

1 Thursday, 15th June 2017

2 (10.00 am)

3 LADY SMITH: Good morning.

4 MR MacAULAY: Good morning, my Lady. The next witness
5 I would like to call is Sister Anne Josephine Carr.

6 SISTER ANNE JOSEPHINE CARR (sworn)

7 Questions from Mr MacAULAY

8 LADY SMITH: Do sit down and make yourself comfortable.

9 Mr MacAulay.

10 MR MacAULAY: My Lady.

11 Sister Carr, are you Sister Anne Josephine Carr?

12 A. Yes, I am.

13 Q. I think that you have come here today to speak to a part
14 of the reports that the Good Shepherd Order have
15 provided to the Inquiry.

16 A. That is correct, yes.

17 Q. In particular, and we will see some of the reports
18 shortly, you have provided five separate reports for
19 five separate establishments.

20 A. That is right, yes.

21 Q. As I understand it, it is your task to address part 1 of
22 the reports.

23 A. Yes.

24 Q. And your colleague will address part 2 and part B of the
25 report.

1 A. Yes.

2 Q. Can I look at your biography, Sister, first of all and
3 I will put that on the screen for you. It is at
4 GSH.001.001.0133.

5 Here you provide some information about what you
6 have done over the years. Can you tell me: when did you
7 actually become a nun with the Good Shepherd Order?

8 A. 1963.

9 Q. You tell us thereafter that you were based at the Good
10 Shepherd Convent, Finchley, in London.

11 A. Yes, that is correct, initially.

12 Q. Then, if we move on a bit, in 1972 to 1974 you did some
13 social work training; is that correct?

14 A. Yes.

15 Q. Thereafter you became a group leader at St Joseph's
16 school, which was an approved school, in Bath?

17 A. Yes.

18 Q. Then you became a generic case worker in Gateshead; is
19 that right?

20 A. That is right.

21 Q. From 1982 to 1988 you tell us you were the province
22 leader for the British province of the Good Shepherd
23 Sisters; is that, as it were, the top person in the
24 United Kingdom?

25 A. Yes.

- 1 Q. We will look at the structures in due course, but you
2 would have answerable to you then the local leaders of
3 the Sisters in different locations?
- 4 A. Yes.
- 5 Q. Including Scotland?
- 6 A. Yes.
- 7 Q. You did that for six years. You had a sabbatical, and
8 then, moving on a bit, 1992 to 2000, you were based in
9 France; is that right?
- 10 A. That is correct.
- 11 Q. What were you doing there?
- 12 A. I was -- we have a spirituality centre for the whole
13 congregation and I was working there.
- 14 Q. You came back to work with the province leadership team
15 in London from 2000 to 2007.
- 16 A. Yes.
- 17 Q. Again, you are the province leader for London, is that
18 right, 2007 and 2008?
- 19 A. Yes, that is correct.
- 20 Q. Is that just for London or for the United Kingdom?
- 21 A. No, it was for the United Kingdom, yes, but I was based
22 in London.
- 23 Q. So you had been province leader --
- 24 A. Yes.
- 25 Q. -- you had given that up and then you come back and pick

1 it up again?

2 A. Yes.

3 Q. You then I think spent some time in Rome; is that
4 correct?

5 A. That is correct, yes.

6 Q. What was that for?

7 A. I was a member of the congregational leadership team.
8 What happens is that province leaders go to what we call
9 a general chapter every six years, when we choose a new
10 congregational leader and team; I happened to be elected
11 to the team.

12 Q. You spent some time there; it looks like five or six
13 years.

14 A. Six years, yes.

15 Q. Then you have a sabbatical and from 2017 you have been
16 the province archivist.

17 A. Yes.

18 Q. What does that task involve?

19 A. I'm still learning. I have only been archivist for four
20 months. But all the records that we have are kept in
21 Manchester and I have spent most of the time looking for
22 answers for this Inquiry, so far.

23 Q. How would you -- we will look at the issue of records in
24 due course. But how have you found record keeping has
25 been managed over the last number of years?

1 A. Recently it has been let go -- and I mean the last maybe
2 five or six years. We haven't had an archivist. The
3 previous archivist died, so she wasn't replaced until
4 I came along. But the records are in quite good --
5 quite a good state.

6 Q. Even historically, if we are looking back --

7 A. The historical records, yes -- what we have.

8 Q. Pardon?

9 A. What we have.

10 Q. Well, I suppose that's the point. In relation to the
11 Scottish institutions, for example, going back
12 30/40 years, I mean what's the state of the records?

13 A. We have the admission records and we have one or two,
14 what should I say, reports that were done for maybe
15 managers' meetings or advisory board meetings but not
16 a lot apart from that.

17 Q. If you talk about one or two, it doesn't seem very much.

18 A. It is almost on an ad hoc basis. But when houses
19 closed, you wouldn't know what was kept and what wasn't.

20 Q. Again, we will touch upon that later. Coming then to
21 what the congregation has done in response to the
22 Inquiry's request. As we discussed earlier you produced
23 five reports in respect of five separate institutions
24 that the Good Shepherd Sisters had some involvement in
25 Scotland?

1 A. Yes, we were asked to do that.

2 Q. Indeed. Can we just get some understanding as to what
3 presence the Good Shepherd Sisters had in Scotland,
4 first of all.

5 If you could look at 0137. That will come on the
6 screen for you. This is information that was provided
7 to the Inquiry in October 2016 by the Good Shepherd
8 Sisters. I don't know whether or not you were involved
9 in putting this together.

10 A. No, I wasn't.

11 Q. But it is giving us some idea as to what presence the
12 Good Shepherds had in Scotland and in particular we can
13 see in the table there that there are a number of
14 different institutions against certain time frames. Do
15 you see that in the table halfway down the page?

16 A. Mm.

17 Q. For example, we have, "Colinton, 1930 to 1949"; do you
18 know what that was?

19 A. It was a provision for women, young adults.

20 Q. Needing help?

21 A. Needing help, yes.

22 Q. But then Woodfield Children's Home, 1945 to 1970, that
23 was for children?

24 A. It was, it was. Normally we don't work with children.
25 It is not our field. But we were asked to take

1 evacuees. There was great difficulty in finding places
2 for evacuees and we were asked to take Catholic
3 children. So we had to get a special permission from
4 our congregational leader in Rome to do it.

5 Q. But it went beyond the war period --

6 A. It did, yes.

7 Q. -- because as we can see this was in existence until
8 1970 and admitted some 492 people.

9 A. Yes, it did.

10 Q. And these would all be under 18-year-olds?

11 A. They would all be under 18.

12 Q. Has the focus of your order, so far as Scotland is
13 concerned, been on girls?

14 A. Yes. We were founded to work with women, yes.

15 Q. So Woodfield Children's Home, was that for girls only?

16 A. No. If there were brothers, they were taken as well, so
17 that the family wouldn't be split up.

18 Q. The other institution mentioned here is Ladymary School
19 and the time frame is 1967 to 1978; that is a period of
20 11 years.

21 A. Yes.

22 Q. Again we see the number here is 121 admissions over that
23 period.

24 A. Yes.

25 Q. That would be girls, would it?

1 A. No, that was boys as well. When the Sisters were
2 looking after the children, normally the children would
3 have gone out to school. But there were some children
4 that just couldn't manage, they were so disturbed, and
5 so we had one very charismatic Sister and she tried --
6 she opened a nursery school in the hope of preparing the
7 children for when they went to school but even that was
8 not successful enough. So Ladymary School was opened
9 for those children who just couldn't manage an ordinary
10 school.

11 Q. So these were children who had some form of disability?

12 A. Not physical, but psychological; they were very
13 disturbed.

14 Q. If we move on to the next page, 0138, we are given some
15 information about Dalbeth Industrial School,
16 Dalbeth Girls' School and also
17 St Euphrasia's Training Centre. I will be looking in
18 more detail at that but we can see, looking at the
19 numbers, that these particular institutions accommodated
20 a significant number of children?

21 A. Yes.

22 Q. Was the focus there, for example at Dalbeth Girls'
23 School, on girls?

24 A. Oh yes.

25 Q. And what about St Euphrasia's?

- 1 A. Yes, it was only girls.
- 2 Q. It has been quite difficult for us to try to piece
3 together the relationship between Dalbeth and
4 St Euphrasia's, but I think we have a note that was
5 submitted to us by the congregation, I think prepared by
6 Sister Kenny.
- 7 A. Yes.
- 8 Q. Can I ask you to look at that; that is at
9 GSH.001.001.0266.
- 10 A. Sister Kenny was the archivist before me.
- 11 Q. I think --
- 12 A. She has died.
- 13 Q. But this note, it is dated March 2010, traces the
14 history of Dalbeth and also of the schools -- the places
15 known as St Euphrasia's.
- 16 A. Yes, it was quite difficult for us, from this point in
17 history, to know which institution we were talking
18 about.
- 19 Q. Can we just look at this. You provide some information
20 about the early history of the Good Shepherd Convent and
21 in particular that it was established at Dalbeth in
22 Glasgow in March 1851.
- 23 A. That is correct.
- 24 Q. That was your first introduction to Scotland?
- 25 A. Yes.

- 1 Q. And it was as a convent?
- 2 A. Yes, it was.
- 3 Q. You then, or Sister Kenny, sets out how it came to be
4 that you became involved in looking after girls at
5 Dalbeth. Can you just summarise that for us? How did
6 that happen?
- 7 A. Well, the bishop asked us and Mr Monteith, I think --
8 there seemed to be a great need for women who were in
9 difficulties. They were either in prostitution or they
10 were destitute and had nowhere to go. That's what we
11 were founded for.
- 12 Q. I think then what you tell us is that was at the request
13 of the bishop at the time.
- 14 A. Yes. We would never go into a diocese without the
15 bishop's request.
- 16 Q. No. But halfway down the page you tell us that the
17 first girl was admitted to Dalbeth on 28th October 1858.
- 18 A. Yes.
- 19 Q. This particular person, although 14, had been in prison
20 before coming to the school?
- 21 A. Yes.
- 22 Q. I think you tell us that by the 1890s the number being
23 admitted increased; is that correct?
- 24 A. Yes. The magistrates didn't like sending young women to
25 reformatory schools, so we became an industrial school.

1 Q. That's indeed what you tell us. That in 1892 that you
2 moved from being a reformatory school to an industrial
3 school.

4 A. Yes.

5 Q. Moving on towards the bottom of the page, there was some
6 concern about subsidence and there was a need to
7 relocate the school; is that right?

8 A. That is right.

9 Q. What was the position there?

10 A. Well, according to what I read, the building was
11 subsiding, it was becoming unsafe, so we had to find
12 somewhere else.

13 Q. And a suitable property was eventually purchased in
14 Old Bishopton in Renfrewshire?

15 A. Yes.

16 Q. You don't give us the date in that document, but if we
17 go back to 0137, this is what we looked at before, if
18 you look towards the bottom of the page, it is under the
19 heading "Dalbeth, Glasgow". In the third line down do
20 we read that:

21 "In October 1953 Dalbeth Girls' School (still
22 an approved school) moved to Bishopton."

23 A. In 1948 the Sisters took possession of the house, yes,
24 and that was when the Dalbeth school moved and it
25 changed its name to St Euphrasia's Training Centre.

- 1 Q. So you are saying the movement happened in 1948?
- 2 A. Yes.
- 3 Q. And the change of name was in 1953; is that how I should
4 read that?
- 5 A. No, it's not.
- 6 Q. Oh.
- 7 A. The training centre and the school were different.
- 8 Q. Yes.
- 9 A. There were two what we used to call classes in the old
10 Dalbeth, so one class became the training centre and the
11 other class became the Dalbeth Girls' School.
- 12 Q. The establishment known as
13 St Euphrasia's Training Centre was established in 1948?
- 14 A. Yes.
- 15 Q. And that was in Bishopton?
- 16 A. Yes.
- 17 Q. Dalbeth School still stayed where it was?
- 18 A. It did for a few years because there was no building for
19 it.
- 20 Q. But then I think I put to you it moved in 1953?
- 21 A. Yes, that is right. There was a new building built.
- 22 Q. In Bishopton?
- 23 A. In Bishopton, yes.
- 24 Q. Although it is a bit confusing, do we have in Bishopton
25 two establishments?

- 1 A. That is correct, yes.
- 2 Q. St Euphrasia's Training Centre and also Dalbeth School?
- 3 A. Yes.
- 4 Q. Just to confuse things a bit more, did Dalbeth School
5 and St Euphrasia's merge?
- 6 A. They did, yes.
- 7 Q. If we go back to the other document, 0266, and in
8 particular page 268. Do we see against the date "1971"
9 that, following upon the 1968 Social Work Act, it was
10 decided to merge the two facilities?
- 11 A. That is correct, yes.
- 12 Q. Once merged did they then become what was known as the
13 St Euphrasia's Centre?
- 14 A. That is right.
- 15 Q. Have we sorted the confusion out? Up until 1971 you had
16 the two establishments with different names --
- 17 A. Yes.
- 18 Q. -- but then in 1971 you had this merger with a change of
19 name for both establishments together of
20 St Euphrasia's Training Centre?
- 21 A. No, St Euphrasia's Centre.
- 22 Q. Thank you. Perhaps, as we have the document on the
23 screen, do we note further down the page that in 1981,
24 following the involvement of the archbishop,
25 Archbishop Winning, that the centre was taken over by

- 1 the Hierarchy?
- 2 A. That is correct, yes.
- 3 Q. What role did the Good Shepherd Sisters play thereafter?
- 4 A. There were, I think, two Sisters who were principal
5 after, but then they left too. There might have been
6 a Sister who was a house mother, but most of the Sisters
7 left. There were very few after it was handed over to
8 the Hierarchy.
- 9 Q. Did it become managed by laypeople then after that?
- 10 A. Yes.
- 11 Q. Do you know yourself the date when that happened?
- 12 A. The Sisters left the school, as far as I know -- I would
13 have to look at my records; do you mind?
- 14 Q. Not at all, if you think it would help.
- 15 A. The last headmistress of the school left in 1983.
- 16 Q. So two years or so after it had been taken over by the
17 Hierarchy?
- 18 A. Yes.
- 19 LADY SMITH: She was one of the Sisters, was she?
- 20 A. She was, yes.
- 21 MR MacAULAY: Who owned the building or the buildings at
22 that time?
- 23 A. Up until then we did. Then it was sold to -- or given
24 perhaps, I'm not quite sure about that --
- 25 Q. But you are talking about --

1 A. It was the sale, yes, and it was 1995. It was sold to
2 Cora.

3 Q. That's much later on then?

4 A. Yes.

5 Q. Did you continue to own the building even after it had
6 been taken over by the Hierarchy?

7 A. I would think so, yes.

8 Q. When you talk about it being taken over by the Hierarchy
9 then in 1981, what do you mean by that?

10 A. They took over the -- as the parent body and the running
11 of the school, hiring of staff.

12 Q. But was there a management board?

13 A. There was, yes. There was a board of managers, yes.

14 Q. Just to move on quickly then, in 1985 was the centre
15 renamed the "Good Shepherd Centre"?

16 A. Yes.

17 Q. You mentioned a moment ago in 1995 it was sold to the
18 Cora Foundation; is that correct?

19 A. That is correct.

20 Q. What I propose to do now, Sister, is to look at the
21 reports that you have submitted and, in particular, do
22 that under reference to the report submitted in
23 connection with the Dalbeth School. We now know that
24 that school was in existence at least up until 1971.

