF BR. GIBSON BY MR. HANRATTY

28  
29 MR. McGRATH: Sorry, Chairman, before we

1 I leave this table here.

2 There is one matter that arises, in the opening of the  
3 questions by Mr. Hanratty he raised a question as to  
4 whether or not this witness had ever heard of  
5 allegations in relation to doing the Primary  
6 Certificate and the witness has indicated he didn't.

7 THE CHAIRPERSON: Yes.

8 MR. McGRATH: Now, there are two things  
9 that arise there. First of  
10 all, on the last occasion he gave evidence, one of the  
11 last questions that was asked by Mr. McGovern dealt  
12 with Mr. McGovern's belief or lack of belief in  
13 relation to the results in Letterfrack. So, it can't  
14 be a matter which comes totally out of the blue and a  
15 shock. It is question 311, it is on page 133. The  
16 question is:

17 "I know you would like to finish then,  
18 I don't want to ruin your ending, so to  
19 speak, I am sorry and I am not being  
20 flippant, I don't intend to be, but  
21 just to get back to that chart. It  
22 does show Letterfrack as something of a  
23 centre of excellence. I am just  
24 wondering about this. I think it is  
25 accepted, and you have already said as  
26 much, that Letterfrack was comprising  
27 of mostly boys from socially  
28 disadvantaged areas and deprived  
29 backgrounds, it looks strange to me, I  
30 have to say, to find that the  
31 Letterfrack results appear to be better  
32 than the national average and that's  
33 why I am wondering whether all the  
34 boys, in fact, went through to do their  
35 Primary Certs."

36 So the question was raised at that particular time.

37 Now, you have heard evidence from this institution, you

1 have heard evidence from Artane at the private  
2 hearings, I don't want to go into that evidence, but it  
3 seems to me to be incredible that somebody would be  
4 coming here today and saying that there was no  
5 suggestion from any witness that you have heard that  
6 they had some doubts about their Primary Certificate.

7 MR. HANRATTY: I said there was no  
8 complaint, no complaint.

9 MR. McGRATH: Certainly, I am absolutely  
10 certain that some people  
11 expressed surprise at having been told they got their  
12 Primary Certificates and expressed surprise at the  
13 level of the marks.

14 THE CHAIRPERSON: So be it. That's for us  
15 to... (INTERJECTION).

16 MR. McGRATH: But it is not something  
17 that has not arisen before.

18 THE CHAIRPERSON: But I mean what do you want  
19 us to do about that,

20 Mr. McGrath. That's something we note, we will review  
21 the evidence, we will put it together.

22 MR. McGRATH: My friend was objecting to  
23 the manner in which I was  
24 putting forward and I just want to get on the record  
25 that I don't accept Mr. Hanratty's postulation in  
26 relation to the question of Primary Certificates.

27 MR. HANRATTY: Sorry, can I just say,  
28 sir, I don't want to make  
29 too much of a big deal about this, but I do draw

1 attention to fact that I listened to the first time  
2 today that an allegation that Brothers stood beside  
3 boys giving them the answer to a question to put down  
4 on their Primary Certificate, that's an extraordinary  
5 allegation to be making in Phase III. Another one to  
6 the effect that a boy -- or a suggestion that a boy had  
7 done an examination in anything other than his own  
8 name. I haven't heard anything like that.

9 THE CHAIRPERSON: We don't want to get into a  
10 situation where we comment  
11 on particular evidence as it goes on from one witness  
12 or another witness. Anybody can make a submission to  
13 us about evidence or what they think are points to be  
14 taken into account, but we are not inclined to comment  
15 or say, "oh, hold on, you have to be wrong about that."  
16 If it obviously occurs to us and if we think it is  
17 important we will draw attention to it, but in general  
18 we are not inclined to do that. But people will simply  
19 have to rely on us to notice and hope that we don't  
20 miss too many of the important points.

21  
22 Now, what I am going to do, first of all, is ask  
23 Mr. O'Moore has any questions on behalf of the  
24 Department of Education?

25 MR. O'MOORE: No, sir, any commentary in  
26 relation to Br. Gibson's  
27 evidence will be provided in writing obviously to the  
28 Commission at a later time.

29 THE CHAIRPERSON: You have no questions.

1 MR. O' MOORE: I have no questions

2 THE CHAIRPERSON: Now I will ask Mr. Lowe.

3 Would you like to ask any  
4 questions, Mr. Lowe?

5

6 BR. DAVID GIBSON WAS FURTHER QUESTIONED, AS FOLLOWS, BY  
7 THE COMMISSION:

8

9 217 Q. MR. LOWE: Just one question.

10 Letterfrack was different,  
11 in that it took in boys who had criminal convictions.  
12 What was different about the school itself which made  
13 it suitable to take in such boys?

14 A. I don't think it was any different from other schools.  
15 I think it was that there was a growing concern among  
16 the residential managers that in these institutions  
17 there was a mixture of boys who were there because they  
18 were orphans, they were there because of lack of proper  
19 guardianship and there was a mixture between those and  
20 people who had been involved in serious crime. And  
21 that was emerging in the 1950's at the meetings of the  
22 residential managers and it was felt that it might be  
23 better that a school would just take in people who were  
24 there because of crimes of different sorts.  
25 Letterfrack was chosen.

26

27 I think Professor O'Driscoll's doctorate on life in  
28 Letterfrack, one of the things he said was the boys  
29 commented that when they went there one of the things

1 they were grateful for was they weren't asked by the  
2 Brothers why they were there. I think Letterfrack,  
3 even though it was taking boys who were there because  
4 of criminal offences, didn't actually treat them that  
5 way. They treated them as boys in another institution.  
6

7 But obviously, it was difficult and we heard in Phase  
8 II where, you know, towards the end of the time the  
9 aggression on the part of the boys coming from maybe  
10 more serious crimes was such that it was very difficult  
11 on the Brothers to handle them and found at times they  
12 couldn't handle them. I would say that's a longwinded  
13 answer to say that the school itself was basically an  
14 ordinary primary school following an ordinary primary  
15 syllabus.

16 218 Q. MR. LOWE: We heard evidence from some  
17 Brothers who found it very  
18 stressful?

19 A. Very, yes.

20 219 Q. MR. LOWE: Was there a high dropout  
21 rate? Do you have figures  
22 about how many people dropped out of the Congregation?

23 A. I haven't. No, I wouldn't -- I mean I could get them.  
24 But I just don't know of the Brothers who were working  
25 in Letterfrack how many of them left the Congregation.  
26 I certainly know in the 1970's there were, and quite  
27 high, in fact, I think. Certainly the people who were  
28 before Phase II a lot of them would have left -- well,  
29 some of them would have left the Congregation. But I

1 think a lot of them continued on. A lot of the people  
2 subsequent to Letterfrack went on and taught in  
3 secondary schools and primary schools and had other --  
4 I am not sure that it would be any greater than other  
5 schools actually.

6 220 Q. MR. LOWE: You could get figures like  
7 that?

8 A. Yeah, it would be a matter of examining the list of --  
9 I think there were 93 Brothers in Letterfrack and to  
10 see how many of those have left.

11 MR. LOWE: Okay. Thank you.

12 THE CHAIRPERSON: Now, Ms. Shanley.

13 221 Q. MS. SHANLEY: Can I just ask you two  
14 small questions. One of  
15 the problems that dogged Letterfrack from its inception  
16 was its geographical location. Why was it kept open  
17 when other more suitable premises were closed down? I  
18 am think in particular about premises like Carriglea,  
19 which was beside Dublin, reasonably well equipped, why  
20 was a place like Letterfrack kept open?

21 A. Well, I don't know. For instance, Carriglea, I know  
22 Carriglea when it closed as a residential school was  
23 used as a formation house for the Brothers. Why  
24 Letterfrack was kept open as opposed to that I just  
25 don't know. I know the Bishop of Tuam, I think, talked  
26 about the idea of -- when it was talked about closure,  
27 the idea of taking people away from there -- if you  
28 like, the place where they were mixing and getting into  
29 all sorts of trouble, that it was good to bring them

1 away from that, well it had a downside that a lot of  
2 parents found it very difficult to visit them. And in  
3 fact I think some of them objected when they were being  
4 condemned that this was the reason. So I don't really  
5 know.

6 222 Q. MS. SHANLEY: The other question briefly.  
7 You say that there were 449  
8 complaints?

9 A. Yes.

10 223 Q. MS. SHANLEY: And we know from your own  
11 submission that 1300 boys  
12 went through Letterfrack during the relevant period.  
13 Is that the highest portion of complaints for the  
14 institution schools that the Christian Brothers ran?

15 A. To hand, I wouldn't have what the level in Artane is,  
16 just off the top of my head now. But it is certainly  
17 very high. It is very high.

18 MS. SHANLEY: Very high. Yes. Okay.  
19 Thank you.

20 THE CHAIRPERSON: Brother, are you still able  
21 for a few questions?

22 A. Yes.

23 224 Q. THE CHAIRPERSON: You touched with your  
24 answers to Ms. Shanley on  
25 some of the features of remoteness of the place. That  
26 would have applied both to the boys going there and to  
27 the Brothers?

28 A. Exactly, yes.

29 225 Q. THE CHAIRPERSON: So it was a very small

1 community from the  
2 Brothers' point of view; isn't that right?

3 A. That's right.

4 226 Q. THE CHAIRPERSON: We heard some evidence to  
5 say that it was regarded as  
6 a hardship post, "what did you do to deserve that?",  
7 was among the things?

8 A. Yes.

9 227 Q. THE CHAIRPERSON: That would explain, because  
10 that would arise because of  
11 its remote location, the small number?

12 A. Yeah.

13 228 Q. THE CHAIRPERSON: From the child's point of  
14 view going there, there was  
15 no natural catchment area, so to speak, all children  
16 went there?

17 A. Yeah.

18 229 Q. THE CHAIRPERSON: The odd thing is that these  
19 reasons and these  
20 disadvantages were debated in 1874, when the first  
21 proposal was there to put it up, and the problems  
22 dogged the institution for all of the 90 years of its  
23 life; isn't that right?

24 A. Yeah.

25 230 Q. THE CHAIRPERSON: So if a child -- they all  
26 came from somewhere else,  
27 so it was hard to get parents -- it was hard for  
28 parents to get there?

29 A. Yes.

1 231 Q. THE CHAIRPERSON: So the sense of remoteness  
2 and isolation and  
3 abandonment in a child must have been very high?

4 A. Yeah.

5 232 Q. THE CHAIRPERSON: With the large numbers  
6 certified for 150, 165, up  
7 to 190, and those large numbers, say, continuing  
8 throughout the 1940's and 1950's, we can assume that a  
9 lot of the children would have felt that isolation and  
10 remoteness?

11 A. Yes.

12 233 Q. THE CHAIRPERSON: Yes, I see. And they were  
13 being looked after by a  
14 small number of Brothers; isn't that so?

15 A. Yes.

16 234 Q. THE CHAIRPERSON: We have complaints about --  
17 even in the Visitation  
18 Reports, about the Brothers being overworked, some of  
19 the Brothers being overworked, the teachers tended to  
20 be the supervisors, the dormitory people, the  
21 everything people; isn't that right?

22 A. Yeah.

23 235 Q. THE CHAIRPERSON: What would you say was the  
24 main function of the --  
25 what was the purpose of Letterfrack? What was it  
26 doing? What was it for?

27 A. I think the role of institutional care was to provide  
28 children with physical care and also to teach them a  
29 trade. That was basically why they were originally set

1 up. I think I mentioned in my submission the idea of  
2 institutionalisation and its impact on children until  
3 Gothman came along I don't think was really fully  
4 understood. But common sense would show that a child  
5 removed from its family -- now some of the families  
6 unfortunately were very, very difficult homes and the  
7 child had to be taken away from them.

8 236 Q. THE CHAIRPERSON: Yes.

9 A. But I would have to say that certainly the remoteness  
10 of Letterfrack had an impact, it had an impact on  
11 Brothers, it had an impact on boys. But looking at the  
12 Visitation Reports and the Department of Education  
13 reports they are high in their praise about the spirit  
14 that was there in the place. Now, we are hearing of  
15 the complaints. It says:

16 The boys are cheerful and bright sowed  
17 careful teaching. A nice, friendly  
18 atmosphere was maintained. They  
19 received very sympathetic treatment  
20 from the boys".

20 These are from the Visitation Reports, and similar ones  
21 from the State:

22 "I gave the boys ample opportunity to  
23 complain but they seemed a cheery lot".

24 237 Q. THE CHAIRPERSON: In fairness, Br. Gibson, it  
25 would have seemed to me  
26 that a point that you could raise is that look here,  
27 where the Visitation Reports are condemnatory, "it is  
28 one of ours who is doing it"?

29 A. Yes.

1 238 Q. THE CHAIRPERSON: You might say, and it seems  
2 to me that the Visitation  
3 Reports have areas of frankness, but it is a very  
4 serious criticism. I suppose to take up Mr. Hanratty's  
5 debate with Mr. McGrath, you can pick one good bit out  
6 of the Visitation Reports and I can pick a bad bit out  
7 of them and obviously we have to try to make the best  
8 of it. But let me ask you this, a lot of people said,  
9 not alone in this institutions but in others, "look  
10 here", this is teachers, "look here, we found ourselves  
11 that we were trying to contain these children, we were  
12 trying to keep them in, we were more like jailers than  
13 we were teachers." That's, in effect, what we have  
14 been told, not alone by Christian Brothers, not alone  
15 in Letterfrack, but in other places. Do you agree with  
16 that?

17 A. I think there were some. I think there were some there  
18 who thought that. I'm conscious of having talked to  
19 adults now who were in the institutions and who have  
20 said "look, if I had been at home I wouldn't have been  
21 fed." If I had been at home I wouldn't have got an  
22 education. If I had been at home I wouldn't have been  
23 safe." So people have said that. But an institution  
24 is an institution and nothing can replace a good home.

25 239 Q. THE CHAIRPERSON: You see all of that might  
26 be true, all of it might,  
27 for all anybody knows in a particular instance. But it  
28 is hard to get away from the overall picture, that  
29 there is nearly 200 boys and that one of the functions

1 is to keep them in.

2 A. Yes. Well, you see, the interesting thing is like the  
3 childcare now, the ratio between staff and boys, I  
4 think, is something like four staff to a boy.

5 240 Q. THE CHAIRPERSON: Vastly different, it is a  
6 different world.

7 A. It is a different world. There it was 20 boys, 30 boys  
8 or 40 boys to one person. So to have an institution  
9 where you are trying to manage a vast number of boys  
10 and keep them safe and educate them requires a type of  
11 discipline that you wouldn't want in a home. But you  
12 have to have a level of discipline to ensure safety.  
13 Because one of the aspects that has been talked about  
14 somewhat is the area of bullying and peer abuse.

15 241 Q. THE CHAIRPERSON: Inevitably.

16 A. But, as I say, looking at it now back and saying how  
17 could we have, say, 500 or 600 or 700 boys all in the  
18 one place and a very small group of people in charge of  
19 them, unfortunately the State were not prepared to  
20 provide the sort of resources that were there, and I  
21 would say the teachers there weren't aware of the  
22 impact that that was having on them. I would say they  
23 were doing their best, thinking that this is the best,  
24 and in fact it says often there, they did the best they  
25 could under the circumstances but didn't realise all  
26 the emotional needs that were there at the time and  
27 that they couldn't fulfil them given the structure.

28 242 Q. THE CHAIRPERSON: May I ask you, Br. Minihan  
29 gave evidence here on

1 behal f of the Presentati on Brothers for Greenmount and  
2 Fr. O'Reilly who deal t with the Rosmini ans, Ferryhouse  
3 and Upton, basi cally said the whole task, looking back  
4 on it now, was an impossi ble thing to do, I sense a  
5 different point of view from you. They would say --  
6 somebody said, "wasn't the whole thing terrible, how  
7 could anybody have been" -- while peopl e may have been  
8 making the best of it, doing the best they could. They  
9 frankly say in print and in evidence it was a system  
10 that could never work and it is a posi tive thing.

11 A. I wouldn't be so negative in that I think an amazing  
12 amount was achi eved. I think of the 1,356 boys who  
13 went through there, we are talking about in terms of  
14 the Commi ssi on now, investi gation to a very small  
15 number of peopl e. Now, the probl em is that, you know,  
16 a lot of peopl e went through these insti tutions, went  
17 on and did well. Some didn't. The structures, it is  
18 very easy today to judge them with child care today and  
19 say, "look that was impossi ble." It was all that was  
20 there, it provi ded safety, educati on, care, shel ter and  
21 it is very easy to say it was inadequat e now, but it  
22 was the best that was availabl e.

23  
24 I think rather than blame the structure, that maybe  
25 peopl e I'm not saying here now is doing it, but rather  
26 than blame it to see was that the best that could be  
27 done at the time. I am inclined to think that given  
28 the l imi ted resources from government, given the  
29 inadequaci es of the social structure in Ireland at the

1 time that this, albeit inadequate, was the best that  
2 could be done. I would have to salute a lot of the  
3 Brothers who spent their life, and many of them many  
4 years of their life, in a very hard situation,  
5 providing a good education to boys and to starting them  
6 off on their life in a way that was as good as they  
7 could provide.

8 243 Q. THE CHAIRPERSON: The Kennedy Report has in  
9 its preface a little few  
10 lines which says every child needs care, support, love,  
11 affection, words to that effect. The clear implication  
12 from the Kennedy Report is that they weren't getting  
13 that in the industrial schools, would you agree with  
14 that?

15 A. I would agree that all the needs of children,  
16 particularly their emotional and psychological needs,  
17 were not met in the type of residential homes that were  
18 there, and couldn't be, couldn't be because of the  
19 nature of the institutions. I would say that is why,  
20 at the Kennedy Report, they were saying "look, this  
21 type of residential care now has to change and we have  
22 to put in place something that's greater now." But I  
23 would have to say that childcare today, I'm not sure  
24 how perfect it is. And I think people will judge in  
25 the future.

26 244 Q. THE CHAIRPERSON: Would you be satisfied --  
27 suppose somebody said, "it  
28 is clear that children were not getting those essential  
29 requirements in the industrial schools", or would you

1 say, "well, it is a bit more complicated than that"?

2 A. I think it is more complicated. Yeah, I think it is  
3 more complicated. Because, as I say, we would have  
4 past pupils who are saying, "look, we got what helped  
5 us live our lives and we are now grateful for what we  
6 received." There are a lot of those... (INTERJECTION)

7 245 Q. THE CHAIRPERSON: The sense I am getting from  
8 you is to say, "look, you  
9 have to bear" -- I am paraphrasing this, correct me if  
10 I am wrong. You are sort of saying, "look, you have to  
11 bear in mind that a lot of these unfortunate children  
12 might have ended up a lot worse?"

13 A. Yes.

14 246 Q. THE CHAIRPERSON: And I am wondering about --  
15 that's a point of view, you  
16 say, "look here, you have to live in the real world"?

17 A. Yeah.

18 247 Q. THE CHAIRPERSON: All right, so you say it is  
19 more complicated but  
20 nonetheless there is an element of truth or a lot of  
21 truth in what -- in the preface to the Kennedy Report  
22 in saying that children did not get that?

23 A. Yeah.

24 248 Q. THE CHAIRPERSON: All right. The Cussen  
25 Report in 1936 said that  
26 every children -- trust me on this, I try to remember  
27 it, it says that every child needs the feeling of being  
28 individual -- of individual attention and the feeling  
29 that the manager of the school knows and appreciates

1 the individual need. The fact that the child is an  
2 individual personality. I confess I was surprised to  
3 read that in 1936. I don't have the sense that that  
4 was true in the institution that we have investigated.

5 A. Yes, I think the only structure that would sort of give  
6 a nodding recognition of that was the fact that the  
7 Resident Manager was available for people to  
8 individually go to him. How often it happened but  
9 certainly he was there. I know of one Resident Manager  
10 who would systematically ensure that he talk to each  
11 individual. But, I mean, I think unfortunately unless  
12 the State... (INTERJECTION).

13 249 Q. THE CHAIRPERSON: I wouldn't hold to the  
14 Resident Manager, to be  
15 frank, I would be inclined to say, "Judge Cussen, that  
16 was setting the bar a bit high." If there was anybody.  
17 But I would still say I think they fall down on the  
18 basis, the 800 -- or in this case the nearly 200 in  
19 Letterfrack?

20 A. You see, I think it was very difficult to do that and I  
21 would say to the extent -- because you had to ensure a  
22 structure where boys were together. You couldn't let  
23 people off on their own. In fact, unfortunately the  
24 abuse happened when people were on a one-to-one basis.  
25 So it was a thin line between trying to keep a safe  
26 environment where there weren't in fact adults and  
27 children on a one-to-one basis and  
28 yet... (INTERJECTION).

29 250 Q. THE CHAIRPERSON: And yet there were children

1 among themselves?

2 A. Correct.

3 251 Q. THE CHAIRPERSON: Brother, that's why I am  
4 surprised to find you  
5 saying it was positive. I can understand the point  
6 about you saying, "comparatively speaking and live in  
7 the real world, please, Commission." That I can  
8 understand. But leaving that comparison aside, if we  
9 are looking at it objectively, I am wondering how there  
10 could be an opportunity for children to be individuals  
11 when they have to be shunted from there to there in a  
12 pack, supervised by somebody with an eagle eye to watch  
13 out?

14 A. Well, you see, yeah. It is an unrealistic expectation,  
15 it is an admirable expectation for Cussen to have a  
16 structure where children actually could get individual  
17 attention when there wasn't the sort of funding that  
18 needed to be put in place to ensure that that happened.  
19 The thing is you couldn't, in fact, let children be on  
20 their own either because they had to be in the same  
21 place, supervised by people. So it was, in a sense, an  
22 impossible set up really, that couldn't provide for the  
23 emotional need of children as we understand them. And  
24 indeed in Cussen's -- in his foresight had  
25 understood and in fact previous to that people in the  
26 English system had recognised that, in fact, that type  
27 of residential care was not in fact, or in the 1800's  
28 even, it was criticised.

29 252 Q. THE CHAIRPERSON: Yes. It wasn't indeed.

1 Had Judge Cussen really  
2 thought about it he should have realised the thing was  
3 impossible?

4 A. It was. In fact, I am amazed that the Kennedy Report  
5 was saying 1970, "Look, funding hadn't significantly  
6 increased since 1963." Now it had increased but just  
7 to keep pace with the cost of living and so on, but not  
8 to provide the sort of care that is subsequently now  
9 available.

10 253 Q. THE CHAIRPERSON: One last thing, I am sorry  
11 for detaining you so long.  
12 It is hard to resist the sense of -- not the conclusion  
13 but the impression that the institutions such as  
14 Letterfrack came to have a life of its own. That means  
15 nothing, I am sorry. Letterfrack had a need to get  
16 more boys?

17 A. Yeah.

18 254 Q. THE CHAIRPERSON: It couldn't exist if it  
19 dropped below a certain  
20 level. It was perhaps inevitable, I am not making a  
21 huge moral point, but the interests of the institution  
22 in getting boys in had priority over the interest of  
23 the boys. For instance, there is gratitude to the  
24 district justice in Dublin who is kind enough to  
25 realise the needs of Letterfrack and to send boys down  
26 there, which is all very well for Letterfrack, good  
27 luck to it, but the needs of the boys who were foddered  
28 down there doesn't get much of a mention?

29 A. No. No. I mean, I think the capitation system was

1           flawed whereas initially it may have been good when the  
2           numbers were up, when the numbers were going down it  
3           should have been changed and I am aware that in some --  
4           I think in one Sister's residential home, in the 1950's  
5           maybe, it was, in fact, a grant system rather than a  
6           capitation system. But certainly at that stage, the  
7           impact of ten boys leaving and no one coming literally  
8           impacted on the quality of provision for those --

9   255   Q.   THE CHAIRPERSON:                    For everybody?

10        A.   -- who were there. And it was obviously a shortsighted  
11        concern, "look, we have got to keep numbers up", when  
12        in fact the ideal thing was they were closed, there  
13        wasn't need for them. But unfortunately that wasn't  
14        the case.

15        THE CHAIRPERSON:                    Thank you very much indeed,  
16                                                    Br. Gibson.

17  
18        END OF FURTHER QUESTIONING OF BR. GIBSON BY THE  
19        COMMISSION

20  
21        THE CHAIRPERSON:                    All right. We will say  
22                                                    2.45 p.m.

23  
24        THE HEARING THEN CONCLUDED AT 1:54 P.M.

