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FAMILY AND POWER: INCEST IN IRELAND, 1880-1950

Sarah-Anne Buckley

Introduction

In 1884, the Recorder of Dublin commented with regard to the case of a 50-year old man charged with ‘assault to ravish his daughter’:

. . . this was one of the worst cases ever proven in a Criminal Court. On submitted evidence this man was proven to have committed an act of violence an unnatural offence on his own child, a girl of fourteen. The circumstances were unspeakably shocking. The prisoner should have been sentenced to penal servitude for life.¹

The man received two years’ imprisonment in separate confinement, the maximum sentence allowable at the time; but the case is notable for four primary reasons: the judge’s reaction; the father’s defence; the role of the girl’s mother, and the girl’s attempts to resist. While the shock and horror of the judge is apparent in the above statement, his comments later also demonstrate Victorian attitudes to respectability and femininity, as he discusses the effect of the incident on the ‘decency and morality of the girl and her sisters, and the respectability of the man’s wife’. Not only would the girl now be marked as tainted, her sisters and her mother would suffer similar stigma. In examining the father’s defence, the lack of any remorse - a feature common to most cases involving incestuous abuse – is evident. Initially, the defendant referred to his twenty-five years of service in the army, and following this, he moved to blaming his wife’s actions for the incident:

When in India I unfortunately married a soldier's widow when I was young and foolish, which has been my drawback ever since. Her former husband poisoned himself with drink, she has taught the children as they grew up to dislike me she also has kept me in perpetual torment and disgrace by running away from me and the children.²

In many cases of incest, the absence of a wife/mother for short periods of time resulted in the eldest girl being forced to take over domestic duties. In this instance, the man infers that the daughter should also have taken over marital duties, demonstrating the position for many girls in a patriarchal family structure.

Prosecuted in 1884, the case was tried twenty-two years before incest was made a criminal offence in Britain and Ireland. Prior to 1908, offences could be prosecuted criminally as carnal knowledge or rape of a daughter/sister. Yet as will be argued in this chapter, legislation did not ensure greater protection for victims of incest or greater detection. In fact, the provision of hearing cases 'in-camera' placed greater barriers to prosecution. As a result of this, in 1922 British legislation was amended, following intense debate in three separate committees on sexual offences. This was followed swiftly by legislative change in Northern Ireland in 1923. Yet in the southern State, these changes would not occur until 1995, with incest remaining a misdemeanour and cases continuing to be heard 'in-camera' up to this time. The reasoning behind this seventy-year lag will be addressed in this chapter, particularly with regard to the treatment of sexuality and sexual 'morality' after independence. As will be demonstrated, attitudes to sexuality and gender would have a knock-on effect on the reluctance of the State to deal with issues such as sexual crime, and especially

sexual crime within the family. The need to protect the sanctity of the family in the Irish Free State, and the moral power of the Catholic Church in society, would act as bulwarks to any interference in the family unit that would cause disruption. Revelations of incest would surely have done just this. In this way, ‘family and power’ refers both to the power of a father in a patriarchal familial structure, and the power of the State over the family unit.

Before looking at individual cases, the chapter will trace the debates surrounding incest from the 1880s, the association of incest with over-crowded living conditions, and the National Society for the Prevention of Cruelty to Children’s (NSPCC) interpretation of ‘immorality’. Children whose parents were investigated for ‘immorality’ within the home by the Society were the first group to be automatically placed in industrial schools. Thus, the NSPCC’s role in pushing for legislation to criminalise incest, and its acknowledgement of the occurrence of incest through the removal of children from the home to industrial schools will be addressed. With regard to the State, the silence in parliament and in the press surrounding incest and sexual offences against children after independence will be discussed, as will the reports on venereal disease, evil literature and the Carrigan Committee. For comparative purposes, the examination will also refer to British reports on sexual offences against children. First, the methodological issues will be addressed.

Methodological issues

An investigation of a topic as shrouded as incest is both multi-faceted and problematic, and involves the interpretation of silences and euphemisms (of officials, victims and society), as well as the application of a class and gender perspectives to debates. Both the NSPCC archive and court records will be addressed, as these

represent the two primary sources available.³ In the early years of the NSPCC, the Society discussed the issue of sending children found to be victims of ‘immorality’ to industrial schools, as well as the passing of the 1908 Punishment of Incest Act; the connection between incest and over-crowding and issues of parental custody of other children once incest was proven in the courts. After 1922, however, other than statistical evidence of the number of cases of ‘immoral surroundings’, ‘moral danger’ and ‘other wrongs’, the only references are to a small number of investigated cases. For this reason, the court records were examined in order to investigate how cases came to the attention of the police, what length of sentences were given and what recourse was available to victims.

As this is the first historical study of incest in Ireland, international examinations provide a template and comparison. Linda Gordon’s⁴ work on family violence in Boston has focused on the resistance of girls in the incest cases she examined, while Louise Jackson⁵ has looked at how the courts treated victims of child sexual abuse in Victorian England. This analysis will draw on the approaches of both studies to a limited extent, while also emphasising the role of the Catholic Church and the State in the treatment of child sexual abuse in independent Ireland. Gordon’s use of the records of three child protection agencies provided a sample of fifty incest cases, a substantial number in the period of examination, while Jackson’s examination of child sexual abuse, not specifically incest, comprised a larger sample. In this study, from the forty-nine cases examined in the courts,⁶ the chapter will highlight how, even with the increasing silence surrounding incest, its presence is detectable. Theoretically, Foucault has drawn attention to the way in which silence can function as a discursive practice, and in the nineteenth-century rhetoric of child-saving and social purity, silences and euphemisms were extremely pointed, particularly in

discussions of child sexual abuse. But as the debates in the 1920s, 1930s and 1940s in Britain became more centred on openness and the welfare of families and children, in Ireland the repression of sexuality and sexual crimes through increased censorship and State regulation created a frightening bind for victims, and increasing stigmatisation. Before examining the official debates and cases from the court files,⁷ the ‘discovery’ of incest from the late nineteenth century will be assessed, as will the double bind for victims, particularly girls, whose double powerlessness arose from being daughter in a patriarchal familial structure and a victim in a patriarchal society.

‘A working-class crime’: the 1908 Punishment of Incest Act

Historically, incest was an ecclesiastical and not a criminal offence, and this interpretation of incest as a moral crime remained dominant throughout the nineteenth century. As late as 1885, incest was spoken of euphemistically in medical journals as ‘things done in secret,’⁸ and in Ireland, debates would remain couched in this euphemistic language until the emergence of second-wave feminism in the 1970s. Following an examination of the housing conditions of the working classes in Britain in 1883-84, social reformers began to acknowledge and represent incest as a vicious male (working-class) crime. As with debates on cruelty to children and wife-beating, they pursued their agenda through the use of environmentalist language and in particular, through the perceived connection between incest and overcrowding. The effects of this contextualisation would reverberate throughout the twentieth century in Ireland. From the beginning of the twentieth century, the Dublin slums became the focus of vigilance groups and campaigners, as the relationship between overcrowding, sanitary conditions and immorality in the working class was regularly referred to in

official reports and the press.⁹ As late as the 1940s, this connection was still prevalent in Dáil debates.