25 A. 1971, yes.

1 Q. If we turn to 0101. If we look to the top of the page,
2 we see here that the -- it is headed, "Responses: part A
3 and B".

4 Then we read:

5 "Dalbeth Girls' School, 1933 to 1971."

6 Why has the date 1933 been selected?

7 A. Because that's when it became an approved school.

8 Q. But before then, of course, it existed and was managed
9 by the Good Shepherd Order?

10 A. Yes.

11 Q. I will take you through parts of this report and, as
12 I have already mentioned, there are another four reports
13 in respect of Woodfield Children's Home, the
14 St Euphrasia's Training Centre, the St Euphrasia's
15 Centre, and also Ladymary School. But am I right this
16 thinking that in large measure the material contained in
17 these other four reports are reflected in the report
18 provided in connection with the Dalbeth?

19 A. Yes, that is correct.

20 Q. If we turn the first page, 0101, you provide us with
21 some information about the history of your congregation
22 and its establishment.

23 A. Yes.

24 Q. Can you just sum that up in a few sentences for me?

25 A. Yes. The congregation was founded in Angers in France,

1 in 1835, by Sister Mary Euphrasia Pelletier, who is now
2 Saint Mary Euphrasia. She was a Sister of Our Lady of
3 Charity and she had come from Tours and she was asked to
4 go to Anger to set up a refuge for women, which she did.
5 In those days each convent was autonomous, but she was
6 getting requests from all over France to send Sisters
7 and she felt that the government structure needed to
8 change.

9 So she petitioned Rome for it so we could have what
10 they called a generalate and she became the Mother
11 General, but we changed our name to Our Lady of Charity
12 of the Good Shepherd of Angers to distinguish us from
13 the original order. And then she got requests from all
14 over the world.

15 Q. When you tell us at the second top line that
16 St Mary Euphrasia Pelletier was approved by Pope
17 Gregory XVI on 16 January 1835, is that the date when
18 you say the order came into being?

19 A. Yes.

20 Q. You tell us from (ii), if we move down the page -- can
21 I just point out to you, Sister, that you have a hard
22 copy of the report in front of you, if it is better to
23 look at that.

24 You tell us the organisation was founded to provide
25 residential care for women in difficulties.

- 1 A. Yes.
- 2 Q. You have mentioned that already, but as we know you also
3 included in that, over the years, girls as well.
- 4 A. Yes.
- 5 Q. You set out at (v) the different Scottish establishments
6 that we have looked at and, turning over to page 102 --
7 and we have seen this because of the taking over of
8 St Euphrasia's by the Hierarchy that you ceased to have
9 responsibility as the parent body of
10 St Euphrasia's Centre in 1982.
- 11 A. Yes.
- 12 Q. Does that effectively end your management role, if I can
13 put it that way, of any institution in Scotland?
- 14 A. Yes.
- 15 Q. At (ix) you tell us that you are not subject to the
16 diocesan hierarchy for your internal work?
- 17 A. That is correct, yes.
- 18 Q. But you still work within the context of the local
19 hierarchy and a local diocese?
- 20 A. Yes.
- 21 Q. But you are an autonomous congregation?
- 22 A. Yes.
- 23 Q. You are asked some questions at 1.2 about funding and
24 how these establishments were funded.
- 25 One of the difficulties in following what was said

1 is because you are answering questions specifically, and
2 we don't have the question, sometimes it is quite
3 difficult to see what the context is.

4 A. What the question is, yes.

5 Q. But I think it is clear here the question you are being
6 asked was:

7 "How was the establishment's operations and
8 activities funded?"

9 So far as Dalbeth was concerned then, what was the
10 position?

11 A. Half the fees came from the Scottish Education
12 Department and the other half came from the local
13 authorities who sent the girls.

14 Q. But looking at it historically, if you look at the
15 period pre-1930, for example, and into the 1930s, are
16 you able to tell me what the position was there?

17 A. We have no records of that, no.

18 Q. So when you are talking about the sort of half-and-half
19 arrangement you have mentioned, what sort of time frame
20 do you have in mind?

21 A. That would be in the -- I would think when it became
22 an approved school, so that would be the 1930s.

23 Q. Do you have records going back to that period?

24 A. We don't have any records about funding. That
25 information came from a Sister who worked in all the

1 establishments.

2 Q. I take it she wouldn't have been working there in the
3 1930s?

4 A. Not in the 1930s, no.

5 Q. So do you know how she has that information?

6 A. Well, she would have been talking from when she worked
7 there and she would have worked in the late 1950s/1960s
8 onwards. I would imagine that the funding came from
9 work. The girls and the Sisters would have done
10 needlework, it is what they usually did. They might
11 even have had a laundry to get money to -- one of these
12 infamous Magdalene laundries. They might even have --
13 yes, but normally it was sewing or laundry work to keep
14 the house going -- and donations.

15 Q. So far as the needlework and laundry is concerned, are
16 you speculating to some extent there?

17 A. Sorry?

18 Q. Are you speculating there?

19 A. Well, I am, because I don't have any records but that
20 was the normal run of things.

21 Q. You provide information about the other establishments.
22 If we look at Woodfield Children's Home and we can
23 remind ourselves that was in existence from 1945 to
24 1970.

25 If we turn to 0114, what you tell us there about

1 funding is that from 1944 income was derived from
2 benefactors and the Sisters' work.

3 A. Yes.

4 Q. You are a bit clearer there; what is the basis for that
5 information?

6 A. That would have come probably -- I don't remember
7 finding it, but it would have probably come from the
8 annals of the community. That is a kind of a diary that
9 was kept of important information on the communities.

10 Q. Is that still within your archives?

11 A. Yes.

12 Q. If we look at St Euphrasia's Training Centre, the
13 information is prior to that at 0124.

14 A. Yes. We have no records there.

15 Q. That's what you tell us. You don't know because --

16 A. We don't know because we have no records.

17 Q. Can you say why -- I mean the training centre was 1950
18 to 1971, according to what we have looked at. Any
19 thoughts as to why there are no records?

20 A. I have no idea, no. It possibly is that the records all
21 moved when the school -- when they both merged or the
22 records were just given over probably.

23 Q. But --

24 A. I would not have thought they would have been -- there
25 wouldn't be any need to keep them if the school was

1 moving -- was merging. Well, there wouldn't have been
2 seen a need, I should say.

3 Q. So, the answer is just whether there are any records or
4 not, you don't know where they are?

5 A. No.

6 Q. Ladymary then, if we look at 0215. You have some
7 information there about Ladymary School and its funding.
8 It is as before: half from the local education
9 authorities and half from the Scottish Education
10 Department.

11 A. Yes.

12 Q. That was a more recent time frame, 1967 to 1978.

13 A. Yes.

14 Q. Do you have records to substantiate --

15 A. No, that too came from a Sister who worked there.

16 Q. Then, the St Euphrasia's Centre then, that's at 0226.
17 What you tell us there is that, again, part funded by
18 the central government and part by local authority.
19 Just to remind ourselves, that was in existence from
20 1972 to about 1982. Does that information come from
21 records?

22 A. No; again from a Sister who worked there.

23 Q. Are there any records then to --

24 A. No.

25 Q. -- provide any insight into how the funding was --

1 A. No, we just don't have any.

2 Q. One of the points you make here, while we have it in
3 front of us, is that money was always tight --

4 LADY SMITH: Are we supposed to be looking at 0226,
5 Mr MacAulay?

6 MR MacAULAY: We are on 0226, my Lady.

7 LADY SMITH: Not on my screen we are not.

8 MR MacAULAY: 0226.

9 The question that was asked --

10 LADY SMITH: 0226? That is 0225. (Pause). This is it,
11 this is at 0226 now.

12 MR MacAULAY: Yes, we have looked at (i) and you have given
13 your evidence in relation to that, that's dependent upon
14 being told by a Sister who worked there.

15 A. Mm.

16 Q. The next bit is what I wanted to ask you about, where
17 you were asked:

18 "Was the funding adequate to properly care for the
19 children?"

20 And the answer is:

21 "No. The centre had a facility for an overdraft.
22 Money was always very tight."

23 A. Yes.

24 Q. I just wanted to understand what do you mean by all of
25 that.

1 A. Well, the Sisters had -- they had to pay off a loan to
2 the bank, so there wasn't much spare, but as far as the
3 school was concerned, there was enough money to run the
4 school.

5 Q. This information, again this is coming from the Sister
6 who worked there or is it coming from any other source?

7 A. We do have a record that we had -- how the overdraft or
8 the loan was to be paid, so we do know that there was
9 one.

10 LADY SMITH: You have talked about both a loan and
11 an overdraft; which?

12 A. Sorry, it was a loan.

13 LADY SMITH: It was a loan?

14 A. It was a loan, yes.

15 LADY SMITH: Because an overdraft would imply a recognised
16 need for funding from the bank for daily expenditure.

17 A. No, it wasn't that. It was the loan to build the
18 school.

19 LADY SMITH: You are talking about borrowed money for the
20 property, no doubt secured over the property, and then
21 there would be payments made in terms of both interest
22 and repayment to the bank?

23 A. Yes.

24 LADY SMITH: I see.

25 MR MacAULAY: Then if we go back to the Dalbeth report,

1 that's at 0102. The next section of the report, towards
2 the bottom of that page, at 1.3 is looking at the legal
3 status of the -- it says "of the organisation", which
4 means the congregation in this context. You tell us
5 that the congregation was a voluntary body recognised by
6 the State; is that correct?

7 A. Yes.

8 Q. You became a registered charity in England in 1967?

9 A. Yes.

10 Q. You were asked also, if we move over the page -- again
11 we have to put it in the context of the question at
12 (vi). The question you were asked was:

13 "Did the establishment [that's the congregation]
14 have a legal duty of care to each child in its care?"

15 What you say is:

16 "We are not sure. We would have operated under the
17 system that prevailed at that time."

18 You talk about the moral duty, but just to elaborate
19 upon that: you were not sure as to whether or not you
20 had a legal duty in connection with the children that
21 were being cared for by your different establishments?

22 A. Yes. We don't know from this point when the children
23 were brought to us. Yes, we had a moral duty of care,
24 but we don't know if they were legally in the care of
25 whoever brought them, their child guidance, children's

1 officers and things like that, whether they had the
2 legal duty of care, but certainly we acknowledge we had
3 a moral duty of care.

4 Q. You provide us with a quote from, I think, instructions
5 from St Mary Euphrasia Pelletier.

6 If you turn to over to page 0103, I will just read
7 the first couple of lines. Does it begin by saying:

8 "Beloved daughters, today I must remind you once
9 again of a very important regulation: never strike our
10 children."

11 A. That is correct.

12 Q. Is that really of the essence of your moral duty, if
13 I can put it that way?

14 A. Yes.

15 Q. Moving on then to the next section where you are dealing
16 with the establishment -- that's at letter (b) on that
17 page -- you tell us that Dalbeth was an approved school;
18 is that right?

19 A. Yes.

20 Q. You have mentioned that already. It had in a previous
21 guise been an industrial school and indeed a reformatory
22 school.

23 A. Yes.

24 Q. But approved by the 1930s?

25 A. Yes.

- 1 Q. You go on to say that in the early years that this
2 school was under the authority of the Scottish Education
3 Department, but you have no records prior to 1973; is
4 that the case?
- 5 A. That is right, yes.
- 6 Q. Do you know why that is?
- 7 A. No.
- 8 Q. The record you mention, I think, for 1973 is
9 a registration certificate.
- 10 A. That is correct, yes.
- 11 Q. That's at 0260. Is this a certificate of registration
12 and it is dated March 1973?
- 13 A. Yes.
- 14 Q. When you tell us at (iii), if we go back to 0103, that:
15 "The organisation was invited by the government to
16 provide services as it was considered suitable to have
17 girls committed by the courts."
- 18 That's, I think, in answer to a question:
19 "What was the legal basis which enabled the
20 establishment to become responsible for managing the
21 care of children?"
- 22 A. Yes.
- 23 Q. But what time frame are you talking about here when you
24 are saying you are invited by the government to provide
25 services?

- 1 A. I think we were invited to become an approved school.
- 2 Q. In the 1930s?
- 3 A. Yes.
- 4 Q. So is that the context that we look at here then?
- 5 A. Yes.
- 6 Q. What about the period before that?
- 7 A. I can't -- I couldn't say who invited us. I can only
- 8 say the courts sent women -- girls to us.
- 9 Q. I think you told us already that initially you were
- 10 invited by the local bishop.
- 11 A. Initially we were invited by the local bishop, yes.
- 12 Q. Looking at the position -- I think you tell us in fact,
- 13 just moving on to (iv), that the girls that were sent
- 14 there were sent there for three years.
- 15 A. Mm.
- 16 Q. Is that correct?
- 17 A. It could be three; it could be as little as six months.
- 18 It depended on their -- I don't want to say sentence
- 19 but ... it wasn't three straight years always.
- 20 Q. What period of time are you talking about here though?
- 21 Because this is one of our difficulties. We are talking
- 22 about, so far as this establishment is concerned, a very
- 23 long period of time indeed?
- 24 A. Yes.
- 25 Q. It may be that the position was different depending on

1 what time frame you are looking at?

2 A. This is true. This would be the approved school, but it
3 also became a List D school.

4 Q. Yes. That's after 1968?

5 A. Yes.

6 Q. So, again --

7 A. So it could be then. It would depend on what the courts
8 decided. The children came from the Children's Panels,
9 so it would depend on what they decided.

10 Q. Okay. If you look at the position of Woodfield as to
11 what sort of establishment that was. That is at 0115.

12 LADY SMITH: Just before you leave that page, I see at (v)
13 of "Establishment" the answer is that:

14 "No religious Sisters were ever in loco parentis."

15 A. Yes my Lady.

16 Q. That is not quite right because they were responsible
17 24/7 for the girls when they were at the school.

18 A. I think we meant by that that the Sisters didn't have
19 the right to decide what happened to the children. Yes,
20 in the sense that we were 24/7 looking after them, but
21 what happened to them when they left, it wasn't us that
22 decided. I think that is what we meant.

