

0. LAWFUL DETENTION - Story Preface

1. THE DOYLE FAMILY

2. TO THE INDUSTRIAL SCHOOLS

3. A SPLIT-UP FAMILY

4. DES GOES TO ENGLAND

5. LAWFUL DETENTION

6. DOYLE v IRELAND

7. A DOYLE VICTORY

8. THE REST of the STORY



Children "detained" in Irish Industrial Schools worked during their tenure at such places. These boys, who were living at [Artane Industrial School](#) (near Dublin) sometime between 1949 and 1952, are marching to work. Image online, courtesy Irish National Archives. PD

Michael Beattie requested the Minister of Education to release Evelyn. In November of 1954, Doyle's lawyer was also rebuffed:

It is regretted that your application to have further consideration given to the question of the child's discharge cannot, therefore, be granted. (Tea and Green Ribbons, page 99.)

Beattie needed the help of an experienced Irish barrister who was willing to take the Doyle case *pro bono*. Beattie's friend Nick Barron, an Irish lawyer who had practiced law in America and was known for accepting difficult issues, was willing to help. Nick recommended Thomas J. (TJ) Conolly, a highly respected courtroom advocate, to lead the case.

Mr. Conolly was huge and slightly unkept. He was known in legal circles as a "loose cannon." He might've made the bench as a justice, if he hadn't scuppered his own chances by not playing the political game. (Tea and Green Ribbons, page 101.)

When the government wouldn't let the children come home for Christmas, Desmond realized challenging the law would be difficult. Evelyn, meanwhile, continued to receive packages by mail.

One of her favorites, from her maternal grandmother, was a monthly constant during her time in the convent: [Barry's tea](#) (the little girl loved it) and green ribbons (for her hair). Her grandma used to visit Evelyn at the High Park convent - until Desmond told her to stay away.

Once Evelyn's mother came to see her daughter. They went shopping on [O'Connell Street](#) and ate Knickerbocker Glories. But the visit was short-lived, and Charlotte Doyle moved away forever.

Evelyn did not see her brothers for a year. In February of 1955, Desmond was finally allowed to spend the day with all of his children:

My brothers' convent [in Kilkenny] was in the countryside and it was lovely and peaceful there...When my brothers appeared on the porch, I hardly knew them...The three oldest boys had developed country accents and Kevin and Dermot had gone blond...It had been just over a year since the babies had seen me, and they didn't recognize me now. (Tea and Green Ribbons, pages 112-113.)

The boys, Evelyn observed, "seemed happy." Even she had settled into a routine:

We didn't get hugs and kisses at the convent, but we felt loved and as though we were part of a family. (Tea and Green Ribbons, page 115.)

But whether the children were loved, or comfortable, had little to do with the sad state of affairs in the Doyle family. All six children, who would not be released from state and church control until they were sixteen, were detained against the will of their father.

There was only one thing Desmond could do: Sue the government so his lawyers could ask the Irish Supreme Court to declare that portions of the Children Act of 1941 were unconstitutional.

See [Alignments to State and Common Core standards for this story online at:](#)

<http://www.awesomestories.com/asset/AcademicAlignment/LAWFUL-DETENTION-Evelyn-Changing-The-Law-In-Ireland>

See Learning Tasks for this story online at:

<http://www.awesomestories.com/asset/AcademicActivities/LAWFUL-DETENTION-Evelyn-Changing-The-Law-In-Ireland>

Media Stream

Life in an Irish Industrial School

The Artane Industrial School, near Dublin, was open for nearly 100 years (1870-1969). In this photo, from the Irish National Archives, boys living at Artane "march to work."

During the investigation of Ireland's Industrial Schools, a committee looked into what really happened at Artane. Approximately 15,500 boys had passed through its facilities during its long history.

In addition (among many other findings), the investigating committee found that:

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Dormitories accommodated up to 150 boys, sleeping in ordered rows of beds with no personal space. The dining area or refectory accommodated all 825 boys at one sitting." (Section 7.05)

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These boys were ordered to be detained in Artane by the courts for reasons of inadequate parental care, destitution, neglect, truancy or the commission of minor offenses. It is clear, however, that poverty was the underlying reason why children were sent to Artane, whatever the statutory category grounding the detention." (Section 7.10)

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Br [Brother] Noonan was Superior General of the Congregation from 1930 to 1949. He was anxious to reduce the reliance on corporal punishment and he admonished those who were intemperate in its use. There are some grounds for believing he did keep down its excessive use during his tenure of office. Letters written by him make it clear that the management of the Congregation knew excessive and frequent use of corporal punishment was a problem from the beginning of the period of this inquiry." (Section 7.66)

The boys in this picture were at Artane sometime between 1949 and 1952. When the state took away Desmond Doyle's children, after his wife (and their mother) abandoned her family, Desmond's boys were sent to Industrial Schools in the mid-1950s.

Image, described above, online courtesy Irish National Archives. PD Quotations, above, from the "Report of the Commission to Inquire into Child Abuse," Chapter 7.

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O'Connell Street - Dublin, Ireland

Image of O'Connell Street, taken in 1964, by Phillip Capper. Online, via Wikimedia Commons.

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