In their article on the creation of the 1908 Punishment of Incest Act, Bailey and Blackburn discuss the circumstances that led to the decision to legislate against the offence of incest at the beginning of the twentieth century. They highlight the notion that incest was not viewed as a crime as it was not legislated for, its presence as a taboo subject in Victorian Britain, and the lack of statistical evidence of its prevalence, which led to ideas that incest remained ‘an area of morality’ into which the intervention of the criminal law ‘did not seem appropriate.’¹⁰ Addressing the re-discovery of incest in the late nineteenth century, and the social context in which criminalisation occurred; the discussion begins with the Royal Commission on the Housing of the Working Classes (1883-84). Following this, the National Vigilance Association (NVA) and the NSPCC are referred to, as both campaigned for the moral protection of children through ‘legal threat and legal action’, highlighting increasing numbers of immorality cases. While two initial legislative attempts were defeated, in 1908 the Punishment of Incest Act was passed, with two notable amendments – the prevention of prosecution without the sanction of the Attorney General or Director of Public Prosecutions; and all proceedings to be held in camera. Although there were elements of parliamentary opposition, at this point ‘incest could be represented in convincing statistical form in Britain, as a social evil which was sufficiently insidious to justify legislating around morality in the home.’¹¹

In general, the 1908 act was a product of a distinctive social movement, which combined preventative work in the cause of child protection with a demand for social purity. Unfortunately, without the public acknowledgement of incest, the statutes themselves were more significant for the NSPCC and NVA than for victims, in

particular with regard to the holding of cases ‘in camera’.¹² The ineffectiveness of the acts was an issue in the British legislative change in 1922, as it became apparent that the continuation of the in-camera proceedings was not suitable. In Ireland, the 1908 legislation was not amended until 1995, and again in 2009. The Irish State’s disregard for the need to amend the 1908 legislation will be addressed throughout this discussion, but of particular significance are the in-camera proceedings. In 1918, the chairman of the committee to examine the Criminal Law Amendment Bill and Sexual Offences Bill in Britain stated:

. . . before that Act was passed, the very large majority of cases of carnal knowledge of children under 13 were cases of incest and those cases were invariably heard in public; and as far as the reports in newspapers were concerned I can say I have seen a very great number of them and generally they are three lines: “So and so, by a serious offence on his own daughter, aged 7, seven years penal servitude”, and that is all; there are no details given at all. Then when the Incest Act came the same cases were tried under the Incest Act, and they are not reported at all except in the same way...I do not think criminal cases are indecently or suggestively reported in the newspapers.¹³

Interestingly, during debates on the Illegitimate Affiliation Order Bill in Ireland in 1930, in both houses of the Oireachtas a number of ministers mentioned the in-camera proceedings. In particular, the Minister for Justice Mr. Fitzgerald-Kenney repeatedly argued against the in-camera proceedings in maintenance cases, with Mrs. Wyse Power on the opposing side. In particular, Senator Wyse Power flagged the opinions of the clergy and social workers on this issue, who were both in favour of in-camera

proceedings. The motivations of both are worth considering. For the clergy, in-camera proceedings protected the pure image of Irish men and women, and kept debates on unmarried mothers and putative fathers away from the press. For social workers, the motivation may have been similar, although more centred on gaining maintenance for the woman involved. Either way, if the clergy, the State and social workers were opposed to having the press reporting on maintenance claims, it is very unlikely they would consider a change in incest legislation.

Similarly, while the 1922 British legislation reclassified incest as a felony as opposed to a misdemeanour, to undertake such a legislative change in Ireland would have involved acknowledging the occurrence of incest. While the 1918 committee had agreed ‘it is far better that there should be the right to go in and hear justice administered than have justice administered in secret’,¹⁴ in Ireland the secrecy was protected. Even at this stage, the divergence of British and Irish opinion on child protection and particularly child sexual abuse was apparent, and would only become more pronounced from the 1920s on. In relation to the second provision in the 1908 Act, the authority of the Attorney General or Director of Public Prosecutions, in 1912 a letter was written to the Chief Constable of the Borough Police by the Secretary of State regarding a man who was arrested and charged with incest without communicating with the Director of Public Prosecutions. As a result, the man’s indictment was quashed. The letter states: ‘in no case should a prisoner be arrested or a charge preferred under the Punishment of Incest Act unless the authority of the Director of Public Prosecutions or the sanction of the Attorney General has been first obtained.’¹⁵ This leads to serious issues with regard to the actual detection of incest and the charging of persons alleged to have committed the crime. As with notification of most crimes, the more difficult it is to arrest and charge suspected perpetrators, the less

cases will be brought to the attention of the police and the courts, and the fewer victims will come forward to report crimes. This will become more relevant when looking at the courts, but by and large, although campaigns on sexual matters between 1880 and 1925 did succeed in bringing legislative changes, they merely channelled victims through a ‘totally unsympathetic criminal justice system’ which was ill-prepared to deal with the nuances of sexual cases.¹⁶ If anything, as acknowledged by the 1918 British committee, the introduction of incest legislation curbed the number of cases being brought to court.

Legislating for ‘morality’ and ‘immorality’ in the Irish Free State, 1922-50

The move towards Irish independence was ‘disruptive’¹⁷ for a number of reasons: the suffrage campaign which had threatened gender roles and provided a demand for women’s new role in the Irish Free State, discussions of sexuality and sexual morality which had emerged from the suffrage and labour press, and the ‘politicisation of prostitution and venereal disease’¹⁸ by nationalists and feminists were all victims of this disruption. Prior to independence, the *Irish Citizen* newspaper was central to feminist activity in Ireland. With regard to sexual crime, the work of women such as M.E. Duggan, the Honorary Secretary of the Watching the Courts Committee,¹⁹ made readers of the paper aware of the ‘unpleasant’²⁰ cases of child abuse that were occurring in Dublin, a radical departure at a time when the press reported very few if any such cases.²¹ As Duggan wrote in 1915 with regard to the removal of women from the courtroom during sexual abuse cases:

When will men realise that women are part of the public. . . There is something quaintly Early Victorian in the attitude that, while welcoming

women as nurses on the battle-field, as doctors in charge of military hospitals at the Front, still regards it as “unwomanly” for them to be seen (save in the dock, of course: no one disputes their right to be there) in Green Street or in the Police Court.²²

Sandra McAvoy’s examination of the 1935 Criminal Law Amendment (CLA) Acts shows that the evidence of female witnesses to the 1931 Carrigan Committee was representative of lobbying by feminists before and after independence, as well as Catholic and Protestant moral purity campaigners throughout the 1920s.²³ The views on age of consent, unlawful carnal knowledge, the clause of ‘honest defence’ and prostitution expressed in the *Irish Citizen* were still prevalent by the time the Carrigan Committee was finally set up in 1931 and can be seen in the evidence of the eighteen female witnesses.²⁴ Before addressing the report, the campaign for a change to the CLA Acts in Britain will be addressed, in order to compare the attitude of the Irish and British States to issues of sexual crime and immorality.