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'ember [3] - 50:21,  
51:22, 51:23

---

## 0

---

**00** [1] - 22:7  
**003/2** [1] - 25:24  
**005/1** [1] - 83:2  
**0067/10** [2] - 22:4,  
22:8  
**010/1** [1] - 44:24  
**0113/1** [3] - 19:16,  
19:18, 20:1  
**0115/1** [1] - 49:16  
**0124/1** [1] - 53:11  
**0129/1** [1] - 29:15  
**0129/2** [1] - 29:12  
**02** [1] - 83:2  
**020005/1** [1] - 82:24  
**020093/1** [2] - 83:4,  
83:7  
**066/10** [1] - 73:3  
**071/1** [1] - 65:5  
**075** [1] - 63:16  
**09** [1] - 66:11  
**09/1** [2] - 66:13,  
66:16  
**090/1** [1] - 66:17  
**094/4** [1] - 68:29

---

## 1

---

**1** [6] - 3:7, 43:4,  
48:22, 60:10, 63:8,  
72:29  
**1,356** [1] - 117:12  
**10:30** [1] - 86:4  
**12** [1] - 7:22  
**13** [1] - 63:12  
**1300** [1] - 111:11  
**133** [1] - 105:15  
**13th** [2] - 63:18,  
84:13  
**14** [1] - 6:18  
**14/98/72** [1] - 29:18  
**14th** [1] - 83:9  
**15** [2] - 44:13, 69:12  
**150** [1] - 113:6  
**154** [1] - 3:8  
**155** [1] - 3:10  
**15th** [1] - 84:29  
**165** [1] - 113:6  
**167** [1] - 3:10  
**168** [1] - 3:11  
**16th** [1] - 28:18  
**172** [2] - 63:9, 63:14  
**172-008/1** [1] - 43:5

**172-010/1** [1] - 44:23  
**172-056/1** [1] - 46:26  
**172-071/1** [1] - 65:4  
**172-075** [1] - 63:15  
**172-075/2** [2] - 63:7,  
63:10  
**172-090/1** [2] - 66:9,  
66:12  
**172/062-1** [1] - 47:10  
**172022/1** [2] - 48:6,  
48:8  
**172064/1** [1] - 48:19  
**18** [1] - 72:19  
**1800's** [3] - 29:3,  
30:12, 121:27  
**1874** [1] - 112:20  
**19/11/40** [1] - 22:16  
**190** [3] - 80:12,  
80:15, 113:7  
**1929** [1] - 83:15  
**1930** [1] - 83:9  
**1930's** [1] - 95:8  
**1932** [2] - 82:25,  
83:25  
**1935** [2] - 56:4, 76:16  
**1936** [7] - 23:25,  
72:3, 82:2, 95:8,  
99:29, 119:25, 120:3  
**1939** [1] - 98:3  
**1940** [4] - 22:16,  
49:1, 52:2, 52:5  
**1940's** [14] - 32:12,  
35:28, 38:15, 46:4,  
47:14, 55:7, 82:12,  
94:3, 94:20, 94:22,  
95:3, 96:2, 96:11,  
113:8  
**1940's** [1] - 36:22  
**1941** [1] - 47:25  
**1942** [4] - 43:5, 49:7,  
84:13, 84:29  
**1943** [1] - 44:24  
**1944** [2] - 44:19,  
44:25  
**1945** [1] - 45:12  
**1946** [2] - 46:12,  
74:29  
**1947** [1] - 46:12  
**1948** [1] - 49:10  
**1950** [1] - 100:1  
**1950's** [14] - 32:12,  
48:3, 55:7, 73:29,  
79:21, 90:13, 94:21,  
94:22, 95:4, 96:2,  
96:12, 108:21, 113:8,  
123:4  
**1951** [4] - 46:14,  
46:21, 48:9, 48:16  
**1953** [1] - 76:18  
**1954** [2] - 65:12,

70:16  
**1959** [7] - 46:26,  
46:28, 47:7, 49:19,  
49:27, 50:12, 55:15  
**1960** [2] - 55:19, 57:2  
**1960's** [17] - 31:1,  
32:12, 33:11, 33:23,  
33:24, 34:28, 47:14,  
49:2, 55:7, 65:1,  
82:12, 90:14, 94:21,  
94:23, 96:2, 96:12,  
104:12  
**1961** [3] - 47:10,  
47:12, 54:2  
**1962** [5] - 25:17,  
48:17, 48:19, 48:23,  
99:1  
**1963** [9] - 63:12,  
63:19, 64:2, 64:20,  
65:20, 67:25, 77:17,  
100:19, 122:6  
**1964** [4] - 48:28,  
66:7, 100:9, 100:18  
**1965** [1] - 66:7  
**1966** [4] - 16:29,  
21:23, 66:7, 100:18  
**1967** [2] - 66:8, 70:24  
**1968** [1] - 70:24  
**1969** [2] - 71:7, 76:16  
**1970** [9] - 66:14,  
66:23, 67:27, 68:20,  
68:21, 70:27, 100:27,  
101:4, 122:5  
**1970's** [11] - 31:2,  
31:10, 31:13, 68:27,  
70:26, 94:22, 95:26,  
98:8, 98:24, 109:26  
**1972** [5] - 28:16,  
29:11, 30:11, 30:29,  
32:7  
**1972-066/10** [1] -  
72:28  
**1973** [1] - 98:3  
**198-006** [1] - 74:3  
**1990's** [2] - 40:7,  
81:2  
**1998** [2] - 36:25,  
37:17  
**19th** [1] - 82:25  
**1:54** [1] - 123:24

---

## 2

---

**2** [1] - 24:18, 29:15,  
29:21, 30:3, 49:15,  
53:10, 60:10, 63:17,  
83:1  
**2.45** [1] - 123:22  
**20** [3] - 65:16, 70:11,  
116:7

**200** [2] - 115:29,  
120:18  
**2000** [1] - 86:22  
**2006** [2] - 1:11, 4:2  
**203** [2] - 25:13, 25:15  
**216** [1] - 3:11  
**217** [1] - 3:13  
**219a** [1] - 1:11  
**22nd** [3] - 1:11, 4:1,  
49:19  
**23** [3] - 20:13, 56:15,  
57:1  
**23/10/1956** [1] -  
19:23  
**23/10/56** [1] - 20:7  
**23/12/1960** [1] - 56:6  
**23rd** [2] - 66:23,  
68:21  
**24/8/1960** [1] - 53:13  
**25** [1] - 38:12  
**255** [1] - 3:13  
**26** [1] - 6:17  
**285/114** [1] - 76:14

---

## 3

---

**3** [2] - 3:7, 37:15  
**30** [1] - 116:7  
**31/8/43** [1] - 43:10  
**311** [1] - 105:15  
**35** [2] - 21:9, 42:14

---

## 4

---

**4** [3] - 1:7, 3:8, 76:13  
**40** [2] - 51:6, 116:8  
**40-year** [1] - 36:28  
**41** [1] - 21:9  
**449** [6] - 7:22, 37:22,  
38:25, 40:29, 41:22,  
111:7  
**4th** [2] - 76:18, 77:17

---

## 5

---

**5** [1] - 25:16  
**500** [1] - 116:17

---

## 6

---

**6** [1] - 81:23  
**6%** [2] - 81:3, 81:5  
**60** [4] - 44:8, 51:5,  
52:21, 68:6  
**600** [1] - 116:17  
**63** [1] - 48:25  
**64** [1] - 48:24  
**65** [1] - 73:3  
**6:30** [2] - 56:7, 57:1

**6th** [2] - 21:27, 66:5

---

## 7

---

**70** [2] - 52:21, 68:6  
**700** [1] - 116:17  
**71** [1] - 71:17  
**72** [1] - 71:22

---

## 8

---

**8** [1] - 46:28  
**800** [1] - 120:18  
**83** [1] - 28:18  
**88** [1] - 77:16  
**89** [2] - 66:9, 66:12

---

## 9

---

**90** [1] - 112:22  
**92** [1] - 78:29  
**93** [1] - 110:9  
**95** [1] - 65:12  
**98** [1] - 55:14  
**99** [2] - 56:5, 62:26

---

## A

---

**a...(interjection)** [1] -  
14:13  
**abandonment** [1] -  
113:3  
**abhorrent** [1] - 39:23  
**ability** [1] - 58:29  
**able** [9] - 5:23, 17:6,  
21:13, 27:29, 31:9,  
60:22, 70:25, 76:9,  
111:20  
**abominable** [1] -  
54:17  
**above-named** [1] -  
1:31  
**absconding** [1] -  
17:8  
**absence** [1] - 50:22  
**absolutely** [4] - 36:9,  
53:25, 100:10, 106:9  
**abuse** [49] - 7:8,  
8:14, 8:15, 8:26,  
13:10, 13:11, 35:26,  
35:27, 36:1, 36:15,  
36:23, 36:29, 37:3,  
37:7, 37:11, 38:16,  
38:28, 39:1, 39:10,  
39:17, 39:18, 40:18,  
40:21, 40:22, 42:17,  
57:25, 75:15, 76:6,  
79:2, 79:9, 79:23,  
79:27, 80:28, 81:6,

81:7, 81:17, 81:20,  
81:24, 82:12, 82:17,  
96:17, 103:14, 104:1,  
116:14, 120:24  
**Abuse**<sup>[1]</sup> - 1:2  
**abused**<sup>[5]</sup> - 36:26,  
39:22, 81:4, 81:11,  
86:25  
**abusing**<sup>[1]</sup> - 39:6  
**abysmal**<sup>[1]</sup> - 54:21  
**Ac**<sup>[1]</sup> - 83:1  
**academic**<sup>[1]</sup> - 68:4  
**Acb**<sup>[4]</sup> - 82:24, 83:2,  
83:4, 83:7  
**accept**<sup>[15]</sup> - 9:29,  
10:5, 22:27, 23:3,  
24:27, 25:10, 31:20,  
31:22, 37:2, 39:17,  
40:5, 61:9, 82:14,  
97:10, 106:25  
**acceptable**<sup>[2]</sup> -  
57:8, 57:10  
**accepted**<sup>[4]</sup> - 12:1,  
14:9, 62:11, 105:21  
**access**<sup>[2]</sup> - 80:13,  
89:11  
**accessibility**<sup>[1]</sup> -  
80:14  
**accidentally**<sup>[1]</sup> -  
44:2  
**accommodation**<sup>[1]</sup>  
- 53:22  
**accordance**<sup>[1]</sup> -  
58:25  
**according**<sup>[1]</sup> - 67:27  
**account**<sup>[2]</sup> - 72:14,  
107:14  
**accumulation**<sup>[1]</sup> -  
38:13  
**accurate**<sup>[2]</sup> - 1:30,  
90:2  
**accused**<sup>[4]</sup> - 19:6,  
31:11, 38:28, 42:16  
**achieved**<sup>[4]</sup> - 16:10,  
68:9, 88:22, 117:12  
**achievements**<sup>[1]</sup> -  
87:2  
**acknowledge**<sup>[1]</sup> -  
15:11  
**act**<sup>[2]</sup> - 12:13, 57:26  
**Act**<sup>[2]</sup> - 12:26, 13:2  
**acted**<sup>[2]</sup> - 79:9, 90:8  
**acting**<sup>[2]</sup> - 58:20,  
60:11  
**action**<sup>[3]</sup> - 1:31,  
54:6, 54:20  
**activity**<sup>[1]</sup> - 95:27  
**acts**<sup>[1]</sup> - 77:3  
**actual**<sup>[5]</sup> - 16:9,  
17:19, 19:7, 22:16,  
58:25  
**adapt**<sup>[1]</sup> - 99:5  
**add**<sup>[1]</sup> - 53:21  
**addition**<sup>[1]</sup> - 55:27  
**additional**<sup>[2]</sup> - 26:6,  
69:18  
**address**<sup>[3]</sup> - 57:18,  
93:15, 93:27  
**addressed**<sup>[2]</sup> -  
83:10, 93:29  
**addressing**<sup>[1]</sup> -  
98:11  
**adequate**<sup>[5]</sup> - 52:22,  
53:5, 73:17, 93:21,  
102:8  
**adequately**<sup>[1]</sup> - 33:5  
**adhered**<sup>[1]</sup> - 77:4  
**admirable**<sup>[1]</sup> -  
121:15  
**admitted**<sup>[1]</sup> - 21:9  
**adolescent**<sup>[1]</sup> - 74:6  
**adopted**<sup>[1]</sup> - 4:15  
**adults**<sup>[3]</sup> - 81:4,  
115:19, 120:26  
**advance**<sup>[4]</sup> - 5:4,  
5:12, 5:21, 21:4  
**adverted**<sup>[1]</sup> - 97:8  
**advice**<sup>[2]</sup> - 71:24,  
71:27  
**advisors**<sup>[1]</sup> - 40:9  
**advisory**<sup>[2]</sup> - 40:7,  
40:11  
**affairs**<sup>[1]</sup> - 91:14  
**affect**<sup>[1]</sup> - 12:25  
**affection**<sup>[1]</sup> - 118:11  
**afresh**<sup>[1]</sup> - 68:4  
**aftercare**<sup>[5]</sup> - 72:4,  
72:6, 72:25, 73:4,  
73:10  
**afternoon**<sup>[1]</sup> - 24:7  
**afterwards**<sup>[1]</sup> -  
24:22  
**age**<sup>[4]</sup> - 17:1, 26:1,  
34:4, 69:13  
**ages**<sup>[1]</sup> - 69:9  
**aggression**<sup>[1]</sup> -  
109:9  
**ago**<sup>[10]</sup> - 21:2, 21:6,  
35:15, 44:8, 48:22,  
51:6, 65:15, 87:11,  
92:10  
**agree**<sup>[8]</sup> - 13:8,  
34:1, 34:7, 60:4,  
115:15, 118:13,  
118:15  
**agreed**<sup>[1]</sup> - 63:28  
**agricultural**<sup>[3]</sup> -  
24:15, 73:29, 102:25  
**alarmed**<sup>[1]</sup> - 42:12  
**albeit**<sup>[2]</sup> - 60:11,  
118:1  
**algebra**<sup>[2]</sup> - 26:5,  
26:17  
**allegation**<sup>[4]</sup> -  
51:16, 103:23, 107:2,  
107:5  
**allegations**<sup>[5]</sup> -  
9:28, 37:11, 40:3,  
87:25, 105:5  
**allocation**<sup>[2]</sup> - 97:5,  
101:5  
**allow**<sup>[1]</sup> - 57:18  
**allowed**<sup>[1]</sup> - 58:23  
**almost**<sup>[3]</sup> - 52:18,  
66:26, 98:3  
**Almost**<sup>[1]</sup> - 45:4  
**alone**<sup>[3]</sup> - 115:9,  
115:14  
**alphabet**<sup>[1]</sup> - 21:11  
**alterations**<sup>[1]</sup> - 54:3  
**altered**<sup>[1]</sup> - 21:6  
**alternative**<sup>[1]</sup> -  
58:17  
**amazed**<sup>[1]</sup> - 122:4  
**amazing**<sup>[3]</sup> - 32:1,  
73:11, 117:11  
**amicus**<sup>[4]</sup> - 57:27,  
58:20, 60:11  
**amount**<sup>[5]</sup> - 27:13,  
35:22, 55:13, 73:11,  
117:12  
**Ample**<sup>[1]</sup> - 43:13  
**ample**<sup>[2]</sup> - 53:6,  
114:22  
**analogous**<sup>[1]</sup> -  
57:27  
**analysis**<sup>[2]</sup> - 4:19,  
16:18  
**anecdotally**<sup>[1]</sup> -  
42:3  
**annals**<sup>[3]</sup> - 76:15,  
77:8, 78:2  
**announcement**<sup>[1]</sup> -  
7:19  
**answer**<sup>[6]</sup> - 39:20,  
73:28, 87:21, 94:27,  
107:3, 109:13  
**answers**<sup>[2]</sup> - 18:4,  
111:24  
**Anyway**<sup>[3]</sup> - 20:2,  
62:22, 83:8  
**apologia**<sup>[1]</sup> - 31:16  
**apologise**<sup>[2]</sup> -  
11:14, 92:27  
**apology**<sup>[5]</sup> - 7:19,  
36:25, 37:17, 37:20,  
41:1  
**appalling**<sup>[2]</sup> - 53:26,  
61:16  
**appear**<sup>[7]</sup> - 5:10,  
27:6, 51:25, 64:20,  
77:20, 77:21, 105:24  
**appeared**<sup>[1]</sup> - 53:7  
**appellant**<sup>[1]</sup> - 2:26  
**application**<sup>[1]</sup> -  
65:14  
**applied**<sup>[2]</sup> - 38:8,  
111:26  
**apply**<sup>[1]</sup> - 21:1  
**applying**<sup>[1]</sup> - 83:29  
**appointed**<sup>[1]</sup> - 63:25  
**appointment**<sup>[1]</sup> -  
73:7  
**appreciate**<sup>[1]</sup> - 12:6  
**appreciates**<sup>[1]</sup> -  
119:29  
**apprenticeship**<sup>[1]</sup> -  
24:23  
**apprenticeships**<sup>[1]</sup>  
- 24:23  
**approach**<sup>[2]</sup> - 60:10,  
99:11  
**appropriate**<sup>[2]</sup> -  
10:17, 59:24  
**April**<sup>[1]</sup> - 83:9  
**archives**<sup>[1]</sup> - 104:13  
**area**<sup>[9]</sup> - 15:18,  
23:28, 62:20, 62:21,  
75:14, 75:25, 89:29,  
112:15, 116:14  
**areas**<sup>[10]</sup> - 7:5,  
75:11, 75:26, 79:6,  
89:27, 97:29, 105:22,  
115:3  
**arise**<sup>[5]</sup> - 29:5, 63:3,  
83:17, 105:9, 112:10  
**arisen**<sup>[2]</sup> - 22:10,  
106:17  
**arises**<sup>[6]</sup> - 26:27,  
29:11, 43:18, 47:24,  
76:6, 105:2  
**arising**<sup>[2]</sup> - 12:12,  
65:21  
**arithmetic**<sup>[3]</sup> - 26:5,  
26:10, 26:17  
**arose**<sup>[4]</sup> - 5:1, 7:11,  
35:10, 78:6  
**arrangements**<sup>[4]</sup> -  
50:24, 73:13, 88:16,  
89:1  
**arrived**<sup>[5]</sup> - 17:9,  
27:21, 32:14, 34:20,  
66:5  
**arson**<sup>[1]</sup> - 31:11  
**art**<sup>[1]</sup> - 69:4  
**Artane**<sup>[12]</sup> - 4:13,  
29:1, 30:13, 71:19,  
71:23, 72:26, 76:8,  
76:12, 76:16, 77:24,  
106:1, 111:15  
**articles**<sup>[1]</sup> - 57:26  
**ashamed**<sup>[1]</sup> - 84:20  
**aside**<sup>[2]</sup> - 23:14,  
121:8  
**aspect**<sup>[2]</sup> - 90:25,  
90:26  
**aspects**<sup>[3]</sup> - 88:7,  
89:10, 116:13  
**assault**<sup>[1]</sup> - 31:12  
**assaulted**<sup>[1]</sup> - 83:16  
**assess**<sup>[1]</sup> - 68:4  
**assiduous**<sup>[1]</sup> -  
97:25  
**assisting**<sup>[1]</sup> - 88:18  
**Association**<sup>[1]</sup> -  
99:29  
**assume**<sup>[1]</sup> - 113:8  
**atmosphere**<sup>[3]</sup> -  
96:7, 96:13, 114:17  
**attached**<sup>[1]</sup> - 45:15  
**attainment**<sup>[1]</sup> -  
25:29  
**attend**<sup>[1]</sup> - 8:2  
**attendance**<sup>[1]</sup> -  
20:25  
**attended**<sup>[1]</sup> - 6:14  
**attention**<sup>[15]</sup> - 5:1,  
26:1, 36:2, 36:24,  
37:25, 45:9, 68:3,  
69:28, 74:22, 76:28,  
103:21, 107:1,  
107:17, 119:28,  
121:17  
**attentive**<sup>[1]</sup> - 66:28  
**attested**<sup>[1]</sup> - 32:3  
**August**<sup>[4]</sup> - 48:23,  
70:26, 82:25, 83:25  
**author**<sup>[2]</sup> - 28:15,  
30:19  
**Authorities**<sup>[1]</sup> -  
100:20  
**authorities**<sup>[11]</sup> -  
36:2, 36:4, 41:13,  
54:7, 82:23, 83:17,  
84:9, 85:11, 99:24,  
103:22, 104:15  
**authority**<sup>[1]</sup> - 84:15  
**Authority**<sup>[1]</sup> -  
100:23  
**available**<sup>[14]</sup> -  
31:27, 31:28, 33:1,  
47:2, 53:23, 63:26,  
79:18, 99:8, 99:15,  
99:16, 101:8, 117:22,  
120:7, 122:9  
**average**<sup>[9]</sup> - 16:22,  
20:24, 21:3, 27:18,  
27:19, 28:4, 34:4,  
69:9, 105:24  
**avoid**<sup>[1]</sup> - 22:21

**awaits** [1] - 84:4  
**aware** [19] - 17:12,  
26:19, 32:26, 38:22,  
63:22, 69:14, 71:9,  
71:14, 79:20, 79:22,  
80:22, 84:9, 85:12,  
90:9, 97:22, 98:1,  
104:17, 116:21, 123:3  
**awful** [1] - 29:3  
**awkward** [4] - 28:23,  
29:24, 30:6, 30:28

---

## B

---

**background** [1] -  
25:27  
**backgrounds** [1] -  
105:23  
**bad** [9] - 45:19,  
46:24, 52:23, 54:6,  
55:6, 60:17, 60:28,  
70:2, 115:6  
**badly** [1] - 97:7  
**baker** [1] - 82:2  
**balance** [1] - 38:19  
**balanced** [2] - 43:13,  
59:3  
**Ballsbridge** [1] - 1:7  
**bar** [1] - 120:16  
**base** [1] - 49:3  
**based** [2] - 6:11,  
14:1  
**basis** [18] - 11:7,  
14:1, 14:3, 16:2,  
16:17, 16:20, 22:13,  
27:17, 28:4, 51:1,  
62:5, 80:20, 88:14,  
88:17, 97:25, 120:18,  
120:24, 120:27  
**bathroom** [1] - 54:4  
**bear** [2] - 119:9,  
119:11  
**beat** [1] - 76:27  
**beaten** [1] - 8:25  
**beatings** [1] - 8:18  
**become** [2] - 21:7,  
101:19  
**bed** [1] - 76:26  
**began** [1] - 40:8  
**beginning** [2] -  
95:16, 99:10  
**begun** [1] - 55:15  
**behalf** [4] - 4:8, 7:1,  
107:23, 117:1  
**behind** [5] - 44:3,  
69:4, 69:9, 70:1, 70:2  
**belief** [3] - 103:27,  
105:12  
**below** [4] - 21:3,  
25:29, 28:3, 122:19

**benefit** [4] - 26:9,  
27:29, 57:28, 69:22  
**benefited** [1] - 69:20  
**beside** [4] - 18:3,  
87:21, 107:2, 110:19  
**best** [19] - 5:12,  
19:12, 21:3, 58:29,  
62:16, 67:11, 67:11,  
70:29, 71:26, 95:7,  
115:7, 116:23,  
116:24, 117:8,  
117:22, 117:26, 118:1  
**better** [9] - 5:20,  
18:19, 27:29, 31:8,  
46:8, 49:1, 52:14,  
105:24, 108:23  
**between** [11] - 22:10,  
33:13, 34:15, 34:21,  
45:18, 92:20, 96:20,  
102:5, 108:19, 116:3,  
120:25  
**big** [4] - 13:18, 38:5,  
65:11, 106:29  
**Bishop** [2] - 84:20,  
110:25  
**bit** [14] - 11:22, 12:7,  
13:16, 13:17, 20:22,  
29:27, 34:17, 35:29,  
71:13, 75:9, 115:5,  
115:6, 119:1, 120:16  
**bits** [1] - 27:8  
**Bl** [3] - 2:8, 2:12, 2:21  
**black** [2] - 43:18,  
60:16  
**blame** [2] - 117:24,  
117:26  
**Blank** [6] - 22:20,  
22:21, 22:21, 22:22,  
50:3, 50:19  
**blow** [1] - 43:20  
**blue** [1] - 105:14  
**Board** [4] - 7:27, 8:3,  
41:2, 42:2  
**bodies** [1] - 102:13  
**body** [3] - 5:18, 5:19,  
102:15  
**bog** [1] - 67:20  
**book** [6] - 25:15,  
25:16, 66:10, 66:12,  
82:27, 82:28  
**books** [1] - 89:16  
**boot** [4] - 63:24,  
63:25, 67:8, 67:22  
**Boosterstown** [3] -  
83:27, 84:12, 85:1  
**born** [2] - 33:3, 46:4  
**borne** [1] - 35:20  
**bottom** [4] - 19:24,  
19:29, 43:28, 78:1  
**boy** [20] - 22:20,

25:6, 25:27, 36:26,  
43:18, 44:2, 52:9,  
65:12, 72:10, 72:13,  
80:19, 81:13, 84:5,  
87:21, 100:11, 107:6,  
116:4  
**Boys** [1] - 56:8  
**boys** [118] - 8:17,  
17:1, 20:24, 20:29,  
21:2, 21:9, 21:10,  
21:11, 22:2, 22:12,  
22:21, 22:22, 22:23,  
22:23, 22:28, 23:5,  
23:13, 23:17, 24:1,  
24:7, 24:9, 25:5, 26:8,  
33:22, 49:14, 49:29,  
50:5, 50:20, 50:22,  
53:18, 55:28, 55:29,  
56:12, 56:14, 56:17,  
56:18, 56:29, 58:15,  
63:23, 65:14, 65:16,  
65:17, 65:27, 67:7,  
67:10, 67:19, 68:2,  
68:6, 68:15, 68:22,  
69:20, 71:15, 71:24,  
72:2, 72:23, 73:26,  
74:4, 74:13, 74:17,  
74:18, 76:26, 76:29,  
79:8, 79:18, 79:21,  
79:24, 80:12, 80:20,  
80:29, 83:13, 84:17,  
87:10, 87:13, 87:25,  
88:28, 89:3, 89:12,  
89:15, 92:11, 94:11,  
98:2, 101:26, 102:24,  
102:29, 105:22,  
105:25, 107:3,  
108:11, 108:13,  
108:17, 108:28,  
109:3, 109:5, 109:9,  
111:11, 111:26,  
114:11, 114:16,  
114:18, 114:22,  
115:29, 116:3, 116:7,  
116:8, 116:9, 116:17,  
117:12, 118:5,  
120:22, 122:16,  
122:22, 122:23,  
122:25, 122:27, 123:7  
**Br** [57] - 1:13, 3:6,  
4:7, 4:21, 4:26, 5:6,  
6:6, 6:9, 6:22, 6:25,  
15:11, 22:20, 22:21,  
22:21, 30:2, 33:10,  
49:18, 49:19, 49:20,  
49:28, 50:3, 50:19,  
51:17, 53:13, 53:14,  
54:7, 54:18, 55:12,  
55:20, 58:12, 58:29,  
60:18, 60:21, 60:27,  
66:25, 71:23, 75:23,

