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Vulnerable children lived and worked at Ireland's "Industrial Schools." This scene depicts boys at [Baltimore Fisheries School](#) (in West Cork) making nets. Reports of child abuse at the school contributed to its closing in 1950. Image online, courtesy National Archives of Ireland. PD

We can briefly summarize Des Doyle's case against the Irish government as follows:

- The [Irish Constitution](#) is the highest law in Ireland.
- That Constitution, in Article 41, recognizes the family as the most important "unit group" in the country and requires the Irish government "to protect" families:

Section 1 (1) - The State recognises the Family as the natural primary and fundamental unit group of society, and as a moral institution possessing inalienable and imprescriptible rights, antecedent and superior to all positive law.

Section 1 (2) - The State, therefore, guarantees to protect the Family in its constitution and authority, as the necessary basis of social order and as indispensable to the welfare of the Nation and the State.

- Article 42 gives the *family* the right to educate children and provides for individual rights of those children:

Section 1: The State acknowledges that the primary and natural educator of the child is the Family and guarantees to respect the inalienable right and duty of parents to provide, according to their means, for the religious and moral, intellectual, physical and social education of their children.
Section 5: In exceptional cases, where the parents for physical or moral reasons fail in their duty towards their children, the State as guardian of the common good, by appropriate means shall endeavour to supply the place of the parents, but always with due regard for the natural and imprescriptible rights of the child.

If the constitution gives Irish families the right to educate their children, and if those children have committed no crime requiring detention in a state institution, how:

- Could the Children Act of 1941 legally hand over decision-making power to the Minister of Education?
- Why should the government have the right to decide whether the Doyle children returned home or remained in [industrial schools](#)?
- And ... why should Charlotte Doyle's consent to her children's release be required at all when it was *she* who abandoned her family and then left the country?

Those questions were finally answered by the Irish Supreme Court in December of 1955.

See Alignments to State and Common Core standards for this story online at:

<http://www.awesomestories.com/asset/AcademicAlignment/DOYLE-v-IRELAND-Evelyn-Changing-The-Law-In-Ireland>

See Learning Tasks for this story online at:

<http://www.awesomestories.com/asset/AcademicActivities/DOYLE-v-IRELAND-Evelyn-Changing-The-Law-In-Ireland>

Media Stream



Irish Industrial Schools - Boys Making Fish Nets

Children detained in Ireland's Industrial Schools became working children. This image, circa 1900, depicts boys making fish nets in the work room at Baltimore Fisheries School (an Industrial School which opened in 1887).

Baltimore, Ireland is located in West Cork. The Industrial School there was closed in 1950 because of its ill treatment of children. One of the school's detainees, Alfie O'Mahony, has written a book about his difficult six years there.

The official investigation, into abuses at this Industrial School, reveals abandoned or vulnerable children were among those cared-for at this place:

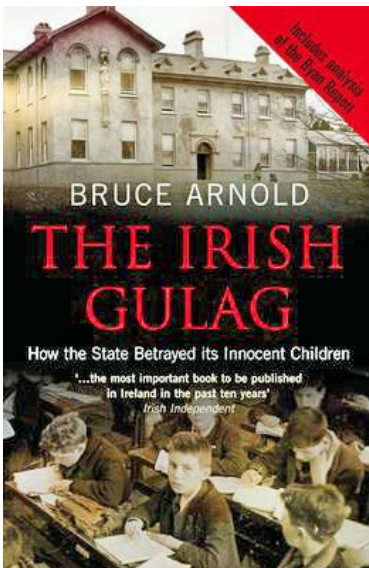
...[some] were non-marital children who had no contact with their families of origin. They were very much alone in the world.

This image is online, courtesy National Archives of Ireland.

Image online, courtesy National Archives of Ireland. (NLI, LROY 02594) PD

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The Irish Gulag - By Bruce Arnold

Image online, courtesy Amazon UK. PD

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