23 LADY SMITH: I get that and you are not suggesting there was
24 any dilution of the Sisters' responsibility of the
25 girls' welfare in all respects on a daily basis?

- 1 A. Not at all.
- 2 LADY SMITH: Yes, thank you.
- 3 MR MacAULAY: I am obliged, my Lady.
- 4 If you turn then to 0115.
- 5 If we look at (b), "Establishment", here you are
- 6 dealing with Woodfield Children's Home. You tell us at
- 7 (i) that that was a voluntary children's home under the
- 8 auspices of the Children's Department of Lothian
- 9 Regional Council.
- 10 A. Yes.
- 11 Q. We note that that children's home was in existence from
- 12 1945 to 1970.
- 13 A. Yes.
- 14 Q. So I suppose it would depend on what time frame you are
- 15 looking at as to whether or not it was what we would now
- 16 call Lothian Regional Council or some other local
- 17 authority that was where it was involved.
- 18 A. That would be true, yes.
- 19 Q. You tell us about St Euphrasia's Training Centre at
- 20 0125, that's now on the screen, and you say that was
- 21 an educational training centre under the Home
- 22 Department.
- 23 A. Yes.
- 24 Q. What's the basis for that information?
- 25 A. I'm sorry, I can't remember.

1 Q. Can I ask you this -- and I should have asked you this
2 before -- how was this part of the report put together
3 by the congregation?

4 A. We looked -- myself and my colleague went through the
5 questions and looked for the information and the
6 province leader or the local leader of the community
7 interviewed Sisters who had worked in these
8 establishments.

9 Q. The next section in the Dalbeth report at 0103 is
10 dealing with -- this is at 1.4 -- legal
11 responsibilities. Towards the bottom of the page the
12 question you were asked was:

13 "Did the organisation have any legal responsibility
14 for the children?"

15 The answer is:

16 "No. The regulatory body had the legal
17 responsibility. We would abide by the conditions of any
18 contract or registration document with the regulatory
19 body."

20 Can I understand what that means?

21 A. It means that when the girls came they would have -- we
22 would be told what was expected of us with regard to
23 those girls.

24 Q. Told by whom?

25 A. By their probation officer, I presume.

1 Q. You are clearly putting that into a particular time
2 frame --

3 A. That would be when it was a List D school or an approved
4 school.

5 Q. So you are going back as far as the 1930s for that, are
6 you?

7 A. Yes.

8 Q. I won't take you to the other responses for the other
9 four establishments, but essentially I think the
10 response you make is the same.

11 A. Yes. I think, as Lady Smith has clarified, we would
12 abide by what the authorities asked us to do, but our
13 own ethos would be -- it would be done in the way we
14 felt was the best for the girl.

15 Q. One of the questions you are asked -- and this is over
16 on the next page at 0104 -- is in relation to any other
17 organisation having responsibility and what the nature
18 and extent of that responsibility was.

19 What you say at the top of page 104 is that:

20 "The Scottish Education Department were in loco
21 parentis."

22 A. I don't have it. (Pause)

23 Q. Sorry, that is at page 0104.

24 A. Yes, I see it.

25 Q. That's your position?

1 A. Yes.

2 LADY SMITH: Well, that would depend on whether the parents
3 had had their parental rights removed.

4 A. Yes.

5 LADY SMITH: There is a particular legal process that
6 requires to have been gone through for that. You are
7 not lawyers, and it is difficult to answer these
8 questions, I can see that, but I wonder whether what you
9 are trying to point out there was that you were aware
10 that there was input and some degree of direction from
11 Scottish Education Department --

12 A. Yes.

13 LADY SMITH: -- under whatever was the relevant law.

14 A. Yes, that is correct.

15 LADY SMITH: But as you have also alluded to, if a girl was
16 on probation, there may be conditions of probation --

17 A. Yes.

18 LADY SMITH: -- that the probation officer would help you to
19 understand.

20 A. That is correct.

21 LADY SMITH: If the Children's Panel/Children's Hearing had
22 sent her, you would get advice from them as to their
23 assessment of what was required.

24 A. Yes.

25 LADY SMITH: But overall, you still accept that every aspect

1 of a child's welfare was a matter for the Sisters --

2 A. Certainly.

3 LADY SMITH: -- who accept a duty with regard to the
4 implementation of that duty?

5 A. Yes.

6 LADY SMITH: Thank you.

7 MR MacAULAY: I'm obliged, my Lady.

8 Can I then take you on to page 0104 and look at the
9 section dealing with the ethos of the congregation. It
10 is 1.5.

11 This is something you were asked to address in the
12 questions that you were asked, namely:

13 "What did you see was your function, ethos or
14 mission in terms of the residential care service that
15 you provided to children?"

16 A. Yes.

17 Q. What do you say to that?

18 A. Well, our mission was to provide a place of safety for
19 children who needed to be removed from difficult
20 situations and possible danger, where they would be
21 treated with love and respect and they could grow in
22 peace.

23 Q. And that is your position, that the Sisters did treat
24 the girls with respect, recognising their dignity,
25 that's what you tell us?

1 A. Yes. The instruction from St Mary Euphrasia was passed
2 down very strongly.

3 Q. What's said there is repeated in the other reports. We
4 needn't look at these, but that's repeated.

5 A. Yes.

6 Q. If we look at "Establishment" and "Services provided by
7 the establishment" towards the bottom of the page, and
8 moving on to the next page, can you summarise for us
9 what you have set out in these two pages in quite some
10 detail?

11 A. Yes. It was an education that would fit them for life
12 when they left. So they would have home economics, they
13 would know how to cook, they would know how to keep
14 a house, they would know how to sew and they would
15 receive a basic education. They would know how to read
16 and write and do sums and how to take care of
17 themselves. Very often they came and they didn't know
18 how to take care of themselves, personal hygiene and
19 things like that, so they would be taught that.

20 Q. If you turn onto the next page, in relation to Dalbeth
21 for example, halfway down the page, that the annual roll
22 for Dalbeth, do you say, was about 55?

23 A. Yes.

24 Q. And the ages?

25 A. 15 to 18.

- 1 Q. Did that change at all?
- 2 A. Yes, because they became younger, 12 to 15. There was
3 an intermediate school for Catholic girls that closed,
4 so Dalbeth was asked to take those girls.
- 5 Q. So quite a wide range then once that occurred?
- 6 A. Mm.
- 7 Q. If we look at the position with Woodfield at 0116 --
8 sorry, it is 0118 I think I should take you to.
9 I'm looking to see -- yes, the numbers were
10 approximately 50, divided into two houses; is that
11 right? That's what we see there halfway down the page?
- 12 A. I can't see that.
- 13 Q. So 0118.
- 14 LADY SMITH: Just under "Establishment".
- 15 A. Yes.
- 16 MR MacAULAY: In 1961 you tell us there were dormitories
17 that were divided into small four-bedded rooms.
18 What about the ages of the children in Woodfield,
19 can you tell me what --
- 20 A. When they first came they were from 2 upwards. They
21 were evacuees, so I think the youngest was 2.
- 22 Q. But then up until late teens?
- 23 A. Up until late teens, yes.
- 24 Q. St Euphrasia's Training Centre. If we look at 0127 and
25 if we move down to halfway down the page, do we see that

1 the annual roll might have been up to 76 at the time.

2 Is that correct? Is that what we take from that?

3 A. Yes.

4 Q. You say it changed with the merger. You talk about the
5 sleeping accommodation and provide some details on that.
6 What about the ages of the children?

7 A. The training school girls tended to be older than the
8 school girls.

9 Q. So what ages are you talking about?

10 A. So they are talking about 14, 15, maybe 16, depends on
11 their sentences.

12 Q. If we look at Ladymary School, that's 0218. Looking
13 towards the bottom of that page, you tell us that the
14 annual role was about 27; is that right?

15 A. Yes.

16 Q. Here we have children living in self-contained house
17 units.

18 A. Yes.

19 Q. What age groups are we talking about here?

20 A. Ladymary School was -- it would be 5 -- when they left
21 nursery school, 5, until they would go up to senior
22 school, if they were able to go to senior school, or
23 until they left and were able to go to a normal school.

24 Q. Finally then, looking at St Euphrasia's Centre, that
25 came into being in 1972. If you turn to page 0230.

1 Can we see, just above halfway, you tell us that the
2 annual roll was approximately 48 girls?

3 A. Yes.

4 Q. They lived in self-contained house units with four care
5 staff to a unit.

6 A. Yes.

7 Q. Again ages?

8 A. 14, 15.

9 Q. That sort of range?

10 A. That age range, yes.

11 Q. The next section I want to take you to then is the
12 children's background and experience, which is on
13 page 0118.

14 I'm sorry, I'm looking at the wrong report. It is
15 0107. Here there is a section dealing with the
16 children's background and experience. Can you just take
17 us through that and what you have set out for us here.

18 LADY SMITH: Can you just confirm which establishment we are
19 talking about?

20 MR MacAULAY: This is Dalbeth.

21 LADY SMITH: Thank you.

22 MR MacAULAY: So at 1.7 you are dealing with a number of
23 questions that you were asked about the children's
24 background that were being admitted to Dalbeth. For
25 example, you were asked:

1 "Did the children admitted generally have a shared
2 background and/or shared experience?"

3 Was one of the questions.

4 A. Yes.

5 Q. That triggers a number of responses.

6 A. Yes.

7 Q. Can you take us through this --

8 A. Sorry?

9 Q. -- and just set out for us what your response is? What
10 is your response?

11 A. The response is, yes, they did really. Some would have
12 come from the same area. Some would have been in
13 previous establishments. Some would come from other
14 areas of Scotland, but more often than not they had all
15 experienced difficulties at home.

16 Q. You tell us, for example, at (v) that Dalbeth did
17 receive girls from the Children's Hearing from 1971
18 onwards.

19 A. Yes.

20 Q. Because of the nature of the establishment, siblings
21 would not be referred?

22 A. Not normally, no.

23 Q. Sorry, carry on ...

24 Okay. In relation to the management of the girls,
25 you say at (xiv):

1 "Prior to 1969 the girls were not allowed home until
2 a week before the release."

3 That changed?

4 A. That changed.

5 Q. What was the change?

6 A. The change was they could go home every weekend if the
7 home was considered okay for them.

8 Q. Celebrations; you are asked about that at (xvii),
9 Christmas and birthdays. How, if at all, were they
10 celebrated?

11 A. They were always celebrated, yes. They would have
12 a party, they would have presents.

13 Q. The source for that information? Is that from
14 records --

15 A. The Sisters who worked there, yes.

16 Q. From the Sisters who worked there?

17 A. Yes.

18 Q. Turning on to page 0108, I think you tell us at (xxiii)
19 that, as you put it:

20 "Many girls remained in contact with the Sisters
21 after they had left."

22 A. That is correct, yes.

23 Q. Is there correspondence in the records?

24 A. No, it would have been personal correspondence with the
25 Sisters.

1 Q. If we look at what you tell us about Woodfield at
2 page 0118 -- again, I'm looking at this issue of
3 children's background. This is towards the bottom of
4 the page. If we can just scroll down a little bit.
5 Here you say that:

6 "Their background and experience and reasons into
7 coming into care were quite varied. For example, some
8 children were referred by Edinburgh Council because
9 their parents had been evicted ..."

10 You give one example of four siblings being brought
11 in by their grandmother on a temporary basis.

12 A. Yes.

13 Q. There were different situations?

14 A. There were different situations.

15 Q. Does this information come from records or --

16 A. It does. It is written in the admission book as to why
17 they came and where they came from and who brought them.

18 Q. But if we move on to page 0119, in relation to a number
19 of the issues you were being asked to look at, you just
20 did not have any records; is that correct?

21 A. That is correct, yes.

22 Q. Any reason why that would be?

23 A. I have no idea.

24 Q. If we look at what you tell us about

25 St Euphrasia's Training Centre -- and to remind

1 ourselves that was in existence from 1950 to 1971. If
2 you turn to page 0127. Again, if we look towards the
3 bottom of the page, in relation to the question about
4 children's background, I think what you say is:

5 "Yes, we think they did, but we have no records to
6 confirm this. We can only confirm where the girls came
7 from."

8 I just want to understand what that means. You have
9 got no records to confirm the backgrounds of the
10 children; is that right?

11 A. No, we haven't.

12 Q. When you say, "We can only confirm where the girls came
13 from", what --

14 A. Yes, that would be in the admission books.

15 Q. Do you tell us at (iv) that the placements would be by
16 child care officers and probation officers?

17 A. Yes.

18 Q. Are there records of that?

19 A. That would be written too, who brought them.

20 LADY SMITH: Do you have all the admission books for these
21 establishments?

22 A. Yes, we do, my Lady.

23 LADY SMITH: Thank you.

24 MR MacAULAY: Then Ladymary School, that was from 1967 to
25 1978. If you look at 0220.

1 Here you have provided some detail. In relation to
2 the question "Children's background", namely, did they
3 have a shared background, you have answered there:

4 "Only if they were siblings."

5 A. Yes.

6 Q. Is that as far as you can go really?

7 A. That's as far as we can go.

8 Q. So far as the placement of such children would be
9 concerned you tell us at (iv) that:

10 "Applications or referrals would come from
11 children's psychiatric hospitals, child guidance
12 clinics, or occasionally from a social worker."

13 A. Yes.

14 Q. Do you have records to that effect?

15 A. That would be in the admission books too.

16 Q. You do give us some information as to what happened on
17 birthdays and Christmas and so on at (xvii).

18 A. Yes.

19 Q. Finally, if we look at St Euphrasia's Centre, that was
20 from 1972 to 1982. If we turn to page 0230. Again,
21 below halfway at 1.7, we have it now on the screen, you
22 tell us:

23 "Their backgrounds were often similar. A good
24 number of the girls came from Glasgow. Many of the
25 children came from broken families. Many had experience

1 of alcoholism within the family and a good number had
2 been involved in solvent abuse and many had missed out
3 on several years of schooling."

4 A. Yes.

5 Q. That gives us an idea of the kind of children that were
6 being accommodated.

7 A. Yes.

8 Q. The placement, you tell us, was by the Children's
9 Hearings?

10 A. Yes.

11 Q. I want now to look at the staffing of the different
12 institutions. If we go back to Dalbeth and go to
13 page 0108, you provide some information about staffing.
14 At 1.8 you are asked, under reference to:

15 "Organisation: how many people were employed by the
16 organisation who had some responsibility for residential
17 child services for children?"

18 Can I understand what your answer to this means?

19 You say:

20 "Prior to 1970s there is no records."