76:2, 78:16, 78:22,  
78:24, 78:28, 85:22,  
86:3, 86:5, 86:9,  
86:16, 92:20, 104:25,  
104:27, 107:26,  
108:6, 114:24,  
116:28, 123:16,  
123:18  
**breach** [1] - 11:12  
**bread** [1] - 50:5  
**breaking** [1] - 86:9  
**brief** [2] - 8:29, 57:18  
**briefly** [2] - 89:4,  
111:6  
**bright** [1] - 114:16  
**brilliantly** [1] - 21:18  
**bring** [5] - 9:14, 17:6,  
41:15, 77:2, 110:29  
**broad** [2] - 10:12,  
10:20  
**brother** [1] - 89:12  
**Brother** [35] - 18:3,  
19:22, 20:3, 20:13,  
23:7, 31:16, 32:5,  
32:11, 32:23, 35:25,  
40:13, 41:16, 44:1,  
50:27, 51:16, 52:10,  
71:8, 75:10, 76:12,  
76:25, 76:26, 76:28,  
76:28, 77:6, 84:4,  
84:13, 84:22, 84:24,  
85:1, 87:20, 90:10,  
103:22, 104:3,  
111:20, 121:3  
**brothers** [1] - 29:22  
**Brothers** [84] - 2:12,  
4:9, 4:11, 4:23, 8:20,  
19:15, 20:8, 21:4,  
22:10, 27:21, 27:24,  
28:21, 28:22, 28:24,  
29:23, 30:4, 30:5,  
30:7, 30:17, 30:23,  
31:2, 31:6, 31:22,  
32:1, 33:11, 33:25,  
34:4, 35:14, 36:24,  
37:16, 38:27, 39:6,  
40:2, 40:27, 41:9,  
42:7, 42:25, 43:20,  
55:25, 56:8, 66:28,  
69:14, 69:23, 70:29,  
71:4, 72:3, 72:15,  
72:26, 76:9, 76:16,  
76:29, 77:5, 83:18,  
84:2, 85:4, 89:12,  
91:17, 91:20, 91:21,  
92:13, 96:3, 97:20,  
98:9, 98:20, 101:25,  
103:22, 104:12,  
104:21, 107:2, 109:2,  
109:11, 109:17,

109:24, 110:9,  
110:23, 111:14,  
111:27, 113:14,  
113:18, 113:19,  
114:11, 115:14,  
117:1, 118:3  
**Brothers'** [2] - 17:6,  
112:2  
**brought** [14] - 7:16,  
9:15, 9:16, 9:19, 9:20,  
21:6, 25:5, 40:11,  
40:12, 45:9, 64:18,  
73:23, 91:28, 103:21  
**building** [4] - 53:22,  
56:23, 56:25, 99:26  
**buildings** [8] - 7:6,  
54:1, 55:5, 55:26,  
91:1, 92:12, 93:19,  
101:23  
**bullying** [1] - 116:14  
**burden** [1] - 33:19  
**business** [1] - 5:7  
**buy** [1] - 46:1  
**buying** [1] - 67:18  
**buys** [1] - 67:3

---

## C

---

**Cabra** [4] - 52:1,  
52:6, 52:9, 52:14  
**calibrated** [1] - 61:4  
**camp** [1] - 8:12  
**campaign** [1] - 57:11  
**Canada** [1] - 84:2  
**cannot** [3] - 5:21,  
26:15, 40:23  
**canvass** [1] - 57:27  
**canvassed** [3] -  
57:22, 58:11, 58:12  
**capacity** [2] - 57:26,  
58:20  
**capita** [1] - 101:14  
**capitation** [4] -  
90:18, 102:20,  
122:29, 123:6  
**care** [19] - 17:5,  
28:25, 30:8, 32:2,  
49:13, 55:1, 60:15,  
69:25, 71:22, 96:8,  
98:28, 113:27,  
113:28, 117:20,  
118:10, 118:21,  
121:27, 122:8  
**cared** [5] - 45:25,  
49:5, 49:9, 49:14,  
96:13  
**careful** [3] - 7:9,  
38:11, 114:16  
**carefully** [2] - 53:2,  
90:3

**Carnagh**<sup>[1]</sup> - 63:19  
**carried**<sup>[2]</sup> - 66:23, 91:11  
**Carriglea**<sup>[4]</sup> - 4:14, 110:18, 110:21, 110:22  
**case**<sup>[14]</sup> - 5:23, 18:7, 22:15, 51:14, 63:27, 76:17, 77:22, 83:21, 88:29, 99:6, 103:6, 104:1, 120:18, 123:14  
**cases**<sup>[13]</sup> - 11:3, 18:23, 20:25, 36:22, 38:18, 42:18, 42:19, 83:15, 101:12, 101:14, 103:25, 104:2, 104:3  
**catchment**<sup>[1]</sup> - 112:15  
**categories**<sup>[1]</sup> - 95:23  
**caused**<sup>[2]</sup> - 7:22, 41:23  
**Cb**<sup>[2]</sup> - 29:14, 63:22  
**Cbart**<sup>[1]</sup> - 76:13  
**Cblfr**<sup>[5]</sup> - 19:16, 22:6, 29:12, 29:15, 53:11  
**cease**<sup>[1]</sup> - 76:27  
**cement**<sup>[1]</sup> - 56:9  
**central**<sup>[3]</sup> - 54:5, 67:4, 67:20  
**Centre**<sup>[2]</sup> - 63:13, 63:18  
**centre**<sup>[2]</sup> - 63:23, 105:20  
**Cert**<sup>[4]</sup> - 17:17, 24:10, 26:16, 35:4  
**certain**<sup>[6]</sup> - 52:7, 57:20, 83:20, 83:21, 106:10, 122:19  
**certainly**<sup>[30]</sup> - 5:17, 10:25, 17:29, 30:28, 31:28, 37:13, 42:24, 51:25, 52:7, 54:16, 57:6, 64:2, 64:20, 67:14, 71:9, 71:29, 72:1, 73:20, 75:4, 75:24, 78:4, 85:17, 95:2, 95:14, 104:6, 109:26, 111:16, 114:9, 120:9, 123:6  
**Certainly**<sup>[4]</sup> - 72:28, 104:12, 106:9, 109:27  
**Certificate**<sup>[18]</sup> - 16:6, 16:10, 16:19, 17:14, 17:23, 18:2, 18:10, 21:14, 21:18, 26:8, 65:26, 65:29, 87:2, 87:5, 87:26, 105:6, 106:6, 107:4  
**certificate**<sup>[1]</sup> - 17:10  
**Certificates**<sup>[2]</sup> - 106:12, 106:26  
**certified**<sup>[1]</sup> - 113:6  
**certify**<sup>[1]</sup> - 1:29  
**Certs**<sup>[1]</sup> - 105:26  
**Chairman**<sup>[12]</sup> - 4:5, 11:4, 12:14, 15:24, 19:25, 53:9, 61:29, 62:24, 74:21, 75:14, 75:27, 104:29  
**Chairperson**<sup>[99]</sup> - 1:18, 4:4, 4:27, 5:8, 5:15, 11:16, 11:21, 12:4, 12:15, 12:22, 12:28, 13:5, 14:6, 14:11, 14:16, 14:21, 19:19, 19:26, 20:2, 20:10, 20:16, 23:7, 24:12, 29:26, 33:10, 33:15, 33:18, 33:22, 33:24, 34:2, 34:7, 34:11, 34:23, 52:9, 59:6, 61:21, 62:2, 62:13, 62:18, 64:13, 74:26, 75:3, 75:9, 75:19, 78:18, 85:27, 86:1, 86:11, 88:11, 91:6, 91:14, 91:16, 91:29, 92:16, 92:22, 93:3, 93:7, 105:7, 106:14, 106:18, 107:9, 107:29, 108:2, 110:12, 111:20, 111:23, 111:29, 112:4, 112:9, 112:13, 112:18, 112:25, 113:1, 113:5, 113:12, 113:16, 113:23, 114:8, 114:24, 115:1, 115:25, 116:5, 116:15, 116:28, 118:8, 118:26, 119:7, 119:14, 119:18, 119:24, 120:13, 120:29, 121:3, 121:29, 122:10, 122:18, 123:9, 123:15, 123:21  
**chairs**<sup>[1]</sup> - 55:18  
**challenge**<sup>[1]</sup> - 12:18  
**chance**<sup>[2]</sup> - 5:11, 74:9  
**change**<sup>[13]</sup> - 21:2, 21:5, 27:13, 50:24, 54:17, 70:15, 71:5, 71:6, 71:9, 71:10, 99:4, 100:19, 118:21  
**changed**<sup>[5]</sup> - 27:16, 46:2, 49:11, 69:17, 123:3  
**changes**<sup>[3]</sup> - 28:24, 30:7, 70:20  
**changing**<sup>[1]</sup> - 72:14  
**chapter**<sup>[1]</sup> - 77:3  
**charge**<sup>[3]</sup> - 84:4, 100:28, 116:18  
**chart**<sup>[1]</sup> - 105:19  
**chat**<sup>[1]</sup> - 80:19  
**check**<sup>[5]</sup> - 29:8, 29:10, 33:25, 35:15, 50:4  
**checked**<sup>[2]</sup> - 17:28, 21:21  
**cheerful**<sup>[1]</sup> - 114:16  
**cheery**<sup>[1]</sup> - 114:22  
**child**<sup>[15]</sup> - 26:2, 42:17, 61:13, 95:2, 97:10, 97:11, 103:14, 104:1, 112:25, 113:3, 114:4, 114:7, 118:10, 119:27, 120:1  
**Child**<sup>[1]</sup> - 1:2  
**child's**<sup>[1]</sup> - 112:13  
**childcare**<sup>[12]</sup> - 31:1, 31:4, 31:8, 31:25, 88:5, 88:6, 88:8, 94:20, 94:26, 116:3, 117:18, 118:23  
**children**<sup>[52]</sup> - 16:3, 16:15, 16:27, 17:7, 18:16, 31:9, 31:27, 34:25, 45:25, 49:4, 49:9, 49:10, 53:7, 55:1, 57:12, 58:9, 63:4, 80:12, 86:25, 93:12, 94:29, 95:1, 95:17, 95:22, 95:23, 95:29, 96:1, 96:13, 97:27, 98:11, 98:12, 98:29, 99:11, 99:25, 100:22, 112:15, 113:9, 113:28, 114:2, 115:11, 118:15, 118:28, 119:11, 119:22, 119:26, 120:27, 120:29, 121:10, 121:16, 121:19, 121:23  
**chosen**<sup>[1]</sup> - 108:25  
**Christian**<sup>[19]</sup> - 2:12, 4:9, 4:11, 4:22, 19:15, 20:8, 35:25, 37:16, 41:8, 76:9, 76:12, 76:15, 83:18, 96:3, 97:20, 103:22, 104:21, 111:14, 115:14  
**chronological**<sup>[1]</sup> - 69:9  
**circumstances**<sup>[2]</sup> - 62:11, 116:25  
**city**<sup>[1]</sup> - 67:7  
**civil**<sup>[2]</sup> - 83:17, 85:6  
**claim**<sup>[1]</sup> - 100:20  
**clarify**<sup>[1]</sup> - 82:4  
**class**<sup>[11]</sup> - 20:27, 20:28, 21:27, 22:2, 26:6, 43:21, 44:2, 66:5, 70:1, 80:18  
**classes**<sup>[1]</sup> - 89:18  
**classroom**<sup>[2]</sup> - 25:6, 27:29  
**classrooms**<sup>[1]</sup> - 70:12  
**clean**<sup>[1]</sup> - 49:10  
**clear**<sup>[10]</sup> - 12:5, 13:2, 36:9, 36:18, 53:1, 62:7, 77:25, 87:5, 118:11, 118:28  
**clearly**<sup>[5]</sup> - 11:4, 36:25, 81:12, 85:10, 85:17  
**client**<sup>[2]</sup> - 62:8  
**Clifden**<sup>[1]</sup> - 53:18  
**clogs**<sup>[2]</sup> - 44:26, 45:15  
**close**<sup>[1]</sup> - 5:7  
**closed**<sup>[5]</sup> - 68:7, 99:12, 110:17, 110:22, 123:12  
**closure**<sup>[1]</sup> - 110:26  
**clothes**<sup>[9]</sup> - 8:21, 46:5, 46:18, 47:15, 47:27, 48:4, 49:5, 49:11, 103:1  
**clothing**<sup>[27]</sup> - 7:7, 43:15, 44:20, 45:2, 45:6, 45:13, 45:14, 45:19, 45:28, 46:6, 46:7, 46:10, 46:13, 46:17, 47:5, 47:8, 47:11, 48:14, 48:27, 58:9, 91:4, 93:12, 94:10, 100:4, 101:21, 101:22  
**Clothing**<sup>[3]</sup> - 43:13, 44:26  
**Co**<sup>[2]</sup> - 4:10, 20:8  
**co**<sup>[1]</sup> - 63:19  
**coat**<sup>[1]</sup> - 67:12  
**coin**<sup>[1]</sup> - 10:29  
**cold**<sup>[1]</sup> - 77:1  
**coldness**<sup>[1]</sup> - 13:11  
**collected**<sup>[1]</sup> - 41:11  
**collecting**<sup>[1]</sup> - 24:2  
**college**<sup>[4]</sup> - 27:15, 32:15, 32:16, 34:29  
**coming**<sup>[14]</sup> - 17:1, 28:24, 30:7, 32:25, 34:29, 35:12, 64:26, 68:23, 71:7, 79:21, 95:24, 106:4, 109:9, 123:7  
**commas**<sup>[1]</sup> - 97:9  
**Commenced**<sup>[1]</sup> - 4:1  
**comment**<sup>[10]</sup> - 15:20, 30:22, 32:11, 32:17, 60:4, 60:22, 61:15, 92:7, 107:10, 107:14  
**commentary**<sup>[1]</sup> - 107:25  
**commented**<sup>[4]</sup> - 45:6, 89:2, 91:20, 108:29  
**comments**<sup>[3]</sup> - 30:18, 88:26, 99:22  
**Commission**<sup>[39]</sup> - 1:2, 2:4, 2:8, 3:7, 3:10, 3:13, 6:7, 6:22, 7:12, 7:13, 7:19, 9:2, 9:8, 9:9, 9:18, 11:7, 13:25, 38:7, 38:18, 39:3, 39:13, 39:28, 41:2, 57:28, 58:26, 62:9, 75:18, 78:25, 85:23, 86:20, 88:2, 88:19, 102:1, 103:5, 107:28, 108:7, 117:14, 121:7, 123:19  
**Commission's**<sup>[2]</sup> - 4:29, 57:20  
**committed**<sup>[1]</sup> - 65:17  
**Committee**<sup>[6]</sup> - 2:6, 6:17, 25:13, 73:8, 100:16, 102:15  
**committee**<sup>[2]</sup> - 73:1, 88:4  
**common**<sup>[1]</sup> - 114:4  
**communication**<sup>[1]</sup> - 44:3  
**communities**<sup>[1]</sup> - 89:8  
**community**<sup>[9]</sup> - 83:21, 84:4, 89:11, 91:10, 91:12, 93:22, 93:23, 97:19, 112:1  
**comparatively**<sup>[1]</sup> - 121:6  
**compare**<sup>[1]</sup> - 101:7  
**compared**<sup>[1]</sup> - 52:6  
**comparison**<sup>[2]</sup> - 16:20, 121:8  
**compensation**<sup>[2]</sup> - 37:21, 38:25  
**compiled**<sup>[1]</sup> - 90:3

**complain** [2] - 53:7, 114:22  
**complainants** [1] - 6:17  
**complained** [3] - 36:14, 41:5, 73:19  
**complaining** [4] - 23:9, 23:11, 23:22, 50:11  
**complaint** [11] - 38:8, 39:12, 40:11, 40:13, 41:18, 52:13, 53:3, 86:28, 87:20, 106:8  
**complaints** [67] - 7:18, 7:21, 7:24, 8:6, 8:10, 8:14, 8:15, 8:16, 8:20, 8:23, 8:24, 9:1, 9:7, 9:10, 9:14, 9:16, 9:19, 9:20, 9:29, 10:4, 10:7, 10:12, 10:21, 10:27, 11:1, 13:10, 13:13, 13:20, 13:22, 13:29, 15:12, 22:2, 22:12, 22:28, 35:12, 35:16, 36:28, 37:18, 37:19, 37:26, 38:4, 38:12, 38:14, 38:24, 40:1, 40:26, 40:29, 41:3, 41:6, 41:22, 41:22, 41:24, 41:27, 42:10, 57:6, 73:21, 75:8, 86:24, 87:24, 103:18, 103:20, 103:21, 111:8, 111:13, 113:16, 114:15  
**complicated** [4] - 119:1, 119:2, 119:3, 119:19  
**comprising** [1] - 105:21  
**conceivable** [1] - 80:11  
**concentrating** [1] - 58:21  
**concept** [1] - 95:21  
**concern** [13] - 13:12, 17:16, 17:25, 18:6, 18:15, 18:20, 41:23, 51:28, 72:5, 72:24, 89:27, 108:15, 123:11  
**concerned** [12] - 16:2, 16:3, 16:11, 17:15, 17:24, 26:29, 28:27, 47:27, 64:3, 90:6, 94:28, 96:24  
**concerns** [7] - 7:23, 42:17, 43:29, 79:19, 91:27, 97:15, 97:27

**concluded** [1] - 56:9  
**Concluded** [1] - 123:24  
**conclusion** [3] - 81:22, 86:7, 122:12  
**conclusions** [1] - 79:3  
**concrete** [2] - 55:26, 56:7  
**condemn** [1] - 43:22  
**condemnatory** [1] - 114:27  
**condemned** [1] - 111:4  
**condition** [2] - 21:5, 55:6  
**conditions** [4] - 20:29, 21:1, 61:16, 67:16  
**conduct** [2] - 84:21, 84:26  
**conducted** [5] - 43:17, 45:25, 49:9, 96:12, 97:19  
**confess** [2] - 13:14, 120:2  
**confidentiality** [1] - 34:13  
**confined** [1] - 26:10  
**confirm** [1] - 73:14  
**confirmation** [1] - 22:28  
**conflict** [1] - 75:22  
**confronted** [1] - 103:23  
**Congregation** [21] - 4:8, 6:13, 7:23, 41:23, 42:16, 77:23, 81:29, 83:12, 83:19, 83:28, 84:25, 85:11, 96:3, 98:15, 98:26, 103:20, 103:24, 104:22, 109:22, 109:25, 109:29  
**Congregations** [2] - 36:11, 102:18  
**connection** [1] - 63:21  
**conscious** [2] - 54:14, 115:18  
**consciousness** [1] - 86:23  
**consequence** [2] - 5:17, 70:15  
**consequently** [3] - 70:9, 74:18, 77:27  
**Consequently** [1] - 41:17  
**consider** [1] - 5:11  
**considerable** [1] -

54:11  
**consideration** [2] - 67:9, 67:24  
**considered** [2] - 4:17, 99:9  
**Considering** [1] - 66:25  
**considering** [1] - 68:13  
**consisted** [1] - 27:3  
**consistently** [3] - 47:18, 49:7, 49:13  
**constant** [1] - 8:13  
**constantly** [3] - 8:25, 55:23, 72:5  
**Consultor** [1] - 53:14  
**contact** [3] - 63:21, 72:15, 72:22  
**contacted** [1] - 98:20  
**contain** [1] - 115:11  
**contained** [1] - 39:11  
**contamination** [1] - 38:6  
**contemporaneous** [1] - 96:15  
**contemporary** [1] - 39:5  
**content** [2] - 18:22, 53:8  
**contents** [1] - 90:4  
**context** [6] - 34:23, 47:23, 54:8, 58:14, 76:7, 86:28  
**continue** [3] - 58:23, 85:25, 101:2  
**continued** [1] - 110:1  
**continuing** [1] - 113:7  
**continuously** [1] - 102:11  
**contrary** [1] - 9:27  
**contribute** [1] - 99:24  
**controlled** [1] - 11:10  
**controversy** [1] - 11:28  
**convenient** [1] - 85:27  
**convicted** [1] - 38:28  
**convictions** [1] - 108:11  
**cook** [2] - 52:23, 93:25  
**cooking** [2] - 46:27, 47:2  
**cooperative** [1] - 47:1  
**copies** [2] - 5:3, 42:4  
**copy** [6] - 43:27,

76:22, 77:8, 77:14, 78:2, 89:21  
**copying** [1] - 42:4  
**Copyright** [1] - 2:24  
**corporal** [1] - 77:3  
**correct** [18] - 8:8, 15:29, 16:6, 16:7, 23:9, 25:4, 27:6, 35:19, 36:16, 37:29, 40:25, 48:8, 50:5, 55:4, 55:8, 73:24, 88:28, 119:9  
**Correct** [1] - 121:2  
**correction** [2] - 43:22, 86:22  
**correspondence** [3] - 5:2, 102:5, 102:6  
**cost** [2] - 72:12, 122:7  
**Council** [1] - 89:22  
**council** [1] - 83:15  
**counsel** [3] - 6:29, 60:9, 60:11  
**Counsel** [1] - 2:8  
**counselling** [1] - 41:10  
**counsellors** [1] - 29:17  
**countered** [1] - 9:25  
**country** [6] - 4:24, 18:19, 30:13, 38:1, 73:29, 96:26  
**couple** [2] - 17:2, 34:21  
**course** [4] - 26:8, 63:27, 69:24, 101:7  
**courses** [7] - 28:29, 31:1, 31:8, 31:27, 33:1, 98:10, 98:21  
**court** [3] - 41:17, 59:11, 65:16  
**cover** [1] - 7:6  
**covered** [4] - 36:8, 62:26, 75:16, 75:26  
**cows** [2] - 67:3, 67:19  
**Crime** [1] - 73:1  
**crime** [5] - 82:8, 85:18, 85:19, 108:20  
**crimes** [2] - 108:24, 109:10  
**criminal** [7] - 81:24, 82:10, 82:17, 84:21, 95:26, 108:11, 109:4  
**criminality** [2] - 84:10, 85:12  
**critical** [2] - 52:25, 92:26  
**criticise** [1] - 90:27  
**criticised** [1] -

121:28  
**criticises** [1] - 72:3  
**criticism** [6] - 61:6, 70:20, 72:29, 90:28, 92:17, 115:4  
**criticisms** [2] - 24:13, 74:22  
**cross** [6] - 11:2, 12:19, 14:2, 14:25, 14:27, 62:1  
**cross-examination** [3] - 11:2, 14:2, 62:1  
**cross-correction** [2] - 14:25, 14:27  
**cross-examine** [1] - 12:19  
**cruelty** [1] - 8:26  
**curiae** [4] - 57:27, 58:20, 60:11  
**curriculum** [3] - 26:3, 99:4, 99:5  
**Cussen** [9] - 23:25, 72:3, 74:26, 95:6, 99:23, 119:24, 120:15, 121:15, 122:1  
**Cussen's** [2] - 102:13, 121:24  
**custom** [3] - 76:26, 76:27, 77:1

---

## D

---

**danger** [5] - 42:10, 84:2, 84:25, 85:3, 97:13  
**dangerous** [1] - 43:23  
**Darley** [1] - 2:14  
**date** [2] - 20:5, 69:16  
**Date** [1] - 43:10  
**dated** [11] - 19:23, 28:16, 29:17, 46:28, 53:13, 63:12, 76:18, 82:25, 83:9, 84:13, 84:29  
**David** [8] - 1:13, 4:7, 6:6, 6:25, 6:28, 78:24, 86:16, 108:6  
**dawning** [2] - 71:8, 95:12  
**days** [7] - 17:2, 34:21, 50:1, 50:23, 51:22, 51:23, 89:9  
**De** [1] - 49:28  
**deal** [8] - 10:2, 22:3, 22:14, 31:25, 63:2, 74:28, 91:13, 106:29  
**dealing** [1] - 22:9  
**deals** [3] - 28:21,

