

The Irish State & the Bethany Home

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‘The institution is kept very well is clean & comfortable... It is well recognised that a large number of illegitimate children are delicate... from their birth’

Winslow Sterling Berry

Deputy Chief Medical Adviser, Department of Local Government and Public Health, Ireland, after visiting Bethany Home, Orwell Road, Rathgar, Dublin, on 25 January, 6 October 1939 (see p. 8).

‘A beautiful institution..., seemed to be well-run and spotlessly clean... I closed the place down and sacked the matron, a nun, and also got rid of the medical officer. The deaths had been going on for years. They had done nothing about it.’

James Deeny

Chief Medical Adviser, Department of Health, Ireland, after visiting Bessborough Mother and Babies Home, Cork, in the mid to late 1940s (see p. 11)

Submitted to Ruairi Quinn TD, Minister for Education, at Leinster House meeting, 24 May 2011, by delegation consisting of Derek Leinster, Noleen Belton, Patrick Anderson McQuoid, Niall Meehan, Joe Costello TD.

Introduction

Bethany Home was opened by the Church of Ireland Archbishop of Dublin in 1922 as a door of hope for what he termed ‘fallen’ women. It was formed from two organisations, the ‘Prison Gate’ and ‘Midnight’ missions, as part of an attempt to divert women from ‘evil ways’. Bethany was referred to internally as ‘the Mission’. It closed in 1972, due to the evolution of liberal social attitudes toward unwed motherhood among Irish people generally.

The negative attitude toward childbirth out of marriage was reflected in the home’s overall intake. Bethany Home was a combined mother and baby home, children’s home and place of detention for Protestant women referred by the courts, who were there on remand or who were convicted of crimes ranging from petty theft to infanticide. It also functioned, from 1945, as a place of detention for offending Protestant female children and teenagers, on the nomination of the then Church of Ireland Archbishop of Dublin, Dr Barton, who was invited to do so by the then Minister for Justice, Gerry Boland.¹ A large majority of residents were from the Church of Ireland.

Bethany Home’s status as a ‘non-denominational’ home was a façade for a strain of Protestant evangelical belief. In 1926 a nurse was sacked for refusing to break off her engagement to ‘a Roman Catholic man’. A constituent group of the Church of Ireland named, ‘The Irish Church Missions to the Roman Catholics’ (ICM, founded in 1849) was the dominant influence on the home’s Management Committee. The then Dublin and General Superintendent of the ICM, Rev’d T.C. Hammond, sat on the Management Committee from 1922 until his departure for Australia in 1935.² While ICM influenced Church of Ireland clergy were dominant, individual Presbyterian clergy were present from the 1920s and Methodists and Plymouth Brethren from the 1950s. Church of Ireland influence in the home declined in Bethany Home during the 1960s, as ecumenical ideas gained ground within Ireland’s mainstream Christian communities.³

State Provision

Bethany Home, alongside other (mainly Roman Catholic) institutions, represented the confessional and semi-privatised nature of social welfare provision in the Irish Free State and Republic. It was reported in the High Court in January 1940 that ‘The Civic Guards were in the habit of sending any homeless Protestant girl to Bethany’.⁴ Religious bodies were given control over institutional provision of welfare and helped to shape that provision according to conservative religious precepts. Gradually, from the 1930s, the state began to regulate and take responsibility, through funding and inspection. Secular welfare concerns competed with conservative-religious attitudes, in which the latter were predominant, to the detriment ultimately of the interests those subject to that provision.⁵

Death and neglect of children in Bethany home from the mid 1930s to the late 1940s is a direct result of state officials making the health and well being of Bethany children secondary to sectarian regulation of that provision. This can be illustrated by looking at how, at that time, the then Department of Local Government and Public Health dealt with concerns about ill health of Bethany Children.

¹ See APPENDIX 30.

² The ICM name was abridged to ‘The Irish Church Missions’ in 2002. Today, the organisation states that the Church of Ireland is ‘a Protestant church without a Protestant message’. See Miriam Moffitt, *Soupers and Jumpers, the Protestant missions in Connemara, 1848-1937*, Nonsuch, 2008; *The Irish Church Missions to the Roman Catholics, 1949-1950*, Manchester University Press, 2010.