Debates on sexual crime and children in Britain and Ireland from the teens to the late 1920s can be identified through an examination of six specific reports. In Britain, the published *Report from the Joint Select Committee of the House of Lords and the House of Commons on the Criminal Law Amendment Bill and Sexual Offences Bill (1918)*; the *Report from the Joint Select Committee on the Criminal Law Amendment Bills (1&2) and the Sexual Offences Bill (1920)*; and the *Report of the Departmental Committee on Sexual Offences Against Young Persons (1925)*. In Ireland, the unpublished *Report of the Interdepartmental Committee of Inquiry Regarding Venereal Disease (1926)* and the *Report of the Committee on the Criminal*

Law Amendment Acts (1880-85) and Juvenile Prostitution (commonly known as the Carrigan Committee report). They will be referred to by year/short title.

In November 1918, the report of the 1918 committee was entered unfinished, due to the dissolution of parliament. It had considered the bills put before it, most notably the age of consent, penalties for wilfully transferring venereal disease, the recommendations of the 1916 Royal Commission on Venereal Disease, the presence of children in court, incest proceedings, prostitution, and various other issues involved. The minutes of the meetings and the evidence provide a rich source. In 1920, another committee was formed to look at the two bills and a second bill on the CLA Acts. It was decided they would amalgamate the three and the result was the 1922 Criminal Law Amendment Act. A number of issues of interest came to light in the report, such as the evidence of many witnesses that venereal disease should be dealt with ‘for the protection of public health, and not under the criminal law’. In contrast to Irish reports in the 1920s, issues such as incest were discussed in detail as was the use of ‘honest defence’ with regard to age of consent in indecent assault cases. While the changes proposed by both committees would result in a change to the CLA Acts, in Ireland this legislative change would not occur until 1935, and to a far more diluted extent.

In 1925, the report of the *Departmental Committee on Sexual Offences against Young Persons* was published. The committee had initially emerged from a debate in a Home Office vote in July 1923. From July 1924 to 1925,²⁵ the eight committee members met forty-eight times and interviewed seventy-five witnesses.²⁶ Their aim was ‘to collect information and to take evidence as to the prevalence of sexual offences against young persons’.²⁷ In the opening remarks, the report claims: ‘some of their recommendations may appear drastic at first sight’.²⁸ In particular, the report

highlighted the lack of statistics for offences against young persons, and the many obstacles in the way of ascertaining the true extent of crimes – from different definitions of offences, to lack of statistics, to the underreporting of particular crimes. With regard to the general conclusions on the prevalence of the crimes, the committee agreed that there were many more offences committed than reported, and hoped that as a result of the enquiry there would be ‘a greater readiness on the part of the public to report these very serious offences to the police’. The committee agreed that after weighing up the evidence there had been an increase in the number of indecent assaults on young persons, and that owing to the practice of reducing charges, ‘mainly in the interests of the child or young persons’, the statistics of indecent assaults now included a proportion of more serious sexual offences. With regard to incest, the report stated:

A conviction of incest may deprive the family of the support of a father or brother for many years and there may be no source of income, other than Poor Relief, during the time he is in prison. It is therefore readily admitted by official and other witnesses that the number of incest cases reported to the police can only be a small proportion of those that actually occur.²⁹

The report included statistics on children who had died from venereal disease, stating that: ‘from the evidence of legal and medical witnesses, a certain number of cases of gonorrhoea in these young girls is due to the superstition that connection with a virgin will cure a man’. In the Irish report on VD from 1917-1923, produced in 1926, it was stated that 177 infants under one year died from syphilis, while only six infants were recorded as dying from other venereal diseases. Due to the lack of statistics these

figures could possibly have been much larger, yet incest was rarely mentioned in any of the Irish reports, and especially not in relation to venereal disease, which can, in the case of gonorrhoea, be an indicator of incest.

The Interdepartmental Committee to examine the issues surrounding venereal disease in the Irish Free State was set up in December 1924 and consisted of three members of government: Percy McDonnell, Medical Inspector in Department of Local Government, Colonel Higgins, Director of Medical Services, Department of Defence and John Duff, a barrister in the Department of Justice. It held fourteen meetings in Dublin and one in Cork and Galway and examined twenty-four witnesses, with written statements from others. With regard to the ‘moral situation’ mentioned by some witnesses as explanation for rising VD rates, the report states that ‘while this contention may be accurate, we felt that were it accepted it may lead us outside the subject with which we were appointed to deal.’³⁰ Continuing this point, and also passing responsibility to different agencies, the report states that ‘we may remark that the extent to which the State can interfere to promote morality is strictly limited: we feel that the only hope of any marked improvement in this respect lies in the activity of moral agencies.’³¹

The committee made a number of observations in its report, such as the fact that a number of the sufferers were innocent persons, especially women and children. The evidence from the army demonstrated that while prostitution was an issue, ‘90 per cent of the men who acquired the disease were infected by women who were not prostitutes.’³² It also commented on how the recommendations of the 1916 *Report of the Royal Commission on Venereal Disease* had not been adopted in most counties in Ireland, and the ‘lack of interest of the medical profession’ evidenced in the insignificant number who sought training in treating the diseases. Some of the

recommendations made to the committee were – compulsory, anonymous notification of venereal disease; that it be made a crime to wilfully and knowingly infect another with venereal disease; that steps be taken to educate the public and that in dealing with girls charged with soliciting the punishment should be reformatory rather than punitive.

Evidence to the committee varied greatly, from social worker Frank Duff's suggestions of 'State or state-encouraged action', and in particular the legislative curbing of indecent literature, to Dr. Moorhead's statement that 'education of the public by public lectures is undesirable.'³³ The evidence also noted lack of police powers with regard to brothels, prostitution and indecent assaults, as well as considerations of the effect of immoral behaviour on children. In comparing the report to the Royal Commission report in 1916, and the three British reports of the 1920s, there are a number of similarities: the recognition of the need to focus on VD as a public health issue not purely legislative, the suppression of prostitution by the removal of the fine on first offence and the discussion surrounding making it a crime to willingly infect another with VD.³⁴ However, there are also contrasts: unlike the British reports, the Irish featured a refusal of the recommendation for the need for women police, a focus on morality, a lack of statistics for VD and a failure to examine the connection between venereal disease and incest.