53:16, 63:23  
**dealt** [14] - 8:22,  
16:14, 36:5, 36:7,  
74:23, 88:29, 89:23,  
90:25, 90:29, 103:15,  
103:19, 104:9,  
105:11, 117:2  
**Dear** [1] - 63:21  
**dear** [5] - 20:13,  
53:14, 76:25, 77:5,  
83:26  
**debate** [6] - 11:24,  
15:3, 30:20, 64:13,  
102:10, 115:5  
**debated** [1] - 112:20  
**debating** [2] - 13:27  
**December** [2] -  
56:15, 57:1  
**decide** [1] - 39:28  
**decision** [2] - 40:10,  
40:15  
**decrease** [1] - 65:11  
**deeply** [1] - 40:23  
**defensive** [1] - 59:2  
**reference** [1] - 20:20  
**deficiencies** [2] -  
68:13, 93:29  
**deficiency** [1] -  
94:16  
**deficient** [4] - 96:4,  
96:11, 99:17, 99:18  
**degree** [3] - 21:4,  
83:21, 101:20  
**Delf** [8] - 25:13,  
25:15, 43:5, 46:26,  
47:10, 63:7, 66:9,  
74:3  
**delinquent** [3] -  
25:27, 28:25, 30:8  
**delinquents** [3] -  
65:13, 66:28, 70:16  
**denied** [1] - 51:16  
**denigrate** [1] - 68:11  
**Denuncio** [1] - 83:11  
**department** [2] -  
96:22, 98:25  
**Department** [44] -  
9:26, 21:21, 25:9,  
32:3, 32:5, 43:1, 43:3,  
43:26, 52:17, 54:22,  
58:7, 68:3, 68:8,  
68:12, 69:25, 73:10,  
87:1, 87:15, 87:18,  
88:21, 90:17, 94:24,  
96:9, 96:22, 96:23,  
96:28, 97:3, 97:4,  
97:21, 97:22, 97:28,  
98:6, 98:7, 98:16,  
98:25, 99:6, 99:7,  
101:4, 102:6, 102:8,  
103:6, 107:24, 114:12  
**departments** [1] -  
94:25  
**departure** [1] - 67:6  
**depended** [1] - 52:23  
**deplorable** [1] -  
21:26  
**deprived** [2] - 75:11,  
105:22  
**Dept** [1] - 2:21  
**derive** [1] - 26:9  
**describe** [1] - 79:15  
**described** [5] - 8:10,  
43:15, 45:13, 46:14,  
99:16  
**describes** [1] - 84:19  
**describing** [1] -  
83:27  
**deserve** [1] - 112:6  
**designation** [1] -  
57:26  
**desirable** [1] - 26:3  
**despite** [4] - 38:22,  
50:27, 55:24, 73:24  
**detail** [4] - 10:13,  
18:25, 31:7, 88:5  
**detailed** [3] - 58:13,  
79:1, 91:23  
**details** [2] - 39:1,  
41:19  
**detaining** [1] -  
122:11  
**determined** [1] -  
40:9  
**developed** [1] -  
104:18  
**developing** [1] - 68:5  
**development** [2] -  
68:8, 95:2  
**devotion** [1] - 91:16  
**Diet** [1] - 43:12  
**diet** [2] - 43:13,  
47:11  
**dietary** [1] - 53:2  
**different** [22] - 8:27,  
23:6, 24:2, 24:3,  
26:29, 36:11, 36:22,  
59:19, 60:1, 61:24,  
69:15, 69:26, 73:25,  
82:22, 108:10,  
108:12, 108:14,  
108:24, 116:5, 116:6,  
116:7, 117:5  
**difficult** [20] - 14:11,  
24:29, 25:1, 31:9,  
31:11, 31:13, 31:25,  
32:28, 33:6, 35:15,  
38:14, 40:5, 45:14,  
70:9, 79:28, 109:7,  
109:10, 111:2, 114:6,  
120:20  
**difficulties** [3] -  
24:16, 68:25, 74:16  
**Difficulty** [1] - 44:27  
**difficulty** [5] - 24:20,  
72:16, 72:21, 99:2,  
99:27  
**Dignam** [1] - 2:21  
**dinners** [1] - 50:5  
**directed** [2] - 63:21,  
77:18  
**direction** [7] - 62:6,  
62:7, 62:9, 77:8,  
77:17, 77:29, 78:2  
**Direction** [2] - 76:20,  
76:24  
**disabled** [1] - 63:23  
**disadvantaged** [3] -  
31:26, 105:22  
**disadvantages** [1] -  
112:20  
**disagree** [2] - 35:21,  
60:4  
**disappear** [1] - 65:29  
**disappointed** [1] -  
34:17  
**disastrous** [2] -  
28:24, 30:7  
**discharged** [1] -  
65:12  
**disciplinarian** [3] -  
76:29, 80:5, 80:7  
**discipline** [2] -  
116:11, 116:12  
**disciplined** [1] - 80:7  
**disclose** [1] - 61:27  
**disclosed** [1] - 4:18  
**discontinued** [1] -  
64:29  
**discover** [1] - 17:21  
**discovered** [2] -  
19:15, 39:24  
**discovery** [9] - 6:12,  
19:14, 72:1, 72:8,  
76:3, 76:7, 76:12,  
76:14, 77:11  
**discuss** [1] - 7:10  
**discussed** [4] -  
46:27, 67:9, 68:18,  
68:19  
**discusses** [1] -  
66:24  
**discussion** [1] -  
63:27  
**disgraceful** [1] -  
84:21  
**dismissed** [1] -  
84:24  
**dispensation** [1] -  
83:29  
**dispense** [1] - 67:8  
**disputed** [1] - 17:20  
**distorted** [1] - 58:24  
**distributing** [1] -  
42:5  
**district** [1] - 122:24  
**distrust** [1] - 31:19  
**disturbed** [1] - 70:8  
**doctorate** [1] -  
108:27  
**document** [17] -  
25:24, 28:11, 28:14,  
37:15, 43:16, 48:20,  
49:16, 53:10, 68:29,  
71:19, 71:20, 71:22,  
76:8, 76:13, 83:4,  
84:28, 88:8  
**documentary** [2] -  
4:19, 27:8  
**documentation** [6] -  
16:18, 39:2, 40:27,  
41:4, 78:5, 96:15  
**documented** [3] -  
37:2, 37:7, 37:12  
**documents** [24] -  
5:3, 5:4, 5:6, 5:12,  
5:18, 5:19, 5:25,  
16:13, 19:14, 35:22,  
36:18, 36:19, 39:16,  
48:21, 49:4, 55:5,  
59:1, 82:20, 85:10,  
85:16, 99:21, 103:13,  
103:17, 104:20  
**dogged** [2] - 110:15,  
112:22  
**don't...(interjection**  
[1] - 14:15  
**done** [33] - 14:28,  
17:22, 18:3, 21:17,  
23:12, 24:6, 27:10,  
27:14, 47:12, 55:21,  
57:3, 60:3, 62:12,  
62:22, 65:13, 65:27,  
72:26, 72:27, 81:13,  
87:13, 87:16, 88:18,  
89:29, 90:10, 90:15,  
93:24, 94:12, 97:7,  
98:23, 103:7, 107:7,  
117:27, 118:2  
**dormitories** [1] -  
66:27  
**dormitory** [2] - 77:1,  
113:20  
**doubling** [1] - 101:5  
**doubt** [4] - 36:27,  
39:9, 43:29, 70:7  
**doubted** [3] - 19:7,  
41:5, 42:21  
**doubts** [6] - 16:9,  
35:12, 51:3, 51:11,  
54:13, 106:6  
**down** [18] - 18:4,  
29:26, 34:14, 39:24,  
40:23, 44:29, 65:28,  
67:26, 69:2, 92:27,  
92:28, 93:21, 107:3,  
110:17, 120:17,  
122:25, 122:28, 123:2  
**downplayed** [1] -  
65:2  
**downside** [1] - 111:1  
**dozen** [1] - 13:12  
**Dr** [4] - 43:5, 46:28,  
50:13, 97:25  
**draw** [3] - 4:29,  
106:29, 107:17  
**drawing** [1] - 97:17  
**drawn** [1] - 74:21  
**Dress** [1] - 67:9  
**dressed** [1] - 49:10  
**drew** [3] - 50:19,  
69:28, 79:3  
**Drinking** [1] - 56:10  
**drinking** [1] - 53:23  
**dropout** [1] - 109:20  
**dropped** [2] -  
109:22, 122:19  
**Dublin** [7] - 1:7,  
72:17, 76:19, 83:10,  
84:13, 110:19, 122:24  
**due** [3] - 20:20,  
53:19, 65:11  
**During** [1] - 39:4  
**during** [10] - 31:7,  
45:29, 50:5, 50:21,  
53:19, 55:12, 89:10,  
98:9, 103:4, 111:12  
**duty** [1] - 72:19

---

**E**

---

**eagle** [1] - 121:12  
**earliest** [1] - 102:4  
**early** [12] - 7:16,  
31:1, 31:9, 31:13,  
33:8, 40:7, 70:21,  
95:3, 98:8, 98:24,  
104:12  
**easy** [4] - 31:29,  
45:29, 117:18, 117:21  
**eat** [1] - 52:15  
**eating** [1] - 55:2  
**echelons** [1] - 50:11  
**educate** [2] - 95:22,  
116:10  
**educated** [4] - 16:4,  
56:20, 66:3, 66:5  
**education** [36] - 7:7,  
8:24, 15:29, 16:17,  
16:26, 17:4, 17:7,

18:28, 19:6, 19:7,  
19:9, 20:24, 22:1,  
25:29, 26:19, 27:23,  
35:6, 65:3, 69:4,  
69:15, 69:21, 69:27,  
70:21, 74:6, 88:7,  
88:28, 89:2, 95:7,  
96:24, 96:29, 98:21,  
99:2, 99:4, 115:22,  
117:20, 118:5  
**Education** [23] -  
2:21, 21:22, 25:9,  
32:3, 52:17, 54:22,  
58:7, 87:1, 88:21,  
90:17, 94:24, 96:9,  
96:10, 96:23, 96:28,  
97:22, 97:28, 98:6,  
101:5, 102:6, 102:9,  
107:24, 114:12  
**Education's** [1] -  
9:26  
**educational** [7] -  
18:15, 35:1, 68:14,  
88:16, 89:1, 89:17,  
91:8  
**educationally** [1] -  
25:22  
**effect** [4] - 87:20,  
107:6, 115:13, 118:11  
**effective** [1] - 35:7  
**effectively** [1] -  
58:16  
**efficiently** [1] - 100:3  
**efforts** [1] - 21:3  
**eight** [1] - 100:22  
**Eight** [2] - 43:6,  
100:20  
**either** [4] - 35:26,  
56:1, 103:23, 121:20  
**elaborate** [1] - 99:20  
**elbow** [1] - 44:3  
**element** [1] - 119:20  
**elicit** [1] - 59:26  
**elsewhere** [1] -  
30:13  
**elucidate** [1] - 59:26  
**emerge** [3] - 39:25,  
39:26, 40:8  
**emerged** [6] - 36:1,  
38:24, 39:22, 71:10,  
81:12, 86:23  
**emerging** [1] -  
108:21  
**emotional** [4] - 95:2,  
116:26, 118:16,  
121:23  
**emphasis** [1] - 65:3  
**emphatic** [1] - 100:2  
**employed** [1] - 72:21  
**employment** [5] -

72:11, 72:12, 74:4,  
74:9, 74:20  
**enable** [1] - 101:1  
**enabled** [1] - 67:3  
**encouraged** [4] -  
41:12, 67:8, 72:13,  
72:15  
**encouraging** [1] -  
69:25  
**End** [5] - 6:22, 78:16,  
85:22, 104:27, 123:18  
**end** [10] - 25:20,  
64:26, 83:14, 84:1,  
86:27, 91:25, 99:12,  
100:21, 109:8  
**ended** [1] - 119:12  
**ending** [1] - 105:17  
**endowed** [1] -  
100:10  
**energetic** [2] - 35:2,  
66:25  
**engaged** [2] - 58:16,  
59:29  
**engaging** [4] - 23:17,  
23:26, 58:9, 60:9  
**engender** [1] - 70:9  
**England** [2] - 38:3,  
101:9  
**English** [5] - 26:5,  
26:10, 26:16, 88:10,  
121:26  
**enormous** [1] -  
55:13  
**ensure** [5] - 31:18,  
116:12, 120:10,  
120:21, 121:18  
**ensured** [1] - 104:15  
**enter** [1] - 104:16  
**entered** [2] - 77:8,  
78:2  
**enthusiasm** [1] -  
70:9  
**enthusiastic** [1] -  
35:2  
**entire** [1] - 38:23  
**entirely** [1] - 85:28  
**entitled** [2] - 61:22,  
83:16  
**environment** [1] -  
120:26  
**equally** [2] - 21:1,  
60:23  
**equilibrium** [1] -  
61:4  
**equipment** [10] -  
63:7, 63:22, 63:26,  
63:29, 64:4, 64:21,  
64:23, 71:1, 99:26,  
102:25  
**equipped** [1] -

110:19  
**especially** [2] -  
23:20, 98:21  
**essential** [2] - 74:5,  
118:28  
**essentially** [1] -  
15:21  
**established** [1] -  
86:21  
**establishment** [2] -  
68:14, 99:26  
**establishments** [1] -  
25:19  
**etc** [1] - 63:24  
**evening** [1] - 56:9  
**event** [1] - 86:9  
**Evidence** [1] - 1:13  
**evidence** [79] - 1:31,  
4:7, 5:5, 6:9, 6:17,  
7:11, 7:28, 9:14, 9:21,  
10:14, 10:18, 10:19,  
10:24, 10:26, 11:1,  
11:3, 11:7, 14:3, 14:5,  
16:2, 17:13, 18:12,  
27:7, 27:8, 28:10,  
28:18, 33:8, 34:2,  
34:16, 35:11, 35:21,  
36:12, 37:9, 37:24,  
37:29, 38:6, 39:5,  
39:14, 40:21, 41:21,  
57:21, 57:23, 57:24,  
58:4, 58:5, 58:6,  
58:12, 58:14, 58:15,  
58:24, 58:25, 59:4,  
75:20, 86:8, 88:19,  
96:3, 96:19, 98:8,  
98:18, 99:17, 101:11,  
103:15, 104:19,  
104:20, 105:10,  
105:29, 106:1, 106:2,  
106:21, 107:11,  
107:13, 107:27,  
109:16, 112:4,  
116:29, 117:9  
**evident** [1] - 20:26  
**Exactly** [2] - 91:19,  
111:28  
**exactly** [3] - 27:20,  
82:4, 88:9  
**exam** [6] - 18:29,  
19:4, 26:13, 87:10,  
87:13, 88:22  
**examination** [12] -  
11:2, 14:2, 46:21,  
62:1, 62:2, 62:3, 87:2,  
87:6, 87:7, 87:16,  
87:26, 107:7  
**Examination** [3] -  
3:4, 78:16, 104:27  
**examinations** [2] -

14:25, 14:27  
**examine** [4] - 5:19,  
12:19, 53:2, 89:10  
**examined** [4] - 88:4,  
89:16, 90:21, 104:11  
**Examined** [4] - 3:8,  
3:11, 6:25, 86:16  
**examining** [2] - 5:20,  
110:8  
**example** [3] - 58:15,  
87:20, 94:2  
**examples** [1] - 82:23  
**exams** [2] - 18:14,  
18:26  
**excellence** [1] -  
105:20  
**Excellency** [1] -  
83:10  
**excellent** [4] - 21:28,  
28:9, 33:27, 46:10  
**Except** [1] - 18:27  
**except** [1] - 69:4  
**exception** [1] - 32:27  
**exceptions** [1] -  
90:12  
**exchange** [2] -  
60:25, 60:28  
**exchanges** [1] -  
90:29  
**excuse** [1] - 44:14  
**excused** [1] - 104:6  
**exercise** [2] - 58:19,  
89:6  
**exist** [1] - 122:18  
**existed** [1] - 77:1  
**existence** [4] -  
27:19, 35:5, 67:23,  
67:27  
**expect** [2] - 47:21,  
61:18  
**expectation** [2] -  
121:14, 121:15  
**expel** [1] - 82:5  
**expense** [2] - 54:28,  
103:3  
**experience** [15] -  
20:23, 20:23, 24:11,  
27:11, 27:26, 27:28,  
28:5, 29:7, 30:12,  
30:15, 33:13, 33:29,  
34:21, 35:3, 56:20  
**experienced** [2] -  
21:8, 32:22  
**experiences** [1] -  
7:14  
**explain** [3] - 88:1,  
104:6, 112:9  
**explained** [1] - 97:16  
**explaining** [1] -  
104:8

**explains** [1] - 58:14  
**explanation** [3] -  
19:3, 30:11, 51:17  
**explore** [2] - 79:6,  
79:13  
**explored** [1] - 104:11  
**express** [2] - 79:19,  
79:27  
**expressed** [4] -  
84:20, 103:13,  
106:11, 106:12  
**expression** [1] -  
36:13  
**expulsions** [1] -  
84:22  
**extensive** [2] -  
88:17, 90:2  
**extensively** [3] -  
58:11, 58:12, 88:29  
**extent** [3] - 14:4,  
103:15, 120:21  
**external** [4] - 84:25,  
87:12, 102:12, 102:15  
**extracted** [1] - 58:3  
**extraordinary** [1] -  
107:4  
**extras** [1] - 95:18  
**extremely** [2] - 17:4,  
43:23  
**eye** [2] - 43:18,  
121:12

---

## F

---

**face** [2] - 11:23, 44:3  
**faced** [5] - 28:23,  
29:24, 30:6, 65:10,  
100:28  
**facilitate** [1] - 54:24  
**facilities** [4] - 46:27,  
47:2, 90:13, 91:1  
**facility** [1] - 54:25  
**facing** [1] - 32:26  
**fact** [59] - 11:8, 15:3,  
16:16, 17:19, 18:3,  
18:18, 20:24, 23:26,  
23:29, 24:22, 24:27,  
25:7, 32:7, 32:19,  
35:11, 45:10, 50:27,  
52:1, 53:5, 53:19,  
54:14, 54:23, 55:5,  
55:24, 60:10, 62:22,  
69:16, 72:16, 72:23,  
73:24, 74:22, 79:24,  
80:29, 81:6, 81:8,  
82:8, 82:11, 88:10,  
94:11, 96:15, 99:12,  
102:16, 103:18,  
105:25, 107:1,  
109:27, 111:3,

116:24, 120:1, 120:6,  
120:23, 120:26,  
121:19, 121:25,  
121:26, 121:27,  
122:4, 123:5, 123:12  
**facts** [1] - 17:20  
**factus** [1] - 6:3  
**failure** [2] - 82:7,  
85:18  
**fair** [9] - 9:7, 9:10,  
13:17, 32:11, 32:16,  
34:16, 43:13, 43:15,  
49:6  
**Fairly**[2] - 45:14,  
48:12  
**fairly** [17] - 23:26,  
27:17, 44:20, 44:26,  
46:16, 46:17, 46:21,  
46:24, 46:25, 47:18,  
47:27, 60:27, 60:28,  
69:21, 71:10, 101:6  
**fairness** [5] - 23:19,  
23:21, 23:23, 33:20,  
114:24  
**faury** [1] - 23:17  
**fall** [1] - 120:17  
**familiar** [4] - 10:16,  
10:24, 88:2, 90:4  
**families** [2] - 46:3,  
114:5  
**family** [2] - 95:11,  
114:5  
**fantastic** [1] - 21:14  
**fantasy** [1] - 20:29  
**far** [18] - 16:1, 16:3,  
16:10, 17:15, 17:24,  
20:24, 21:2, 26:28,  
28:27, 47:26, 57:17,  
64:3, 64:17, 70:1,  
88:11, 90:5, 96:24,  
100:2  
**farm** [12] - 8:12, 8:17,  
22:20, 22:29, 24:2,  
24:8, 24:10, 24:14,  
24:21, 24:29, 74:10,  
75:7  
**farmers** [1] - 75:12  
**Farming**[1] - 74:4  
**farming** [7] - 23:11,  
23:18, 23:24, 23:27,  
24:1, 74:20, 74:23  
**farming...(  
interjection** [1] - 75:8  
**farms** [2] - 73:27,  
74:14  
**fashioned** [1] - 23:12  
**fault** [1] - 6:3  
**fear** [1] - 8:13  
**fears** [1] - 79:19  
**feature** [1] - 67:5

**features** [1] - 111:25  
**fed** [3] - 49:9, 53:8,  
115:21  
**felt** [5] - 60:14,  
84:21, 102:9, 108:22,  
113:9  
**fence** [1] - 61:6  
**Fergus**[10] - 2:8, 4:5,  
6:9, 78:19, 78:21,  
78:28, 82:28, 83:2,  
85:20, 103:12  
**Ferryhouse**[1] -  
117:2  
**few** [10] - 49:28,  
53:18, 53:19, 80:28,  
82:23, 84:23, 86:9,  
92:19, 111:21, 118:9  
**field** [1] - 67:10  
**figures** [3] - 21:16,  
109:21, 110:6  
**file** [2] - 82:29,  
104:11  
**files** [2] - 82:21,  
104:12  
**final** [2] - 91:24,  
103:11  
**finally** [1] - 84:28  
**finances** [1] - 89:16  
**financial** [6] - 73:12,  
91:23, 91:25, 91:26,  
100:29, 102:2  
**fine** [2] - 12:15,  
67:10  
**fingers** [1] - 80:16  
**finish** [2] - 86:2,  
105:17  
**finished** [3] - 24:10,  
69:23, 69:24  
**fire** [1] - 97:14  
**first** [30] - 4:8, 4:10,  
7:17, 12:6, 15:27,  
21:26, 23:29, 24:16,  
26:27, 27:22, 27:25,  
28:8, 40:2, 40:26,  
40:28, 41:2, 56:10,  
59:15, 59:27, 67:1,  
68:4, 71:20, 72:6,  
79:7, 79:22, 82:24,  
92:4, 107:1, 107:22,  
112:20  
**First**[6] - 11:18,  
18:22, 30:19, 94:20,  
94:23, 105:9  
**fish** [1] - 51:23  
**five** [4] - 66:27, 69:9,  
69:13, 89:9  
**Flannery**[1] - 71:23  
**flawed** [1] - 123:1  
**flick** [1] - 92:22  
**flippant** [1] - 105:18

**floor** [1] - 56:7  
**focus** [1] - 15:7  
**focussed** [1] - 26:20  
**foddered** [1] -  
122:27  
**Folder**[1] - 83:1  
**folder** [10] - 19:14,  
25:16, 29:15, 43:4,  
48:22, 49:15, 53:10,  
63:8, 72:28, 76:13  
**follow** [5] - 26:4,  
72:1, 72:18, 90:22,  
102:28  
**followed** [3] - 4:12,  
9:21, 104:10  
**following** [13] - 1:29,  
37:19, 38:24, 41:22,  
45:12, 48:27, 50:15,  
52:28, 54:2, 59:10,  
70:6, 73:16, 109:14  
**Follows**[6] - 4:1, 6:7,  
6:25, 78:24, 86:16,  
108:6  
**follows** [1] - 28:13  
**Food**[2] - 43:12, 91:4  
**food** [20] - 7:7, 8:21,  
13:11, 47:1, 47:11,  
49:29, 50:12, 51:26,  
52:1, 52:18, 52:22,  
52:28, 53:4, 58:9,  
93:12, 93:19, 94:7,  
100:4, 101:21, 102:26  
**forbid** [1] - 77:23  
**forbidding** [1] -  
76:27  
**force** [1] - 8:12  
**forced** [2] - 100:29,  
101:17  
**foresight** [1] -  
121:24  
**forget** [1] - 32:6  
**forgotten** [1] - 69:16  
**form** [6] - 14:4,  
73:15, 94:26, 95:7,  
103:16, 104:23  
**forma** [1] - 72:8  
**formal** [1] - 65:3  
**formation** [2] - 85:4,  
110:23  
**former** [7] - 6:3,  
9:10, 25:19, 42:5,  
42:6, 51:28, 62:8  
**Forward**[1] - 63:17  
**forward** [4] - 35:13,  
35:14, 63:16, 106:24  
**foundation** [1] -  
50:16  
**four** [7] - 14:25,  
22:22, 27:19, 44:22,  
70:12, 89:9, 116:4

**Fr**[1] - 117:2  
**frank** [1] - 120:15  
**frankly** [1] - 117:9  
**frankness** [1] - 115:3  
**Fred**[1] - 1:22  
**free** [5] - 59:25,  
62:19, 62:21, 80:29,  
89:14  
**fresh** [5] - 28:22,  
29:5, 29:23, 30:5,  
30:23  
**friend** [2] - 47:16,  
47:22  
**Friend**[2] - 61:15,  
106:22  
**friendly** [2] - 96:13,  
114:16  
**front** [3] - 19:27,  
30:2, 52:27  
**fulfil** [1] - 116:27  
**full** [5] - 26:4, 26:8,  
65:15, 72:26, 101:26  
**fully** [6] - 27:10,  
28:6, 31:3, 88:2,  
97:22, 114:3  
**function** [3] - 91:7,  
93:1, 113:24  
**functions** [1] -  
115:29  
**fund** [1] - 99:7  
**Fundamentally**[1] -  
33:1  
**funding** [22] - 24:17,  
45:22, 54:9, 54:10,  
54:15, 54:21, 55:25,  
56:1, 88:6, 90:14,  
99:8, 99:14, 99:15,  
99:16, 101:7, 101:12,  
101:18, 102:8, 103:5,  
121:17, 122:5  
**funds** [1] - 54:20  
**funny** [1] - 49:21  
**furnished** [1] - 8:2  
**future** [1] - 118:25

## G

**Gaelic**[1] - 67:10  
**gained** [2] - 27:28,  
70:3  
**Galway**[3] - 4:10,  
20:9, 63:20  
**Garda**[5] - 42:8,  
65:14, 72:22, 82:12,  
82:15  
**General**[1] - 89:22  
**general** [24] - 4:17,  
7:5, 8:29, 11:11,  
15:22, 20:22, 37:9,  
44:29, 57:22, 57:29,

81:27, 86:1, 90:6,  
90:24, 93:14, 94:2,  
94:5, 94:15, 96:5,  
96:19, 97:17, 100:4,  
104:23, 107:17  
**generally** [5] - 7:12,  
33:28, 46:7, 52:20,  
57:7  
**genuine** [1] - 80:14  
**Geoghegan**[2] -  
63:19, 63:21  
**geographical** [1] -  
110:16  
**geography** [2] -  
26:5, 26:18  
**Gibson**[35] - 1:13,  
3:6, 4:7, 4:21, 4:26,  
5:6, 6:6, 6:9, 6:22,  
6:25, 15:11, 30:2,  
33:10, 58:12, 58:29,  
60:18, 60:21, 60:27,  
75:23, 76:2, 78:16,  
78:22, 78:24, 78:28,  
85:22, 86:3, 86:5,  
86:9, 86:16, 104:25,  
104:27, 108:6,  
114:24, 123:16,  
123:18  
**Gibson's** [1] - 107:26  
**gilding** [1] - 31:17  
**Given**[2] - 75:23,  
77:29  
**given** [39] - 5:3, 6:11,  
8:4, 9:6, 9:22, 10:13,  
10:18, 10:19, 10:26,  
10:28, 10:29, 11:7,  
14:3, 14:5, 16:13,  
16:26, 17:13, 18:15,  
28:18, 29:1, 29:6,  
32:13, 33:5, 36:13,  
39:14, 47:19, 54:21,  
57:21, 69:19, 70:22,  
71:25, 71:27, 84:24,  
90:18, 96:8, 97:11,  
116:27, 117:27,  
117:28  
**Glencree**[1] - 74:2  
**Glynn**[1] - 29:2  
**Gothman**[1] - 114:3  
**government** [1] -  
117:28  
**Government**[2] -  
95:14, 98:25  
**gradual** [1] - 95:12  
**grant** [5] - 67:3,  
90:18, 99:25, 102:20,  
123:5  
**grants** [3] - 100:2,  
100:23, 102:10  
**grateful** [2] - 109:1,