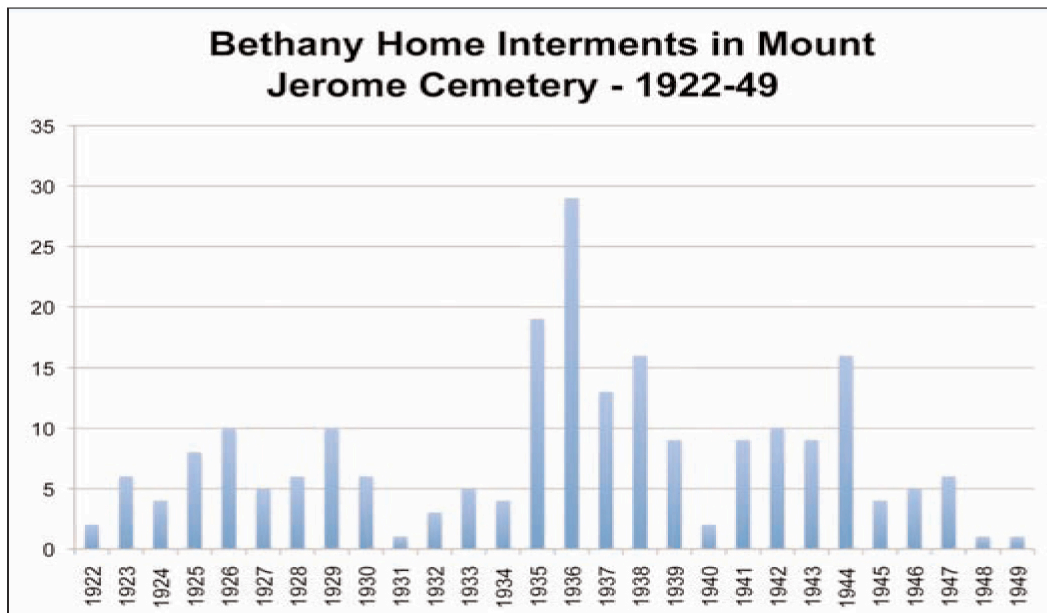
³ See Niall Meehan, ‘Church & State and the Bethany Home’, supplement to *History Ireland*, Sep-Oct 2010, for a history of the Bethany Home in a social and political context.

⁴ See Appendix 13, *Irish Independent*, 13 January 1940 (also reported *Irish Times*, same date).

⁵ See Lindsey Earner-Byrne, *Mother and Child: Maternity and Child Welfare in Ireland, 1920s-1960s*. Manchester: Manchester University Press, 2007, for a history of the development of maternal welfare services.

219 children from the Bethany Home, Orwell Road Rathgar, for the period 1922-49, are buried in Mount Jerome Cemetery Dublin – see Table 1⁶.

Table 1



Of the 219 dead children:

- 175 were aged between 4 weeks and 2 years;
- 25 were aged from a number of hours up to 4 weeks;
- 19 were stillborn.

Cemetery records indicate the following causes of death:

- | | |
|---------------------------------------|---|
| • 54 from convulsions | • 3 from Bronchitis |
| • 41 from heart failure | • 3 from meningitis |
| • 26 from marasmus | • 3 from whooping cough |
| • 19 were stillborn | • 2 from German measles |
| • 15 No cause given | • 2 from septicaemia |
| • 12 from delicacy | • 2 from paralysis or infantile paralysis |
| • 7 from pneumonia | • 2 from stomach trouble |
| • 7 were premature | • 2 from syphilis or congenital syphilis |
| • 4 from debility or general debility | |

(Plus single causes, scarlatina, gastritis, gastro enteritis, cerebral haemorrhage, gland disease, etc.)

⁶ The above figures are taken from APPENDIX 1, Bethany Home Children, Interments in Mount Jerome Cemetery Harold's Cross Dublin (compiled by Níall Meehan), which lists each child by name, date of death and burial, cause of death and, occasionally, other information.

There are more graves elsewhere. According to figures received from PACT⁷, who hold minimal residential records from Bethany Home, 17 additional children may be buried at unknown graveyards.⁸

The Irish state began inspecting Maternity Homes under the 1934 Registration of Maternity Homes Act in 1936. The Act was designed primarily to deal with high levels of child mortality in mother and baby homes. Under this Act,

‘12. (1) An authorised officer of a local authority shall be entitled at all reasonable times to enter any maternity home within the functional area of such local authority and inspect such maternity homes.

(2) An inspector shall be entitled at all reasonable times to enter any maternity home and inspect such maternity home.’⁹

Bethany Home registered in November 1935. A 1938 inspection report makes reference to a November 1937 inspection, while Bethany management Committee minutes make reference to a first inspection in 1936 – these 1936 and 1937 inspection reports are not themselves to hand.¹⁰ However, **two extraordinary handwritten reports completed in 1939 by the Deputy Chief Medical Adviser of the Dept of Local Government and Public Health, Winslow S Berry, are to hand**¹¹ and are discussed below.

During this official inspection period under the 1934 Act, 1935-39, child mortality was at it highest in the Home’s 51-year history. 86 Bethany children were interred in Mount Jerome in this five-year period. In addition, between 1935-44 (a 10 year period), a total of 132 burials took place. The year of first inspection, 1936, witnessed the highest mortality with 29 deaths (of whom six were buried the day they died¹²). 1935 was second highest, at 19; 1938 was the third highest at 16; whereas in 1937, 13 died (the fifth highest number of deaths in a single year).

Therefore, using 1949 (the year the state paid its first maternity grant to Bethany Home, after which death was reduced to negligible levels) as a cut-off point, three points may be made:

- a) 86, or over one third of all Mount Jerome interments over 28 years (1922-1949) took place within a 5-year period, 1935-1939 – 19 children were interred in the previous pre-inspection 5-year period, 1930-1934;
- b) 132, or nearly two thirds of all Mount Jerome interments over 28 years (1922-1949) took place within a 10-year period, 1935-1944;

⁷ See www.pact.ie, formerly the Protestant Adoption Society.

⁸ See APPENDIX 2, which compares Mt Jerome interment and PACT figures on Bethany mortality (compiled by Níall Meehan).