21 Is that right?

22 A. That is correct.

23 Q. Is that records in relation to members of staff?

24 A. Yes.

25 Q. Not Sisters or does it include Sisters?

- 1 A. It would include Sisters, yes.
- 2 Q. "According to the only records that we have, we have 20
3 full time and 9 part time and 3 visiting."
- 4 Can you explain what you mean by that?
- 5 A. Well, there would be 20 full-time staff altogether,
6 including house mothers, ancillary staff, cooks,
7 cleaners, and nine would have been part time. The three
8 visiting would be the doctor, the dentist and the
9 psychiatrist, who all came in in the early days.
- 10 Q. The 20 full time, are you including the members of the
11 congregation in that number?
- 12 A. Yes.
- 13 Q. How many Sisters, broadly, would there be at a given
14 time at Dalbeth?
- 15 A. Less than eight.
- 16 Q. So in addition then to the Sisters there would be lay
17 staff?
- 18 A. Yes.
- 19 Q. Just looking to the respective duties of the members of
20 staff, so far as the main care would be concerned, would
21 that really be down to the Sisters?
- 22 A. Yes. The Sisters would be house mothers, or group
23 leaders, whatever you like to call them. A Sister would
24 be a cook. She would have charge of the kitchen. She
25 might be a nurse -- we had Sisters trained as nurses and

1 we did have Sisters trained as teachers as well. So
2 they could have done any of those jobs.

3 Q. So a variety of different duties?

4 A. A variety of different jobs.

5 Q. These were children who clearly were in residential
6 care.

7 A. Yes.

8 Q. So they required to be looked after at bedtime and so on
9 and so forth --

10 A. Yes.

11 Q. -- is that correct?

12 A. That is correct.

13 Q. Would it be the Sisters who would bear the brunt of that
14 type of work?

15 A. It would but -- yes, it would. But the lay staff would
16 help with all that. There would be lay staff in each
17 house group with the Sister.

18 Q. Of course this information you are providing us with is
19 only from 1970 onwards. Of course you have no records
20 pre 1970?

21 A. No.

22 Q. What records do you have post 1970 to provide this
23 information?

24 A. They are very ad hoc I would have to say. We have -- we
25 managed to find one report for a manager's meeting,

1 which listed the staff and gave a report of the school,
2 but it is very sparse.

3 Q. So is the -- are the figures 20, 9 and 3 based on that
4 one report?

5 A. Yes.

6 Q. What was the date of that report?

7 A. I don't have it with me.

8 Q. You can perhaps let us know.

9 A. Sorry, I don't have it with me.

10 Q. At (iii), the question that was asked was:

11 "What experience/qualifications did such staff
12 have?"

13 Your answer to that is:

14 "We have no record of that."

15 So that is the position?

16 A. Yes.

17 Q. There is no record --

18 A. There's just no records.

19 Q. (v) addresses a question:

20 "What experience/qualifications did such members
21 have to equip them to discharge their responsibilities?"

22 You suggest there there would be teachers, child
23 care workers and nurses?

24 A. Well, we know what qualifications the Sisters had.

25 Q. So you have some records of that, do you?

- 1 A. Each Sister has a file, so we could --
- 2 Q. So you know that?
- 3 A. So we know that, yes.
- 4 Q. The previous answer:
- 5 "Less than eight at any one time."
- 6 I think that is in reference to the number of
- 7 Sisters that might have been present.
- 8 A. Yes.
- 9 Q. The Sisters' role as house mother that you have
- 10 mentioned on more than one occasion, can you just tell
- 11 us what that would have involved?
- 12 A. Well, I can only speak from my own experience. You were
- 13 there when the children were not in school or were not
- 14 at work, so you were there for breakfast, to make sure
- 15 they had their breakfast, to supervise their tidying of
- 16 the dormitory, and then them getting to school. Then
- 17 you were there again at midday when they came back for
- 18 their lunch, unless they ate in the dining room. There
- 19 was always time when they could play, let off steam, and
- 20 you were there in the evenings for them. Normally they
- 21 had their suppers in their houses. So we were all
- 22 together and then they played and did whatever they
- 23 wanted until bedtime and then you saw them to bed.
- 24 Q. Do you know, so far as Dalbeth was concerned, before it
- 25 merged, if the school for Dalbeth was on its own

- 1 premises?
- 2 A. Yes, it would have been.
- 3 Q. Looking at what you tell us about Woodfield, that's at
4 0119 and is to do with staffing. This was the
5 children's home that was from 1945 to 1970, I think.
6 Effectively what you tell us is that both in relation to
7 the questions about the organisation and moving down the
8 page, the establishment, you just have no records there?
- 9 A. No.
- 10 Q. St Euphrasia's for the same question at 0128 --
- 11 A. Could I just come back to that?
- 12 Q. Yes, certainly. To Woodfield?
- 13 LADY SMITH: Is that back to Woodfield?
- 14 A. Yes, your Ladyship. I have a note here that in 1968
15 a married couple replaced a Sister as house parents in
16 the small lodge where the primary school age children
17 were. So there were laypeople in 1968 anyway in
18 Woodfield.
- 19 Q. But is that as far as it goes?
- 20 A. That's all I have, yes, as to staff. Yes.
- 21 Q. I was moving on, I think, to look at
22 St Euphrasia's Training Centre at 0128. That's now on
23 the board. If we scroll down towards the bottom of the
24 page.
25 Again, prior to 1970, there are no records; is that

1 correct?

2 A. Mm.

3 Q. Then, again according to the records we have, you had 35
4 full time, and 14 part time and 3 visiting staff?

5 A. Yes.

6 Q. So the 35 full time would include the less than eight
7 Sisters?

8 A. Yes, it would.

9 Q. Again, what records are there to support that
10 information?

11 A. There is a report for a manager's meeting, that I do
12 have.

13 Q. Just one report?

14 A. That's all I could find.

15 Q. Do you have a date for that?

16 A. Yes, 1982.

17 Q. Then looking at Ladymary School, that was 1967 to 1978,
18 if we look at page 221, that should come up shortly.

19 You have provided some information here that -- you
20 say "approximately 9"; does that include Sisters?

21 A. Yes. Yes, it would have to. That doesn't make sense to
22 me, I'm sorry.

23 Q. The question was:

24 "How many people were employed who had some
25 responsibility for residential care services for

1 children?"

2 And the answer you have given is, "Approximately 9".

3 A. Yes.

4 Q. That would be --

5 A. Yes, that would be --

6 Q. Must include Sisters.

7 A. Yes, it does include Sisters. The Sisters did most of
8 the caring for the young ones, the little ones.

9 Q. Can you explain the next answer? The question was:

10 "How many people were employed by the organisation
11 at any one time who had some responsibility for
12 residential care services for children."

13 And what you have told us is, "Approximately 30".

14 A. Yes.

15 Q. What does that mean?

16 A. It means that they would be teachers, they would help
17 the Sisters in looking after the children, nurses,
18 social workers, liaise with their families, and
19 psychiatrists, because it was a school for maladjusted
20 children, and they pioneered play therapy. So there
21 were play therapists and extra people that you wouldn't
22 have in an ordinary school perhaps.

23 Q. The basis for these figures that you have just provided
24 us with, what is the basis?

25 A. A report for the advisory committee and that's dated

1 March 1979. That can't be it -- yes, wood -- that can't
2 be. It is not Ladymary School, it is Woodfield. No,
3 I don't know where we got that.

4 Q. Again, perhaps that's something you can provide us with.

5 A. No, I can't.

6 Q. You can't?

7 A. No, I can't.

8 Q. Well, finally then in relation to this point,
9 St Euphrasia's Centre, if we look at that and, if we
10 remind ourselves, that was in existence from 1972 to
11 1982. If you could turn to page 0231 and move towards
12 the bottom of that page. What you tell us is that:

13 "According to the only records that we have, 35 full
14 time and 14 part time ..."

15 And then you mention the visiting four. So, as far
16 as Sisters would be concerned, you say:

17 "Less than 10 at any one time."

18 So the 35 would include the Sisters?

19 A. Yes.

20 Q. What is the basis for these figures, can you tell me?

21 A. That I can't remember, I'm sorry. I do have a report
22 from St Euphrasia's Centre.

23 Q. Do you have a date for that?

24 A. Yes, November 1982.

25 Q. That must have been when it was closing or closed, so

1 far as you were concerned.

2 A. Yes.

3 Q. I think it was then controlled by the Hierarchy.

4 A. No, I don't have ...

5 No, I don't have, sorry -- I can't tell you where
6 that came from.

7 Q. I think I'm right in saying, Sister, that if we move on
8 to the second part of the report, which deals with the
9 organisational structure and oversight, your colleague
10 is going to speak to that.

11 A. That is correct, yes.

12 MR MacAULAY: Well, I think I have probably taken you as far
13 as I can at the moment.

14 My Lady, I can say that no written questions have
15 been submitted to me.

16 LADY SMITH: Thank you very much.

17 Could I check whether there are any outstanding
18 requests for questions for this witness?

19 MR DAVID ANDERSON: There were, my Lady, a couple of things
20 that I might like to pick up on, but given the time
21 perhaps I could speak to my learned friend and it might
22 be that he is going to pick these up with the next
23 witness, rather than my asking this witness any
24 questions at this point.

25 LADY SMITH: Let's take the morning break now.

1 Sister Carr, I won't formally release you at this
2 stage, but it may be that you won't be brought back
3 after the break if it turns out that the issues that
4 Mr Anderson wants to raise are better addressed to
5 Sister Kean. So if you could just wait until 11.45 am
6 when we will start again, please.

7 (11.25 am)

8 (A short break)

9 (11.45 am)

10 LADY SMITH: Mr MacAulay, Mr Anderson, I understand that the
11 issue that you wanted to raise, Mr Anderson, is going to
12 be raised by Mr MacAulay in the course of the evidence
13 he takes from Sister Kean; is that correct?

14 MR DAVID ANDERSON: Yes, my Lady, I'm grateful.

15 LADY SMITH: Thank you. Thank you for sorting that out.

16 (The witness was released)

17 MR MacAULAY: I can call then Sister Rosemary Kean as the
18 next witness.

19 LADY SMITH: Thank you.

20 SISTER ROSEMARY KEAN (sworn)

21 Questions from Mr MacAULAY

22 LADY SMITH: Do sit down and make yourself comfortable.

23 A. Thank you.

24 LADY SMITH: Mr MacAulay.

25 MR MacAULAY: My Lady.

1 Sister Kean, are you Rosemary Kean?

2 A. I am.

3 Q. I think you have been put forward by the Good Shepherd

4 congregation to speak to particular parts of the reports

5 that they have submitted to the Inquiry.

6 A. Yes.

7 Q. Before I look at that, can I just start by asking

8 a little bit about your biography. I will put that on

9 the screen for you and that is at 0134.

10 A. Yes.

11 Q. You give us some details of your education. Can I ask

12 you when you became a member of the Good Shepherd

13 Sisters?

14 A. I first entered in 1972.

15 Q. Before that, can we see that you had a number of other

16 positions? For example, you were attached to the

17 Dunbartonshire County Council Social Work Department as

18 a residential carer?

19 A. Yes.

20 Q. You also spent some time in Sri Lanka; is that correct?

21 A. Yes.

22 Q. What were you doing there?

23 A. I was with International Voluntary Service Overseas and

24 I worked with the National Council for Child and Youth

25 Welfare. They had asked for someone to help. There

1 were many, many children who were just abandoned in that
2 country and the National Council wanted to set up care
3 establishments for them. So I was instrumental in
4 setting up six establishments and training the staff to
5 care for them: different types, dying and destitute
6 children; crippled and undernourished; children with TB;
7 a variety of needs -- mental health problems as well.

8 Q. Then you tell us that you were working at the
9 Ladymary School in Edinburgh.

10 A. Yes.

11 Q. That was from 1969 to 1972?

12 A. Yes.

13 Q. That was a school run by the Good Shepherd Sisters?

14 A. That is right.

15 Q. What position did you hold there?

16 A. Unit leader.

17 Q. What did that involve?

18 A. I was responsible for one of the units for ten children
19 and I had previously, when I was doing the child care
20 training, I had been sent there on a placement and I was
21 very impressed with the standard of care for children
22 there and it was a pioneering set-up, really, caring for
23 maladjusted children. So I was invited, after my
24 placement -- they knew that I was going on international
25 voluntary service and I was invited to come and join the

1 staff there on my return if I was interested.

2 Q. That was before, of course, you became a member of the
3 congregation.

4 A. Yes, in fact it was because of my experience there that
5 I chose to enter the Good Shepherd congregation.

6 Q. Since the Ladymary School is one of the schools that
7 Sister Carr told us about, how would you describe the
8 regime during your time?

9 A. During my time I found the regime to be very
10 child-centred. It was the first time in my experience
11 in child care that I had known children, particularly
12 very difficult and acting-out children, not to be
13 punished, not to be chastised, but to be listened to.
14 The focus was always on the child and the child's needs,
15 whether it was in the care situation or in education.

16 Q. You had a range of children of different ages.

17 A. From 5 to 12.

18 Q. Can you tell me the numbers in your day, what sort of
19 size of school was it?

20 A. It was always a very small school. There was one unit
21 for six children, that was a reception unit. The next
22 unit for ten children and the next one for 11. In each
23 of these there were family units. There might be three
24 children, four children belonging to one family.

25 Q. You then tell us that you were with the Good Shepherd

- 1 Sisters Religious Formation in London.
- 2 A. Yes.
- 3 Q. Thereafter you spent some time at Glasgow University
4 training in social worker administration and management.
- 5 A. Yes, and also doing advanced child care. I didn't
6 mention that.
- 7 Q. Following upon that, you worked with Lothian Regional
8 Social Work Department from 1976 to 1978?
- 9 A. Yes.
- 10 Q. You were a manager of a residential unit for teenage
11 schoolgirls.
- 12 A. Yes, for two years.
- 13 Q. Then, you were in Liverpool for two or three years
14 before you became the co-manager of the Mount Carmel
15 Residential Home for recovering alcoholic women and that
16 was in London.
- 17 A. Yes.
- 18 Q. Moving on to 1984/1985. You carried out some studies in
19 theology and philosophy; is that correct?
- 20 A. Yes. That is a standard part of our religious formation
21 as young Sisters.
- 22 Q. Again, looking at 1987/1988 is that again part of
23 that --
- 24 A. Yes.
- 25 Q. Perhaps moving on a bit to 1990 to 2002; that is

1 a period of some 12 years. You were the director of a
2 primary treatment centre for women with addictions.

3 A. That is correct.

4 Q. That was in Kent?

5 A. Yes.

6 Q. You spent some time in Australia; is that right?

7 A. Yes, that was a renewal programme. After leaving the
8 treatment centre normally we would have a sabbatical
9 period, a period of reflection, change, a period of time
10 for renewal, basically, yes.