The Carrigan Committee and sexual offences against young persons (1931)

It is understood that many competent authorities have grave doubts as to the value of children's evidence. A child with a vivid imagination may actually live in his mind the situation as he invented it and will be quite unshaken by severe cross-examination.³⁵

Department of Justice memo regarding the Carrigan Committee Report, 27 October 1932

The Carrigan Committee was set up in 1931 to examine the 1880 and 1885 Criminal Law Amendment Acts and the ‘problem of juvenile prostitution’. As previously addressed, in Britain and Northern Ireland the CLA legislation had been changed in 1922 and 1923, and by the late 1920s new CLA legislation in the southern Irish State was ‘overdue and unavoidable’.³⁶ The chairman of the committee was William Carrigan, K.C.; on 20 August 1931, after seventeen sittings, twenty-nine witnesses and eight resolutions, including memoranda from a range of national and international sources, the final report was submitted to the Minister for Justice. Incest was referred to only twice – in the evidence of the Garda Commissioner General Eoin O’Duffy, who provided statistics for incest cases reported to the police, and by the district judge Dermot Gleeson, who stated his belief that late marriages resulted in incest cases. The emphasis on the mind and the psychology of young girls was provided by women working in the medical profession, and was in keeping with developments in Britain in the inter-war years in which adolescence was highlighted as a period of vulnerability for young girls. Generally, the Carrigan Report reflected many of the suggestions of the women witnesses.

Following Fianna Fáil’s accession to power in 1932, a committee comprising of government ministers was set up to consider the Carrigan Committee’s report. After extensive consultations with the hierarchy a ‘watered-down version’ of the initial Carrigan report was proposed.³⁷ In response to the recommendations of the committee, the National Council of Women of Ireland passed a motion in favour of the age of consent being raised to eighteen years minimum. It also agreed that solicitation laws should be equally applied to women and men, and female police officers needed to be introduced into the Garda Síochana. All of these items had been recommended by the Carrigan Committee and an identical resolution was passed by

the United Council of Christian Churches and Religious Communion in Ireland. Both were sent to the Minister of Justice and both were rejected. With regard to the influence of Catholic organisations, the following resolution from the Guilds of Regnum Christi was sent to the Pope, the Archbishop of Dublin and numerous government persons and bodies:

. . . it was unanimously resolved to protest against the Amendment of the Seanad Committee which would delete Section 17 of the Criminal Law Amendment Bill, 1934. In view of the firm stance already taken by the Vice-President, representatives of the actual Government, at Geneva, in opposing Anti Catholic and unnatural theories and practices in the matter of sexual morality – an attitude so highly praised by the Holy See the General Council of the Guilds of Regnum Christi has every confidence that the Government of Saorstát Éireann, by refusal to accept this or kindred amendments, will continue strongly to maintain our Catholic traditions of morality.³⁸

It appears the Catholic hierarchy did have an effect on the ministerial committee and the final legislation passed; however, it also appears that the State was attempting to impose its own moral ideal, and protect men from being ‘falsely accused’ of sexual impropriety. Whereas the Carrigan Committee had favoured a considerable tightening of the law to protect women and children, the view of the ministerial committee was that the report ‘was unbalanced to be too severe on men, while overlooking the shortcomings of women in these matters, and the, at times, highly coloured imaginations of children.’³⁹ This quote in itself demonstrates the attitudes of those involved in the decision not to publish the report. McAvoy questions the decision not

to publish the report, arguing that while the desire may have been to conceal information on serious socio-medico problems in the Irish Free State, most of this information had been in the public domain for the previous two decades. She continues: ‘Might a more pressing reason have been a possibility that a CLA Bill would fail, or be rendered ineffectual, had a full discussion of the age of consent and ‘reasonable clause’ provisions been permitted?’⁴⁰

On the wider issue of child sexual abuse from the late-nineteenth-century, Eoin O’Sullivan argues that the interest in the sexuality of children from the 1880s was part of a broader concern with ‘redefining childhood’ associated with the latter half of the nineteenth century.⁴¹ Citing various moral panics in the nineteenth and twentieth centuries, O’Sullivan pinpoints the debates surrounding the age of consent and the Criminal Law Amendment Act 1885; the ‘problem’ of the unmarried mothers and immorality in the 1920s; as well as the Carrigan Committee and the CLA Act (1935). With regard to the 1885 Act, O’Sullivan discusses how legislation ‘failed to provide adequate protection against sexual abuse within families’, in that where a girl had passed the age of sixteen, the law could not be utilised retrospectively to punish ongoing incest.⁴² After independence, the discussion focuses on the rigorous debate on sexual abuse that took place, ‘couched as it was in various euphemisms’ with the unmarried mother representing the principal concern. The involvement of the NSPCC in these debates will now be addressed.

The NSPCC and ‘immorality’

From 1889 to 1906, of the 1,227,786 children dealt with by the NSPCC, 25,478 were described as ‘morally outraged’. This figure includes both Britain and Ireland, but it is a substantial number of children in a seventeen year period. Due to the vagueness of

the term ‘morally outraged’, assumptions should not be made that all these cases involved sexual abuse, but a considerable figure more than likely did. Louise Jackson has examined the Society’s use of the term ‘immorality’ in cases of child sexual abuse, and ascertained that it often referred to cases of incest, while the term ‘juvenile prostitution’ usually alluded to cases of child sexual abuse.⁴³ That ‘juvenile prostitution’ was included in the terms of investigation for the Carrigan Committee indicates the continued use of euphemisms in Ireland after independence in discussions of sexual crime against children. In the case of the NSPCC, from 1920 the term ‘immorality’ was replaced in the Irish NSPCC reports by the euphemisms ‘immoral surroundings’, ‘moral danger’ and ‘other wrongs’. With regard to how cases of immorality were treated, in 1895 the Dublin Branch stated that while opposed to the use of industrial schools as a rule, this was not the case in investigations of immorality. In these instances, children should be transferred to industrial schools immediately. Yet aside from this, there is little discussion of immorality except for figures in the annual reports in the Irish reports. These figures will now be addressed.

As table 5.1 demonstrates, between 1930 and 1941, there were 133 cases of ‘immoral surroundings/moral danger’ investigated by the Dublin branch of the NSPCC, and 623 cases classed as ‘other wrongs’. In Cork there were fifty-one cases of ‘immoral surroundings’ and 698 cases of ‘other wrongs’. Yet throughout all twelve other branches from 1933 to 1950, there were only twenty-nine cases of ‘moral danger’, twelve of these coming from the Limerick/Clare District branch, and 169 ‘other wrongs’, eighty-five from the Limerick/Clare District Branch. As urban areas were policed more than rural, the figures are not surprising. However, the limited number of cases prosecuted in the courts poses questions surrounding how the inspector dealt with situations of ‘moral danger’.