⁹ <http://www.irishstatutebook.ie/1934/en/act/pub/0014/print.html>

¹⁰ See APPENDIX 5, inspection ‘Under the Registration of Maternity Homes Act 1934’ (dated 30 November 1938).

¹¹ See APPENDIX 6 and APPENDIX 7.

¹² Bethany’s Management Committee was informed of 21 deaths in 1936, whereas 29 children were interred in Mount Jerome that year.

- c) Far more deaths (and additional non-fatal illnesses) took place in the first 10-year period when Bethany Home was subject to a state inspection regime than in the previous 10 uninspected years – 57 children were interred in the previous (pre-inspection) 10-year period, 1925-1934, compared to 132 between 1935-44.

Why was Bethany Home's huge increase in mortality during these years not picked up and dealt with by the inspection regime set up under the 1934 Act, an Act whose purpose was to investigate and curtail deaths of children in institutions born to unwed mothers?

The reason lies in the state's confessional approach to inspection of this institution, that undermined a responsible medical and welfare intervention.

Bethany Home Managing Committee minutes for 11 September 1936, the year with the highest number of deaths, note a first Maternity Act inspection carried out by a Miss Crofts. It found (noted the minutes), 'the bedrooms were overcrowded and the medical staff inadequate'.¹³ A discussion followed, continued on 9 October, at which it was suggested that Bethany might attempt to exempt itself from Maternity Act provisions. It was also noted that there had been what appear to be further 'visits' from Dr [Winslow Sterling] Berry and Mrs Crofts'. Dr Berry was the Deputy Chief Medical Advisor of the Department Local Government and Public Health.¹⁴

While there was no mention then (or at any other time in 1936 or subsequently) of significant mortality increases, it was agreed to limit the number of residents, to employ qualified staff and to dismiss an unqualified worker. It was resolved simultaneously to 'make enquiry re the laundry driers'.¹⁵ In her mid to late 1950s Bethany Home memoir, 'Far Above Rubies', the then matron, Miss Lily Pilgrim, makes reference to a mother attempting to dry her baby's clothes 'next her own body', when 'airing facilities were not good'. However, children continued to die in record numbers.

An inspection report dated 30 November 1938 notes a previous inspection in November 1937. It states that of 57 children 'in the home since the last inspection' 14 died.¹⁶

¹³ See APPENDIX 3.

¹⁴ Dr Winslow Sterling Berry, son of the Bishop of Killaloe, was a 'patronage' appointment, 'nominated for his post by Lord Carson and the Protestant Archbishop of Dublin'. On his appointment, Dr Sterling Berry informed later (from 1944) Chief Medical Officer, Dr James Deeny, that 'when he was appointed, Sir Henry Robinson, the Vice-President of the Local Government Board, our predecessor under English rule, sent for him and said, '*Dr Sterling Berry, this is a gentleman's service, keep it that way*'. According to Deeny, Sterling Berry 'liked *'doing the files*' was very good at it and was meticulous in spotting irregularities and correcting them and always observed the protocol and etiquette in pushing the files around, [so] I left him to it. Sterling Berry was so honest as to be almost naive. He liked to impress his personality on the files by always writing in green ink'. (Deeny, *To Cure and to Care, Memoirs of a Chief Medical Officer*, Glendale, 1989, pp. 71, 77.)

¹⁵ See APPENDIX 4.

¹⁶ See APPENDIX 5.

In 1939, Winslow S Berry ('Dr Berry', above), the Deputy Chief Medical Advisor of the Department of Local Government and Public Health, entered Bethany Home on three occasions, in February and twice in October. He was concerned, not about the residents, but about negative reports on Bethany internally and in the media. After each visit he submitted a hand written report¹⁷, signed off as 'W.S.B.'.

The February 1939 visit was on foot of a critical report to his department dated 21 February 1939, from one of his own inspectors of boarded out Bethany children, referring to a

'letter from the Ministry No. P.393/39 Muineachan', dated 13 January 1939, enclosing copies of a report from his inspection of boarded out children and children at nurse under the Childrens Acts, 1908-34, in the county of Monaghan.'

There are two versions, APPENDIX 8, and APPENDIX 9.

APPENDIX 8 is the final version and APPENDIX 9 is a partial draft copy. Though each tells a disturbing story, there are significant differences.

APPENDIX 8 refers in one case to boarded out Bethany children being neglected and wearing dirty clothes 'not... washed for weeks'. The inspector reported that as 'there was no cause for this neglect.... I would like the children to be removed to a more suitable foster home'. In the next case inspected, the nurse mother was caring for four children, which was 'in my opinion too many'. The nurse mother reportedly asserted that one child was being sent back to Bethany 'to be adopted by some one'.