11 Q. Then, moving on to 2005 to 2010, do you tell us that you
12 were the manager of St Euphrasia's Care Home for the
13 Elderly?

14 A. Yes.

15 Q. Where was that based?

16 A. That's in Manchester.

17 Q. And you are back in Scotland after that because you are
18 the chaplain at Edinburgh Prison for 2011 to 2014.

19 A. Yes.

20 Q. You are now, since 2014, the province leader?

21 A. Yes.

22 Q. Does that mean within the UK you are in charge?

23 A. Yes -- well, I am supposed to be in charge. What it
24 means is really you are the servant.

25 Q. As the province leader you clearly have particular

1 duties in relation to the different congregations within
2 the UK.

3 A. Yes. I'm responsible for the Sisters of the province.
4 We have 70 Sisters in a number of different communities
5 and also Sisters who are living within England and
6 Scotland in -- they live independently.

7 Also, responsible for the running of the charity.
8 We are a charitable incorporated organisation and I am
9 the chair of the charity -- we have two charities
10 actually.

11 Q. So far as Scotland is concerned, what sort of presence
12 then do the Good Shepherd Sisters have in Scotland at
13 present?

14 A. At present we are very few in Scotland; we have only
15 five Sisters. They all live in separate locations and
16 they now engage mainly in pastoral work in parishes.
17 One Sister would be supporting women, ex-prisoners,
18 another one works with elderly housebound in their own
19 homes. Another works in a parish. That kind of work.

20 Q. It is quite a change from years gone by --

21 A. Yes.

22 Q. -- when you used to have quite a considerable presence
23 in Scotland.

24 A. Absolutely, yes, and in years gone by people would come
25 to us for care and support whereas now we go out into

1 the community.

2 Q. Can I then take you to the sections of the report that
3 you are going to look at, Sister, and if I could take
4 you to -- and I'm looking at the report for Dalbeth
5 because I think in the main what's set out in the
6 Dalbeth report is reflected in other reports.

7 A. Yes.

8 Q. If you turn to page 0109, you begin by looking at
9 aspects of the governance of the congregation; is that
10 correct?

11 A. Yes.

12 Q. Can you tell us a little bit about that?

13 A. Yes.

14 Q. Can I just say to you, if it is helpful, there is a hard
15 copy of the report also on the table, but you can work
16 off the screen if you prefer.

17 A. Yes. As is said here, the overall governance of the
18 organisation comes from Rome. We have a congregational
19 leader who is elected. We have a general chapter every
20 six years and at that chapter -- we are based in at
21 least 72 countries in the world and so we have many
22 nationalities and the congregational leader is elected
23 from amongst the Sisters of all the delegates to that
24 chapter. She can actually be elected from outside of
25 that as well, but generally speaking she would be

1 elected during the chapter and from the delegates who
2 are there.

3 Q. Did you say she is based in Rome?

4 A. She is based in Rome, yes, but she spends most of her
5 life travelling to the other provinces.

6 She and the other members of the leadership team,
7 they too will be representing different language groups
8 and they too spend most of their lives in other
9 provinces, visiting provinces, dealing with issues,
10 supporting the Sisters, etc. But they come together
11 a number of times in the year and they would have
12 council meetings.

13 LADY SMITH: It may not be important, Sister Kean, but for
14 an order whose history, as I understand it, finds its
15 earliest indications of the coming together of the
16 Sisters in France, how did they end up with their
17 overall leadership in Rome?

18 A. Well, you may have heard from the earlier speaker that
19 our founders decided that there was need to found
20 a generalate to go out to the whole world.

21 LADY SMITH: Yes.

22 A. But there came a time when, I think, most religious
23 orders throughout the world realised that it was
24 important to be in Rome where I guess the heart of the
25 church is. I think that's how --

1 LADY SMITH: I think there are some who are not there, but
2 you are telling me the majority of them did find their
3 way there to establish their leading office --
4 A. That is right.
5 LADY SMITH: -- in Rome, near the Vatican no doubt.
6 A. I think that was the reason. I'm not sure that nowadays
7 it is necessary with modern means of communication --
8 LADY SMITH: Of course.
9 A. -- however, that's where we are.
10 LADY SMITH: Thank you.
11 MR MacAULAY: But the congregational leader, as I think you
12 have indicated already, has a leadership team.
13 A. She does.
14 Q. They are based in Rome but they go out and about; is
15 that what you have told us?
16 A. The whole team does, yes.
17 Q. If we come then and look at the provinces. There is
18 a province leader for each of the provinces?
19 A. Yes.
20 Q. As you have indicated, that's the position you hold at
21 present?
22 A. Yes.
23 Q. Therefore, you are responsible within this country for
24 the local leaders?
25 A. Yes.

1 Q. Is that right?

2 A. Yes.

3 Q. So within the United Kingdom, in different locations,
4 there will be local leaders of the congregation?

5 A. There are, yes.

6 Q. Do we have a local leader in Scotland or is the set-up
7 different?

8 A. The set-up is different. We have kind of moved on. In
9 years gone by we had superiors but certainly more than
10 20 years ago we decided to change that title to
11 "leaders". We then changed again to have -- we decided,
12 maybe 15 or more years ago, that as life was changing
13 that we needed to have optional lifestyles for the sake
14 of the Sisters' ministries. So many Sisters live --
15 there are not so many of us now as there were years ago
16 and in order that Sisters are more available, they live,
17 individually and they might live in different areas. So
18 rather than have a leader -- we may have a leader in
19 some places -- we may have a coordinator and the
20 coordinator's role is different in that her role would
21 be to enable the Sisters to come together. But she
22 wouldn't have authority as such as would be vested in
23 an elected leader.

24 Q. But from what you have said to us you don't have
25 a convent in Scotland --

1 A. No.

2 Q. -- or a residential facility that would require some
3 sort of leadership?

4 A. No, not nowadays.

5 Q. If we go back to the report, Sister, on the same page,
6 0109, one of the questions you were asked at (iii) was:
7 "What qualifications and/or training, if any, did
8 the members require to have in relation to the provision
9 of residential care services for children?"

10 What you tell us is:
11 "Ongoing training was offered to all."

12 A. Yes.

13 Q. Can you provide a time frame for that?

14 A. I think training for the Sisters -- years ago, going
15 back, say, beyond the 1950s, the Sisters lived in much
16 more enclosed monastic style of life.

17 But as they became more aware of -- you know, life
18 changed, and the Sisters became more aware of the needs
19 of the children in care and training was becoming
20 available, I think, probably in the early 1960s,
21 although I have a feeling that in the 1950s some of the
22 Sisters went out to do child care training.

23 Then later they followed different kinds of
24 training: some became teachers, others would be sent out
25 to do a degree in one thing or another. So training

1 became much more -- they became much more developed at
2 different levels.

3 Q. Was that the picture also in Scotland because that's
4 really what we are concerned about?

5 A. Yes. I mean our leadership, our province leadership
6 would have been in England, but we were in England,
7 Scotland and Wales. So the same would apply in whatever
8 situation our Sisters were in.

9 Q. One of the questions you were asked at (iv) is whether
10 the members received remuneration.

11 A. Yes.

12 Q. The answer to that was:

13 "Teachers in List D schools were remunerated."

14 A. Yes.

15 Q. Do you remember that if there was a Sister who was
16 a teacher in one of the List D establishments, then
17 there would be remuneration?

18 A. For that Sister, yes, but if other Sisters were engaged
19 in the care side of the work, they were not.

20 Q. Who would be doing the remunerating?

21 A. Whoever the referring authority was and they would be
22 remunerated in the same way as other lay teachers.

23 Q. I have in mind the vow of poverty --

24 A. Yes.

25 Q. -- what happened to this remuneration?

1 A. As we have all things in common, any salaries that we
2 would receive, they would be put into a central fund and
3 that central fund would be used not only for the care of
4 our Sisters but for other establishments where perhaps
5 there wasn't much income. So it was a -- it provided
6 general support.

7 Q. You also tell us at (vi) that visits were made by the
8 province leader to each establishment and we are looking
9 back here now -- we are going back some years to the
10 establishments where you had some responsibilities were
11 in existence.

12 A. Yes.

13 Q. So would the provincial leader have a duty to visit
14 these establishments?

15 A. Yes.

16 Q. What were the arrangements for that?

17 A. I don't really know what the precise arrangements would
18 be but there would be an expectation that she would
19 visit and would talk to the community leader, the
20 principal of the school, and the Sisters concerned. She
21 would be there to listen and to know that there was good
22 practice in any establishment.

23 Q. What I meant by arrangements was the timescales.

24 I think you mention this was a three-yearly --

25 A. Right. Three times.

- 1 Q. Three times a year?
- 2 A. No, triannually. Sorry, once in three years.
- 3 Q. And additionally as required?
- 4 A. It was probably much more frequently.
- 5 Q. The purpose of the visit?
- 6 A. Again, to ensure good practice, to ensure that the
- 7 Sisters were happy, that their community life was as it
- 8 should be, because if the community life was good then
- 9 what they were offering in their work situation would
- 10 also be good and well supported.
- 11 Q. I understand from what you say in this section of the
- 12 report that children would not be interviewed by the
- 13 provincial leader.
- 14 A. That's what I understand, yes.
- 15 Q. At this point, can I ask you a little bit about what's
- 16 referred to in the report as "the rules", "the practical
- 17 rules"?
- 18 A. Yes.
- 19 Q. Before I ask you to look at aspects of the rules, can
- 20 you tell me about the rules?
- 21 A. Well, in the days -- our foundress was considered to be
- 22 a woman who was at least 100 years ahead of her time.
- 23 She had great awareness and insight into human beings
- 24 and at a time when we didn't have policies and
- 25 guidelines, the Sisters used these as their guide.

1 I understand from speaking to older Sisters that they
2 followed this to the letter so these were very
3 important.

4 Q. It might be the inference there that the younger Sisters
5 do not, but you are not suggesting that?

6 A. No, what I'm saying is that in the days when there were
7 no other kind of policy documents or guidelines, that
8 these were their guidelines.

9 LADY SMITH: This was the influence of your founder,
10 St Mary Euphrasia?

11 A. Yes.

12 MR MacAULAY: Can we look then at 0252. What we have on the
13 screen is a document headed "Excerpts from the practical
14 rules" published in 1943. Is that when they were first
15 published?

16 A. Published, yes, but they were in use long before that.

17 Q. Because we are also given a date --

18 A. A hundred years before that.

19 Q. And the conference is published in 1896?

20 A. That is right.

21 Q. These are excerpts of rules so I take it that the rules
22 are much more extensive than the document you have
23 provided us with?

24 A. Yes.

25 Q. But they go back many, many years?

1 A. They do indeed.

2 Q. If we look at some of the points being made, for
3 example, if we look at the second paragraph:

4 "When reprimanding she should not always name the
5 child in fault, unless in case of a public scandal; she
6 should use the tact and prudence inspired by Christian
7 charity and maternal devotedness by which she should
8 always be guided."

9 So these are the sort of principles that are being
10 set out in this document?

11 A. Mm.

12 Q. Going on:

13 "Whatever be the faults, whatever the necessity for
14 reprehending or even punishing, she should take care not
15 to outstep the measure and, above all, not to wound the
16 culprit by harsh words or reproaches founded on what she
17 knows of her past life."

18 Again, it is at that level of principle?

19 A. Yes. This is what I said earlier: when I was on the
20 student placement in Ladymary School, this is the
21 approach that I found there and this is what impressed
22 me.

23 Q. If we turn to page 0255. It will be there in a moment.
24 If we look at the third paragraph down the page -- and
25 I think we saw this reflected in the report:

1 "The religious of the Good Shepherd should never
2 forget that it is forbidden to strike the children."

3 That is a fundamental rule, is it?

4 A. Absolutely, yes.

5 Q. What level of awareness would there have been within the
6 members of the congregation of these rules?

7 A. I would say that every Sister would have -- would know
8 these rules. I would be surprised if they didn't.

9 Q. What about adherence?

10 A. I would hope that they would adhere to them because, as
11 I said earlier, any Sister that I have spoken to who may
12 have been working in these establishments in the past,
13 they said they adhered to this, you know. So I would
14 hope that the Sisters would be very clear about it.

15 Q. Would copies of the rules, since the time of their
16 publication at least, be available in each of the
17 establishments that we are concerned with?

18 A. Again, I would think so, but I couldn't say for sure.

19 Q. Well, we have sort of moved into that aspect of the
20 report where you are looking at the culture of the
21 congregation.

22 If we go back to the report at page 0109, towards
23 the bottom of the page there are some comments made with
24 regard to what the culture of the congregation was. Can
25 you just summarise that for us?

1 A. Yes, our approach to the girls -- one thing that was
2 always impressed upon us, that each child, each person
3 is the most important person. We were never -- we were
4 encouraged never to see the children as a group of
5 children but to see each one within that and that each
6 one was important. Our approach to the children was
7 expected to be one of respect and kindness.

8 Q. At (iii) you make mention of the founder and the
9 question that you had been asked there:

10 "How can it be demonstrated that that was your
11 approach?"

12 The answer here is:

13 "Throughout we have been under the Scottish Office
14 and had regular inspections."

15 A. Yes.

16 Q. What time frame are you looking at in order to make that
17 comment?

18 A. I can't recall exactly the time frame but looking at
19 Bishopton, the school changed from one status to
20 another, so certainly while it was an approved school --
21 a List D school, it would have been under the
22 Scottish Office and would have been subject to
23 inspections.

24 Q. That's from 1972 onwards?

25 A. And prior to that.

1 Q. Prior to that I think it had -- that's when there was
2 the merger?

3 A. Yes.

4 Q. It is a complicated story.

5 A. It is yes.

6 Q. But Dalbeth merged with St Euphrasia's Training Centre
7 in about 1972.

8 A. That is right. But it was Dalbeth School before that.

9 Q. It was, yes.

10 A. It would have been subject to inspections then.

11 Q. I think you do talk about oversight later in the report.

12 A. Yes.

13 Q. The next section I want to take you to is the -- can
14 I say that what you say about culture under reference to
15 Dalbeth is broadly the same in what is said in the other
16 reports?

17 A. Yes.

18 Q. Looking at leadership, can we just look at that and that
19 is at page 0110, where there's a section dealing with
20 the leadership. Here we are looking at Dalbeth, for
21 example. What do you tell us about that?

22 A. That the principal was always in overall charge but was
23 responsible to a board of managers and the board of
24 managers were acting on behalf of the Scottish Education
25 Department. So they had quite a powerful position.