	Immoral surroundings/moral danger	Other wrongs
Dublin	133	623
Cork	51	698
Limerick	12	85
Remaining branches	17	84

Table 5.1: Figures taken from the annual reports of the NSPCC, 1933-50⁴⁴

From the Society’s beginnings, it was acknowledged that children in situations of ‘immorality’ would be removed from their homes and placed in industrial schools. From the case files it is difficult to assess whether this policy was pursued throughout the period of examination, but it most likely was. Although it can only be speculated from the available evidence, it is probable that placement in an industrial school or Catholic home would have been the preferred choice of both the NSPCC inspector and the family involved. As testimonies in court records will demonstrate, incestuous abuse was never disclosed voluntarily. This could have been the result of three issues: aside from escaping the abuse, what recourse did victims have? With attitudes to children’s evidence and uncorroborated evidence, why would victims face an unsympathetic court system? With the continuation of ‘in-camera’ proceedings, and no press coverage of incest, did many victims know that legally their rights were being violated?

Aside from the official reports, in the 247 case files that have survived up to 1940, there are a small number of references to incest – albeit euphemistically termed. In 1935 the ‘McCarthy’ family in Wexford were visited by the NSPCC inspector, after a report by the Gardaí concerning the father’s conduct and violence.⁴⁵ The

inspector recorded that on New Year's Eve 1934, Mrs. McCarthy, the mother of the five children, left the house to visit to friends in Dublin. Upon her departure, Mr. McCarthy 'assaulted and terrified' Maisie, the eldest child aged 14 years. The entry in the inspector book describes how he came to her bed, pulled her out and tried to drag her to the other room. She managed to run outside and hide, sleeping in a fowl house at rear of house. A number of supervision visits were made but no other action was taken by the inspector. As the court records will demonstrate, the absence of a mother for short periods or as a result of death was a common feature in the incest cases investigated and prosecuted. Whether incest was more common in families due to the absence of a mother due to the protection she might have been able to offer her daughter, or that families without a mother were under more scrutiny is impossible to discern. In a subsequent case in 1938, a widower, the father of six, was investigated for neglect and starvation. He was described as 'fond of drink and undignified . . . Very violent when drunk'. The report elaborates, stating: 'Since the death of his wife – is drinking and neglecting his family. Some say that he assaulted his oldest daughter Mary aged 18 years and turned her out of home. The girl is now in an institution in Tramore, Co. Waterford'.⁴⁶ In this case the children were left with the father. As the girl entered an institution at such a late age, it is probable that the incest did occur and she was both running away and attempting to 'cleanse' herself by entering most probably a Magdalen Home. It is also possible she had discovered she was pregnant but from the evidence there is no way of ascertaining this. What is significant is that the inspector did not follow up the claim by visiting the girl or consider removing the other children. If in fact abuse had occurred, the risk to other girls in the family could have been quite great.

In another case in 1935, the inspector visited a family in Gorey after a complaint was made about a fifteen-year-old girl. The case is significant in that the girl, who had been a victim of her father's incestuous abuse, was the one under investigation. At the time of investigation she was living with her mother, her one-year-old sister and an elderly couple. Her father had been arrested and sentenced for the crime of incest in December of the previous year, and the inspector was checking the girl was not 'going astray'. The implication that because of the abuse she had suffered she was in some way tainted was not an uncommon one. This double standard based on a gender bias was applied to many other women, not only victims of sexual abuse. Prostitutes, unmarried mothers and women who committed adultery were all dealt with in a similar manner.

While the 1920s, 1930s and 1940s saw a complete lack of reporting of crimes of sexual assault or incest in the press due to censorship and the unwillingness to deal with child sexual abuse, the Society made a small number of references to incest, yet still in the context of living conditions. As previously discussed, from the late 1880s the connection between incest and housing had been used by social reformers to draw attention to the conditions of those in the working class. The following extract demonstrates this connection was still prevalent in the 1930s, but now the connection also included the fear of 'young boys and girls', as adolescence had begun to attract the attention of reformers and the State in the inter-war years:

Thirteen persons in one room 16ft. x 12ft . . . on the top floor of a tenement house...a man, wife, and their eleven children, aged from 15 years to 6 weeks. The man, who had been a widower with four children, married a widow also with four children, and there were three children of the marriage. There were

only two beds in the room...When the case came before the Court the District Justice heard the evidence, and said it was not desirable to have young boys and girls sleeping in the same room. The inspector appealed to the Corporation Housing Department for accommodation suitable for the family...the family were given a Corporation house in the suburbs, and the District Justice assisted in paying for the family's removal.⁴⁷

Situations of incest were again addressed by the Society in the 1930s with regard to proposed changes to the Children Act, 1908. The following case, entitled 'Difficulty in removing children in danger from an unnatural father', illustrates the Society's concern with needing the permission of a father for the removal of a child to an industrial school. This was a genuine issue that the Society was addressing.

A father of four children, three boys and a girl, ages ranging from 7 years to 1 ½ years, of the tramp class had been sent to prison for two years for a very serious offence against his own daughter, a child of 5 ½ years. The mother sought for some months to get the children into schools as she was only a poor pedlar... To get the children into schools it was necessary to get the consent of both parents under the law as it stands...The father was seen by the inspector in the prison and emphatically refused, saying 'let them go to the workhouse.' This they eventually had to do and were there for 6 months. The father in the meantime having changed his mind and consented but then another crux arose as the children bring in a poor law institute were not destitute. Other grounds were then sought and it was only after much difficulty and an interpretation of the particular statute in a sympathetic manner that their safety was secured.⁴⁸

The case demonstrates three primary issues: the economic situation for families when the breadwinner was imprisoned, the lack of support for single mothers and their children, and the idea that removing obstacles to institutionalisation was the primary concern of the NSPCC. Obviously, it was undesirable for the man to maintain rights to his children after such a violation, but the automatic response of the NSPCC, and the State in choosing institutionalisation did not alleviate the suffering of victims. Separation from the remaining family members and their mother could not have been the best option.

'Watching the Courts'

The court records represent one of the few sources available to the historian when examining incest. Unfortunately, due to the structure of the records, they are not an easy source to use; therefore the cases in this study are those that were located and not all cases that were prosecuted in the period. From the sample of incest cases retrieved, there are a number of interesting observations that can be made. Of the twenty-five cases prior to 1920, the average sentence was just under seven years, although the majority of offenders were given sentences of penal servitude. From 1920 onwards, of the twenty-four cases located, the average sentence was two years (again, however, this was an average of two years imprisonment, as penal servitude was chosen very rarely in the period). With regard to official figures of cases investigated from 1922, from Eoin O'Duffy's evidence to the Carrigan Committee in 1935 it appears that forty-four cases of incest were investigated by the Gardaí from 1927 to 1935.⁴⁹ Similarly, from 1939 when the figures were first recorded, to 1949, twenty-one convictions of incest resulted in prison sentences. The above facts all demonstrate that

although incest was not being directly addressed by the State, the medical profession, the legal profession or to a large extent the press, it was a fact of Irish life.