119:5  
**gratitude** [1] - 122:23  
**grave** [2] - 84:24, 84:26  
**great** [9] - 20:26, 34:26, 34:27, 67:15, 74:5, 77:5, 80:10, 84:2, 88:5  
**greater** [4] - 65:2, 104:18, 110:4, 118:22  
**greatest** [1] - 74:9  
**green** [5] - 28:22, 29:6, 29:23, 30:5, 30:23  
**Greenmount** [1] - 117:1  
**gross** [1] - 53:29  
**grossly** [3] - 95:14, 95:15, 99:17  
**ground** [1] - 36:8  
**grounds** [1] - 84:24  
**group** [7] - 24:9, 71:7, 88:9, 88:10, 88:11, 116:18  
**groupings** [1] - 95:11  
**groups** [1] - 42:3  
**growing** [1] - 108:15  
**grown** [1] - 39:14  
**guardianship** [1] - 108:19  
**guards** [2] - 81:5, 81:6  
**guidance** [1] - 29:7  
**guilty** [1] - 38:13

---

## H

---

**half** [5] - 4:24, 5:14, 21:10, 61:7, 65:14  
**hall** [2] - 54:3, 56:8  
**Hanahoe** [2] - 2:18, 7:1  
**hand** [7] - 6:20, 20:9, 23:12, 24:6, 85:29, 96:23, 111:15  
**handed** [2] - 42:7, 42:9  
**handle** [2] - 109:11, 109:12  
**hands** [1] - 21:6  
**handwritten** [1] - 22:9  
**hanged** [1] - 84:2  
**Hanratty** [30] - 2:12, 3:11, 4:28, 5:9, 5:16, 10:10, 12:17, 12:23, 12:25, 15:10, 15:21, 47:16, 57:14, 59:7,

61:9, 82:26, 85:25, 85:28, 86:7, 86:17, 86:20, 88:14, 92:6, 93:7, 93:10, 104:25, 104:27, 105:3, 106:7, 106:27  
**Hanratty's** [3] - 13:6, 106:25, 115:4  
**happy** [1] - 53:7  
**hard** [7] - 8:16, 91:29, 112:27, 115:28, 118:4, 122:12  
**hardly** [2] - 32:20, 43:22  
**hardship** [1] - 112:6  
**hay** [1] - 24:3  
**head** [2] - 22:24, 111:16  
**headed** [1] - 76:20  
**heading** [1] - 66:19  
**healthy** [1] - 74:5  
**hear** [4] - 4:7, 44:14, 86:28, 87:24  
**heard** [2] - 4:16, 6:17, 7:13, 7:28, 9:24, 10:14, 40:1, 40:26, 41:3, 75:20, 78:10, 87:19, 104:21, 105:4, 105:29, 106:1, 106:5, 107:8, 109:7, 109:16, 112:4  
**Hearing** [3] - 1:3, 4:1, 123:24  
**hearing** [3] - 9:13, 75:16, 114:14  
**hearings** [12] - 4:18, 6:14, 7:29, 8:2, 9:14, 11:25, 13:26, 15:4, 57:7, 81:9, 81:12, 106:2  
**heating** [5] - 53:22, 54:5, 67:4, 67:21  
**heavy** [2] - 33:19, 57:12  
**held** [1] - 83:15  
**Held** [1] - 1:6  
**Helen's** [3] - 83:27, 84:12, 85:1  
**hell** [1] - 8:11  
**help** [6] - 31:18, 33:5, 55:28, 55:29, 63:28, 76:10  
**helped** [3] - 18:13, 24:8, 119:4  
**hence** [1] - 77:22  
**Herbert** [1] - 1:6  
**hereby** [1] - 1:29  
**high** [13] - 17:10, 66:8, 66:27, 67:1, 100:4, 109:20,

109:27, 111:17, 111:18, 113:3, 114:13, 120:16  
**higher** [1] - 26:6  
**highest** [1] - 111:13  
**highlighted** [2] - 95:3, 99:2  
**highlights** [3] - 71:23, 95:9  
**highly** [1] - 32:4  
**himself** [1] - 55:20  
**history** [4] - 26:5, 26:18, 63:6, 102:11  
**hold** [3] - 74:5, 107:15, 120:13  
**holidays** [2] - 31:8, 98:9  
**home** [11] - 25:27, 72:11, 73:27, 103:2, 103:26, 115:20, 115:21, 115:22, 115:24, 116:11, 123:4  
**homes** [2] - 100:8, 114:6  
**Homes** [2] - 100:15, 102:14  
**honoured** [1] - 100:20  
**hope** [5] - 50:23, 51:9, 61:26, 99:7, 107:19  
**hopes** [1] - 118:17  
**hoping** [1] - 51:19  
**horrified** [1] - 40:3  
**hospital** [4] - 50:9, 53:18, 54:26, 93:13  
**Hotel** [1] - 1:6  
**hour** [1] - 5:14  
**house** [3] - 29:4, 76:16, 110:23  
**houses** [1] - 85:4  
**huge** [4] - 23:13, 23:17, 65:10, 122:21  
**humane** [1] - 45:26  
**humiliated** [1] - 84:21  
**humiliation** [1] - 8:26  
**hundreds** [3] - 30:16, 30:17  
**hypothesis** [1] - 19:11

---

## I

---

**idea** [9] - 13:26, 23:20, 25:5, 32:13, 33:28, 57:5, 110:26, 110:27, 114:1  
**ideal** [2] - 20:28, 123:12

**identified** [1] - 93:29  
**identify** [1] - 47:23  
**ignorance** [1] - 21:8  
**ignore** [1] - 60:14  
**li** [11] - 6:15, 14:5, 18:8, 18:23, 18:25, 23:1, 31:6, 57:22, 98:17, 109:8, 109:28  
**lii** [3] - 4:12, 86:26, 107:5  
**illegitimate** [1] - 60:2  
**illiterate** [3] - 65:18, 65:25, 66:3  
**illuminating** [1] - 15:14  
**imagine** [3] - 39:25, 77:25, 87:18  
**immediately** [3] - 41:14, 50:7, 54:19  
**impact** [6] - 114:2, 114:10, 114:11, 116:22, 123:7  
**impacted** [1] - 123:8  
**implemented** [1] - 23:26  
**implementing** [1] - 71:6  
**implication** [1] - 118:11  
**implications** [1] - 103:14  
**important** [5] - 42:15, 54:24, 64:25, 107:17, 107:20  
**impossible** [6] - 20:21, 45:4, 117:4, 117:19, 121:22, 122:3  
**impractical** [1] - 20:21  
**impressing** [1] - 34:19  
**impression** [6] - 38:5, 57:4, 92:4, 92:8, 92:28, 122:13  
**impressions** [1] - 36:10  
**improve** [3] - 53:3, 56:3, 99:3  
**improved** [12] - 46:22, 47:11, 47:26, 48:4, 48:12, 48:27, 48:28, 49:2, 49:6, 52:23, 52:28  
**improvement** [1] - 47:3  
**Improvement** [1] - 47:5  
**improvements** [7] - 47:2, 47:7, 55:11, 55:20, 56:21, 90:7,

101:23  
**improves** [1] - 21:27  
**improving** [4] - 46:13, 47:29, 67:16, 81:20  
**in-house** [1] - 29:4  
**in...reading** [1] - 56:8  
**inaccurate** [1] - 88:20  
**inadequacies** [1] - 117:29  
**inadequate** [8] - 45:22, 54:1, 95:10, 100:29, 101:10, 102:16, 117:21, 118:1  
**inadequately** [1] - 100:10  
**inaudible** [1] - 58:4  
**inception** [1] - 110:15  
**incidences** [1] - 96:17  
**incident** [6] - 40:18, 57:6, 79:23, 79:27, 82:3, 83:28  
**incidents** [4] - 39:10, 77:20, 79:1, 79:9  
**inclined** [7] - 29:29, 37:26, 84:23, 107:14, 107:18, 117:27, 120:15  
**include** [4] - 13:10, 58:6, 101:19, 102:23  
**included** [2] - 4:25, 15:12  
**incomes** [1] - 101:1  
**inconcern** [1] - 13:11  
**increase** [1] - 67:3  
**increased** [3] - 37:21, 122:6  
**increasing** [1] - 95:25  
**incredible** [1] - 106:3  
**indecently** [1] - 83:13  
**Indeed** [2] - 59:17, 104:17  
**indeed** [9] - 41:8, 57:7, 92:9, 93:25, 101:22, 102:13, 121:24, 121:29, 123:15  
**Index** [1] - 3:2  
**indicate** [3] - 68:23, 82:22, 85:11  
**indicated** [7] - 7:21, 33:8, 35:13, 43:29, 89:28, 103:9, 105:6  
**indication** [3] - 13:28, 65:9, 71:6

**individual** [13] - 26:1, 35:29, 36:3, 36:22, 96:17, 97:15, 104:11, 119:28, 120:1, 120:2, 120:11, 121:16  
**individually** [2] - 89:13, 120:8  
**individuals** [1] - 121:10  
**indulgence** [1] - 57:18  
**Industrial** [4] - 4:9, 4:13, 4:14, 76:12  
**industrial** [18] - 16:21, 20:22, 21:1, 21:26, 25:20, 27:1, 29:4, 56:18, 56:19, 65:12, 74:2, 74:24, 79:8, 84:4, 94:28, 100:10, 118:13, 118:29  
**inevitable** [1] - 122:20  
**Inevitably** [1] - 116:15  
**infirmary** [8] - 53:17, 53:19, 54:4, 54:25, 58:9, 61:15, 91:1, 93:12  
**information** [12] - 15:21, 35:22, 41:11, 42:6, 42:8, 51:20, 52:7, 52:10, 59:26, 60:22, 86:23, 97:11  
**informative** [1] - 92:3  
**informed** [2] - 43:19, 63:26  
**initial** [1] - 37:14  
**initiative** [3] - 98:14, 98:15  
**injury** [1] - 84:26  
**inmates** [1] - 25:19  
**inquire** [1] - 82:26  
**Inquire** [1] - 1:2  
**inquired** [1] - 102:19  
**inquiry** [2] - 57:29, 59:11  
**Inquiry** [6] - 1:18, 4:16, 6:11, 86:26, 101:29, 103:4  
**inside** [1] - 51:25  
**inspection** [6] - 43:10, 44:19, 48:23, 66:15, 66:22, 97:2  
**Inspection** [1] - 60:26  
**inspection...**  
**reading** [1] - 43:10

**inspections** [1] - 84:23  
**inspector** [2] - 47:18, 48:3  
**Inspector** [1] - 68:3  
**Inspector's** [1] - 58:6  
**inspectorate** [1] - 96:25  
**Inspectors** [1] - 96:28  
**installed** [2] - 54:5, 67:4  
**instance** [7] - 24:2, 42:4, 60:25, 100:20, 110:21, 115:27, 122:23  
**instances** [7] - 11:8, 14:25, 35:29, 36:4, 39:17, 80:2, 103:17  
**instead** [1] - 103:26  
**Institution** [1] - 9:27  
**institution** [34] - 16:16, 18:17, 36:16, 38:8, 38:9, 42:13, 53:26, 54:15, 54:28, 63:4, 71:12, 73:14, 75:24, 89:11, 91:27, 92:2, 97:6, 97:18, 100:11, 102:12, 103:1, 103:8, 103:25, 104:5, 104:16, 105:29, 109:5, 111:14, 112:22, 115:23, 115:24, 116:8, 120:4, 122:21  
**Institution's** [1] - 73:6  
**institution,...**  
**reading** [1] - 66:26  
**institutional** [1] - 113:27  
**institutionalisation** [1] - 114:2  
**institutions** [28] - 4:10, 4:15, 18:13, 36:24, 36:27, 42:12, 73:20, 74:27, 79:18, 80:3, 86:25, 89:8, 95:7, 95:15, 96:20, 97:19, 98:5, 98:27, 98:29, 100:29, 101:13, 102:2, 108:16, 115:9, 115:19, 117:16, 118:19, 122:13  
**Instructed** [3] - 2:9, 2:13, 2:18  
**instructed** [1] - 6:29  
**Instruction** [1] - 85:3  
**instruction** [2] -

20:27, 26:9  
**instructor** [1] - 63:25  
**insufficient** [1] - 99:25  
**intelgenesia** [1] - 21:7  
**intelligence** [2] - 21:3, 25:29  
**intend** [3] - 7:5, 75:17, 105:18  
**intensive** [1] - 26:9  
**interdepartmental** [2] - 73:1, 99:1  
**Interdepartmental** [1] - 25:12  
**interest** [5] - 14:26, 59:17, 74:5, 122:22  
**interested** [2] - 82:15, 92:11  
**interesting** [3] - 54:25, 59:13, 116:2  
**interests** [1] - 122:21  
**interface** [1] - 96:20  
**interfere** [2] - 59:28, 60:8  
**interfered** [1] - 83:13  
**interfering** [1] - 84:17  
**Interjection** [3] - 20:14, 49:23, 54:13  
**internally** [1] - 50:13  
**interpretation** [3] - 12:26, 13:1, 41:28  
**interrogation** [1] - 61:7  
**intervene** [1] - 61:12  
**intervening** [2] - 57:16, 57:17  
**interviewed** [3] - 43:19, 79:25, 89:13  
**introduce** [1] - 11:6  
**introduced** [2] - 55:16, 55:18  
**investigate** [1] - 62:20  
**investigated** [1] - 120:4  
**investigating** [1] - 4:12  
**Investigation** [1] - 2:6  
**investigation** [1] - 117:14  
**invigilators** [1] - 87:12  
**invited** [1] - 62:1  
**involved** [3] - 72:18, 97:5, 108:20  
**Ireland** [8] - 4:23, 38:3, 73:28, 75:11,

88:5, 101:8, 101:9, 117:29  
**Irish** [5] - 17:22, 17:23, 18:11, 26:5, 26:16  
**isolation** [2] - 113:2, 113:9  
**issue** [3] - 13:18, 15:7, 15:8  
**issues** [7] - 4:18, 7:6, 15:5, 57:28, 58:8, 67:6, 93:10  
**items** [1] - 67:25  
**itself** [4] - 38:18, 58:11, 108:12, 109:13

---

## J

---

**jail** [2] - 42:26  
**jailers** [1] - 115:12  
**Jerome**[2] - 49:18, 49:20  
**job** [3] - 59:29, 62:12, 103:7  
**jobs** [3] - 24:22, 72:14, 73:21  
**John**[1] - 63:19  
**joinery** [1] - 63:23  
**Josephs** [2] - 4:13, 66:20  
**judge** [6] - 6:3, 35:4, 38:7, 44:7, 117:18, 118:24  
**Judge**[2] - 120:15, 122:1  
**judges** [1] - 102:15  
**judging** [2] - 9:18, 47:28  
**judgment** [3] - 38:19, 39:13, 41:17  
**June**[1] - 28:19  
**jurisdiction** [1] - 101:13  
**justice** [2] - 65:18, 122:24  
**Justice**[6] - 1:17, 96:22, 97:3, 97:4, 97:21, 98:7  
**justification** [1] - 25:7  
**juvenile** [1] - 65:13

---

## K

---

**keep** [11] - 12:24, 46:5, 54:27, 72:22, 100:3, 115:12, 116:1, 116:10, 120:25, 122:7, 123:11  
**keeping** [1] - 78:9

**keeps** [2] - 47:16, 47:25  
**Kennedy**[9] - 95:9, 100:27, 101:16, 102:13, 118:8, 118:12, 118:20, 119:21, 122:4  
**kept** [6] - 85:3, 104:13, 104:14, 110:16, 110:20, 110:24  
**kids** [1] - 75:10  
**kind** [8] - 10:12, 61:8, 61:14, 61:16, 94:17, 98:22, 98:28, 122:24  
**kindly** [1] - 45:26  
**kinds** [1] - 8:27  
**Kinney**[1] - 49:20  
**kitchen** [1] - 66:27  
**know.....**(  
**interjection** [1] - 29:25  
**knowing** [1] - 54:26  
**knowledge** [7] - 29:4, 35:23, 70:3, 77:14, 88:15, 96:4, 97:18  
**known** [2] - 5:22, 83:20  
**knows** [3] - 5:13, 115:27, 119:29

---

## L

---

**labour** [2] - 8:12, 61:13  
**lack** [10] - 13:11, 13:12, 16:26, 24:17, 28:21, 29:22, 30:4, 72:4, 105:12, 108:18  
**laid** [1] - 55:26  
**land** [1] - 24:4  
**language** [3] - 61:14, 61:17, 61:24  
**Lankford**[1] - 2:13  
**larceny** [1] - 31:11  
**large** [7] - 5:18, 8:5, 83:20, 94:8, 94:16, 113:5, 113:7  
**Last**[1] - 11:29  
**last** [14] - 5:14, 7:17, 16:3, 28:10, 41:21, 50:4, 50:19, 57:11, 67:4, 84:3, 84:23, 105:10, 105:11, 122:10  
**late** [9] - 22:24, 31:1, 33:10, 33:23, 33:24, 34:28, 63:6, 79:21, 81:2

**latest** [1] - 35:1  
**latter** [2] - 50:2,  
 86:27  
**law** [1] - 85:6  
**lawyers** [1] - 59:29  
**lay** [1] - 8:19  
**Leader**[2] - 4:21,  
 40:14  
**leadership** [3] -  
 89:21, 104:9, 104:10  
**learn** [1] - 56:26  
**learned** [2] - 56:22,  
 56:28  
**learners** [3] - 68:3,  
 69:3, 70:8  
**learning** [4] - 24:24,  
 24:28, 68:25, 70:9  
**least** [4] - 13:24,  
 13:26, 34:17, 85:4  
**Leather**[2] - 45:16,  
 45:17  
**leave** [6] - 15:17,  
 25:2, 26:26, 61:19,  
 72:10, 105:1  
**Leaving**[1] - 23:13  
**leaving** [7] - 63:4,  
 71:12, 71:18, 71:24,  
 102:29, 121:8, 123:7  
**lectures** [1] - 98:10  
**led** [1] - 52:7  
**left** [8] - 17:3, 20:9,  
 50:8, 74:24, 109:25,  
 109:28, 109:29,  
 110:10  
**legal** [2] - 12:12,  
 13:18  
**Legion**[1] - 72:22  
**legislation** [1] -  
 11:10  
**legitimate** [2] -  
 60:13, 60:23  
**less** [8] - 36:5, 39:27,  
 52:19, 59:12, 70:4,  
 71:1, 72:27, 93:20  
**lest** [2] - 5:9, 5:10  
**letter** [49] - 19:13,  
 19:21, 20:3, 20:11,  
 20:13, 22:3, 22:8,  
 22:9, 22:14, 22:15,  
 22:17, 23:3, 23:5,  
 29:11, 29:13, 30:19,  
 32:7, 32:9, 43:28,  
 49:18, 49:26, 50:15,  
 51:8, 51:15, 52:2,  
 52:5, 54:19, 54:20,  
 63:6, 63:12, 63:17,  
 65:4, 71:29, 72:9,  
 76:18, 76:23, 77:15,  
 77:22, 77:26, 83:9,  
 83:12, 83:14, 83:25,

84:1, 84:12, 84:19,  
 89:25, 93:21  
**Letterfrack**[110] -  
 4:9, 4:25, 7:3, 7:14,  
 8:11, 9:11, 9:27, 16:4,  
 16:11, 16:22, 17:29,  
 18:7, 24:4, 24:18,  
 25:23, 25:27, 27:2,  
 27:17, 27:18, 27:24,  
 29:2, 30:13, 30:27,  
 31:2, 32:27, 33:12,  
 36:15, 38:24, 38:27,  
 39:4, 39:18, 39:23,  
 40:21, 42:14, 42:25,  
 46:9, 51:29, 53:27,  
 56:13, 56:18, 56:26,  
 60:17, 63:22, 63:26,  
 64:19, 65:6, 65:21,  
 65:28, 66:20, 66:25,  
 67:16, 68:5, 68:14,  
 68:23, 71:27, 72:2,  
 72:6, 72:16, 72:27,  
 73:19, 73:26, 74:19,  
 76:3, 76:5, 77:14,  
 77:25, 79:2, 79:16,  
 82:3, 87:3, 87:26,  
 88:15, 88:17, 88:23,  
 89:1, 90:6, 95:24,  
 96:21, 96:24, 96:29,  
 97:23, 99:9, 102:3,  
 102:29, 103:6, 104:4,  
 105:13, 105:19,  
 105:21, 105:24,  
 108:10, 108:25,  
 108:28, 109:2,  
 109:25, 110:2, 110:9,  
 110:15, 110:20,  
 110:24, 111:12,  
 113:25, 114:10,  
 115:15, 120:19,  
 122:14, 122:15,  
 122:25, 122:26  
**Letterfrack..(**  
**interjection** [1] - 77:12  
**letters** [4] - 21:11,  
 22:5, 43:25, 80:8  
**level** [7] - 16:5,  
 25:29, 82:11, 106:13,  
 111:15, 116:12,  
 122:20  
**life** [8] - 90:25, 90:26,  
 108:27, 112:23,  
 118:3, 118:4, 118:6,  
 122:14  
**light** [2] - 27:28,  
 57:23  
**lily** [1] - 31:18  
**Limitations**[1] - 7:20  
**limited** [2] - 14:4,  
 117:28

**line** [2] - 59:15,  
 120:25  
**lines** [2] - 68:6,  
 118:10  
**list** [6] - 5:3, 5:6,  
 13:12, 42:9, 98:1,  
 110:8  
**listen** [1] - 98:18  
**listened** [3] - 41:9,  
 41:18, 107:1  
**listening** [3] - 10:26,  
 36:10, 59:21  
**lists** [1] - 42:7  
**literally** [3] - 24:24,  
 95:17, 123:7  
**live** [3] - 119:5,  
 119:16, 121:6  
**lives** [2] - 83:21,  
 119:5  
**living** [3] - 8:11,  
 91:10, 122:7  
**loaned** [1] - 2:25  
**Local**[3] - 99:24,  
 100:20, 100:22  
**location** [2] - 110:16,  
 112:11  
**London**[1] - 88:11  
**longwinded** [2] -  
 92:25, 109:12  
**look** [30] - 12:8,  
 13:19, 19:28, 23:22,  
 28:14, 39:12, 39:26,  
 54:8, 54:16, 56:5,  
 60:17, 72:4, 72:28,  
 91:9, 91:10, 91:23,  
 92:12, 96:29, 114:26,  
 115:9, 115:10,  
 115:20, 117:19,  
 118:20, 119:4, 119:8,  
 119:10, 119:16,  
 122:5, 123:11  
**looked** [5] - 34:16,  
 40:12, 44:4, 91:19,  
 113:13  
**looking** [15] - 15:2,  
 18:22, 22:25, 24:27,  
 48:22, 49:15, 52:20,  
 54:8, 68:27, 73:9,  
 97:26, 114:11,  
 116:16, 117:3, 121:9  
**looks** [3] - 14:22,  
 68:19, 105:23  
**love** [1] - 118:10  
**low** [2] - 16:16, 25:21  
**Lower**[8] - 1:22,  
 108:2, 108:4, 108:9,  
 109:16, 109:20,  
 110:6, 110:11  
**luck** [1] - 122:27

## M

**Machinery** [1] - 73:4  
**machinery** [1] - 24:5  
**main** [6] - 21:11,  
 26:10, 90:9, 90:14,  
 97:6, 113:24  
**maintained** [1] -  
 114:17  
**maintaining** [1] -  
 100:22  
**maintenance** [2] -  
 58:10, 99:25  
**major** [1] - 70:19  
**majority** [7] - 20:25,  
 26:9, 65:17, 69:3,  
 70:1, 70:7, 73:26  
**male** [1] - 66:26  
**Malone** [2] - 2:24,  
 2:26  
**man** [4] - 39:14,  
 45:26, 83:19, 85:6  
**manage** [3] - 20:21,  
 70:25, 116:9  
**management** [1] -  
 77:2  
**Manager** [16] -  
 43:26, 43:29, 45:25,  
 73:11, 79:17, 79:20,  
 79:26, 80:5, 80:14,  
 80:17, 80:21, 80:24,  
 89:18, 120:7, 120:9,  
 120:14  
**manager** [10] - 45:2,  
 46:18, 47:1, 53:1,  
 54:15, 66:25, 72:7,  
 93:23, 97:8, 119:29  
**manager...{(**  
**interjection** [1] - 66:20  
**Managers** [6] -  
 71:21, 71:25, 72:25,  
 100:1, 100:28, 102:7  
**managers** [4] -  
 98:26, 102:5, 108:16,  
 108:22  
**Managers'** [2] - 72:5,  
 77:26  
**manifestly** [1] -  
 11:26  
**manner** [5] - 2:25,  
 8:22, 11:15, 103:19,  
 106:23  
**manual** [1] - 57:12  
**March** [6] - 49:19,  
 49:27, 63:12, 63:19,  
 76:18, 77:17  
**Marian** [1] - 1:21  
**Marino** [3] - 76:19,  
 83:10, 84:14  
**mark** [3] - 18:17,

26:13, 50:29  
**marking** [1] - 59:14  
**marks** [1] - 106:13  
**Mary** [1] - 72:22  
**Mary's** [4] - 4:21,  
 76:19, 83:9, 84:14  
**mass** [1] - 82:6  
**material** [11] - 4:19,  
 6:13, 23:8, 45:6,  
 45:29, 46:18, 48:3,  
 70:4, 71:1, 95:1,  
 95:17  
**materials** [1] - 5:21  
**mathematics** [1] -  
 70:2  
**matter** [13] - 5:1,  
 10:11, 15:9, 17:9,  
 50:7, 50:19, 62:26,  
 75:23, 99:26, 103:11,  
 105:2, 105:14, 110:8  
**matters** [10] - 7:10,  
 7:16, 10:18, 10:20,  
 35:9, 57:20, 60:5,  
 63:3, 92:6, 96:5  
**Maxwell** [1] - 2:14  
**Mccabe** [4] - 43:5,  
 46:28, 50:13, 97:25  
**Mccarthy** [1] - 29:29  
**Mcgoldrick** [1] - 2:8  
**Mcgovern** [4] -  
 28:12, 36:8, 75:16,  
 105:11  
**Mcgovern's** [1] -  
 105:12  
**Mcgrath** [61] - 2:17,  
 3:8, 6:20, 6:26, 6:28,  
 11:4, 11:17, 11:20,  
 11:29, 12:14, 12:16,  
 12:24, 12:27, 13:4,  
 13:24, 14:7, 14:12,  
 14:14, 14:18, 14:28,  
 15:17, 15:24, 19:20,  
 19:21, 19:29, 20:6,  
 20:7, 20:11, 20:18,  
 23:14, 23:28, 25:4,  
 25:11, 30:3, 35:9,  
 47:24, 52:13, 59:9,  
 60:13, 60:26, 61:23,  
 61:28, 62:3, 62:14,  
 62:23, 62:24, 64:17,  
 75:2, 75:6, 75:14,  
 75:20, 78:13, 78:16,  
 104:29, 105:8, 106:9,  
 106:16, 106:20,  
 106:22, 115:5  
**Mcgrath's** [1] - 23:23  
**Mchugh** [1] - 2:9  
**Mckinney** [4] -  
 49:19, 49:21, 51:17,  
 66:25