- 1 Q. The principal would be a Sister?
- 2 A. Yes, the principal -- until later years. Yes. We had
3 a lay principal, I can't remember the dates exactly,
4 but, yes, generally -- certainly up until the 1990s, a
5 Sister would have been -- yes, sorry, we are only going
6 up to -- yes, a Sister would have been a principal then.
- 7 Q. At least during the time that the Good Shepherd Sisters
8 were involved?
- 9 A. Yes.
- 10 Q. Again, so far as there being a board of managers, and
11 just looking at Dalbeth and St Euphrasia's as it became,
12 going back in years, would that still be your
13 expectation that there would be a board of managers to
14 whom the principal would be responsible?
- 15 A. I don't think so. I think the community leader, whoever
16 was in charge of the girls, would be accountable to the
17 community leader and then the community leader would be
18 accountable to the province leader.
- 19 Q. When you say "community leader", again do you mean one
20 of the Sisters?
- 21 A. Yes. It would always have been a Sister in those days.
- 22 Q. I'm just trying to get an understanding as to when
23 a board of managers might have been superimposed, as it
24 were, between the Sisters --
- 25 A. Yes, I'm sorry I don't know the dates.

1 Q. If we look at what's said about Woodfield in connection
2 with this; that was the children's home that was in
3 existence from 1945, I think, to 1970.

4 If we turn to page 0121. Yes, it is towards the top
5 of the page. In relation to this issue of leadership,
6 there appear to be no records.

7 A. No. We are not sure what happened to these records, but
8 when Ladymary School came into being, it came into being
9 because it was evident to the Sisters that there were
10 some children -- the children used to go out to school
11 and then it became evident that some children weren't
12 coping, they had many difficulties, and their approach
13 to these children needed to be different, so Ladymary
14 was set up. The other children who were there and they
15 were going out to local schools, they were the older
16 children and, I think, Woodfield then became a hostel
17 for girls. So the children who went to Ladymary School,
18 their records would have followed them there. But the
19 older children who then were part of the Woodfield
20 hostel, I can't -- I don't know what happened in that
21 situation. Because we don't have records, I'm not
22 clear.

23 Q. Very well. If we look at St Euphrasia's Training Centre
24 next then. That's at page 0130.

25 It is just below halfway where we are looking at

1 leadership. There you were able to tell us there was
2 a principal in charge.

3 A. Yes.

4 Q. Again that would be a Sister?

5 A. Yes.

6 Q. And she would have a deputy as well, I think you point
7 out.

8 A. Yes.

9 Q. Are there records to support that?

10 A. The records of these establishments -- no, we don't, but
11 we have people who were in those positions who are still
12 living and so they have given us information.

13 The records of these establishments -- when the
14 status of the establishment changed, the records moved
15 into the next situation. When I child left,
16 I understand that the records went back to the authority
17 from where the girl came.

18 Q. All the records?

19 A. Apparently, yes. They would have gone to the authority.
20 I understand that at the time of reorganisation, you
21 know, from local authority to regional authorities,
22 I understand that records got lost somewhere during that
23 time. So I think you know with all the changes --
24 I understand that records would have gone back to the
25 authorities, that we wouldn't have kept them, except at

1 the times when the status changed and the girls simply
2 moved in, say, from Dalbeth School to St Euphrasia's;
3 those records would follow them.

4 When the Sisters left those establishments, the
5 records remained if the girls were still there, if they
6 moved into, say, a Good Shepherd centre or whatever.

7 Q. The successor to the St Euphrasia's Training Centre was
8 the St Euphrasia's Centre.

9 A. Yes.

10 Q. If we perhaps just look at what you say there. That is
11 at 0234. It is towards the bottom of that page that we
12 want to look at. Where in relation to this we are told
13 that this would be by the principal and the leadership
14 team and the board of managers.

15 A. Sorry, what was the question?

16 Q. The question was:

17 "In relation to leadership --

18 A. Yes.

19 Q. -- how was the establishment managed and led?"

20 A. Yes.

21 Q. You tell us, as you have told us before in relation to
22 Dalbeth, I think, that it is by the principal, who would
23 be a Sister.

24 A. Yes.

25 Q. The leadership team?

- 1 A. It would probably be the management team, the senior
2 management team in the establishment.
- 3 Q. And is that separate from the board of managers?
- 4 A. Yes.
- 5 Q. Again, are you envisaging here a situation where the
6 Sister and her team, if I can call it that, are
7 responsible to a board of managers?
- 8 A. Yes.
- 9 Q. What's the time frame here? It must be within the time
10 frame of the existence of the establishment, 1972?
- 11 A. Is this St Euphrasia's?
- 12 Q. Yes.
- 13 A. Yes.
- 14 Q. Do you have records to show that or again are you
15 relying --
- 16 A. Again the records would have been left behind when the
17 Sisters left the establishment and handed it over.
- 18 Q. But the short answer is you yourself do not have
19 records?
- 20 A. We wouldn't have kept those kind of records.
- 21 Q. Are you relying then on what you have been told --
- 22 A. Yes, by the -- for example, whoever the principal was at
23 the time would have given us this information.
- 24 Q. Are there Sisters then who can provide the Inquiry with
25 first-hand information in relation to their experiences?

- 1 A. There would probably be one.
- 2 Q. Just one?
- 3 A. Yes.
- 4 Q. Was that one attached to this particular establishment
5 that you were looking at?
- 6 A. Yes.
- 7 LADY SMITH: Has any check been made with the -- you
8 mentioned local authorities as possibly having taken
9 records back with them -- to see if they still hold
10 records that are relevant to your establishments?
- 11 A. We haven't asked the local authorities because, as
12 I say, as we progressed and the Sisters moved out, we
13 handed the establishment over and so the records would
14 have been there at that time. What has happened to them
15 since I wouldn't know.
- 16 MR MacAULAY: We missed out Ladymary School.
- 17 A. Yes.
- 18 Q. We can go back to that at 0222. I will put it on the
19 screen and then you can tell us about it because I think
20 you know a bit more about this one.
- 21 A. Yes, I do.
- 22 Q. If we look towards the bottom of the page, where you are
23 addressing this issue. You can tell us a little bit
24 more; is that correct?
- 25 A. Yes. So leadership, yes. It was led by the

1 headmistress and there were a number of staff in
2 different roles there and it was a much more circular
3 kind of leadership, if you like. The headmistress or
4 the principal was in charge but there was a lot of
5 interaction between the different disciplines, a lot of
6 coming together, meetings, sharing and the consultant
7 psychiatrist was very involved.

8 We had a school social worker there as well, the
9 play therapist, and a lot of experience in that staff
10 team and a very small group of children, really. I mean
11 there would be a maximum of 27 children there, 28, and
12 quite a large staff team.

13 Q. On that page and moving over to the next page, 0223, you
14 provide us with some detail as to what the regime was
15 like and, of course, you have first-hand experience of
16 that.

17 A. Yes.

18 Q. Can we then go back to the Dalbeth report and look at
19 the issue of external oversight and that we can look at
20 at page 0111. So this is at paragraph 2.6, just above
21 halfway. Here we are trying to get some understanding
22 as to what the external oversight of, in particular, the
23 establishment was. Because I think you have told us, in
24 relation to the congregation, how the provincial would
25 visit.

- 1 A. Yes.
- 2 Q. But what about the establishment -- what about Dalbeth
3 itself?
- 4 A. Well, my understanding is that any authority, local
5 authority who had placed a girl there would have some
6 responsibility for overseeing that the girl's care and
7 education was as it should be. Apart from the
8 individuals, I'm not sure what -- the individual local
9 authorities, social workers or welfare officers, I'm not
10 sure what other kind of external oversight there was.
- 11 Q. For this are you in any way relying on records that you
12 have or is it simply a broader understanding that you
13 have?
- 14 A. Well, not so much records, word of mouth. Sometimes
15 there might be something in the annals of the community.
16 This was -- I suppose much of the information that we
17 have here has come from Sisters who actually worked in
18 the establishments.
- 19 Q. In Dalbeth?
- 20 A. Mm.
- 21 Q. Was that after it merged or --
- 22 A. And before.
- 23 Q. And before?
- 24 A. Mm.
- 25 Q. We are told that at (iv) that there would be private

1 individual meetings with the girls --

2 A. Yes.

3 Q. -- by any inspector?

4 A. Yes, who were their social workers probably or child
5 care officers; it wouldn't be social workers early on.

6 Q. This external oversight you say here:

7 "[They would] see and sign the log, punishment and
8 accident and complaints books."

9 A. Yes. That would be managers when they had a board of
10 managers. I understand that it would be --

11 Q. So that is the managing board?

12 A. I think so, yes.

13 Q. This information, what's your source for that, Sister?

14 A. I think there is probably information in the archives
15 about this but again the Sisters who were working in the
16 establishments have given us this information.

17 Q. You tell us also that there was a visiting chaplain who
18 was appointed by the bishop; what time frame are you
19 talking about here?

20 A. I think there would probably almost always have been
21 a visiting chaplain because the Sisters would have Mass
22 on a daily basis, so a chaplain would have been
23 appointed to the convent, and I understand that he would
24 be available on occasions, and I don't know how
25 frequently, to give some talks to the girls or to be

1 available.

2 Q. If we look then at the position in relation to Woodfield
3 Children's Home, that was from 1945 to 1970, at
4 page 0121 into 0122. We see towards the bottom of the
5 page, and moving on to page 0122, that the position is
6 really you are not able to assist us because you have no
7 records --

8 A. No.

9 Q. -- or any information that you can provide us with?

10 A. No. This is about external oversight?

11 Q. Yes, it is.

12 A. Again, and I only know from experience of being in
13 Ladymary School, that social workers would have referred
14 the girls and the same would apply that social workers
15 would have visited and there would have been case
16 conferences, that kind of thing. That's as much as
17 I would be aware of.

18 Q. But that's a time frame that perhaps spans from the
19 1970s?

20 A. Sure. Prior to that I have no idea.

21 Q. St Euphrasia's Training Centre, 1950 to 1971, if you
22 look at page 0131. Again, just below halfway. So we
23 now have that on the screen. You tell us that here that
24 there would be regular visits by the sending
25 authorities.

- 1 A. Yes.
- 2 Q. You mention welfare officers, probation officers, and
3 medical personnel as well; what is the basis for making
4 that observation?
- 5 A. That was the norm and again Sisters who were in those
6 establishments have given this information.
- 7 Q. While we are looking at that, we can then look at its
8 successor, which is the St Euphrasia's Centre. That's
9 at 1972 to 1982 at 0235. Towards the bottom of the
10 page, we are looking at that. Again you are making
11 a similar sort of comment that there would be regular
12 visits by board of managers and sending authorities?
- 13 A. Yes.
- 14 Q. Again, can I ask you are there records for that or are
15 you relying essentially on what Sisters have told you?
- 16 A. Much of this information has come from Sisters who were
17 in the establishments and one in particular who was the
18 principal. I think our records -- the only records that
19 we have are probably admission books, that kind of
20 thing. So I don't think there is a great deal of
21 detail.
- 22 Q. The admission books wouldn't contain information on
23 inspections?
- 24 A. No, nothing like that, and I'm not sure if there were
25 minutes of managers' meetings. Sometimes I have to

1 remind myself I'm in Scotland, not England, and we
2 have -- related to some establishments we would have
3 some minutes of meetings. I'm not clear about whether
4 we have them for this establishment. I would have to
5 check that.

6 Q. Finally, in connection with this issue, if we look at
7 Ladymary School, which you have already told us about,
8 that's at 0223 and into page 0224. Perhaps 0224 is the
9 best page to go to.

10 You may have touched upon some of this already but
11 you mentioned that there were fortnightly visits by the
12 consultant psychiatrist, there were also local authority
13 social workers who visited the children regularly, and
14 also an educational psychologist who visited when
15 required.

16 A. Yes, and the consultant psychiatrist also worked with
17 the staff team, so even though he made a fortnightly
18 visit, he would have come on other occasions. For
19 example, if a family had concerns about their child or
20 say a child was presenting particular difficulties, then
21 he would be available to come and speak to the staff
22 team, so he had a lot of involvement.

23 Yes, the educational psychologist, we saw him quite
24 frequently because the children came from different
25 parts of the country and there would be a psychologist

1 and a social worker from that area who would be
2 involved.

3 Q. The final section of the report, all the reports that
4 have been submitted, part B, and I will put the relevant
5 part for Dalbeth the screen at 0122, is looking at the
6 question of retrospective acknowledgment and/or
7 admissions of abuse. The statement that has been
8 provided by the Good Shepherd Sisters is the same for
9 each report.

10 A. Yes.

11 Q. We have that on the board. What you were asked was
12 whether you are in a position to either accept or
13 acknowledge that the congregation had abused any
14 children in its care.

15 A. We have no awareness, we have no knowledge of abuse
16 having taken place at any time and we certainly have no
17 records. We have no knowledge. There were some
18 allegations, but as you know, you have the information,
19 two Sisters were -- allegations were made against two
20 Sisters, but they were acquitted on every charge and
21 that's as much as we have.

22 Q. So far as allegations are concerned then, is the only
23 information you have the allegations that were made
24 against the Sisters you have just mentioned?

25 A. Yes, and there was one other that -- again, I was given

1 some information by a Sister that around 1970 a child in
2 Ladymary School made a complaint, but it was withdrawn.
3 It was dealt with by the psychiatrist and the social
4 worker and apparently it was withdrawn as having no --
5 it was not substantiated at all. So, again, we take it
6 from that that no abuse had taken place -- and that was
7 against a member of staff.

8 Q. Are these then the only allegations that you yourself
9 are aware of?

10 A. That we are aware of, yes.

11 Q. When you say "you", I mean the congregation.

12 A. Yes.

13 MR MacAULAY: Very well. My Lady, again I haven't received
14 any written questions for this witness.

15 LADY SMITH: Thank you very much. Could I just confirm
16 whether there are any outstanding requests for questions
17 of this witness?

18 Thank you very much. Thank you, Sister Kean.

19 That's very helpful. We are able to let you go.

20 (The witness withdrew)

21 Mr MacAulay?

22 MR MacAULAY: Yes, my Lady, the next witness I would like to
23 call is Brother Laurence Hughes.

24 BROTHER LAURENCE HUGHES (sworn)

25 Questions from Mr MacAULAY

1 LADY SMITH: Thank you. Do sit down and make yourself
2 comfortable.

3 Mr MacAulay.

4 MR MacAULAY: My Lady.

5 Brother Hughes, are you Laurence Hughes?

6 A. I am indeed, yes.

7 Q. I believe that you have been put forward here today to
8 speak to the reports that the De La Salle Brothers have
9 submitted to the Inquiry; is that correct?