In the third case inspected a child with a foster mother in Newbliss, Co Monaghan, who had been with her for two weeks. It appeared to be,

'in a very low condition. It was dirty and neglected and sore and inflamed from a filthy napkin which cannot have been changed for a very long time [*possibly more than two weeks – NM.*] As I knew the baby was suffering I had the dispensary doctor telephoned to ask him to call to see the child. The Foster mother [*BLANK – Name is Mrs Humphreys – NM*] who has had nurse children under the Children [*sic – NM*] Act 1908-34 before, knows the law well and failed to register this child. **The Board of Assistance should be asked to deal drastically with the woman and to prosecute.**¹⁸

In the draft version (APPENDIX 9) it states, '**This baby appeared to me to be in a dying condition**'. However, 'dying' is crossed out and the phrase 'very low' substituted by hand, the phraseology contained in the amended final report. In addition, a request to the dispensary doctor to 'order' the child's 'removal to the County Home' was placed within hand written parentheses with the word 'omit' beside it.

In addition, an entire section is also marked with the word 'omit'.

The omitted (indistinct in parts) section states,

¹⁷ See APPENDIX 6, 7.

¹⁸ From APPENDIX 8.

‘I was informed by the sergeant of the Civic Guards that they had received unfavourable reports of [Blank – Mrs Humphreys – NM] before’.

The omitted section then states that another child from the Bethany Home,

‘died within one month of being sent to her. I consider that the authorities of the Bethany Home were [indecipherable] culpable to send child in the condition of health.... out to nurse.’

The inspector appears then to state that the child should be ‘sent to hospital’.¹⁹

The draft report with these omitted sections is then signed ‘Nurse Kennedy-O’Byrne’.

Besides changing a description of the child’s condition from ‘dying’ to merely ‘low’ and omitting receipt of police information, the instruction to omit also deleted the nurse inspector’s opinion that the child was in a ‘dying’ condition when it was sent from the Bethany Home. In other words that Bethany Home itself was perhaps primarily responsible for the child’s condition.

In a hand written report from ‘WSB’ (Winslow Sterling Berry), dated 25 January 1939, he stated that he visited the Bethany Home on that day.

‘WSB’ began by reporting that Bethany nurse mother homes are

‘either inspected by the Bethany authorities, or a reference from a reliable source about the nurse-mother is required. [BLANK – Mrs Humphreys – NM] has acted as nurse mother for Bethany for a number of years & has up till this case, always been regarded as satisfactory. I traced up the records of six children sent to her & four of these show very good results. [BLANK – the child in question – NM] **was delicate from birth**, & was put out to nurse on the recommendation of the Bethany Medical Officer who thought that **country air might improve the child’s condition** – [BLANK – The child - NM] is now back at Bethany & I inspected him, **he is a delicate child** but shows no signs of neglect or ill usage..... [BLANK – Mrs Humphreys – NM] will not be employed by Bethany again. I inspected Bethany & find conditions much improved since my last inspection.

There are 22 expectant mothers or nursing mothers in the home + 42 children. There are 19 children boarded out. The institution is kept very well is clean & comfortable, no evidence of overcrowding. The mothers & infants are well looked after & appear happy & contented. W.S.B.
25/1/1939’

This is the first occasion, of which we are aware, in which Winslow S Berry undermined a finding that the Bethany Home was responsible for child neglect. In this case he also undermined the authorised inspector from Monaghan County Council.

A second and third ‘WSB’ intervention came later in 1939.

¹⁹ See APPENDIX 9.

Because it was regarded as a proselytising institution, Bethany Home came under pressure in 1939 from the self-styled ‘Catholic Protection and Rescue Society’ (CPRS, now known as Comhlamh), a competing organisation.²⁰ At its 1940 AGM the CPRS said it had removed ‘14 [children]... from a Protestant Maternity Home’. The Society entered Bethany and removed sick children to hospital. They then publicised their activities and notified the authorities.²¹ For instance, from Health Department archives, “taken by [CPRS] on 04/05/1939. He was admitted to the Coombe badly scalded”; “taken by [CPRS] on 20/01/39 and discharged [from St Ultan’s Children’s Hospital] on 30/05/1939”; “taken by [CPRS] on 23/02/1939. He was suffering from whooping cough and purulent conjunctivitis”.²² Records from St Ultan’s and the Coombe hospitals indicate that the children suffered a range of conditions including purulent conjunctivitis, rickets, scalding and whooping cough.

At a meeting of the Rathdown Board of Assistance in August 1939 a member raised the condition of one such Bethany child and asked that a qualified nurse ‘be sent to inspect conditions’ at the home. She continued, ‘they were all aware of the object of this institution from the religious point of view.’ The Chairman, Mr PJ Dooge, concurred and said, ‘this thing is becoming an epidemic.’ It was decided to report matters to the Minister for Local Government and Public Health. The meeting was reported in the *Irish Times* and *Independent* on 24 August 1939.²³ As a result, a letter from the Rathdown Board of Assistance, dated 5 September 1939, was sent to the Secretary, Local Government Department,²⁴ a reply dated 15 September 1939 stated that ‘the case of the child [BLANKED – NM] is at present being investigated, and the Minister will address you shortly in the matter’.

Consequently, on 6 October 1939, William Sterling Berry returned to the Bethany Home. He began,

I... made inquiries re the children [BLANKED - NM]. These children were delicate from birth backward in walking... I am satisfied from my investigations that the children were not neglected while in Bethany’.

Berry then rationalised sickness and mortality with,

‘it is well recognised that a large number of illegitimate children are delicate... from their birth and if removed from constant medical supervision and nursing attention often quickly deteriorate’.²⁵

Berry then steered the discussion away from his statutory responsibilities and toward what he perceived to be religious tensions.