**meal** [1] - 52:5  
**mean** [36] - 6:2, 13:16, 13:28, 15:1, 17:27, 19:5, 23:20, 26:14, 33:19, 34:3, 34:7, 34:15, 34:23, 44:7, 46:24, 49:13, 52:19, 56:14, 57:4, 59:25, 60:21, 60:24, 64:12, 65:28, 69:19, 70:19, 87:9, 95:15, 97:4, 99:20, 101:6, 104:14, 106:18, 109:23, 120:11, 122:29  
**meaning** [3] - 41:28, 41:29, 42:1  
**means** [9] - 30:25, 53:21, 67:21, 87:10, 101:1, 101:18, 101:19, 103:9, 122:14  
**meat** [10] - 50:8, 50:20, 50:20, 50:22, 50:23, 50:28, 51:2, 51:9, 51:12, 51:24  
**meatless** [1] - 50:1  
**media** [1] - 38:23  
**medical** [2] - 55:1, 97:26  
**meet** [6] - 28:23, 29:24, 30:6, 32:14, 73:6, 80:21  
**meeting** [1] - 77:27  
**meetings** [3] - 38:1, 42:6, 108:21  
**member** [5] - 83:12, 83:19, 83:28, 84:16, 89:7  
**members** [5] - 6:13, 8:19, 10:15, 83:15, 83:20  
**Members** [1] - 2:4  
**Memorandum** [1] - 99:29  
**memories** [2] - 8:13, 17:18  
**memory** [1] - 23:10  
**men** [1] - 83:16  
**mention** [2] - 19:24, 122:28  
**mentioned** [9] - 39:21, 49:29, 50:3, 51:22, 79:23, 87:29, 98:8, 102:28, 114:1  
**mentioning** [1] - 58:22  
**message** [1] - 37:18  
**met** [2] - 71:25, 118:17  
**methods** [1] - 23:11

**Michael** [2] - 2:18, 7:1  
**Michael's** [1] - 56:7  
**middle** [1] - 76:17  
**might** [18] - 10:16, 37:6, 47:13, 50:13, 50:14, 57:17, 61:19, 61:25, 65:24, 76:9, 92:12, 93:25, 94:22, 108:22, 115:1, 115:25, 115:26, 119:12  
**mightn't** [1] - 25:8  
**milk** [3] - 67:4, 67:18, 67:19  
**mind** [4] - 16:9, 16:21, 83:3, 119:11  
**minds** [1] - 85:3  
**mine** [1] - 62:8  
**Minihan** [1] - 116:28  
**minimum** [1] - 82:13  
**Minister** [1] - 65:13  
**ministry** [2] - 40:17, 91:10  
**minute** [1] - 32:5  
**mirrored** [1] - 96:8  
**misrepresented** [1] - 12:12  
**miss** [1] - 107:20  
**missed** [1] - 77:11  
**missing** [5] - 48:26, 64:5, 64:8, 64:12, 64:14  
**mitchers** [1] - 68:2  
**mixing** [1] - 110:28  
**mixture** [3] - 27:9, 108:17, 108:19  
**modern** [2] - 68:5, 71:1  
**module** [1] - 76:8  
**moment** [10] - 22:3, 48:22, 53:9, 61:3, 62:25, 62:27, 63:2, 76:23, 95:19, 95:20  
**monastery** [1] - 56:10  
**Monday** [4] - 1:11, 4:1, 50:20, 50:28  
**money** [2] - 54:24, 103:2  
**month** [2] - 61:3, 85:4  
**monthly** [1] - 100:21  
**months** [3] - 84:23, 100:21, 100:22  
**Moorhead** [1] - 2:12  
**moral** [7] - 81:24, 82:7, 82:10, 82:17, 85:14, 85:18, 122:21  
**Moreover** [1] - 83:19

**morning** [15] - 4:4, 4:5, 4:6, 5:1, 5:7, 5:14, 11:10, 12:3, 22:21, 22:24, 42:28, 58:2, 67:19, 90:29, 102:28  
**most** [13] - 18:16, 29:2, 35:13, 43:23, 46:3, 47:1, 58:15, 74:4, 74:23, 75:11, 75:26, 81:14, 85:27  
**mostly** [3] - 24:5, 67:11, 105:22  
**motivated** [1] - 37:27  
**move** [5] - 15:8, 15:18, 15:25, 48:16, 66:9  
**moved** [2] - 62:11, 104:3  
**movement** [1] - 27:14  
**moving** [1] - 44:19  
**Moving** [1] - 83:25  
**Mulholland** [1] - 77:7  
**multiple** [2] - 101:13, 101:14  
**murder** [2] - 84:3, 84:5  
**music** [1] - 69:4  
**must** [6] - 2:25, 18:17, 20:20, 30:16, 43:22, 113:3  
**mystery** [1] - 14:21

---

## N

---

**name** [6] - 19:1, 19:24, 65:7, 87:27, 107:8  
**named** [2] - 1:31, 42:9  
**namely** [1] - 10:29  
**names** [1] - 33:25  
**national** [5] - 26:2, 26:4, 28:4, 38:22, 105:24  
**natural** [3] - 74:4, 86:9, 112:15  
**Naturally** [1] - 65:17  
**nature** [12] - 7:24, 10:3, 15:1, 35:26, 35:27, 41:24, 44:1, 57:19, 57:22, 97:22, 104:19, 118:19  
**nay** [1] - 71:28  
**near** [1] - 99:11  
**nearly** [2] - 115:29, 120:18  
**necessarily** [1] - 36:6

**necessary** [4] - 15:18, 15:19, 64:21, 64:22  
**need** [20] - 20:26, 28:24, 30:7, 43:22, 47:8, 47:26, 47:29, 49:5, 54:17, 64:13, 68:8, 69:15, 71:5, 71:8, 95:10, 99:3, 120:1, 121:23, 122:15, 123:13  
**needed** [5] - 33:6, 45:10, 52:23, 67:25, 121:18  
**needing** [1] - 68:3  
**needn't** [1] - 32:6  
**needs** [24] - 15:20, 34:25, 47:12, 53:2, 90:15, 94:29, 95:1, 95:17, 95:21, 95:29, 96:1, 97:11, 97:15, 98:11, 98:12, 99:5, 99:11, 116:26, 118:10, 118:15, 118:16, 119:27, 122:25, 122:27  
**needy** [1] - 80:8  
**negative** [7] - 35:17, 58:3, 58:28, 60:14, 89:26, 97:29, 117:11  
**negatives** [3] - 58:21, 61:18, 61:19  
**neglect** [1] - 8:26  
**neglected** [1] - 25:28  
**negotiate** [1] - 74:28  
**negotiations** [1] - 90:16  
**net** [1] - 86:10  
**neutral** [2] - 41:20, 61:18  
**never** [7] - 16:21, 17:16, 32:18, 55:20, 73:22, 104:16, 117:10  
**new** [5] - 21:7, 46:18, 54:4, 55:15, 56:7  
**New** [2] - 48:3, 55:18  
**next** [4] - 13:16, 50:24, 51:9, 76:8  
**nice** [1] - 114:16  
**night** [2] - 50:19, 76:26  
**nighttime** [1] - 76:27  
**nine** [2] - 37:19, 38:23  
**nobody** [2] - 12:7, 41:4  
**nobody's** [1] - 6:3  
**non** [1] - 98:12  
**non-physical** [1] - 98:12

**nonetheless** [1] - 119:20  
**normal** [8] - 25:28, 25:29, 28:22, 29:23, 29:28, 30:5, 30:23, 69:21  
**Northern** [1] - 101:9  
**northern** [1] - 4:24  
**note** [5] - 29:29, 46:27, 54:1, 76:17, 106:20  
**noted** [4] - 52:24, 54:6, 79:21, 93:22  
**notes** [1] - 1:30  
**nothing** [9] - 20:29, 29:6, 45:17, 57:9, 71:28, 75:2, 75:5, 115:24, 122:15  
**Nothing** [1] - 75:3  
**notice** [1] - 107:19  
**noticed** [1] - 92:24  
**noting** [1] - 48:29  
**notoriety** [1] - 83:22  
**number** [38] - 7:2, 7:17, 7:21, 8:6, 9:3, 9:12, 16:13, 16:19, 17:9, 19:29, 20:27, 21:10, 22:1, 23:13, 23:17, 25:19, 27:3, 27:26, 30:18, 36:11, 36:28, 37:27, 42:19, 42:28, 43:1, 43:25, 62:27, 68:2, 73:25, 79:3, 82:20, 85:10, 93:10, 98:9, 112:11, 113:14, 116:9, 117:15  
**numbers** [6] - 27:20, 113:5, 113:7, 123:2, 123:11  
**nutrition** [1] - 94:7

---

## O

---

**Odriscoll's** [1] - 108:27  
**Omoore** [4] - 2:21, 107:23, 107:25, 108:1  
**Oreilly** [1] - 117:2  
**O'shea** [4] - 53:13, 54:7, 54:18, 55:20  
**O'shea's** [1] - 55:12  
**object** [1] - 10:10  
**objected** [1] - 111:3  
**objecting** [1] - 106:22  
**objectively** [1] - 121:9  
**obligations** [1] - 73:6  
**obliged** [1] - 26:4  
**observation** [1] -

44:29  
**observations** [1] - 88:26  
**observing** [1] - 10:15  
**obsolete** [5] - 63:27, 64:4, 64:5, 64:7, 64:15  
**obtain** [1] - 45:14  
**obtained** [1] - 48:3  
**obtaining** [1] - 21:1  
**obvious** [4] - 69:19, 69:21, 70:8, 101:6  
**obviously** [13] - 10:23, 38:6, 45:29, 51:19, 69:20, 70:26, 71:23, 82:7, 107:16, 107:27, 109:7, 115:7, 123:10  
**obviously...(interjection)** [1] - 86:6  
**occasion** [10] - 7:17, 11:6, 14:7, 16:3, 16:15, 28:10, 35:11, 37:10, 41:21, 105:10  
**occasionally** [1] - 93:28  
**occasions** [5] - 8:18, 33:9, 81:15, 90:9, 91:21  
**occupational** [1] - 74:1  
**occur** [1] - 75:28  
**occurred** [3] - 47:3, 83:15, 83:18  
**occurring** [1] - 37:7  
**occurs** [1] - 107:16  
**October**[2] - 84:13, 84:29  
**odd** [1] - 112:18  
**offence** [6] - 81:25, 82:10, 82:18, 84:3, 84:5, 85:5  
**offences** [2] - 83:20, 109:4  
**offend** [1] - 103:29  
**offended** [2] - 11:22, 12:8  
**Offenders**[1] - 73:2  
**offer** [1] - 38:25  
**offered** [2] - 37:21, 41:10  
**office** [1] - 72:13  
**official** [1] - 99:21  
**often** [6] - 30:7, 51:12, 74:13, 91:22, 116:24, 120:8  
**old** [2] - 21:6, 23:12  
**omitted** [1] - 70:27  
**once** [1] - 85:4  
**one** [88] - 4:22, 5:1,

5:26, 7:16, 14:27, 17:19, 19:12, 20:23, 22:12, 22:20, 23:21, 24:8, 25:6, 25:16, 31:2, 32:15, 32:21, 32:23, 33:12, 33:29, 34:17, 34:21, 35:9, 38:8, 38:12, 38:14, 38:15, 40:9, 40:10, 40:15, 40:18, 40:19, 41:3, 42:13, 43:7, 43:12, 43:20, 44:14, 50:7, 56:25, 60:26, 61:18, 63:14, 63:25, 64:18, 65:6, 65:22, 69:23, 70:8, 70:13, 75:27, 76:17, 78:21, 79:6, 79:7, 79:20, 80:12, 80:15, 81:11, 84:28, 92:18, 96:23, 97:13, 98:20, 100:19, 103:11, 105:2, 105:10, 107:5, 107:11, 108:9, 108:28, 108:29, 114:28, 115:5, 115:29, 116:8, 116:13, 116:18, 120:9, 120:24, 120:27, 123:4, 123:7  
**One**[6] - 24:15, 64:11, 74:16, 104:8, 110:14, 122:10  
**one-to-one** [2] - 120:24, 120:27  
**ones** [4] - 24:21, 42:21, 59:10, 114:20  
**only...(interjection)** [1] - 74:25  
**onus** [1] - 73:9  
**onwards** [3] - 49:7, 56:4, 95:8  
**open** [3] - 110:16, 110:20, 110:24  
**opening** [1] - 105:2  
**opinion** [2] - 70:3, 71:1  
**opportunity** [4] - 8:4, 53:6, 114:22, 121:10  
**opposed** [2] - 96:5, 110:24  
**order** [1] - 22:21  
**Order**[3] - 68:7, 84:15, 84:16  
**ordinary** [4] - 18:19, 26:2, 109:14  
**organ** [1] - 97:21  
**organisation** [2] - 35:25, 51:26  
**organisations** [1] - 35:14  
**organised** [1] - 38:2  
**original** [4] - 7:11, 36:3, 44:3, 75:16  
**originally** [1] - 113:29  
**orphans** [1] - 108:18  
**otherwise** [2] - 12:18, 86:5  
**ought** [1] - 50:9  
**ourselves** [1] - 115:10  
**outfits** [2] - 67:11, 67:11  
**outlaw** [1] - 57:11  
**outlined** [6] - 10:3, 20:21, 36:3, 36:21, 41:11, 104:2  
**outlines** [1] - 71:21  
**outside** [1] - 71:16  
**overall** [2] - 53:4, 115:28  
**overdraft** [1] - 65:11  
**overworked** [3] - 91:21, 113:18, 113:19  
**own** [14] - 16:8, 21:16, 30:22, 36:12, 36:18, 87:27, 92:3, 98:9, 98:14, 107:7, 111:10, 120:23, 121:20, 122:14

## P

**pace** [2] - 29:28, 122:7  
**pack** [1] - 121:12  
**Page** [1] - 30:3  
**page** [29] - 20:1, 22:8, 22:17, 28:16, 28:18, 28:21, 29:12, 29:21, 30:3, 37:15, 43:17, 45:12, 48:24, 55:14, 56:5, 62:26, 62:27, 63:7, 66:9, 66:12, 69:28, 69:29, 70:6, 71:17, 71:22, 73:3, 77:16, 78:29, 105:15  
**pages** [4] - 44:22, 68:27, 68:28, 76:17  
**paginated** [1] - 25:15  
**paid** [2] - 73:22, 100:2  
**painful** [1] - 8:13  
**painted** [1] - 55:26  
**painting** [1] - 55:15  
**panel** [3] - 40:7, 40:8, 40:12  
**pants** [1] - 67:12  
**papers** [3] - 38:23, 62:5, 87:16  
**paragraph** [7] - 37:16, 49:26, 53:16, 66:23, 67:1, 67:14, 69:2  
**paraphrase** [1] - 8:9  
**paraphrasing** [1] - 119:9  
**parents** [4] - 65:18, 111:2, 112:27, 112:28  
**Park** [2] - 1:6, 4:14  
**part** [8] - 16:27, 35:24, 37:14, 37:20, 56:19, 72:24, 109:9  
**partial** [1] - 73:7  
**particular** [40] - 7:28, 11:15, 14:19, 25:23, 28:29, 30:21, 31:19, 31:20, 32:9, 32:10, 34:11, 34:25, 43:12, 47:9, 50:23, 57:25, 59:29, 60:12, 62:8, 64:23, 67:14, 71:7, 73:15, 75:25, 76:6, 76:14, 79:20, 80:17, 88:16, 88:26, 89:21, 91:26, 92:2, 94:5, 95:6, 97:18, 105:28, 107:11, 110:18, 115:27  
**particularly** [9] - 31:10, 31:13, 46:9, 55:12, 59:1, 93:18, 95:23, 95:26, 118:16  
**party** [2] - 2:26, 73:3  
**passed** [3] - 16:20, 17:14, 18:11  
**past** [3] - 48:16, 53:19, 119:4  
**patched** [6] - 43:13, 44:26, 45:2, 45:14, 45:28, 46:17  
**patches** [3] - 46:5, 94:11, 94:12  
**patients** [1] - 53:20  
**Patrick's** [2] - 25:20, 25:21  
**Pause** [1] - 62:29  
**pause** [1] - 18:6  
**pay** [2] - 55:1, 72:12  
**peculiar** [1] - 16:26  
**pedophilia** [1] - 104:19  
**peer** [1] - 116:14  
**People** [1] - 30:25  
**people** [81] - 8:2, 8:10, 9:1, 10:23, 10:25, 11:24, 17:13, 17:21, 18:1, 18:9, 18:26, 19:3, 19:6, 23:24, 24:21, 27:1, 27:10, 27:13, 29:7, 30:15, 31:17, 32:2, 32:10, 33:26, 33:29, 34:28, 35:6, 36:14, 38:2, 38:3, 39:21, 41:16, 42:9, 42:11, 42:13, 53:3, 61:24, 61:25, 65:21, 72:17, 73:21, 74:24, 79:26, 80:6, 80:28, 81:3, 81:7, 81:9, 81:11, 81:18, 86:24, 95:12, 97:5, 98:22, 99:6, 103:16, 104:16, 106:10, 107:18, 108:20, 108:23, 109:22, 109:27, 110:1, 110:27, 113:20, 113:21, 115:8, 115:23, 116:18, 117:7, 117:15, 117:16, 117:25, 118:24, 120:7, 120:23, 120:24, 121:21, 121:25  
**people's** [2] - 7:14, 17:18  
**per** [3] - 100:11, 100:11, 101:14  
**perceived** [1] - 93:16  
**percentile** [1] - 66:8  
**perception** [1] - 96:1  
**perfect** [4] - 59:8, 61:2, 93:27, 118:24  
**perfectly** [1] - 60:13  
**performed** [1] - 18:19  
**Perhaps** [1] - 4:25  
**perhaps** [2] - 59:3, 122:20  
**perilous** [1] - 102:1  
**period** [12] - 27:12, 27:14, 36:28, 50:6, 55:12, 55:24, 94:2, 100:21, 100:21, 101:29, 103:4, 111:12  
**permission** [2] - 2:26, 50:7  
**person** [19] - 5:20, 30:21, 31:20, 32:25, 38:13, 40:17, 41:7, 41:10, 58:19, 79:17, 79:26, 80:5, 80:6, 80:15, 86:4, 97:9, 98:19, 103:27, 116:8  
**personal** [1] - 30:22  
**personality** [2] -

80:23, 120:2  
**personally** [1] - 41:8  
**persons** [1] - 84:15  
**peruse** [1] - 39:15  
**perusing** [1] - 39:2  
**perused** [1] - 36:17  
**Phase** [18] - 4:12,  
6:11, 6:15, 14:3, 14:5,  
18:8, 18:22, 18:25,  
23:1, 31:6, 57:22,  
58:13, 86:26, 98:17,  
103:16, 107:5, 109:7,  
109:28  
**phase** [3] - 4:16,  
7:29, 57:19  
**phasing** [1] - 65:26  
**phoned** [1] - 97:8  
**photocopied** [1] -  
2:25  
**phrase** [1] - 47:17  
**physical** [22] - 7:8,  
8:14, 13:11, 31:12,  
35:26, 36:1, 36:14,  
36:23, 36:29, 37:2,  
37:6, 37:11, 39:10,  
39:18, 69:4, 79:2,  
81:7, 94:29, 97:27,  
98:12, 113:28  
**physically** [1] - 36:26  
**pick** [3] - 60:16,  
115:5, 115:6  
**picture** [1] - 115:28  
**piece** [1] - 58:15  
**piped** [1] - 56:10  
**place** [30] - 15:4,  
16:29, 24:24, 38:16,  
40:7, 40:8, 40:16,  
40:22, 56:2, 56:3,  
68:6, 71:14, 77:21,  
81:18, 90:23, 96:8,  
96:16, 96:18, 97:14,  
97:23, 97:24, 97:26,  
110:20, 110:28,  
111:25, 114:14,  
116:18, 118:22,  
121:18, 121:21  
**places** [3] - 32:14,  
54:22, 115:15  
**plainest** [1] - 85:5  
**plastering** [2] -  
56:23, 56:25  
**plausible** [5] - 44:6,  
44:9, 44:14, 44:17,  
44:18  
**playing** [1] - 67:10  
**plenty** [1] - 39:15  
**plot** [1] - 26:8  
**Pm** [2] - 123:22,  
123:24  
**pneumonia** [2] -  
53:18, 93:13  
**Point** [1] - 60:10  
**point** [25] - 12:19,  
13:6, 13:19, 15:15,  
23:23, 31:21, 35:19,  
50:2, 50:4, 60:8,  
60:10, 60:12, 60:14,  
60:15, 62:13, 75:24,  
97:2, 97:29, 112:2,  
112:13, 114:26,  
117:5, 119:15, 121:5,  
122:21  
**pointed** [2] - 45:2,  
99:3  
**pointing** [1] - 96:15  
**points** [5] - 9:12,  
81:3, 89:26, 107:13,  
107:20  
**police** [1] - 41:13  
**politically** [1] - 37:28  
**population** [3] -  
68:6, 94:8, 94:16  
**porridge** [1] - 50:1  
**portion** [1] - 111:13  
**position** [8] - 6:2,  
11:27, 12:6, 15:2,  
15:22, 83:18, 97:2,  
102:18  
**positions** [1] - 42:16  
**positive** [10] - 58:5,  
58:22, 60:15, 73:6,  
89:26, 96:16, 97:29,  
98:4, 117:10, 121:5  
**possible** [10] - 11:11,  
11:24, 18:29, 19:2,  
20:27, 57:17, 79:8,  
95:18, 101:1, 101:18  
**post** [2] - 72:13,  
112:6  
**postulation** [1] -  
106:25  
**practical** [3] - 27:26,  
92:6, 93:4  
**practice** [4] - 27:23,  
28:1, 71:26, 87:9  
**praise** [2] - 67:1,  
114:13  
**praises** [1] - 32:3  
**preface** [2] - 118:9,  
119:21  
**prefer** [1] - 86:2  
**preference** [1] -  
61:27  
**preferences** [1] -  
61:25  
**prejudicial** [1] -  
15:14  
**preliminary** [1] -  
15:9  
**premises** [3] - 94:13,  
110:17, 110:18  
**preparation** [3] -  
24:11, 71:16, 71:18  
**prepared** [3] - 31:20,  
39:2, 116:19  
**present** [6] - 20:29,  
26:4, 47:20, 70:12,  
73:6, 79:17  
**Present** [1] - 2:4  
**Presentation** [1] -  
117:1  
**presentation** [2] -  
36:21, 71:17  
**presented** [1] - 59:5  
**presenting** [2] -  
61:17, 61:19  
**presume** [5] - 9:17,  
26:18, 66:2, 77:10,  
87:12  
**pretty** [1] - 55:6  
**prevailing** [1] - 96:14  
**Prevention** [1] - 73:1  
**previous** [14] - 4:18,  
11:6, 14:7, 14:23,  
16:14, 33:9, 35:10,  
37:10, 43:10, 61:14,  
90:21, 92:24, 101:5,  
121:25  
**previously** [1] -  
101:11  
**price** [1] - 45:6  
**primarily** [1] - 96:21  
**primary** [11] - 16:4,  
16:21, 17:3, 17:9,  
18:19, 27:3, 27:25,  
54:29, 109:14, 110:3  
**Primary** [25] - 16:5,  
16:10, 16:19, 17:14,  
17:17, 17:22, 18:2,  
18:10, 21:14, 21:18,  
24:10, 26:8, 26:16,  
35:4, 65:26, 65:29,  
87:2, 87:5, 87:26,  
105:5, 105:26, 106:6,  
106:12, 106:26, 107:4  
**primitive** [2] - 23:18,  
23:27  
**principal** [1] - 86:4  
**principle** [2] - 59:27,  
91:6  
**print** [1] - 117:9  
**priority** [2] - 92:29,  
122:22  
**privacy** [1] - 11:12  
**private** [9] - 6:14,  
9:13, 11:9, 11:25,  
57:7, 81:9, 81:12,  
106:1  
**privately** [1] - 57:21  
**pro** [1] - 72:8  
**probability** [1] -  
38:19  
**probing** [1] - 14:26  
**problem** [22] - 5:27,  
22:9, 31:21, 43:18,  
47:12, 47:19, 47:22,  
47:23, 47:24, 48:1,  
50:14, 65:20, 65:22,  
65:23, 72:6, 76:2,  
76:6, 78:6, 90:13,  
90:14, 92:19, 117:15  
**problems** [15] - 32:8,  
32:9, 35:26, 46:22,  
47:15, 47:17, 64:3,  
65:24, 67:24, 70:7,  
73:22, 79:19, 93:15,  
110:15, 112:21  
**procedural** [1] - 15:5  
**procedure** [3] - 4:14,  
71:14, 72:2  
**procedures** [1] -  
40:16  
**proceedings** [3] -  
10:15, 14:24, 15:1  
**process** [3] - 8:4,  
86:22, 89:4  
**processed** [1] -  
87:14  
**produce** [1] - 21:13  
**produced** [1] - 5:24  
**producing** [1] - 5:25  
**production** [1] - 89:5  
**profession** [1] - 85:6  
**professional** [1] -  
30:27  
**professionalism** [1]  
- 17:5  
**Professor** [1] -  
108:27  
**professor** [1] - 98:20  
**programme** [2] -  
26:5, 33:4  
**programmes** [1] -  
42:5  
**progressed** [1] -  
95:25  
**prohibition** [1] - 77:1  
**promised** [2] - 67:8,  
69:18  
**prompted** [1] - 61:12  
**proper** [5] - 53:22,  
61:8, 67:21, 68:8,  
108:18  
**properly** [1] - 64:23  
**proposal** [1] - 112:21  
**prove** [2] - 35:17,  
38:15  
**proved** [4] - 42:19,  
42:22, 42:24, 42:27  
**provide** [11] - 45:6,  
46:18, 69:26, 102:19,  
102:20, 102:26,  
113:27, 116:20,  
118:7, 121:22, 122:8  
**provided** [9] - 30:14,  
63:29, 74:1, 94:23,  
101:12, 103:1, 103:5,  
107:27, 117:20  
**providence** [1] - 88:9  
**providing** [3] -  
44:27, 94:26, 118:5  
**province** [3] - 4:22,  
4:23, 89:21  
**Province** [1] - 40:14  
**provinces** [1] - 4:22  
**Provincial** [12] -  
4:21, 19:22, 20:4,  
20:13, 29:17, 49:24,  
77:17, 83:26, 84:29,  
85:2, 89:7, 92:5  
**provision** [7] - 98:27,  
100:29, 101:20,  
101:21, 101:22,  
102:23, 123:8  
**psychological** [1] -  
118:16  
**psychologically** [1] -  
31:26  
**Public** [1] - 1:3  
**public** [9] - 10:14,  
10:15, 11:25, 11:27,  
13:26, 15:4, 83:17,  
86:23, 87:6  
**published** [2] -  
17:28, 88:8  
**pubs** [1] - 38:2  
**punishable** [1] - 85:6  
**punishment** [1] -  
77:3  
**pupil** [1] - 70:22  
**pupils** [15] - 9:11,  
10:4, 21:7, 21:17,  
28:3, 65:11, 69:3,  
69:9, 70:1, 70:4, 70:7,  
70:11, 87:3, 88:22,  
119:4  
**purchase** [1] -  
102:24  
**purported** [1] - 58:20  
**purpose** [6] - 56:12,  
88:18, 89:6, 94:25,  
102:25, 113:25  
**pursue** [1] - 26:8  
**put** [34] - 10:13,  
10:17, 10:27, 12:20,  
15:2, 18:4, 19:10,  
23:18, 28:15, 31:24,  
35:14, 38:22, 39:29,  
40:8, 40:16, 50:29,  
54:4, 58:13, 60:18,