10 A. That is correct.

11 Q. If I can ask you to say yes or no or whatever so the
12 transcriber can take it down.

13 A. Certainly.

14 Q. Before we look at the reports, can I just look at your
15 biography. If you could have in front of you, please,
16 DLS.001.001.0260. That will come on the screen. Can
17 I also say that there will be a hard copy of your
18 reports put before you in the next 20 seconds.

19 Before we look at the report, can I just look at
20 your biography -- and that will come on on the screen in
21 front of you.

22 I understand, looking at your track record, that
23 your life has very much been in teaching; is that right?

24 A. It has indeed, yes.

25 Q. Before we look at that, perhaps you can tell me what

1 academic qualifications you have.

2 A. Well, I went to the De La Salle Brothers Middleton,
3 which is the training college for teachers -- do you
4 want to go back to school?

5 Q. No.

6 A. Because some people do. But, yes, so I went to
7 Middleton College, which is affiliated to
8 Manchester University. I took my teacher's certificate
9 there and then went onto do my bachelor of education.
10 Some years later, after being the headteacher of Jersey,
11 I was given permission to do another degree. This time
12 I did it in the subject that I wanted to do it in, and
13 that was fine arts. Again, I went back to
14 Manchester University to do that.

15 Q. Would that be a --

16 A. An MA.

17 Q. An MA?

18 A. An MA, yes. Sorry, most of it was actually dealing with
19 medieval manuscripts.

20 Q. Well, it sounds very interesting.

21 A. It is.

22 Q. So going back in time then, was your first teaching post
23 in 1972?

24 A. 1972 was St John's in Southsea. That was my first
25 teaching post and I was also housemaster of one of the

- 1 houses there.
- 2 Q. Perhaps I should have asked you, before going down that
3 road, when did you become a brother within the De La
4 Salle Brothers order?
- 5 A. Late 1960s. About 1967.
- 6 Q. Before you took up that first teaching post then in
7 1972, what did you do?
- 8 A. The training at Middleton.
- 9 Q. I think you were there until 1979, when you went to
10 St Joseph's, Ipswich, again as a teacher and
11 a housemaster?
- 12 A. And a housemaster.
- 13 Q. And there were you the head of religious education?
- 14 A. I was appointed head of religious education about two or
15 three years into that.
- 16 Q. Moving on, in 1982 through to 1989 you went on to
17 another St Joseph's School; where was that one?
- 18 A. That was in Beulah Hill, very reluctantly. I was moving
19 from the private sector into the comprehensive and it
20 was -- you don't really need to know that do you?
- 21 Q. Only if you think it is of any interest to us.
- 22 A. Well, it is interesting to me, but it may not be
23 interesting to anybody else.
- 24 Q. I am just seeking to get your track record here.
- 25 A. Yes, I went to there.

1 Q. Then in 1989 to 1995 you became the headmaster of the
2 school in Jersey --

3 A. That is right.

4 Q. -- that you mentioned a moment ago?

5 A. Correct.

6 Q. Was it after that you did your fine arts degree?

7 A. Yes. I was given a sabbatical, which led into going
8 abroad for three months in America to do what we call
9 a second novitiate and then to continue doing my MA.

10 Q. In 1997 then you took up a position as a teacher -- is
11 that St Wilfrid's in South Shields.

12 A. St Wilfrid's in South Shields. There was a request for
13 the Brothers to move into a collaboration with another
14 order of Sisters on an art project in Walker(?).

15 So I was asked, since I had this fine art degree, to
16 go there, but I never actually used it with them; I used
17 it at the school.

18 Q. And you were head of drama I think at that school.

19 A. I was head of drama, yes.

20 Q. You were also assistant headmaster for a period of time?

21 A. Yes, I was made assistant headmaster when there was
22 a problem, because of my track record of being
23 a headteacher. The school fell into a need to improve
24 with OFSTED and so they asked if I would actually step
25 up to the plate and be involved in sorting that out.

1 Q. We can tell from what we have on the screen that you
2 have been the provincial of the De La Salle Brothers of
3 Ireland, Great Britain and Malta since 2012?

4 A. Yes, since 2012.

5 Q. As a matter of interest, why do we include Malta?

6 A. Now you could be here a long time!

7 LADY SMITH: Is there a short version?

8 A. The short version is simple: Malta was attached to the
9 former district of Great Britain, which I also was
10 provincial of, and it has a historical connection from
11 the war.

12 MR MacAULAY: Thank you.

13 Then as the provincial of the De La Salle Brothers,
14 do you then lead the congregation?

15 A. I do, yes.

16 Q. Particularly in the UK?

17 A. Yes.

18 Q. Perhaps this is a point at which you could tell us what
19 that role involves?

20 A. The role involves certainly going round all the
21 communities -- so there are 11 communities in Ireland,
22 there are five communities in England and two
23 communities in Malta. Then we have all the schools that
24 the Order are attached to, so I have to keep in touch
25 with them.

1 At this moment in time it also involves this whole
2 area of academies. So each diocese unfortunately has
3 a different approach to academies and I have to get my
4 head round that, but I actually visit all those
5 communities once a year and that is part of the
6 canonical visit. I have across my desk quite often all
7 the problems that have to be dealt with on a day-to-day
8 basis. Equally the problems of distance with regards to
9 Malta, so you can't just hop on a plane and be there in
10 a few minutes or an hour, like I can for Ireland; it is
11 almost a day's work.

12 Q. Noticeably absent from the list of communities you gave
13 us was any community in Scotland. You have no presence
14 in Scotland?

15 A. We have no presence. We had a presence in Scotland
16 until about three years ago and that was in -- I'm
17 trying to think of it -- it will come back but we had --
18 three Brothers remained in Scotland and they were
19 therefore -- had a small community where they were
20 involved with the local parish.

21 Then, with one of them falling ill, it was deemed
22 necessary to bring the others to the care communities in
23 England because they were all of an age, sorry
24 Coatbrige.

25 Q. The De La Salle Brothers, your congregation -- and is

1 "congregation" the right description?

2 A. Correct.

3 Q. The congregation has submitted five separate reports to
4 the Inquiry to cover five separate establishments; that
5 is correct?

6 A. That is correct.

7 Q. But am I correct in thinking that the reports are almost
8 in identical terms, subject to details about numbers and
9 names?

10 A. Yes, that is correct.

11 Q. What I propose to do then, Brother Laurence, is this: to
12 take you to the report you have submitted in connection
13 with St Joseph's School Tranent and use that as the base
14 for what I'm going to put to you. If there are any
15 other changes, I will take you there.

16 I will put that on the screen but you have the hard
17 copy in front of you. That is DLS.001.001.0060.

18 I first want to ask you about the history of the
19 congregation. We refer to it as an organisation in the
20 report, but that's what we mean. When, how and why the
21 congregation was founded? Can you perhaps just take us
22 through that?

23 A. Very briefly, the founder, St Jean-Baptiste De La Salle,
24 was a priest in Rheims from a very wealthy family.

25 There were various people who came to him suggesting

1 that he might want to put his name to, and possibly even
2 organise, the whole idea of setting up schools. We have
3 what we call the doorstep moment when Adrian Nyel, who
4 met La Salle on the doorsteps of one of the Sisters'
5 convents, and it was then that he -- there was
6 a connection at that particular point about setting up
7 a school.

8 De La Salle was actually involved in a girl's school
9 at that particular moment because his spiritual director
10 was in fact -- had just died and had asked De La Salle
11 to continue to look after them. So he had a lot of
12 understanding and knowledge at the time of that.

13 Q. Do I understand from that brief history then that the
14 raison d'être of the existence of the congregation is
15 teaching, schooling, education?

16 A. Yes, it is but in particular the poor.

17 Q. You say it was founded in 1680 by De La Salle?

18 A. Yes.

19 Q. So you have had a very long history?

20 A. Indeed, yes.

21 Q. But were you recognised as a discrete congregation by
22 Rome at that time or later?

23 A. It was later. It certainly wasn't at that time.

24 Q. When was that? Can you tell us?

25 A. There should be a date there. It is in 1790, I think.

1 Q. Yes. I could not find the date myself, but it may be
2 that. But in any event it is a whole recent vintage?

3 A. It was much later. You see, at that time De La Salle
4 was still -- had died but the bull of approbation was
5 then sent through to actually make it an order itself.

6 Q. But you are an established order?

7 A. We are an established order, yes.

8 Q. The next question you are actually asked in this report
9 is to do with the provision of residential care for
10 children in Scotland. You provide us with some
11 background to that on that page. Can you just elaborate
12 upon that for us?

13 A. Yes. The Brothers were asked to come into Scotland in
14 May 1914. They were asked to come into Scotland by the
15 request of the Archbishop of St Andrews and Edinburgh.

16 Q. But in broad terms, as you tell us on page 0060, was the
17 provision in Scotland of Catholic residential care --
18 that was, you say, the responsibility of the Catholic
19 dioceses and archdiocese and not the De La Salle
20 congregation, but you became involved in five schools at
21 the invitation of the Roman Catholic Church?

22 A. Yes. Simply we were responding to a need.

23 Q. Then, turning to page 0061, the next page of the report,
24 as you have just mentioned, you tell us there, towards
25 the top of the page, the brothers made an entry onto the

1 Scottish educational scene in May 1914.

2 A. Correct.

3 Q. That was at whose invitation did you say?

4 A. That was the Archbishop of St Andrews and Edinburgh.

5 Q. Was this indeed in connection with the existing
6 industrial school and orphanage in Tranent?

7 A. That's the school that we were asked to go to.

8 Q. That was called St Joseph's Tranent?

9 A. St Joseph's Tranent.

10 Q. The next question you were asked for the purpose of the
11 report is:

12 "Why did the organisation consider that it had the
13 competence to be responsible for and manage the care of
14 children in establishments?"

15 How do you respond to that?

16 A. I think with regards to the competence -- from the
17 teaching point of view, the Brothers were well
18 established in England as teachers and it was from that
19 particular point of view that we were asked to be
20 involved.

21 Q. You are making a point there at the beginning of the
22 response that:

23 "The congregation was not the organisation
24 responsible for or managing the care of children in
25 residential care establishments."

1 Can you just explain to me what you mean by making
2 that qualification to the answer?

3 A. When we were actually asked to come into St Joseph's, it
4 was the request of the bishop and also the request of
5 the board of governors and the trustees would be the
6 diocese trustees.

7 It was over time that we would have actually then
8 got further involved in the activities of the school.
9 So we would actually have come to the school, we would
10 have been asked to be involved in the teaching, and then
11 the board would have actually said, these are the other
12 areas that we would like you to look at.

13 Now, to say that we were qualified at that stage,
14 I would say -- I would not be sure.

15 Q. Because?

16 A. Because it is a much later thing where we actually did
17 have Brothers who were trained and qualified to be
18 involved in caring for children in this particular case.

19 Q. Are you able to tell me, having had the invitation in
20 1914, when it was that Brothers were actually in situ,
21 actually at the school and working at the school?

22 A. They were in situ from May 1914 onwards.

23 Q. Do you know how many were --

24 A. Five.

25 Q. You are seeking to make a distinction in the answer

1 where you say that the congregation was not responsible
2 for managing the care of children, but you had
3 a presence of five Brothers at the school, even from the
4 very beginning of 1914; is that correct?

5 A. Yes.

6 Q. So what were they doing there?

7 A. Well, the distinction of caring is that the Brothers
8 would be doing the day-to-day involvement with the
9 students, but the actual overall care for the students
10 would not have been in the hands of the Brothers.

11 Q. So when you talk about overall care, can I just
12 understand what you mean by that?

13 A. Yes. For example, if I take my situation as a teacher,
14 I'm responsible for my class and the students, but I am
15 not responsible for the overall care of the students in
16 the school. So I would be designated a group of
17 students to look after for a given period -- so it might
18 be one lesson, two lessons -- and after that they will
19 move off to somebody else. That's what I understand by
20 the care.

21 Q. If we look at establishments like St Joseph's, even in
22 the early days, you have mentioned the fact that there
23 were five Brothers allocated to the school. Would one
24 of these Brothers have been the headmaster?

25 A. I believe so.

- 1 Q. Would there be a deputy headmaster?
- 2 A. Whether it was a Brother or not we don't have any
3 records of that.
- 4 LADY SMITH: The headmaster was resident at the school; is
5 that right?
- 6 A. Resident in that there is a community -- the Brothers
7 would have formed a religious community which would have
8 been on that site as well.
- 9 LADY SMITH: Thank you.
- 10 MR MacAULAY: Can you actually tell me what the layout was
11 then at the school? It was a residential school
12 clearly.
- 13 A. Mm.
- 14 Q. So there would have to be accommodation for the boys and
15 it was a boys' school?
- 16 A. Yes.
- 17 Q. And accommodation for the Brothers?
- 18 A. Mm.
- 19 Q. Would there be lay personnel involved in the care?
- 20 A. There would have to be because five Brothers looking
21 after all those students is an impossibility. So, yes,
22 there would be laypeople.
- 23 Q. Can I ask you, are there records going back as far as
24 this point in time?
- 25 A. Well, the problem again going through my report is that

1 we don't hold the records. Therefore, to be clear, for
2 this particular Inquiry and to have all the information
3 it was very difficult. We believe, but it is only
4 an assumption, that the -- all the documents with
5 regards to the management groups, the trustees, etc, are
6 held with the host locality. So it would be the host
7 people.

8 Q. I haven't got the date in my head, but I think insofar
9 as St Joseph's Tranent is concerned, yes, the Brothers
10 withdrew from the school in 1992.

11 A. Yes.

12 Q. I think that was in fact your last presence in Scotland.

13 A. That was our last presence.

14 Q. You left, took no records with you; is that essentially
15 what you were saying?

16 A. We were asked to hand over all the records to the
17 authorities.

18 Q. And did you do that?

19 A. We did.

20 Q. And what records were handed over?

21 A. I'm presuming the logs of everything that took place in
22 the school. I can't actually answer that question with
23 much knowledge because I wasn't present at the time.

24 LADY SMITH: Which authorities were the records handed to?

25 A. Whichever -- like West Lothian, East Lothian, whichever

1 those schools were in --

2 LADY SMITH: So it would be the local authority not the
3 central government?

4 A. Local authority. Certainly at times when we have had
5 requests from former students, which I have had a number
6 of phone calls and letters, I was given the address of
7 West Lothian for one of the schools and said that's the
8 only place that the student or the former student could
9 actually get information from.

10 LADY SMITH: Thank you.

11 MR MacAULAY: We are looking here at St Joseph's Tranent so
12 we would need to establish the relevant local authority
13 in 1992 --

14 A. Mm.

15 Q. -- for that school.

16 A. Mm.

17 Q. And the same for the other four schools.

18 A. Yes.

19 MR MacAULAY: My Lady, it is just coming up to 1 o'clock.

20 LADY SMITH: Would that be a convenient point to break?

21 MR MacAULAY: It would.

22 LADY SMITH: Brother Hughes, we are going to take the lunch
23 break now, so if you could be ready to resume your
24 evidence at 2 o'clock and we will start again at that
25 point.