How, then, did these cases come to the attention of police/Gardaí? In general, the discovery of incestuous abuse was either as a result of a girl's pregnancy (or in some cases infanticide/attempted infanticide), or of the perpetrator being 'caught in the very act'. Prior to the criminalisation of incest and the introduction of in-camera proceedings in 1908, many cases of carnal knowledge of children under thirteen reported in the press were incest cases. With in-camera proceedings from 1908 and the censorship of sexual matters from the 1920s, the press rarely mentioned cases - another factor which added to its denial and stigmatisation. In 1890, the *Anglo-Celt* newspaper in Donegal carried an article on the Father Matthew Centenary. In his speech to the congregation, Reverend J. McNulty spoke at length on the evils of drunkenness. His sermon, entitled 'Lower than the Beast' argued that drink 'should be avoided altogether' and cited the case of Lot in the Bible as a warning. As the paper recorded:

The crimes the result of drunkenness were then shown, and as an example that it caused the downfall of the holiest the preacher mentioned the case of Lot, who under the influence of wine committed incest with his own daughters. It was also impossible that a drunkard could be a Christian man and his hopes of heaven were very small.⁵⁰

Again, as with cruelty to children and wife-beating, drink and intemperance were put forward as the cause of incest. That Lot was 'the holiest' further added to the tale, as it inferred that any man could commit such a crime under the influence of drink. In

1929, in a *Southern Star* report on the Cork Circuit Court, two of the seven cases in the court were for the offence of incest. In the first, the defendant pleaded guilty and was sent back for sentencing; the second was postponed. There was, however, no comment on either of the cases. The following two sections will look at the treatment of cases by the courts, from 1880-1920 and 1922-40 respectively.

The 'misfortune of drink': incest in the courts, 1880-1920

A number of general observations can be made on the court treatment of incest cases prior to 1920. Firstly, it appears judges often based their decisions on the class of the perpetrator as opposed to the situation of the victim. In conjunction with this, it seems the testimonies of the men who were prosecuted and convicted show an awareness of what the court wanted to hear. Some testified to their years of service in the army, others blamed the 'misfortune of drink', and many cited the absence of their wives and the disobedience of the girl as explanation. Secondly, although Ireland had an extraordinarily high number of cases ending in defendants being labelled 'lunatics', in contrast to the treatment of men for the murder of their wives, none of the cases investigated for incest resulted in men being found insane. So while it was commonly thought that to murder a wife was the definition of insanity, to sexually abuse a daughter was not. The reasons for this will not be addressed here, but it is an interesting observation that could provide the basis for a study of lunacy and personal crime. How then did judges and juries deal with incest in the courts?

In August 1895, a man received ten years penal servitude for the carnal knowledge of his daughter, a girl under thirteen years.⁵¹ While concrete evidence was often needed to convict in incest cases, this sentence of ten years was not unusually long, as prior to 1922 cases of rape and carnal knowledge were severely punished by

the courts. In 1905 a thirty-nine year old farmer was charged with the rape of his thirteen-year-old daughter. He was sentenced to five years penal servitude. However, during the trial it emerged that the police had believed he had committed a similar offence with another daughter, but ‘no evidence could be procured on that occasion’. The testimony appears to have affected the jury’s decision to convict, and the judge’s urging of a long sentence.⁵² In Dublin in 1905 a man was convicted of assaulting, ravishing and carnally knowing his daughter.⁵³ He was given a sentence of seven years penal servitude.

In 1914, the case of a forty-year-old man who had pleaded guilty to incest and received three years penal servitude was heard at the Belfast General Assizes. There are similarities with previous cases discussed, most notably the absence of the girl’s mother ‘owing to a quarrel’, and the perpetrator’s persistent explanations. In his deposition he claimed:

I was arrested on the 14 Feb 1914 and charged with attempt to commit an indecent assault on my daughter...now my Lord my wife was away and left me with 6 children for 3 weeks and the youngest was only 6 months old and me and my daughter and the baby boy had to get up 3 or 4 times every night to make the baby a bottle of milk and I had to rise every morning at 5.30 to go to work and my daughter had to mind the baby and she left me in Feb 1914 and got me arrested and charged as above ...the doctor said that he had examined my daughter and he said in reply to *** solicitor he said it could have occurred through a hurt he did not say that I had anything to do with her and Mr Grahames asked my daughter did she bleed very much and she said that she did not bleed any and I was remanded to the assizes and I pleaded guilty

through been ignorant of the law and I was sentenced to three years and Lord chief justice cherry asked me could I get a character here is my character I was 40 years of age when I was arrested and I was working from when I was ten years of age.⁵⁴

The case illustrates not only the man's lack of remorse, but the girl's final act of desperation. There were numerous previous assaults before she felt she could leave. Two other prevalent aspects of investigations into child sexual abuse in the period are contained in the case - the reluctance to believe the girl involved, and the need for a medical examination. If the physical evidence had not been satisfactory, the case would most likely not have gone to trial as the Attorney General or the Director of Public Prosecutions now had control over what cases made it to court.

In another case of 'attempted incest' in which drunkenness was cited as explanation, a number of commonalities with contemporaneous incest cases in other jurisdictions can be noted. The child on whom the act was committed lived with her grandmother as her mother was dead; she was ten years of age, the average age of incest victims in Gordon's study, and her father did not have a close relationship with her. The case was brought to court after the man was found interfering with the young girl in the park by a police officer. His claims to have 'only fallen asleep on the grass' were implausible enough for him to receive eighteen months imprisonment. The file itself is interesting as it contains depositions from the accused, the child and her grandmother. The grandmother describes how the child rarely saw her father, which is why she allowed her to go with him that afternoon.⁵⁵

In 1918 a Galway man was charged with three years penal servitude on a conviction of incest. The case was described by the judge as 'a very bad one - he was

caught in the very act by the Police'. The man was a father of six and the girl was the eldest, as with almost all cases investigated. As the girl's mother could only afford to keep the youngest child, the girl and her four siblings were sent to industrial schools. While this was a common situation up to the 1920s, after this we also see victims of incest being sent to Magdalen Homes and convents for 'fallen' girls. What then of cases in which infanticide was suspected? Were girls who had been abused convicted of the crime? At the City Commission of Dublin in 1915, a man was tried for unlawful carnal knowledge of his daughter. She had given birth to the child but it died.⁵⁶ Although the judge had threatened to prosecute her, she was instead sent to a Magdalen laundry. He received only a short sentence.

'What has become of the girl?' Incest in the courts, 1920-40

In many of cases that have been cited, the figure of the child is often overlooked. In 1928, in a case in which a fifty-two year old man fathered his sixteen-year-old daughter's child, the Inspector General asked 'What has become of the girl?' Owing both to the stigma attached to being an unmarried mother in Ireland at the time, and the added stigma of being a victim of incest, the girl was forced to immigrate to England to stay with an uncle – the brother of the father who had abused her. In this instance, the path of recourse was by no means a happy one.⁵⁷ In another case in Cork in 1928, a man received four years penal servitude in the Central Criminal Court for the assault and carnal knowledge of his daughter. This case is notable as it is one of the first in which we see incest victims being sent to religious institutions now specifically aimed at 'fallen' girls. In this instance the girl was sent to the Good Shepherd Convent in Cork.⁵⁸

While the cases addressed so far have focused on father-daughter incest, there were two notable cases of sibling incest in the 1920s. In 1929, an eighteen-year-old man in Cork was brought to court but released on a charge of incest with regard to his ten-year-old sister. She had given birth to a baby boy, but claimed that she did not know if her brother was the father as she had left one other man 'have connections with her'. In this instance, the girl lived with only her father and brother. The report claims the connections took place on a number of occasions when the father was out. While this may have been the case, there is also a possibility that the girl's reluctance to name the other man and offer protection was due to the fact that the other man was her father. Whatever the situation, neither her brother nor father were convicted, due to the fact that she supposedly had had connections with a third man.