65:3, 71:14, 73:9,  
73:10, 80:16, 90:23,  
91:22, 93:21, 98:21,  
106:21, 107:3,  
112:21, 118:22,  
121:18  
**putting** [2] - 47:22,  
106:24

---

## Q

---

**qualified** [2] - 27:10,  
30:26  
**qualities** [1] - 74:6  
**quality** [8] - 16:28,  
51:26, 68:22, 88:7,  
91:9, 93:12, 99:4,  
123:8  
**quantity** [1] - 50:1  
**query** [1] - 58:19  
**Questioned** [5] - 3:9,  
3:12, 6:6, 78:24,  
108:6  
**Questioning** [3] -  
6:22, 85:22, 123:18  
**questioning** [2] -  
51:26, 59:16  
**questions** [19] - 7:2,  
11:12, 14:1, 16:8,  
59:10, 59:12, 62:20,  
78:14, 86:10, 86:12,  
93:9, 105:3, 105:11,  
107:23, 107:29,  
108:1, 108:4, 110:14,  
111:21  
**quickly** [3] - 21:27,  
54:16, 70:21  
**quietly** [1] - 50:4  
**quite** [21] - 7:26,  
16:13, 27:13, 28:22,  
29:23, 30:5, 32:22,  
35:22, 36:10, 36:18,  
37:27, 47:3, 49:22,  
51:17, 52:25, 59:25,  
60:10, 62:7, 63:6,  
83:11, 109:26  
**quotations** [1] - 98:2  
**quote** [4] - 66:3,  
71:18, 71:20, 71:22  
**quoted** [2] - 99:23,  
100:20  
**quoting** [1] - 28:10

---

## R

---

**radical** [1] - 68:16  
**radically** [1] - 21:6  
**raffle** [1] - 54:2  
**raffles** [1] - 54:23  
**raise** [1] - 114:26

**raised** [6] - 23:2,  
51:28, 74:13, 93:11,  
105:3, 105:28  
**raising** [1] - 23:19  
**ran** [1] - 111:14  
**range** [1] - 103:1  
**rate** [2] - 17:10,  
109:21  
**rather** [13] - 10:20,  
22:8, 35:18, 43:13,  
45:15, 65:10, 81:24,  
82:17, 83:29, 93:4,  
117:24, 117:25, 123:5  
**ratio** [1] - 116:3  
**re** [1] - 45:6  
**Reablement** [2] -  
63:13, 63:18  
**reached** [1] - 86:26  
**react** [2] - 28:24,  
30:7  
**reaction** [2] - 40:28,  
41:3  
**read** [11] - 9:2, 9:3,  
9:9, 59:18, 62:6,  
69:12, 69:13, 77:26,  
83:8, 104:20, 120:3  
**reading** [7] - 29:28,  
36:12, 55:4, 69:29,  
70:4, 71:1, 76:7  
**real** [5] - 24:20,  
72:24, 99:11, 119:16,  
121:7  
**realise** [2] - 116:25,  
122:25  
**realised** [2] - 21:8,  
122:2  
**reality** [3] - 21:15,  
34:20, 36:17  
**really** [27] - 9:13,  
9:16, 13:7, 13:13,  
13:18, 13:22, 15:8,  
15:10, 15:13, 15:14,  
15:15, 15:23, 35:6,  
38:21, 47:7, 47:13,  
57:15, 61:12, 75:17,  
76:3, 85:19, 97:16,  
111:4, 114:3, 121:22,  
122:1  
**reason** [5] - 26:24,  
39:9, 70:8, 88:20,  
111:4  
**reasonable** [2] -  
10:7, 23:27  
**reasonably** [2] -  
100:4, 110:19  
**reasons** [4] - 12:9,  
30:2, 31:19, 112:19  
**rebuilding** [1] - 57:2  
**rebuttal** [2] - 10:19,  
11:3

**receipt** [1] - 54:19  
**received** [4] - 8:18,  
43:20, 114:17, 119:6  
**receiving** [1] - 42:2  
**recent** [3] - 58:15,  
63:27, 104:17  
**Recently** [1] - 63:25  
**reception** [1] - 53:20  
**recidivism** [1] -  
104:23  
**recidivistic** [1] -  
104:18  
**recognise** [2] -  
74:17, 92:9  
**recognised** [2] -  
70:11, 121:26  
**recognising** [1] -  
71:4  
**recognition** [1] -  
120:6  
**recollection** [1] -  
14:25  
**recommend** [3] -  
64:28, 70:10, 84:23  
**recommendation** [1]  
- 40:14  
**recommendations**  
[1] - 90:7  
**reconsider** [1] -  
12:10  
**record** [2] - 88:2,  
106:24  
**recorded** [1] - 17:18  
**records** [3] - 39:11,  
86:29, 88:21  
**rectified** [1] - 93:17  
**recurrence** [1] - 44:1  
**Redress** [5] - 8:3,  
9:19, 37:28, 41:1,  
42:2  
**Reedy** [2] - 2:6, 6:4  
**refectory** [2] - 55:15,  
55:18  
**refer** [9] - 18:24,  
19:13, 25:11, 53:10,  
55:13, 81:22, 82:20,  
84:28, 99:21  
**reference** [14] - 5:4,  
19:15, 22:4, 29:10,  
44:21, 48:18, 57:24,  
61:13, 61:15, 68:24,  
68:26, 82:24, 101:16  
**Reference** [2] - 88:25,  
94:10  
**referred** [1] - 80:2  
**referring** [3] - 5:26,  
22:4, 37:14  
**reflect** [1] - 60:22  
**Reformatory** [1] -  
100:10

**reformatory** [2] -  
68:5, 74:2  
**refrain** [1] - 57:17  
**refused** [1] - 22:25  
**regard** [18] - 15:28,  
17:12, 18:13, 18:15,  
24:1, 26:3, 43:3, 46:6,  
46:23, 63:4, 71:12,  
73:18, 74:21, 79:22,  
80:22, 87:1, 88:27,  
98:27  
**regarded** [1] - 112:5  
**regarding** [1] - 77:3  
**regards** [1] - 88:22  
**regime** [3] - 91:17,  
96:25, 97:23  
**Registrar** [1] - 2:6  
**regret** [2] - 40:22,  
59:5  
**regrets** [1] - 43:29  
**regular** [5] - 22:13,  
27:17, 28:4, 80:20,  
97:25  
**regulation** [1] - 77:2  
**reject** [2] - 9:25, 10:6  
**relate** [1] - 22:16  
**relation** [34] - 7:2,  
7:10, 7:14, 8:21, 8:24,  
10:12, 10:18, 10:19,  
11:1, 16:18, 17:26,  
22:1, 32:9, 36:9,  
36:12, 45:18, 47:10,  
57:25, 61:28, 63:3,  
63:7, 74:23, 75:6,  
75:15, 75:21, 92:5,  
93:11, 94:20, 94:21,  
98:10, 105:5, 105:13,  
106:26, 107:26  
**relations** [1] - 92:19  
**relative** [3] - 47:20,  
47:21, 94:16  
**relays** [3] - 56:8,  
56:17, 57:1  
**relevance** [1] - 62:6  
**relevant** [3] - 18:8,  
59:27, 111:12  
**religious** [5] - 83:20,  
91:8, 91:14, 92:5,  
93:1  
**religious...**(  
**interjection** [1] - 91:18  
**reluctant** [5] - 59:28,  
60:8, 81:8, 81:14,  
82:5  
**rely** [1] - 107:19  
**remain** [1] - 41:19  
**remedy** [1] - 50:7  
**remember** [6] - 23:1,  
34:4, 34:10, 64:27,  
73:18, 119:26

**remind** [1] - 103:16  
**reminded** [1] - 59:19  
**remiss** [1] - 104:14  
**remonstrated** [1] -  
44:2  
**remote** [1] - 112:11  
**remoteness** [5] -  
24:18, 111:25, 113:1,  
113:10, 114:9  
**removed** [2] - 67:6,  
114:5  
**repair** [7] - 54:3,  
58:10, 67:8, 67:22,  
67:26, 101:22, 101:23  
**repairs** [1] - 94:12  
**repeat** [5] - 19:17,  
21:23, 25:14, 44:16,  
83:6  
**replace** [1] - 115:24  
**replaced** [2] - 45:11,  
93:26  
**reply** [3] - 8:4, 43:27  
**replying** [1] - 11:26  
**Report** [30] - 16:29,  
21:22, 23:25, 25:13,  
46:8, 47:13, 58:8,  
64:28, 66:4, 72:3,  
74:26, 81:2, 87:29,  
88:3, 88:4, 89:5,  
90:15, 91:8, 91:12,  
95:6, 95:9, 99:23,  
100:27, 101:17,  
118:8, 118:12,  
118:20, 119:21,  
119:25, 122:4  
**report** [27] - 25:18,  
43:5, 45:9, 47:9, 53:5,  
58:13, 66:14, 66:22,  
67:28, 68:28, 73:2,  
74:1, 79:9, 81:5,  
88:29, 89:20, 90:3,  
90:21, 90:22, 92:18,  
99:1, 101:4, 101:6  
**reported** [2] - 52:11,  
81:21  
**reporting** [6] - 52:18,  
81:6, 81:19, 82:11,  
82:14, 92:5  
**Reports** [17] - 23:9,  
52:24, 52:25, 55:10,  
60:26, 88:25, 88:27,  
90:5, 90:25, 94:6,  
96:7, 113:18, 114:12,  
114:20, 114:27,  
115:3, 115:6  
**reports** [16] - 25:9,  
32:4, 42:3, 42:29,  
45:23, 52:17, 52:21,  
55:9, 58:6, 72:5, 79:9,  
91:25, 92:1, 93:15,

97:27, 114:13  
**reproduced** [1] - 2:25  
**request** [1] - 43:27  
**requested** [1] - 63:28  
**required** [8] - 21:3, 23:13, 63:29, 67:4, 83:21, 100:3, 102:18, 103:7  
**requirements** [4] - 68:4, 95:22, 98:26, 118:29  
**requires** [2] - 26:1, 116:10  
**research** [2] - 88:17, 97:17  
**residence** [2] - 67:7, 68:2  
**Resident**[22] - 43:26, 45:25, 71:21, 71:25, 72:4, 72:24, 73:11, 77:26, 79:17, 79:20, 79:26, 80:4, 80:14, 80:17, 80:21, 80:24, 89:18, 100:1, 102:7, 120:7, 120:9, 120:14  
**resident** [2] - 51:28, 51:29  
**Residential**[5] - 9:26, 76:20, 76:24, 100:15, 102:14  
**residential** [20] - 54:29, 77:17, 77:29, 86:25, 96:20, 98:27, 99:22, 100:8, 102:5, 103:8, 103:26, 103:28, 104:4, 108:16, 108:22, 110:22, 118:17, 118:21, 121:27, 123:4  
**residents** [3] - 39:23, 42:5, 42:7  
**resist** [1] - 122:12  
**resort** [1] - 54:23  
**resources** [10] - 31:28, 55:2, 58:17, 69:18, 94:23, 95:16, 101:25, 101:26, 116:20, 117:28  
**resourcing** [2] - 95:19, 102:17  
**respect** [5] - 20:20, 57:21, 58:23, 61:17, 73:7  
**respectfully** [1] - 10:16  
**respecting** [1] - 34:12  
**respond** [1] - 31:9  
**responded** [1] -

69:26  
**respondent** [1] - 2:26  
**respondents** [1] - 6:18  
**responsibility** [1] - 4:24  
**responsible** [1] - 65:18  
**rest** [1] - 55:20  
**resting** [1] - 57:5  
**restrain** [1] - 57:15  
**result** [3] - 28:9, 79:3, 98:5  
**results** [36] - 16:5, 16:9, 17:17, 17:19, 17:26, 17:27, 18:6, 18:25, 18:26, 19:7, 19:8, 19:10, 19:11, 21:14, 21:20, 21:21, 21:22, 25:8, 26:13, 26:14, 26:15, 26:22, 26:23, 26:25, 28:9, 35:4, 66:7, 70:24, 87:14, 88:22, 91:23, 105:13, 105:24  
**rethink** [1] - 68:16  
**return** [1] - 68:8  
**returns** [1] - 50:25  
**reveal** [2] - 81:1, 81:14  
**revealing** [1] - 14:26  
**revenge** [1] - 22:25  
**Reverend**[1] - 43:29  
**reversed** [1] - 35:19  
**review** [1] - 106:20  
**revised** [1] - 26:3  
**rid** [1] - 67:24  
**riddles** [1] - 60:6  
**righted** [1] - 50:9  
**rightly** [1] - 13:7  
**roads** [1] - 21:10  
**robbing** [1] - 65:23  
**role** [3] - 72:7, 97:6, 113:27  
**Rome**[4] - 82:21, 82:29, 84:4, 103:12  
**room** [5] - 10:23, 10:25, 21:26, 65:13, 70:13  
**Rosminians**[1] - 117:2  
**row** [1] - 22:21  
**rows** [1] - 70:11  
**Rtê**[1] - 42:4  
**ruin** [2] - 56:2, 105:17  
**rule** [3] - 59:24, 77:3, 91:16  
**ruling** [8] - 11:8,

11:18, 12:1, 12:18, 14:8, 14:10, 15:19, 62:10  
**run** [3] - 4:11, 100:3, 100:11  
**running** [5] - 29:1, 29:2, 29:3, 100:28  
**rush** [1] - 30:1  
**Ryan**[1] - 1:17

---

**S**

---

**safe** [3] - 115:23, 116:10, 120:25  
**safety** [2] - 116:12, 117:20  
**sake** [1] - 49:29  
**Salles**[1] - 49:28  
**salute** [1] - 118:2  
**sanitary** [1] - 53:22  
**sat** [3] - 16:19, 17:16, 18:11  
**satisfactory** [1] - 33:16  
**satisfied** [6] - 12:29, 50:25, 51:17, 60:2, 97:20, 118:26  
**satisfy** [1] - 22:22  
**Saturday**[6] - 50:21, 50:24, 50:29, 51:2, 51:9, 51:20  
**Savey**[1] - 81:2  
**savings** [1] - 72:14  
**saw** [6] - 34:17, 55:21, 90:27, 93:18, 93:19, 93:20  
**Sc**[5] - 2:8, 2:12, 2:17, 2:21  
**scale** [1] - 61:4  
**scandal** [2] - 83:17, 84:25  
**scarce** [4] - 63:27, 64:7, 64:10, 64:15  
**Scarce**[1] - 64:8  
**scared** [1] - 81:13  
**scenario** [1] - 18:9  
**School**[4] - 4:9, 4:13, 4:14, 76:13  
**school** [72] - 8:25, 17:2, 17:3, 17:10, 18:18, 20:21, 20:26, 21:5, 21:10, 21:13, 21:16, 22:10, 22:13, 22:20, 22:23, 22:29, 23:6, 24:7, 26:2, 26:4, 27:2, 27:25, 28:3, 32:25, 32:26, 35:24, 43:16, 45:24, 49:8, 54:3, 55:2, 56:19, 56:22, 57:2, 58:10,

63:22, 65:15, 67:4, 68:6, 69:17, 70:11, 70:12, 70:17, 70:23, 76:16, 80:11, 84:4, 84:5, 89:25, 89:27, 90:25, 90:26, 91:22, 93:16, 94:24, 96:24, 96:25, 96:29, 97:9, 99:10, 100:22, 101:19, 103:3, 103:27, 108:12, 108:23, 109:13, 109:14, 110:22, 119:29  
**schoolboys** [1] - 25:21  
**schooling** [1] - 25:28  
**schools** [51] - 16:21, 17:8, 18:2, 18:18, 18:20, 19:5, 20:22, 20:25, 21:1, 21:27, 27:1, 28:22, 29:4, 29:23, 30:5, 30:23, 30:26, 32:18, 42:15, 45:22, 54:29, 58:8, 65:12, 68:5, 74:2, 74:24, 77:17, 77:28, 78:1, 79:8, 89:17, 91:20, 94:28, 96:10, 96:26, 99:22, 99:26, 100:3, 100:8, 100:10, 100:28, 101:8, 108:14, 110:3, 110:5, 111:14, 118:13, 118:29  
**Schools**[4] - 76:20, 76:24, 100:15, 102:14  
**science** [1] - 24:15  
**Scotland** [1] - 101:9  
**scratched** [1] - 65:7  
**screen** [1] - 28:15  
**second** [10] - 12:23, 28:1, 29:12, 43:17, 46:20, 49:26, 53:16, 66:23, 73:2, 93:3  
**secondary** [1] - 110:3  
**secretly** [1] - 81:13  
**see** [31] - 11:14, 14:18, 15:1, 18:23, 29:10, 42:9, 43:2, 49:4, 50:8, 52:16, 57:3, 57:9, 60:18, 62:12, 62:26, 66:7, 73:9, 75:24, 82:7, 85:18, 89:28, 90:23, 93:24, 102:16, 110:10, 113:12, 115:25, 116:2, 117:26, 120:20,

121:14  
**seek** [1] - 93:15  
**seem** [13] - 13:15, 13:17, 22:14, 26:7, 53:25, 59:27, 60:12, 67:15, 67:22, 67:27, 68:12, 83:8, 84:9  
**selectively** [1] - 58:3  
**self** [1] - 101:20  
**self-sufficient** [1] - 101:20  
**seminars** [1] - 98:10  
**send** [1] - 122:25  
**sending** [1] - 33:26  
**senior** [1] - 6:28  
**sense** [8] - 38:16, 113:1, 114:4, 117:4, 119:7, 120:3, 121:21, 122:12  
**sent** [24] - 22:29, 31:22, 32:12, 37:18, 53:18, 54:26, 56:12, 56:18, 65:17, 65:22, 70:17, 70:23, 72:10, 72:11, 73:21, 73:27, 77:27, 89:22, 89:25, 93:13, 97:14, 103:24, 103:27  
**sentence** [2] - 42:26  
**September** [3] - 28:16, 46:28, 65:11  
**sequence** [1] - 48:21  
**series** [1] - 4:10  
**serious** [14] - 7:22, 14:26, 40:22, 41:23, 42:10, 42:17, 68:25, 77:2, 80:13, 81:24, 82:17, 108:20, 109:10, 115:4  
**seriously** [3] - 39:22, 41:14, 81:11  
**Services**[2] - 2:25, 2:26  
**services** [1] - 102:19  
**set** [5] - 41:2, 42:2, 98:22, 113:29, 121:22  
**setting** [4] - 97:14, 103:28, 103:29, 120:16  
**settle** [1] - 51:1  
**settled** [3] - 50:24, 51:9, 72:12  
**severe** [1] - 8:18  
**Sexual** [2] - 81:24, 82:17  
**sexual** [23] - 7:8, 8:15, 13:10, 31:12, 35:26, 36:1, 36:15, 36:23, 36:29, 37:2, 37:7, 37:11, 38:28,

39:1, 39:10, 39:17, 79:2, 79:23, 80:28, 81:6, 81:17, 81:20, 82:12  
**sexually** [3] - 36:26, 39:22, 86:24  
**Seán** [1] - 1:17  
**shall** [1] - 44:1  
**shame** [1] - 77:2  
**shameful** [1] - 84:26  
**Shanley** [9] - 1:21, 20:5, 100:17, 110:12, 110:13, 111:6, 111:10, 111:18, 111:24  
**shared** [1] - 71:25  
**shelter** [1] - 117:20  
**shock** [2] - 36:14, 105:15  
**shop** [3] - 67:8, 67:22, 67:26  
**short** [6] - 17:18, 20:29, 34:18, 60:8, 90:20, 100:2  
**shorthand** [1] - 1:30  
**shortsighted** [1] - 123:10  
**show** [5] - 37:29, 70:25, 85:17, 105:19, 114:4  
**showed** [1] - 84:20  
**showers** [3] - 8:21, 8:23, 54:5  
**showing** [1] - 53:28  
**shown** [1] - 25:8  
**shows** [4] - 16:28, 54:21, 79:3, 101:10  
**shunted** [1] - 121:11  
**sic** [2] - 21:7, 49:20  
**side** [4] - 10:29, 59:2, 61:6, 68:4  
**sight** [1] - 13:20  
**signature** [1] - 29:20  
**signed** [4] - 19:23, 19:24, 29:18, 77:6  
**significant** [4] - 8:6, 27:12, 36:8, 94:17  
**significantly** [1] - 122:5  
**similar** [2] - 40:29, 114:20  
**similarly** [2] - 80:3, 89:15  
**simple** [3] - 11:17, 12:24, 32:18  
**simply** [6] - 13:9, 13:12, 38:12, 42:11, 92:17, 107:18  
**singular** [1] - 96:17  
**Sister's** [1] - 123:4

**Sisters** [1] - 35:14  
**sit** [1] - 87:10  
**situation** [32] - 12:12, 15:28, 18:5, 18:15, 24:28, 29:5, 31:13, 32:24, 34:9, 34:15, 35:18, 40:6, 40:12, 45:20, 46:26, 48:29, 51:18, 51:21, 53:26, 53:29, 62:23, 63:3, 66:1, 66:2, 70:2, 71:11, 75:7, 93:27, 100:19, 102:2, 107:10, 118:4  
**situations** [5] - 28:23, 29:24, 30:6, 30:28, 97:15  
**six** [4] - 22:23, 65:16, 89:9, 100:21  
**size** [1] - 53:26  
**skewed** [1] - 58:24  
**skimpy** [1] - 97:28  
**slash** [2] - 63:16, 63:17  
**Slash** [1] - 43:7  
**slight** [1] - 76:1  
**slightest** [2] - 11:22, 12:7  
**slow** [6] - 29:26, 59:9, 68:2, 69:3, 70:7, 90:27  
**slower** [1] - 104:22  
**small** [9] - 20:27, 50:1, 103:2, 110:14, 111:29, 112:11, 113:14, 116:18, 117:14  
**smaller** [1] - 95:10  
**smallest** [1] - 20:22  
**social** [1] - 117:29  
**socially** [2] - 31:26, 105:22  
**society** [3] - 68:8, 96:5, 104:23  
**solicitors** [3] - 7:1, 38:2, 42:3  
**solid** [1] - 20:26  
**solution** [1] - 73:7  
**sometimes** [7] - 36:5, 38:17, 46:11, 59:16, 59:18, 103:26  
**Sometimes** [2] - 52:22, 92:9  
**somewhat** [3] - 15:12, 59:2, 116:14  
**somewhere** [6] - 51:22, 71:29, 72:8, 77:11, 78:7, 112:26  
**soon** [1] - 71:10  
**Sorry** [18] - 10:10,

14:16, 15:7, 20:5, 44:3, 44:24, 48:7, 53:9, 57:14, 62:3, 62:24, 63:14, 71:19, 75:27, 76:22, 92:25, 104:29, 106:27  
**sorry** [10] - 40:23, 48:16, 51:6, 60:5, 64:15, 92:27, 93:7, 105:18, 122:10, 122:15  
**sort** [18] - 14:1, 15:20, 23:21, 23:26, 25:7, 27:15, 29:6, 71:15, 71:23, 71:27, 80:9, 82:6, 116:20, 119:10, 120:5, 121:17, 122:8  
**sorts** [3] - 19:10, 108:24, 110:29  
**sought** [1] - 60:26  
**sound** [6] - 34:25, 34:27, 44:6, 44:9, 44:17, 44:18  
**sowed** [1] - 114:16  
**speaking** [5] - 23:10, 50:19, 52:20, 59:17, 121:6  
**Speaking** [1] - 20:22  
**Special** [2] - 100:15, 102:14  
**special** [15] - 68:3, 68:5, 69:17, 69:24, 69:25, 95:21, 95:22, 95:29, 96:1, 98:11, 98:28, 99:10, 100:8, 100:9  
**specialised** [1] - 94:26  
**specific** [4] - 4:17, 15:7, 23:14  
**specifically** [6] - 88:27, 94:25, 96:21, 99:15, 102:3, 103:6  
**specifics** [1] - 57:24  
**speech** [1] - 93:8  
**spend** [2] - 42:14, 89:9  
**spent** [3] - 17:2, 42:13, 118:3  
**spirit** [2] - 98:2, 114:13  
**spoken** [1] - 6:13  
**spots** [1] - 60:16  
**St** [12] - 4:13, 4:21, 25:20, 25:21, 56:7, 66:20, 76:19, 83:9, 83:26, 84:12, 84:14, 85:1  
**staff** [5] - 8:19,