²⁰ See APPENDIX 10, ‘Struggle against Proselytism, work of Society’, *Irish Independent*, 17 April 1939, in which Bethany Home, referred to as ‘X’ Home’, is identified as ‘a maternity home... in touch with Barnardo’s Homes was another active source of proselytising among girls.’

²¹ *IT*, 24 Aug 1939, *Irish Independent*, 17 Apr, 24 Aug 1939, 4 Apr 1940.

²² NATARCH/ARCO/402710; RM/ARC/521019; RM/ARC/O.

²³ See APPENDIX 11, 12.

²⁴ See APPENDIX 17.

²⁵ See APPENDIX 7.

In a ‘Confidential, for Department’s own use’ memo appended to his handwritten report, the Deputy Chief Medical Adviser stated,

‘I am meeting the Bethany Committee... to get them to consent to put an end to this most objectionable [proselytising] feature of their work’.

In an appended note he reported that he returned to the home where a resolution was passed at a special meeting on 27 October 1939 in the inspector’s presence. This, wrote Berry,

‘should satisfy any Roman Catholics concerned by Bethany’s proselytising activities’,

On three occasions in 1939 the Medical Adviser neglected his statutory duty toward sick and dying children. He justified this stance by reliance on, and promotion of, a social prejudice with no basis in medical practice or knowledge. He then attempted to deflect public concern in this matter by concentrating on sectarian tensions between Protestants and Roman Catholics. The Deputy Medical advisor appears to have threatened the Home with negative financial consequences if they did not pass the resolution he recommended, excluding Roman Catholics.

The Irish state forced Bethany home to change its admissions policy.

This was confirmed in January 1940, when Miss Walker declared that the rule change excluding Roman Catholics was because,

“the work of the Home had been seriously interfered with for a considerable time past by persistent, unfriendly, innumerable and unnecessary requirements of public officials. Investigations had been demanded concerning non-Protestant inmates which the Home accorded every facility in meeting and rebutting.”

The passing of the resolution, ‘was accelerated’ when the home believed

‘that if it was not adopted the recognition of the Home as an approved institution was intended to be cancelled.’

This arose in a case in which the High Court declared Bethany Home ‘sectarian’. The Court reversed a ruling making Bethany the beneficiary of a defunct Protestant Women’s Shelter. Its charter stipulated that residents should not be subject to religious instruction or test.²⁶ Bethany’s decision to alter its rules to exclude Catholics caused the reversal.

Mr Justice Gavan Duffy directed that Bethany Home ‘were debarred by the fact that they were sectarian.’²⁷ This evidence supports what the archival evidence proves, that the state was responsible for Bethany’s change of policy. The state was interested in regulating the religious composition and not the medical condition of mothers and babies in the home.

²⁶ *Irish Independent*, 23 Jan 1940 – APPENDIX 13

²⁷ *Irish Independent*, 23 Jan 1940.

Was this an example of a Catholic state dictating to Protestants? It appears not. Winslow Sterling Berry and Alice Litster (an inspector, who monitored Bethany's path toward state recognition²⁸) were members of the Church of Ireland. The state they worked for was more concerned with evenly regulating sectarian provision than with its material content. This sectarian containment allowed child neglect that was effectively protected, not inspected, by state officials.

A department letter in late October 1939 to the Clerk of the Rathdown Board of Assistance stated,

‘I am directed by the Minister for Local Government and Public health to state that after investigations his inspector reports that these children were delicate from birth and [BLANKED – NM] was backward in walking.... And he is satisfied that they were not neglected in any way.’

However, the Rathdown Board of assistance continued to make the Dept aware of medical neglect in the Bethany Home. On 13 March 1940, the minutes of the Rathdown Board of Assistance note that a Children's Act inspector removed a child from a Bethany foster mother to the sunshine Home Stillorgan ‘suffering from rickets and debility’ and that the child ‘was in a very rickety condition when received by the Foster-mother some months ago, from Bethany Home’. The Board again requested that ‘Dr McDonald, medical Inspector, Local Government Department’ enquire into the fact that,

‘several children have been sent to nurse in the district, from time to time, from this home, suffering from Rickets’.

On 29 April the Department asked for the names of these children. On 17 June 1940 the Dept was notified of,

‘children sent to nurse mother in the Rathdown Union area from Bethany Home suffering from rickets... Two other children [Blanked – NM] and [Blanked – NM] were sent directly into St Columcille's Hospital from Bethany Home suffering from purulent discharge from the eyes’.