A small number of very severe cases were prosecuted. In 1932 the case of *** was heard at the Central Criminal Court in Dublin. The girl was charged with the manslaughter of her son on 16 March 1932. She received a twelve months suspended sentence and a recognizance that she would go to the Good Shepherd Convent in Cork for two years. The circumstances surrounding the case are quite shocking. The incestuous abuse had begun in 1924, but was only discovered after she gave birth in 1931, and the subsequent infanticide charge. Her father was sentenced to ten years penal servitude on two counts of incest. It appears that in more severe cases penal servitude was chosen as punishment. On 16 January 1934, again at the Central Criminal Court in Green Street Dublin, a man was tried for incest and attempted incest under Section 1 of the Incest Act 1908. He was also charged with indecent assault and assault. He received four years penal servitude on the first count only. The court ordered that the prisoner 'be divested of all authority of his daughter until she attains the age of 21 years and that the mother of the said girl be appointed her

Guardian during the said period'.⁵⁹ There are nine other significant and representative cases in the period from 1924-42, which will be outlined briefly. In particular, the cases demonstrate the leniency of the sentencing in comparison to the earlier period investigated:

- On 6 April 1920 at the County Commission in Dublin, a brother and sister were both charged with incest. *** was charged with permitting her brother to have carnal knowledge of her, and he was charged with the same offence. Both received a verdict of Nolle Prosequi.
- On 3 August 1921, *** received a Nolle Prosequi for the carnal knowledge of his daughters *** (6) and *** (5).
- In April 1923, a man pleaded guilty to the carnal knowledge and indecent assault of his daughter, who was at the time 13 years and 2 months old. He was imprisoned for six months with hard labour.
- Initially heard in Louth, then moved to the Central Criminal Court in Green Street on 18 February 1924, *** was charged with unlawful carnal knowledge of his daughter. At the time he was on licence, so 255 days was added to his sentence of six months.
- In 1926 at Cork CCC, a man received eighteen calendar months for the assault and carnal knowledge of his daughter.⁶⁰
- On 16 November 1926, *** received twelve calendar months for carnal knowledge of his daughter.⁶¹
- On 15 January 1935, *** received twenty-one calendar months with hard labour for three counts of incest against his sister at the Dublin CCC.
- In 1941, a man received six calendar months for the indecent assault of his sister, aged thirteen years.⁶²

How could the situation for victims have been improved? On an official level, children's courts could have been opened; the evidence of children could have been taken as strong enough to produce a committal – even if it was uncorroborated; legislation could have been passed to have cases heard 'otherwise than in public' and for the offence to be treated as a felony, not merely a misdemeanour. On a wider level, concern for girls/women could have trumped concerns for male protection from 'false accusations', particularly since, as accusations of incest carry so much stigma even today, it was unlikely false accusations would have been an issue.

Conclusion

Of all the topics addressed in this thesis, the discourse surrounding incest suffered most from class and gender bias. From its initial 'discovery' by reformers in the 1880s, both perpetrators and victims were portrayed in equally moralistic and iniquitous terms – working class men as demonic perpetrators, working class girls as both victims and threats. Framing incest as a working-class crime along with cruelty to children and wife-beating, reformers stigmatised victims instead of trying to save them. By demonising incest and legislating for it as a working-class crime, reformers could separate incest from their conception of 'home' and the middle-class family. With regard to the criminalisation of incest in 1908, as with the 1908 Children Act, legislation pursued under the banner of children's rights did not always result in a better situation for victims. As the court records demonstrate, in most cases the victim was the least relevant, and the discovery of incest could create further struggles. Revelations of their abuse categorised victims as threats and for most institutionalisation or emigration was the consequence. Although incest was ignored by the press, in the Oireachtas and by the medical profession through much of the

period of this study, its presence was alluded to euphemistically, and notwithstanding ‘in-camera’ court proceedings, its existence was very real and should have been acknowledged.

For the NSPCC, incest had remained an imprisoning offence, and from its foundation girls were automatically sent to industrial schools. While the Society was central to the criminalisation of incest in 1908, without an acknowledgement of why or how incestuous abuse occurred, the act simply pushed victims through an unsympathetic legal system. By 1922, Britain had changed the legislation, classifying incest as a felony as opposed to a misdemeanour. In the following years, the issue of child sexual abuse would be addressed in a less punitive manner also, due to the influence of psychological and sociological discourses which broaden understanding. In Ireland, legislation remained unchanged until 1995, and as late as 2009 incestuous abuse by a mother remained a misdemeanour. Aside from the courts, the denial of incest by the medical profession, social workers, the press and the State created an impossible bind for victims of incest, and no incentive to disclose abuse. Yet officially, ‘morality’ and ‘immorality’ were being addressed by the State, as the investigations into venereal disease and the CLA Acts show.

With regard to family and power, probing the topic of incest reveals a variety of power structures and dynamics. On a micro level, the powerlessness of victims in a patriarchal society; on a macro level, the power of the State to protect the sanctity of the family, as opposed to the individuals in most need of protection. Yet unlike many other power relations, for victims of incest in Ireland resistance was more a rarity than an actuality.

NOTES AND REFERENCES

¹ CRF/1885/Mc26 (NAI, Dublin).

² Ibid.

³ With regard to names, all used from both the NSPCC files and the court records are pseudonyms.

⁴ L. Gordon, *Heroes of Their Own Lives: The Politics and History of Family Violence, Boston 1880-1960* (Urbana and Chicago, reprinted in 2002). For other articles relating to incest in the United States and Britain see L. Gordon, 'Incest and Resistance: Patterns of Father-Daughter Incest, 1880-1930' *Social Problems*, 33:4 (April 1986), pp.253-267; 'Incest as a Form of Family Violence: Evidence from Historical Case Records', *Journal of Marriage and Family*, 46:1 (February, 1984), pp.27-34; 'The Politics of Child Sexual Abuse', *Feminist review*, 28 (Spring, 1988), pp.56-64; D. Meyer, 'Incest: The Most Personal Violence', in L. Loeb Adler and F. L. Denmark (eds.), *Violence and the Prevention of Violence*; L. Sacco, 'Sanitized for Your Protection: Medical Discourse and the Denial of Incest in the United States, 1890-1940', *Journal of Women's History*, 14:3 (Autumn 2002), pp.80-104; J. Smith, 'The Politics of Sexual Knowledge', p.368.

