

The Poor Law, Workhouses and Children in post Famine Ireland

RESEARCH NOTE, No 1

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I have listed several useful publications in the select bibliography at the end of this document. If you want to get an overview of the working of the poor law in Ireland then a readable, expert and accessible publication is Virginia Crossman's *The poor law in Ireland 1838-1948* (available for purchase online).

Legislation

1838 – Irish Poor Law Act, 'An Act for the more effectual Relief of the Destitute Poor in Ireland'. This established the system of workhouses (to replace the houses of industry). The act gave powers to each Board of Guardians to collect a poor rate as a form of taxation to support the local parish Union Workhouse. Under this act, unmarried mothers were liable for support of her illegitimate child until the age of 15 – the natural father had no liability.

1847 – 'An act to make further Provision for the Relief of the destitute Poor in Ireland' enacted.

1851 – Medical Charities Act. This established a network of local dispensaries, funded by the poor rate; administered by local committees that were formed from the Poor Law Guardians and resident property holders.

There were 163 Poor Law Unions in Ireland and 723 dispensary districts, with at least one dispensary per district. Each district had a medical officer, apothecary and midwife, if required. Access to dispensary services were via a ticket. However, the ticket system was open to abuse as committee members issued these in order to maintain their influence locally.

1862 – Poor Law (Ireland) Amendment Act. This allowed for admission of poor people suffering from non-contagious diseases to workhouse infirmaries. Cases that required more care than that provided by workhouses were sent to the county infirmaries with the cost being met by the poor rate.

The 1862 act also introduced a boarding out system for orphan and deserted children up to the age of 8 years. The age limit for boarding out was gradually increased over time to 15 years (see below).

1872 – Irish Poor Law Commission was abolished and its powers vested in a new Local Government Board for Ireland (often the letters 'LGB' occur in Board of Guardians minutes).

1872 – Infant Life Protection Acts

1898 – Pauper Children (Ireland) Act. Allowed for children to be sent from the workhouse to an industrial school.

1899 – Infant Life Protection Acts

1902 – Pauper Children (Ireland) Act (repealed 1950). It defined the terms ‘orphan child’ and ‘deserted child’ for the purpose of the Pauper Children (Ireland) Act 1898, in the cases of both legitimate and illegitimate children.

1902 – Local Government Board order, discretionary appointment of committee by boards of guardians. LGB appointed 2 female inspectors. In the 1970s these were replaced with social work advisors within the Department of Health.

1908 – Infant Life Protection Act (incorporated into the Children Act)

1925 – (after political independence from the United Kingdom was achieved with the signing of the Treaty of December 6th 1921), the Local Government Act legalised the county rate for poor relief and medical purposes. The Boards of Guardians (except for Dublin) were abolished and replaced with Boards of Health and Public Assistance. The majority of workhouses were converted into county homes or hospitals. The county homes provided institutional care for aged and infirm as well as chronic invalids, with provision in some cases for groups such as lunatics,¹ epileptics, unmarried mothers and children.

Workhouse children

As mentioned above, the 1862 act introduced a boarding out system for orphan and deserted children up to the age of 8 years. This age was extended to 15 years under the Pauper Children (Ireland) Act 1898.

“Up to 1953 boarded out children could not be placed in cities or towns without the permission of the poor law authorities”.²

In 1902, two local committees were established to oversee boarding out, with two national inspectors appointed to oversee the boarded out children. This system remained in place with some modifications in the 1940s and later with the introduction of professionalised social workers; the community care service was established under the 1970 Health Act. For more detail on this system, see Noreen Kearney and Caroline Skehill, *Social Work in Ireland: Historical Perspectives* (Dublin: Institute of Public Administration, 2005).³

Not all children in workhouses were boarded out. Skehill states that “On average, between 10 per cent and 15 per cent of children were boarded out from workhouses ...”.⁴

Skehill in her 2011 article details the duties of relieving officers who monitored the placement of such children.

In 1902 the Local Government Board appointed 2 female inspectors. In the 1970s these were replaced with social work advisors within the Department of Health. The inspectors also regulated ‘hired out children’ who were placed from the workhouses with families as farm labourers or domestic workers, as well as children at nurse (placed privately for a fee) who came under the Infant Life Protection Acts 1872 and 1899. Skehill notes that “The general success in the system of establishing is reflected in the fact that the majority of children boarded out went on to be adopted by their foster parents”.⁵

Adoption in Ireland was not regulated by law until 1952. Until then the foster parents took “the child as one of their own, signing a form to a similar effect, and continuing to care for them after the boarding out maintenance had ceased to be paid. Throughout the early and mid-20th century, an average of 50 per cent of children went on to be informally adopted by their foster parents.”⁶

¹ Legislation relating to this group includes Lunacy (Ireland) Act, 1901, and Lunacy Regulation (Ireland) Act, 1871. The Oireachtas Library has a useful note online about ‘Mental health in 19th century Ireland’ <http://www.oireachtas.ie/parliament/about/libraryresearchservice/onlinecataloguecollections/mentalhealthin19thireland/> [accessed 22/12/2015].

² Skehill (2011), p117.

³ <https://books.google.ie/books?id=jC2IcX513UMC> [accessed 22/12/2015]

⁴ Skehill (2011), p117.

⁵ Skehill (2011), p119.

⁶ Skehill (2011), p119.

Under the Pauper Children (Ireland) Act 1898, section 3, local authorities were allowed to send a child from the workhouse to a certified industrial school in circumstances where the child was orphaned, deserted or where the parents consented or requested such an admission. It is now known that a change of emphasis developed later in independent Ireland with the handover of responsibility of the care of children from a health-oriented system that was the Poor Law to the Department of Education.

Foster care featured in the poor law of 1862. From 1908 inter-family fostering was regulated under the Infant Life Protection Act. If a family paid another one to look after the child then this had to be registered with the local authorities, but it was a minority practice within the statutory welfare system until the 1970s. It appears that, for various reasons (including legal and social), parents and families preferred to put children into institutions rather than with foster parents.

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