The Deputy Chief Medical Adviser's actions undermined legitimate public concern and also internal inspectorate concern in relation to Bethany children. No further evidence of inspections of Bethany children has emerged, despite evidence of death, neglect and illness right through the 1940s. Children sent from Bethany to like-minded institutions in England reported severe neglect in nurse mother situations in Wicklow in the early 1930s and in the early 1940s.²⁹

Former resident Derek Leinster reported similarly, backed up by personal testimony from the son of a subsequent Wicklow nurse mother, a Mrs Traynor, with whom Derek became well. However, he was taken from her in 1944 and

²⁸ See APPENDIX 15

²⁹ This was reported to me by Isaac ‘Bunny’ Doone, who was sent with another Bethany child to Fegans ‘Protestant, Evangelical, Undenominational’ home in Britain and is reported also in his book, *Rough Passage* (Hutchinson, 1983), by former Bethany resident, Tom McClean, sent to Fegans in 1947. See Niall Meehan, ‘Bethany Children for export, in ‘Church & State and the Bethany Home’, supplement to *History Ireland*, Sep-Oct 2010, p. 4.

again taken back to the Bethany Home, where he again became extremely ill and was hospitalised for 135 days in Cork Street Isolation Hospital. Under FOI, the HSE released the following record (email to Derek Leinster, 5 January 2011):

Reference No: 1578
 Male: Derick Leinster
 Age: 3
 Occupation: Fr. – Unknown
 Admitted from: Bethany Home, Orwell Rd., Rathgar
 Doctor Admitting Case: Lyons
 Disease: Pertussis, Br. Pneumonia, Diph. & Enteritis.
 Ward: “A” Block
 Date of Admission: 25th August
 Date of Discharge: January 7th 1945
 Days in Hospital: 135
 Religion: Church of Ireland

Derek was then discharged back to Bethany and later informally adopted by a dysfunctional family in Wicklow in 1945, who quickly let him know he was unwanted.³⁰ Derek left Ireland when he was 18, illiterate. He requires permanent extensive medication and regular hospitalisation. Derek is one of the ‘lucky’ ones, in that he survived (1944 was a record year in the 1940s for Bethany Home mortality, at 16).

It may be that the inspection regime in Bethany collapsed due to Winslow Sterling Berry’s three 1939 interventions in, and lax attitude to, conditions in the home in the 1940s. In 1944 Dr James Deeny, who later devised the Mother & Child Scheme published by Dr Noel Browne as Minister for Health in 1949, became Chief Medical Officer and oversaw the creation of the new Department of Health in 1947. In his book, ‘To Cure and to Care’ (Glendale 1989, p. 85), he stated that he inspected a home for unmarried mothers in Bessborough in Cork, after noticing an unusual degree of mortality in the returns for infant deaths in Cork. It was,

‘a beautiful institution, built on to a lovely old house just before the war, and seemed to be well-run and spotlessly clean. I... could not make out what was wrong; at last I took a notion and stripped all the babies and, unusually, for a Chief Medical Adviser, examined them. Every baby had some purulent infection of the skin and all had green diarrhoea, carefully covered up... without any legal authority I closed the place down and sacked the matron, a nun, and also got rid of the medical officer. The deaths had been going on for years. They had done nothing about it, had accepted the situation and were quite complacent about it.

Deeny did not remark, as the Deputy Chief Medical Adviser had in Bethany in 1939, ‘it is well recognised that large number of illegitimate children are delicate... from their birth’. The contrast between the responsible approach of Deeny and the negligent approach of Berry could not be more striking. That is why Bethany Children continued to die and to become ill in large numbers during the 1940s.

³⁰ See APPENDIX 29 a, b, c.

Besides negligent inspection regime, the state also failed to fund adequately fund Bethany Home. It also turned a blind eye to Bethany children being removed from the state and sent to institutions abroad.

Babies for Export and the Irish State

Bethany Home did not advertise a significant aspect of its work.

Children were transferred to like-minded institutions in England: the Salvation Army, Fegan's Homes for Boys and Barnardo's. Each in turn sent children 'overseas' to provide 'the benefits of servitude' to the colonies under the 1922 Empire Settlement Act.³¹ Fegan's 'Protestant, Evangelical, undenominational' home advertised openly that it 'receive[d] destitute and orphan boys to educate and train in farm work for migration to Canada'. Barnardo's deportation of 30,000 by 1931, of a then 100,000 total, was considered 'a most important piece of Empire building'.³²

But what of the Irish government? Was it aware that Bethany children were removed from the state? It was but appeared to do nothing. In 1940 a Department of Health and Local Government inspector of boarded-out children, Alice Litster, noted that Bethany's Miss Walker advertised children 'in English Protestant newspapers'. An English orphanage replied in one case, noted by way of example by Litster, and received an eight-month old child on production of 'a letter of recommendation from a clergyman'. However, police in St Albans 'informed the local NSPCC of conditions in the... home. As a result, Miss Walker was induced to remove the child'.³³

No record has emerged of official attempts to curtail these cross border movements of children. However, such episodes may have affected attitudes toward Bethany's unsuccessful applications for public assistance between 1939-48. Managing Committee minutes and archival documents reveal Litster playing a decisive role in assessing Bethany in the mid to late 1940s (for example Bethany minute of 9 April 1948³⁴).

Public Funding attempts

In 1940 the Bethany Home sold nearly £1,000 worth of securities in order to close the year 'with a small bank balance' (*Irish Times*, 13 March 1941, APPENDIX 17). The Matron, Miss Pilgrim, reported 'no serious illness' in a year in which '50 girls and 61 children' had been resident. In 1940, there were 2 Mount Jerome interments of Bethany Children, indicating that the additional funds made available in 1940 reduced the death rate (which had reached the record levels noted during 1934-39). It appears that the security sell-off was a crisis measure. The death rate rose sharply again during 1941-45, with 9, 10, 9 and 16 children, respectively, interred in Mount Jerome during those four years. Attempts at private funding, including a 'Special collection for Bethany Home' at the 1941 Annual Convention of the City of Dublin YMCA (*Irish*

³¹ Bean and Melville, 1990, p. 36.