⁵ L. Jackson, *Child Sexual Abuse in Victorian England* (London, 2000).

⁶ This sample includes twenty-five cases prosecuted for carnal knowledge/attempted carnal knowledge/incest/attempted incest prior to 1920, and twenty-four cases of incest/indecent assault/carnal knowledge from 1922 to 1950. Many of the cases prior to 1920 were found though an examination of the convict reference files and following this, a survey of the Quarter Sessions and Assizes for the four counties chosen in this study – Kerry, Dublin, Monaghan and Mayo. From 1922, the cases were located in the Circuit Court files and the Central Criminal Court files.

⁷ Prior to 1920, the convict reference files provide details into the actual events surrounding individual cases, and after independence, the Central Criminal Court files are again a useful source into information on specific cases prosecuted against.

⁸ *The Lancet*, 1885.

⁹ *Report of the Departmental Committee into the Housing Conditions of the Working Classes in the City of Dublin* (CD 7273), Parliamentary Papers, Vol. 19 (1914). See also, Christiaan Corlett, *Darkest Dublin: The Story of the Church Street Disaster and a Pictorial Account of the slums of Dublin in 1913*, (Wordwell books, 2008).

¹⁰ V. Bailey and S. Blackburn, 'The Punishment of Incest Act 1908: A Case Study of Law Creation', *Criminal Law Review*, Vol 685-744 (November 1979), p.709.

¹¹ Ibid, p.715.

¹² Ibid., p.716.

¹³ Report of the 1918 Committee to investigate the CLA Acts (1880 & 1885).

¹⁴ Ibid.

¹⁵ Letter from Edward Troup, *British Home Office*, 20 March 1912, File 44F/CRIM/1/276 (British National Archives, London, 1912).

¹⁶ C. Smart, 'Reconsidering child sexual abuse', *Journal of Social Policy*, 29 (2000), p.63.

¹⁷ M. Luddy, *Prostitution and Irish Society*, (Manchester, 2007), p.157.

¹⁸ Ibid.

¹⁹ The committee was initially set up in March 1915 to show by their presence in court that women demand to be admitted to the administration of justice on equal terms with men, and also to collect evidence bearing on the previous demand, and on any other legal or legislative reforms needed for the protection of women and children. Mrs. Hannah Sheehy-Skeffington was among one of the first women to sit on the committee.

²⁰ The committee members and any women present in the courtroom were asked to leave when a case the court deemed "unpleasant" was being heard.

²¹ The committee recorded one incest case, to be held in Green Street on 6 August 1915. However, as these were held in-camera, they could only report it was taking place. *Irish Citizen* (14 August 1915)

²² *Irish Citizen*, 19 June 1915.

²³ S. McAvoy, 'Sexual Crime and Irish Women's Campaign for a Criminal Law Amendment Act, 1912-35', in Maryann Gialanna Valiulis *Gender and Power in Modern Ireland* (Dublin, 2009), p.84-99.

²⁴ Ibid., p.85.

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- ²⁵ The committee was delayed due to the death of its Chairman, Sir Ryland Adkins and committee member Mr. Henry William Disney at the end of 1924. They were replaced by Mr. J.C. Priestley, K.C. as Chairman and Mr. T.W. Fry, O.B.E. The other committee members were, Miss E.H. Kelly, Miss Clara Martineau, Dr. A.H. Norris, MR. R.J. Parr, Mrs. Rackham and Sir Guy Stephenson.
- ²⁶ The witnesses were principally made up of legal witnesses, Judges, chief constables, medical witnesses, government officials, social workers and “others”.
- ²⁷ *Report of the Departmental Committee on Sexual Offences Against Young Persons*, (Stationary Office, London, 1925), p.2.
- ²⁸ *Report on Sexual Offences Against Young Persons*, p.3.
- ²⁹ *Ibid.*
- ³⁰ *Ibid.* p.1.
- ³¹ *Ibid.*, p.4.
- ³² *Ibid.*, p.5.
- ³³ *Ibid.*, Appendix E., p.32.
- ³⁴ This discussion was particularly interesting in the 1918 Report.
- ³⁵ NAI, Minutes of Evidence, the Carrigan Committee, File Jus 90/4.
- ³⁶ McAvoy, ‘Sexual Crime and Irish Women’s Campaign for a Criminal Law Amendment Act’, p.85.
- ³⁷ Smith, ‘The Politics of Sexual Knowledge’, p.368.
- ³⁸ Annual Report of SVDP, 1932, *Byrne Papers* (DDA, 1932).
- ³⁹ Smith, p.368.
- ⁴⁰ McAvoy, ‘Sexual Crime’, p.97.
- ⁴¹ E. O’Sullivan, ““this otherwise delicate subject”: Child Sexual Abuse in Early Twentieth-Century Ireland’, in Paul O’Mahony (ed.), *Criminal Justice in Ireland* (Dublin, 2002), pp.172-202.
- ⁴² *Ibid.*, p.183.
- ⁴³ Jackson, *Child sexual abuse in Victorian England*, p.23.
- ⁴⁴ Figures taken from the annual reports of the NSPCC from 1933-50 (ISPCC, Limerick).
- ⁴⁵ *Inspector Book*, Wexford District Branch, 5 January 1935 to 11 October 1935 (ISPCC, Limerick).
- ⁴⁶ CF #118.
- ⁴⁷ Sample case, AR Dublin District Branch NSPCC (ISPCC, Limerick), p.12.
- ⁴⁸ Sample case, AR Dublin District Branch NSPCC, 1938-39, p.11.
- ⁴⁹ Memo from Thomas J. Coyne, Secretary in the Department of Justice to R.C. Geary in the Department of Industry and Commerce on Juvenile Crime, 14 May 1936, (NAI, Dublin).
- ⁵⁰ ‘The Father Matthew Century in County Donegal’, *Anglo-Celt*, 18 Oct 1890.
- ⁵¹ Bill 11, 12, 13, 14, August 1895, Crown Books, Dublin, 1C-28-7 (NAI, Dublin).
- ⁵² *Ibid.*
- ⁵³ Bill 3, CC Crown Books Dublin, 1C-28-9 (NAI, Dublin),
- ⁵⁴ CRF/1916/L5 (NAI, Dublin).
- ⁵⁵ CRF/1915/E5 (NAI, Dublin).
- ⁵⁶ Bill 5, City Commission of Dublin, 4 August 1915, 1C-51-80 (NAI, Dublin).
- ⁵⁷ CCC Files, Cork, 1928 (NAI, Dublin).
- ⁵⁸ *Ibid.*
- ⁵⁹ 1D-55-76 (NAI, Dublin).
- ⁶⁰ Bill 5, 17th June 1926 at the Cork CCC (NAI, Dublin).
- ⁶¹ 1C-88-67 (NAI, Dublin).€
- ⁶² V15-21-30 (NAI, Dublin).