66:28, 68:4, 116:3, 116:4  
**stage** [22] - 8:6, 9:4, 30:16, 37:17, 39:16, 50:12, 57:14, 65:20, 67:23, 68:12, 68:22, 69:14, 69:26, 73:18, 80:12, 85:15, 96:10, 97:13, 99:8, 101:29, 103:10, 123:6  
**stages** [1] - 11:17  
**stand** [2] - 38:16, 83:29  
**standard** [9] - 16:17, 21:26, 21:27, 25:21, 25:29, 93:26, 94:7, 94:10, 100:4  
**standards** [6] - 47:20, 47:21, 47:28, 66:27, 89:17, 100:3  
**standing** [2] - 18:3, 87:21  
**start** [5] - 11:26, 13:3, 43:4, 91:12, 94:22  
**started** [4] - 40:1, 56:7, 58:2, 98:9  
**starting** [1] - 118:5  
**starts** [2] - 24:23, 25:18  
**state** [4] - 21:8, 83:19, 93:19, 103:19  
**State** [8] - 37:21, 96:21, 97:20, 98:2, 98:5, 102:1, 114:21, 116:19  
**State...(interjection)** [1] - 120:12  
**statement** [12] - 6:11, 27:7, 29:9, 39:3, 50:16, 55:14, 77:16, 78:29, 82:16, 84:20, 89:14, 91:26  
**statements** [6] - 7:27, 8:1, 8:5, 9:3, 9:8, 11:6  
**stating** [1] - 100:2  
**station** [2] - 31:29, 33:7  
**statistics** [1] - 21:16  
**stature** [1] - 34:18  
**status** [1] - 69:17  
**Statute** [1] - 7:20  
**stay** [2] - 27:18, 95:20  
**stealing** [1] - 65:23  
**Stenography** [2] - 2:25, 2:26  
**step** [1] - 68:5  
**steps** [2] - 53:3, 73:6

**stifling** [1] - 15:3  
**still** [20] - 21:9, 21:9, 37:6, 45:19, 46:21, 46:22, 47:8, 47:12, 49:2, 51:1, 51:11, 65:26, 66:8, 67:22, 67:27, 68:13, 81:20, 82:11, 111:20, 120:17  
**stockings** [1] - 43:14  
**stolen** [1] - 64:12  
**stood** [3] - 38:4, 44:3, 107:2  
**stop** [2] - 5:25, 61:23  
**stopped** [1] - 62:10  
**stories** [2] - 7:13, 78:9  
**stove** [1] - 55:15  
**straight** [2] - 32:15, 32:23  
**strange** [3] - 16:26, 46:3, 105:23  
**street** [1] - 23:21  
**stressed** [1] - 42:28  
**stressful** [1] - 109:18  
**strides** [1] - 67:15  
**strike** [2] - 16:25, 44:2  
**strong** [2] - 38:5, 40:13  
**structure** [14] - 79:8, 79:16, 79:25, 80:4, 80:27, 81:18, 88:6, 97:26, 116:27, 117:24, 117:29, 120:5, 120:22, 121:16  
**structures** [4] - 79:14, 79:15, 95:11, 117:17  
**students** [1] - 16:19  
**studied** [1] - 6:12  
**study** [3] - 79:1, 79:2, 79:4  
**studying** [1] - 36:19  
**stuff** [3] - 58:21, 58:22, 80:9  
**style** [1] - 92:9  
**subject** [6] - 26:6, 26:26, 69:4, 86:3, 86:22, 96:25  
**subjected** [1] - 8:25  
**subjects** [1] - 26:20  
**submission** [7] - 13:1, 36:3, 48:2, 59:25, 107:12, 111:11, 114:1  
**Submission** [1] - 37:15  
**submitted** [1] - 7:27  
**submitting** [1] - 11:18

**subsequent** [4] - 54:19, 90:22, 99:3, 110:2  
**Subsequently** [1] - 100:8  
**subsequently** [3] - 94:21, 97:12, 122:8  
**substantial** [1] - 101:14  
**subvention** [1] - 103:8  
**succeeded** [1] - 17:10  
**success** [2] - 17:11, 77:5  
**successfully** [1] - 56:9  
**succession** [1] - 58:2  
**sudden** [1] - 71:8  
**suffer** [1] - 84:25  
**suffering** [1] - 53:18  
**sufficient** [3] - 101:20, 102:10, 103:7  
**sufficiently** [1] - 85:3  
**suggest** [16] - 10:16, 16:15, 22:14, 26:12, 31:17, 35:23, 41:26, 49:1, 64:8, 64:21, 70:19, 70:20, 78:4, 78:6, 82:21, 94:6  
**suggested** [4] - 5:9, 17:13, 18:1, 51:13  
**suggesting** [3] - 12:11, 39:16, 92:16  
**suggestion** [2] - 106:5, 107:6  
**suggestions** [1] - 45:1  
**suggests** [4] - 23:3, 51:15, 64:2, 72:1  
**Sugrue** [1] - 53:6  
**suitable** [7] - 54:27, 56:29, 70:4, 71:2, 74:4, 108:13, 110:17  
**suits** [1] - 43:14  
**sum** [1] - 103:2  
**summarise** [2] - 89:4, 92:1  
**summarising** [1] - 89:25  
**summary** [5] - 9:7, 9:10, 10:7, 56:5, 103:16  
**summoning** [1] - 83:16  
**Superior** [9] - 34:16, 34:19, 50:8, 50:24, 76:25, 76:28, 82:4, 84:6, 89:19

**Superior,...reading** [1] - 77:6  
**Superiors** [1] - 85:4  
**supervise** [1] - 76:29  
**supervised** [2] - 121:12, 121:21  
**supervisors** [1] - 113:20  
**supplement** [2] - 101:1, 101:18  
**supplied** [1] - 2:25  
**supply** [1] - 56:8  
**supplying** [1] - 56:17  
**support** [1] - 118:10  
**suppose** [7] - 15:13, 15:22, 24:6, 59:11, 91:29, 115:4, 118:27  
**supposed** [1] - 56:26  
**supposition** [2] - 39:20, 40:25  
**surmise** [1] - 8:1  
**surprise** [3] - 36:13, 106:11, 106:12  
**surprised** [7] - 17:13, 17:21, 18:9, 37:6, 37:8, 120:2, 121:4  
**suspended** [1] - 42:26  
**suspicious** [1] - 37:10  
**swear** [1] - 4:26  
**sweep** [2] - 10:12, 10:20  
**swift** [1] - 77:23  
**Sworn** [1] - 6:6  
**syllabus** [1] - 109:15  
**sympathetic** [1] - 114:17  
**sympathetically** [2] - 41:9, 41:19  
**sympathise** [1] - 6:2  
**synopsis** [1] - 8:29  
**system** [11] - 30:15, 30:17, 68:7, 70:22, 80:20, 80:26, 117:9, 121:26, 122:29, 123:5, 123:6  
**systematically** [1] - 120:10

## T

**tab** [1] - 29:15  
**table** [1] - 105:1  
**tabulated** [2] - 17:17, 17:19  
**talks** [1] - 49:7  
**Taoiseach** [1] - 37:20  
**Taoiseach's** [1] -

7:18  
**task** [2] - 100:28, 117:3  
**taught** [4] - 19:12, 64:19, 73:26, 110:2  
**Td** [1] - 63:19  
**tea** [1] - 50:5  
**teach** [3] - 64:18, 64:23, 113:28  
**teacher** [7] - 27:23, 28:5, 28:7, 32:15, 32:16, 44:10, 70:10  
**teachers** [17] - 24:17, 24:19, 26:4, 27:4, 27:16, 32:19, 32:20, 32:22, 33:12, 33:27, 70:12, 76:26, 76:29, 113:19, 115:10, 115:13, 116:21  
**teaching** [14] - 16:28, 17:6, 24:14, 26:25, 27:2, 28:9, 42:12, 42:15, 44:12, 55:27, 64:3, 85:7, 98:28, 114:16  
**team** [4] - 89:7, 89:21, 104:9, 104:10  
**ten** [5] - 17:1, 65:16, 69:12, 69:13, 123:7  
**tended** [1] - 113:19  
**tendonous** [1] - 15:13  
**tends** [1] - 15:14  
**tenor** [1] - 37:9  
**terms** [12] - 22:27, 67:15, 67:25, 71:13, 78:10, 81:27, 85:5, 94:7, 95:29, 101:20, 101:21, 117:13  
**terrible** [1] - 117:6  
**terribly** [1] - 34:19  
**tested** [2] - 9:17, 11:2  
**that...(interjection)** [1] - 33:9  
**the...reading** [1] - 67:5  
**themselves** [10] - 42:8, 55:25, 56:3, 58:8, 71:4, 74:13, 92:13, 98:19, 101:25, 121:1  
**theory** [1] - 35:1  
**therefore** [4] - 10:14, 20:26, 26:1, 70:10  
**thin** [1] - 120:25  
**thinking** [6] - 80:17, 82:1, 87:6, 92:29, 116:23  
**thinks** [1] - 15:12

**third** [2] - 67:11, 69:2  
**Third** [2] - 57:12, 67:11  
**thoroughly** [1] - 90:4  
**those...(interjection)** [1] - 119:6  
**thousand** [1] - 42:4  
**three** [16] - 26:20, 27:27, 33:11, 33:29, 34:4, 34:15, 34:20, 37:18, 44:22, 45:18, 50:1, 50:3, 50:5, 50:23, 66:1, 70:2  
**throughout** [4] - 55:7, 55:24, 101:29, 113:8  
**Thursday** [2] - 50:21, 50:29  
**ticket** [1] - 103:2  
**to...(interjection)** [2] - 52:8, 106:15  
**today** [9] - 81:19, 86:27, 87:19, 87:24, 106:4, 107:2, 117:18, 118:23  
**together** [3] - 38:3, 106:21, 120:22  
**Toghermor** [3] - 63:13, 63:17, 63:18  
**togs** [1] - 67:10  
**toilet** [1] - 90:12  
**toilets** [2] - 55:18, 92:11  
**took** [8] - 5:17, 5:24, 15:4, 16:29, 38:16, 41:19, 53:3, 108:11  
**tools** [2] - 63:26, 102:25  
**toothbrushes** [1] - 45:10  
**top** [6] - 28:16, 28:21, 29:21, 30:3, 37:16, 111:16  
**totality** [1] - 59:4  
**totally** [7] - 53:19, 54:9, 95:10, 100:29, 101:10, 102:16, 105:14  
**touched** [1] - 111:23  
**towards** [6] - 68:5, 83:14, 84:1, 86:27, 99:24, 109:8  
**trade** [4] - 64:23, 74:16, 74:28, 113:29  
**trades** [14] - 56:25, 63:5, 64:3, 64:19, 64:26, 64:28, 65:2, 65:28, 67:26, 73:25, 74:13, 74:18, 74:19, 102:24

**tradition** [1] - 67:6  
**trained** [14] - 28:6, 28:7, 28:21, 29:22, 30:4, 30:26, 31:3, 33:4, 56:21, 63:5, 68:17, 74:9, 74:19  
**trainees** [1] - 63:25  
**training** [29] - 7:7, 23:25, 26:28, 27:15, 27:23, 28:1, 28:8, 28:25, 28:29, 30:8, 30:14, 30:29, 31:22, 31:24, 32:10, 32:13, 32:15, 32:16, 32:21, 32:25, 33:2, 34:29, 63:23, 67:5, 71:15, 74:1, 74:17, 94:19, 102:24  
**Training** [2] - 63:13, 63:18  
**Tralee** [1] - 4:13  
**transcript** [2] - 1:30, 59:18  
**transcripts** [2] - 14:23, 14:24  
**Transcripts** [1] - 2:24  
**transferred** [1] - 65:12  
**travel** [1] - 72:18  
**treasury** [1] - 99:25  
**treat** [1] - 109:4  
**treated** [1] - 109:5  
**treatment** [1] - 114:17  
**Treatment** [1] - 73:2  
**trial** [3] - 83:29, 84:5, 97:8  
**tribunal** [1] - 59:11  
**tried** [3] - 11:6, 11:10, 14:9  
**Trocaire** [2] - 57:11, 61:13  
**trouble** [3] - 67:6, 77:2, 110:29  
**truancy** [2] - 17:8, 95:24  
**true** [16] - 1:29, 10:5, 19:8, 24:15, 30:29, 32:24, 40:5, 42:19, 42:23, 42:24, 42:27, 69:27, 90:24, 93:28, 115:26, 120:4  
**trust** [1] - 119:26  
**truth** [3] - 42:17, 119:20, 119:21  
**try** [6] - 7:5, 54:24, 86:10, 93:26, 115:7, 119:26  
**trying** [9] - 7:9, 57:11, 57:16, 59:1,

68:11, 115:11,  
115:12, 116:9, 120:25  
**Tuairim**<sup>[6]</sup> - 16:29,  
21:22, 64:27, 66:4,  
100:18, 102:13  
**Tuam**<sup>[2]</sup> - 63:18,  
110:25  
**Tuesday**<sup>[2]</sup> - 50:21,  
50:28  
**turf** <sup>[2]</sup> - 24:3, 67:20  
**Turim**<sup>[6]</sup> - 46:8,  
47:13, 87:29, 88:3,  
88:4, 95:8  
**turn** <sup>[1]</sup> - 45:11  
**turns** <sup>[1]</sup> - 59:16  
**twelve** <sup>[1]</sup> - 41:22  
**two** <sup>[28]</sup> - 4:22,  
19:14, 21:2, 21:6,  
21:9, 22:21, 22:23,  
23:21, 24:6, 26:29,  
27:27, 38:27, 39:6,  
39:21, 42:25, 50:2,  
68:27, 68:28, 70:12,  
72:26, 79:6, 79:24,  
84:3, 99:13, 100:21,  
105:8, 110:13  
**Two**<sup>[1]</sup> - 84:2  
**type** <sup>[15]</sup> - 8:9, 32:1,  
43:22, 54:21, 68:15,  
69:15, 69:21, 69:26,  
70:22, 72:9, 95:6,  
116:10, 118:17,  
118:21, 121:26  
**typed** <sup>[1]</sup> - 68:29  
**types** <sup>[6]</sup> - 7:13,  
8:29, 9:10, 10:7,  
13:29, 26:29  
**typical** <sup>[1]</sup> - 25:27

---

## U

**ultimately** <sup>[1]</sup> - 41:16  
**unaware** <sup>[1]</sup> - 102:1  
**under** <sup>[5]</sup> - 20:29,  
71:18, 101:29, 103:4,  
116:25  
**underfunding** <sup>[3]</sup> -  
53:29, 95:15, 99:22  
**underlining** <sup>[1]</sup> -  
17:5  
**understandable** <sup>[1]</sup> -  
30:1  
**understood** <sup>[2]</sup> -  
114:4, 121:25  
**undoubtedly** <sup>[2]</sup> -  
58:4, 58:28  
**Undoubtedly** <sup>[1]</sup> -  
58:28  
**unfits** <sup>[1]</sup> - 85:6  
**unfortunate** <sup>[1]</sup> -

119:11  
**Unfortunately** <sup>[1]</sup> -  
5:5  
**unfortunately** <sup>[7]</sup> -  
35:3, 104:5, 114:6,  
116:19, 120:11,  
120:23, 123:13  
**unfruitful** <sup>[1]</sup> - 59:15  
**uninterrupted** <sup>[1]</sup> -  
98:4  
**union** <sup>[1]</sup> - 74:28  
**unions** <sup>[1]</sup> - 74:17  
**unkind** <sup>[1]</sup> - 43:23  
**unless** <sup>[6]</sup> - 60:1,  
60:9, 68:7, 75:17,  
75:26, 120:11  
**unlike** <sup>[1]</sup> - 54:29  
**unlikely** <sup>[1]</sup> - 71:26  
**unmatched** <sup>[1]</sup> -  
67:12  
**unnecessary** <sup>[1]</sup> -  
15:10  
**unprepared** <sup>[4]</sup> -  
5:11, 28:22, 29:23,  
30:5  
**unreal** <sup>[1]</sup> - 75:9  
**unrealistic** <sup>[1]</sup> -  
121:14  
**unsatisfactory** <sup>[1]</sup> -  
25:28  
**unsuitable** <sup>[2]</sup> -  
53:20, 54:10  
**unwilling** <sup>[1]</sup> - 99:24  
**unwisely** <sup>[1]</sup> - 49:28  
**Up**<sup>[3]</sup> - 86:27, 87:19,  
87:24  
**up**<sup>[42]</sup> - 5:22, 7:16,  
9:21, 18:7, 25:20,  
28:15, 31:6, 38:4,  
41:2, 42:2, 42:15,  
46:5, 46:14, 50:4,  
50:19, 56:4, 66:7,  
68:29, 69:20, 70:24,  
72:2, 72:18, 73:16,  
73:23, 80:12, 90:22,  
91:28, 93:25, 96:11,  
98:22, 98:24, 102:11,  
102:28, 104:12,  
112:21, 113:6, 114:1,  
115:4, 119:12,  
121:22, 123:2, 123:11  
**upholstery** <sup>[1]</sup> -  
63:23  
**upkeep** <sup>[1]</sup> - 100:4  
**upper** <sup>[1]</sup> - 50:11  
**uppers** <sup>[2]</sup> - 45:16,  
45:17  
**Upton** <sup>[1]</sup> - 117:3  
**urban** <sup>[1]</sup> - 75:11  
**useful** <sup>[1]</sup> - 26:23

**usual** <sup>[1]</sup> - 21:26

---

## V

**vacancies** <sup>[1]</sup> - 65:14  
**valid** <sup>[1]</sup> - 21:20  
**validity** <sup>[2]</sup> - 58:19,  
61:11  
**varied** <sup>[2]</sup> - 7:20,  
43:13  
**variety** <sup>[1]</sup> - 74:5  
**various** <sup>[12]</sup> - 8:11,  
8:19, 9:3, 22:10,  
25:19, 27:8, 35:13,  
36:20, 42:29, 55:5,  
57:25, 74:19  
**vast** <sup>[3]</sup> - 65:17,  
73:26, 116:9  
**Vastly**<sup>[1]</sup> - 116:5  
**veracity** <sup>[2]</sup> - 35:16,  
41:6  
**victims** <sup>[1]</sup> - 84:3  
**view** <sup>[18]</sup> - 5:17,  
5:24, 7:12, 9:26,  
30:22, 35:19, 43:3,  
58:24, 59:4, 60:12,  
68:2, 82:22, 93:16,  
97:3, 112:2, 112:14,  
117:5, 119:15  
**views** <sup>[1]</sup> - 103:13  
**visit** <sup>[7]</sup> - 25:22, 89:8,  
91:24, 96:28, 99:3,  
100:9, 111:2  
**Visitation**<sup>[21]</sup> - 23:8,  
52:24, 52:25, 55:10,  
58:7, 88:25, 88:27,  
89:5, 90:5, 90:15,  
90:24, 91:7, 91:11,  
94:6, 96:7, 113:17,  
114:12, 114:20,  
114:27, 115:2, 115:6  
**visitation** <sup>[3]</sup> - 88:29,  
89:5, 98:3  
**visitations** <sup>[1]</sup> - 98:6  
**visited** <sup>[2]</sup> - 89:17,  
97:24  
**visiting** <sup>[1]</sup> - 73:7  
**Visiting**<sup>[2]</sup> - 100:15,  
102:14  
**visitor** <sup>[13]</sup> - 23:9,  
23:11, 23:19, 23:22,  
24:27, 89:16, 90:10,  
90:20, 90:23, 92:8,  
92:10, 92:24, 93:5  
**visitors** <sup>[1]</sup> - 93:14

---

## W

**war** <sup>[4]</sup> - 45:21, 46:1,  
47:21, 94:5

**wash** <sup>[1]</sup> - 56:7  
**watch** <sup>[2]</sup> - 55:20,  
121:12  
**watchmen** <sup>[2]</sup> -  
76:26, 76:29  
**water** <sup>[2]</sup> - 53:23,  
56:10  
**ways** <sup>[3]</sup> - 8:11,  
104:5, 104:8  
**weakness** <sup>[3]</sup> -  
81:24, 82:10, 82:17  
**website** <sup>[1]</sup> - 14:23  
**Wednesday**<sup>[3]</sup> -  
50:21, 50:22, 50:28  
**week** <sup>[6]</sup> - 11:29,  
50:1, 50:6, 50:21,  
50:23, 100:11  
**weekend** <sup>[1]</sup> - 56:16  
**weekly** <sup>[1]</sup> - 49:11  
**Weldon**<sup>[1]</sup> - 2:14  
**welfare** <sup>[1]</sup> - 66:28  
**were...(interjection**  
<sup>[1]</sup> - 102:21  
**whatsoever** <sup>[2]</sup> -  
14:2, 28:6  
**Whereas**<sup>[1]</sup> - 92:13  
**whereas** <sup>[1]</sup> - 123:1  
**whilst** <sup>[1]</sup> - 46:12  
**Whitehall**<sup>[1]</sup> - 76:19  
**whole** <sup>[9]</sup> - 26:28,  
46:22, 48:4, 48:12,  
90:11, 95:1, 97:26,  
117:3, 117:6  
**wider** <sup>[1]</sup> - 97:19  
**win** <sup>[1]</sup> - 19:8  
**winding** <sup>[1]</sup> - 67:26  
**wisely** <sup>[1]</sup> - 49:28  
**wish** <sup>[3]</sup> - 5:22, 5:28,  
85:25  
**Wishing**<sup>[1]</sup> - 77:5  
**with...(interjection**  
<sup>[1]</sup> - 91:13  
**withdraw** <sup>[1]</sup> - 40:17  
**withdrawn** <sup>[1]</sup> -  
103:25  
**Witness**<sup>[1]</sup> - 3:4  
**witness** <sup>[19]</sup> - 4:8,  
5:19, 5:21, 5:27,  
10:13, 10:17, 10:27,  
13:21, 13:27, 15:9,  
15:27, 47:22, 63:2,  
76:1, 105:4, 105:6,  
106:5, 107:11, 107:12  
**witnesses** <sup>[2]</sup> - 7:28,  
11:2  
**wondered** <sup>[2]</sup> - 7:23,  
41:23  
**wondering** <sup>[7]</sup> -  
19:5, 38:26, 79:13,  
105:20, 105:25,

119:14, 121:9  
**Wooden**<sup>[2]</sup> - 44:26,  
45:15  
**woodwork** <sup>[1]</sup> -  
56:23  
**word** <sup>[2]</sup> - 17:23,  
80:6  
**words** <sup>[7]</sup> - 9:21,  
53:1, 54:27, 55:23,  
79:25, 88:7, 118:11  
**Words**<sup>[1]</sup> - 43:10  
**Words..brother** <sup>[1]</sup> -  
77:6  
**Words..is** <sup>[1]</sup> - 67:5  
**Words..the** <sup>[1]</sup> -  
66:27  
**Words..with** <sup>[1]</sup> -  
56:9  
**workload** <sup>[1]</sup> - 91:19  
**World**<sup>[1]</sup> - 57:12  
**world** <sup>[5]</sup> - 71:16,  
116:6, 116:7, 119:16,  
121:7  
**worn** <sup>[1]</sup> - 45:10  
**worry** <sup>[1]</sup> - 32:6  
**worse** <sup>[2]</sup> - 94:7,  
119:12  
**wound** <sup>[1]</sup> - 65:28  
**wrack** <sup>[1]</sup> - 56:2  
**write** <sup>[1]</sup> - 34:13  
**writing** <sup>[7]</sup> - 21:17,  
31:16, 54:7, 85:16,  
93:14, 102:9, 107:27  
**written** <sup>[9]</sup> - 2:26,  
32:7, 43:28, 63:28,  
72:9, 73:15, 89:20,  
96:14  
**wrongly** <sup>[1]</sup> - 13:7

---

## Y

**yard** <sup>[2]</sup> - 55:27,  
67:11  
**year** <sup>[27]</sup> - 27:11,  
27:22, 43:25, 63:28,  
28:8, 32:4, 32:7,  
32:16, 32:21, 37:19,  
38:23, 41:22, 42:13,  
46:13, 48:28, 52:18,  
52:28, 54:2, 67:4,  
89:7, 90:11, 90:12,  
91:25, 92:24, 99:12,  
100:17, 101:5  
**year's** <sup>[3]</sup> - 33:12,  
34:21, 90:21  
**year`s** <sup>[1]</sup> - 33:29  
**years** <sup>[38]</sup> - 9:4, 17:1,  
17:9, 21:2, 21:6, 21:9,  
24:13, 27:9, 27:17,  
27:19, 27:27, 42:15,

43:1, 44:8, 44:13,  
45:18, 45:21, 46:1,  
46:6, 51:5, 51:6,  
52:21, 53:19, 66:1,  
69:9, 69:13, 70:2,  
80:26, 84:3, 92:19,  
94:5, 95:3, 95:25,  
102:4, 104:17,  
112:22, 118:4  
**yet...(interjection** [1]  
- 120:28  
**you...(interjection**  
[1] - 29:19  
**young** [7] - 8:16,  
32:2, 34:5, 35:6, 53:2,  
66:28, 83:16  
**yourself** [2] - 16:14,  
86:6

---

**£**

---

**£3.10** [1] - 100:11