³² This trade in children was recently the subject of the film, *Oranges and Sunshine* (2011), starring Emily Watson, directed by Jim Loach.

³³ See APPENDIX 14.

³⁴ See APPENDIX 15, and E16, 21.07.1946, Departmental Memo, in Schedule of A121/57 Bethany Home, Orwell Road, Rathgar (403747), APPENDIX 16.

Times, 27 September 1941), were clearly insufficient to preserve the lives of children who were again dying in increasing numbers.

During this period Bethany applied for but was denied adequate public funding.

As noted, Walker reported in January 1940 that William S Berry threatened in October 1939 that unless Bethany Home agreed to cease admitting Roman Catholic women and children, 'recognition' of the home would be withdrawn.

The home applied for public funding. It was entitled to per-capita funding under Section 35 of the 1939 Public Assistance Act, which stated,

'35. Subject to the consent of the Minister, a public assistance authority may, if they so think proper, make provision for the assistance in a home, hospital, or other institution not provided or maintained by such authority of persons, or particular classes of persons, eligible for public assistance, and where a public assistance authority makes such provision, such authority may defray the expenses of the conveyance of the persons for whose assistance such provision is made to and from such institution and the expenses of their maintenance, treatment, instruction, or training therein.'³⁵

The home was eventually successful in obtaining, with difficulty, per capita payments for some mothers from Cavan and Monaghan local authorities.

However, in applying for a National Maternity and Child Welfare Grant, Bethany was continually unsuccessful until 1949. It was the absence of such a grant that had a direct bearing on conditions in the home.

On 15 December 1942, the Department of Local Government and Public Health replied to a letter of 2 December from George FW Godden of the Bethany Home. The 2 December letter from Godden applied for

'recognition of the Bethany Home for the purposes of recoupment from the National Maternity and Child Welfare Grant'.

The Department's reply asked Bethany Home for:

- a) The Name and former address of all women in the home on 1 January 1942 or admitted since that date, indicating who is married, widowed, or unmarried, and is married whether she is deserted.
- b) The name and date of birth of each child who was in the home on 1 January 1942, who was born in Bethany Home or admitted since that date.
- c) The name and address of the mother of each child, and whether she is married, widowed or unmarried and if married whether deserted.
- d) The date of discharge of women and children since 1 January 1942 and to where discharged.³⁶

³⁵ <http://www.irishstatutebook.ie/1939/en/act/pub/0027/print.html>

³⁶ See APPENDIX 18.

The reply is not to hand. However, a letter of 31 March 1943 appears to terminate the correspondence and Bethany's application with,

'I am directed by the Minister for Local Government and Public Health to state that the financial position of the home as disclosed in the accounts submitted does not appear to warrant state subvention.'³⁷

In 1946 correspondence (1 July³⁸) with the Department George Godden questioned this refusal on the basis of 'accounts submitted'. He pointed to clearing 'our overdraft at the Bank' in 1940 by 'realis[ing] investments to the extent of £999:10:10'. He continued 'our income is still insufficient to meet the expenses. Our overdraft at Bank is over £800.00'.

Godden's 1946 letter to the Secretary of the Department of Local Government and Public Health stated that Bethany's claim had been renewed to the Department on 17 May 1944. The home was instructed 'that it was now a matter for Dublin Corporation' (see also Bethany minute of 9 June 1944, confirming this). In other words, that state appeared to be stating that Bethany was not eligible for child and maternity grants and encouraging the home instead to apply for per-capita payments from local authorities under the Public Assistance Act of 1939.

Godden reported this to his Committee, writing to the City Manager on 20 May 1944 and no success in this regard on 8 September 1944, though encouraged to ask again when finances improved. In November 1944 the home contacted and sought the advice of William S. Berry, and also contacted the Dublin City Medical Officer, Dr Russell. This led to a further application to Dublin Corporation in December and an equally negative response that encouraged a further application at 'as soon as possible... stating the amount of overdraft'. The matter was adverted to again in Bethany Home minutes in January 1945. The heading 'State Aid' became a permanent heading in Bethany Home minutes.³⁹

In his 20 May 1946 letter Godden reported two fruitless years of 'trying to get financial assistance from the Dublin Corporation, but without success'.⁴⁰ It was then suggested that Bethany Home try the Dublin Board of Assistance, who, though 'sympathetic' reported they 'had no power to give us a grant'. The Dublin Board of Assistance 'suggested that we should report back to you'. Godden reported that since they were regularly inspected by the state 'the Managing Committee do not understand why financial assistance cannot... be given to an institution which performs such useful public service'.

On 9 August 1946 Godden responded to the Department's reply with

'The Managing Committee... instructed me to write again to you, pointing out that the procedure indicated in your letter would involve a very considerable amount of correspondence, and asking that you would be so good as to recognise the Bethany Home as suitable for the reception of

³⁷ See APPENDIX 19.

³⁸ See APPENDIX 20a.

³⁹ See APPENDICES 20 a, b, c, d, e.

⁴⁰ See APPENDIX 21a.

Protestant unmarried mothers and their babies for the purposes of the Public Assistance Act, 1939.⁴¹

The Department's request for information appears to have been a repeat of the information request of 15 December 1942.⁴² Bethany's 9 August 1946 reply indicated that the Home did not relish again going down this route to possible rejection. Reference to specifically 'Protestant' residents may have made the difference to the Department, however. The Department's reply (2 August 1946⁴³) advised Bethany Home that,

'[T]he appropriate procedure for obtaining such aid would be to approach particular public assistance authorities with a view to the recognition of the Home under Section 35 of the Public Assistance Act, 1939. The public assistance authorities to be so approached would presumably be those from whose districts inmates are admitted to the Home in circumstances which would appear to suggest that they would be deemed eligible for public assistance'.

This was reiterated in a further letter of 17 September 1946:

'[T]he matter of recognition... is one for the Public Assistance Authorities concerned in the first instance. The Minister does not give his consent in this connection without application for such consent having first been received from individual local authorities'.⁴⁴

In the meantime, on 17 July 1946 Monaghan County Council applied through a County Manager's order,

'for payment of increased charge of 15/- per week for maintenance of each patient in Bethany Home, Rathgar, and I am to request the sanction of the Minister for Local Government and Public Health to the terms of the manager's Order'.⁴⁵

The reason the council wanted an 'increase' is because, curiously,

'The consent of the Local Government Department to the sending of persons eligible for public assistance, to Bethany Home was conveyed in letter No. P. 2005/44, dated 28th January 1944.' [This 1944 letter not to hand - NM]

Also contained in this application was information to the effect that on 19 June 1946 Bethany Home applied to Monaghan for this increase.

⁴¹ See APPENDIX 21 b.

⁴² See APPENDIX 18.

⁴³ See APPENDIX 22.

⁴⁴ See APPENDIX 23.

⁴⁵ See APPENDIX 24.

So, why was the Department telling Bethany Home that it was not recognised for payments when it was, at least in Monaghan? The Department granted approval for the 15/- payment on 24 September 1946.⁴⁶

Be that as it may, the Department of Local Government and Public Health responded to a 5 October 1946 letter from Cavan County Council, requesting ‘sanction to payment... of contribution towards the cost of maintenance of one unmarried mother and her child, who are members of the Church of Ireland’. On 18 October 1946 the Department replied:

‘I am to enquire as to the authority under which the local authority proposes to contribute to the upkeep of the mother and child at the above institution [Bethany Home – NM]. I am to add that this institution is not approved in respect of County Cavan in pursuance of Section 35 of the Public Assistance Act, 1939.’⁴⁷

Cavan responded on 21 October that the ‘church of Ireland girl in question’ could not be sent to the two Roman Catholic institutions that were approved. (Appendix 25)

Cavan followed up with a County Manager’s Order, dated 16 December 1946, addressed to the Department,

‘requesting sanction... to the payment by the council of the cost of unmarried mothers who are members of the Church of Ireland in the Bethany Home’.⁴⁸

Cavan sent a reminder on 7 March 1947.⁴⁹ Ministerial approval for payments generally from Cavan County Council to ‘unmarried mothers who are members of the Church of Ireland, in the Bethany Home’, followed later in March 1947.⁵⁰

The last letter on the file, dated 29 September 1948, refers to a request for ‘financial aid’ from George Godden of the Bethany Home.⁵¹ The Department’s reply refers Godden back to the Department’s letter of 2 August 1946⁵² and suggested that ‘Public Assistance authorities should be approached with a view to recognition of the Home under Section 35 of the Public Assistance Act, 1939’. Since the said local authorities had done this already, this response seems obtuse

Finally

At the Bethany Management Committee of 14 January 1949,

The Secretary reported that the Department of Health had notified him that they had decided to recognise the Home from first of January 1948 for the

⁴⁶ See APPENDIX 24 b.

⁴⁷ See APPENDIX 25.

⁴⁸ See APPENDIX 26 a.

⁴⁹ See APPENDIX 26 b.

⁵⁰ See APPENDIX 26 c.

⁵¹ See APPENDIX 27.

⁵² See APPENDIX 22.

purpose of the Maternity and Child Welfare Grant and that in due course a grant would be made after the submission of necessary returns.⁵³

After this point, Bethany children stopped dying.

The state could have recognised the home for this purpose many years earlier and had it done so some lives might have been saved and others (like Derek Leinster) might not have had lives blighted by ill-health and neglect that had life-long consequences.

Lives lost could have been saved had the home had more money. It is arguable that the neglected state in which Derek Leinster was sent to his first foster Mother, Mrs Traynor and the consequent illness he suffered in 1944-45, and subsequently, might have been averted. An 'adoption agreement' between a dysfunctional couple in Co Wicklow and Derek Leinster's natural mother (organised by Hayes & Sons, solicitors), might also have been avoided had the home not been under pressure due to lack of funds to discharge children to unsuitable persons.⁵⁴

ENDS

⁵³ See APPENDIX 28.

⁵⁴ See APPENDIX 29 a, b, c.