1 We will now adjourn.

2 (12.58 pm)

3 (The luncheon adjournment)

4 (2.02 pm)

5 LADY SMITH: Mr MacAulay, when you are ready.

6 MR MacAULAY: Yes, my Lady.

7 Brother Hughes, can we go back to the report that we
8 were looking at and move on to page 0061.

9 You were asked on that page, towards the bottom of
10 the page:

11 "How many establishments did the organisation run,
12 where located, and over what period?"

13 You tell us first of all that you have expanded into
14 80 different countries since you have been founded.

15 A. Yes.

16 Q. If we focus on Scotland. You set out in the next little
17 bit the establishments that you had some involvement
18 with in Scotland; is that correct?

19 A. That is correct, yes.

20 Q. Can we note, you have said we have St Joseph's Tranent,
21 which we have mentioned. That was 1914 to 1992.

22 Kenmure St Mary's, Bishopbriggs, 1950 to 1965, and
23 St Ninian's, Gartmore, which is by Stirling, from 1919
24 to 1982.

25 If we look at St Ninian's and look at the footnote

1 you have provided us with. Do you tell us that:

2 "St Ninian's was originally founded as Slatefield
3 Boys' School situated in Gallowgate, Glasgow."

4 A. Yes.

5 Q. It then moved to Stirlingshire in 1940 and then to
6 Lochgoilhead in 1946 and later to Kirkconnel in
7 Dumfriesshire as St Ninian's. Did it only take on the
8 name St Ninian's in 1946? Is that the inference or have
9 I misunderstood?

10 A. That could be inference; I'm not sure on that one.

11 Q. But in any event you tell us that it moved to its final
12 destination at Gartmore House in 1952?

13 A. Correct.

14 LADY SMITH: I suppose St Ninian's would fit with that part
15 of Scotland that I think St Ninian's first arrived in --

16 A. Correct.

17 LADY SMITH: -- the southwest of Scotland; is that not
18 right?

19 A. Yes, I think so.

20 MR MacAULAY: Moving on to the next page where you mention
21 the other two establishments, that is at page 0062,
22 there is St John's, Springboig, in Glasgow, 1936 to
23 1969, and then finally St Mungo's, Mauchline, Ayrshire
24 from 1942 to 1956. So these were the five
25 establishments and the time frames.

- 1 A. That is correct.
- 2 Q. The question you were then asked in the questionnaire
3 was:
4 "When, how and why was each of these establishments
5 founded?"
6 You make the point that these were not founded by
7 your congregation?
8 A. No, they were not.
- 9 Q. So, if we then could go through the details of the
10 involvement of the congregation, starting with
11 St Ninian's, and that's, as we have already ascertained,
12 that's when you first came to Scotland in May 1914.
- 13 A. Not St Ninian's.
- 14 Q. Sorry, St Joseph's and invited by the Archbishop of
15 St Andrews and Edinburgh, to become involved in
16 an existing industrial school and orphanage in Tranent.
- 17 A. Correct.
- 18 Q. The reference to an industrial school combined with
19 orphanage, we know, I think, what an industrial school
20 is. Was there was also a separate orphanage or was that
21 part and parcel of the same --
- 22 A. I would not know that bit at all. I can only surmise
23 that the orphanage was also feeding into the industrial
24 school because the industrial school would be looking at
25 youngsters for trade and setting them up as trade.

- 1 Q. Do you know the school at all?
- 2 A. I do not, no.
- 3 Q. We have photographs of it, I think you provided them to
4 us, or the congregation did.
- 5 A. The congregation did.
- 6 Q. Perhaps we can look at one of these. It is at 0152. So
7 you won't recognise this because you have never been
8 there?
- 9 A. I have never been there, no.
- 10 Q. It is a fairly substantial building and I understand
11 there are more buildings as one goes backwards. Do you
12 know who owned the property at the time when the
13 congregation became involved?
- 14 A. I presume the diocese.
- 15 Q. Of St Andrews and Edinburgh?
- 16 A. St Andrews.
- 17 Q. You presume, so you don't actually know as a matter of
18 fact?
- 19 A. No, I don't, but if they have already got an existing
20 industrial school there and it is their property then
21 one can naturally surmise that it is theirs.
- 22 Q. Very well. The next school you mention is Kenmure
23 St Mary's School at Bishopbriggs in Glasgow. That is
24 from 1915 to 1965. The way you put it is that the
25 Archbishop of Glasgow was quick to follow the example of

1 his fellow archbishop in Edinburgh in inviting the De La
2 Salle superiors to come to the aid of young offenders in
3 his own heavily industrialised area.

4 Looking to the type of school it was, can you tell
5 us at least initially what type of school that was?

6 A. I wouldn't be able to answer that one.

7 Q. Do you know if it was a reformatory school --

8 A. Yes, because of young offenders, it is a reformatory
9 school, yes.

10 Q. The next establishment is St Ninian's, Gartmore, that my
11 Lady mentioned. But 1919 to 1982, although we know it
12 wasn't at Gartmore for that period of time.

13 Again, the way you have put it in the report:

14 "The Archbishop of Glasgow was sufficiently pleased
15 with the work that was being done at the Bishopbriggs
16 school to make an overture to the De La Salle superiors
17 four years later, in 1919, for our community of Brothers
18 to provide staff for another Catholic approved school in
19 his episcopal city."

20 So far as the archbishop being sufficiently pleased
21 is concerned, is that simply something you are surmising
22 because he has approached the congregation again?

23 A. Yes. It is because he approached the congregation
24 again. Bishops don't normally keep asking unless they
25 are happy with the work that has been done by

- 1 a religious order.
- 2 Q. Am I to understand that you would not have been at
3 St Ninian's School either or were you?
- 4 A. No.
- 5 Q. Again I can show you a photograph. It is at
6 DLS.001.001.0151. Again, can we see, if we assume this
7 covers the whole school, that it is a fairly substantial
8 building?
- 9 A. Mm.
- 10 Q. You then mention St John's School, Springboig, in
11 Shettlestone in Glasgow, 1936 to 1969. This is again
12 responding to a call from the incumbent Archbishop of
13 Glasgow; is that correct?
- 14 A. Correct, yes.
- 15 Q. Just in relation to these invitations, do you have any
16 records? Does the congregation keep any records in
17 relation to this?
- 18 A. As far as I know, the invitations went to our mother
19 house, which was not in Rome at the time but in Belgium,
20 and therefore the records would be held with the
21 archives in Belgium -- or in Rome now.
- 22 Q. So there could very well be records then indicating the
23 nature of these invitations?
- 24 A. There could well be, yes.
- 25 Q. Would that apply to the other institutions as well?

1 A. With the other institutions -- certainly with say the
2 next one in 1942, I would say that would be -- yes, that
3 would be with them as well because at this stage most of
4 the stuff was dealt with by the Superior General And his
5 council, certainly the establishment of schools.

6 Q. The next one, which is St Mungo's School in Ayrshire
7 1942 to 1956, that was established for a particular
8 purpose, as I think you mentioned earlier, associated
9 with wartime conditions.

10 A. Wartime, that is right.

11 Q. You don't actually tell us in the explanation you have
12 provided here whether or not that was at the invitation
13 of a bishop. Are you assuming it would have been?

14 A. I'm assuming it would have been but I think it was.

15 Q. You think it was?

16 A. Yes.

17 Q. Now --

18 A. If I can just say: we cannot go into a diocese unless by
19 invitation of a bishop, so that is how we actually
20 presume this.

21 Q. That's a matter of canon law, I think.

22 A. Absolutely.

23 Q. The dates we are given then for the timescales of the
24 different schools, would these dates, particularly the
25 last date, indicate the dates when the Brothers withdrew

1 from the schools?

2 A. Correct.

3 Q. Are you able to give me an overview as to why Brothers
4 did withdraw at different points in time as we can tell?

5 A. Not about Brothers withdrawing at different times, other
6 than the numbers. So if we look at the -- not Mungo's,
7 but if we look at the other ones which are the 1960s, we
8 are talking there of the decrease in vocations to the
9 Brothers.

10 I came in in the 60s and had no idea that there was
11 a decrease in Brothers because I think it was hyped up
12 that we had thousands of Brothers, which we still have,
13 that figure, but not as high as it was at that time.

14 And because there was a decrease in Brothers, then
15 we withdrew from those schools in order to -- for the
16 teaching Brothers to be involved in other schools.

17 Q. But you managed to stay on at St Joseph's until 1992?

18 A. Yes.

19 Q. Can I ask you to look at another document for me to get
20 some sort of sense of the numbers that may have been
21 involved in these schools. This is at 0059. It is on
22 the screen. I think it is possible now to see it. So
23 you provide us with the list of the schools on the
24 left-hand side and the years that you were involved, the
25 number of years, and then the age range of the pupils.

1 Can I just focus on that for a moment or two.

2 St Joseph's Tranent, that we have mentioned already,
3 the years 11 to 14. What about after 14? What would
4 happen to --

5 A. Well the average stay was only two years and then they
6 would have actually moved onto another establishment.

7 Q. That's the explanation. The same as for Kenmure
8 St Mary's, same age group, same reason for moving on?

9 A. Yes.

10 Q. St Ninian's got more, we can see that. These are
11 younger boys -- and these are all boys, of course?

12 A. Yes.

13 Q. The average length of stay was 1.5 years and then they
14 would move on to somewhere else?

15 A. They could just move back in to the mainstream --

16 Q. Was there any movement between the schools in which you
17 were involved?

18 A. Any movement?

19 Q. Yes.

20 A. We have no record of that.

21 Q. What about Brothers?

22 A. Brothers could certainly move and the only record we
23 have of Brothers moving would be the registers. We have
24 the community registers in our archives of all the
25 Brothers who actually would have been in any of those

- 1 five schools.
- 2 Q. Over the timescale involved?
- 3 A. Over the timescale involved.
- 4 Q. Have they been digitised or are they in hard copy?
- 5 A. They are in longhand, hard copy.
- 6 Q. St John's Boys' School in Glasgow, that is older boys,
7 15 to 18?
- 8 A. Yes.
- 9 Q. The last one you mention, St Mungo's, we have talked
10 about, of course, because of the war influence. They
11 are younger again, 9 to 11.
- 12 You have given us a column of the average number of
13 students attending; is that on an annual basis?
- 14 A. That would be the annual basis of each school.
- 15 Q. For example, St Joseph's Tranent annually would have
16 about 80 residents?
- 17 A. Correct.
- 18 Q. I think Kenmure St Mary's seems to have the largest
19 annual complement.
- 20 A. Correct.
- 21 Q. The final column is the estimated total number of
22 students taught to the nearest 100. It would appear
23 that, possibly because its existence was longer,
24 St Joseph's Tranent was 3,000 and the largest?
- 25 A. The number is an estimate and it is worked out on the

1 basis that there would be on average of 80 students per
2 year and therefore, if you actually work that out,
3 multiply that by the number of years, that's how we came
4 to that figure.

5 Q. You have already pointed out you don't have the records
6 for the boys.

7 A. No.

8 Q. But we see the numbers there, which are some quite
9 significant numbers, and there is a total of, if my
10 arithmetic is anything to go by, about 9,300, but again
11 it is an estimate figure, but it is a significant
12 number.

13 A. It is significant, yes.

14 Q. So far as the categorisation of the schools were
15 concerned, as we have mentioned, St Joseph's began as
16 an industrial school and orphanage. I think once the
17 legislation changed it would then have become
18 an approved school; is that correct?

19 A. That is correct.

20 Q. And a List D school?

21 A. And a List D school.

22 Q. So far as the other schools were concerned, Kenmure
23 St Mary's, so far as you were involved, that would be
24 an approved school?

25 A. That would be approved.

1 Q. St Ninian's School Gartmore?

2 A. That's -- I think that was also an approved school.

3 Q. Until it possibly became List D?

4 A. Until it was List D.

5 Q. What about St John's Boys' School in Springboig?

6 A. That one I am not sure.

7 Q. And of course St Mungo's School Mauchline was a special
8 arrangement because of the war?

9 A. It was a special arrangement because of the war, yes.

10 Q. You were asked in relation to any establishment which is
11 no longer in operation when and why it ceased to operate
12 and I think what you are telling us there is you can't
13 really answer that.

14 A. No.

15 Q. Are you assuming when you left these establishments, the
16 different dates we have been looking at, that they were
17 carried on by someone else?

18 A. I would presume that, yes.

19 Q. I think we thought that, for example, in relation to
20 Kenmure St Mary's that the Catholic Church might have
21 had some involvement, but you can't tell us in relation
22 to the other schools?

23 A. No, I can't.

24 Q. If we look at page 0063, at (ix), it is the second
25 point, you are asked about the relationship between the

1 congregation and between the Religious Hierarchy within
2 the country. Can you explain what the position was?

3 A. I'm not quite sure what -- are we talking about the
4 Hierarchy in the country?

5 Q. The Catholic Hierarchy.

6 A. The Catholic Hierarchy and how the congregation fits
7 into that?

8 Q. Yes.

9 A. Okay. With regards to the Hierarchy, it was 1855,
10 I think, is when we actually -- we had movement into
11 that. The institute as a group came into the country --
12 into England and from then it expanded at different
13 points.

14 What I have to make clear as well is that we talk
15 about provincials and districts. At the time this was
16 happening, you had two. You had in the north what we
17 call the English district, which came over from Ireland,
18 and you had the London district which came over from
19 France.

20 They established independently of each other and it
21 wasn't until much later that they came together, about
22 27 years ago when Ireland, as we already know, came and
23 merged with us.

24 So the involvement was at different levels with
25 regards to being involved in schools. Again, we were

1 invited into different dioceses to set up schools. Some
2 would have been established for a matter of years and
3 then faded out and others were taken up and run longer.

4 We have actually the longest running one, which is
5 in Beulah Hill. That was the one which was established
6 in 1855.

7 Q. Yes, I think I hadn't made myself clear. I'm really
8 trying to establish now what degree of autonomy your
9 congregation would have in Scotland, for example, within
10 the diocese.

11 I think you seek to answer the question, I think,
12 here by saying that:

13 "[You] are a religious organisation that live in
14 communities under a Rule and [you] have autonomy within
15 that organisation."

16 A. Yes.

17 Q. The reference to the Rule, can you just tell us about
18 the Rule?

19 A. Well, the Rule is the actual document which is drawn up
20 by the congregation, which was originally -- has come
21 down through from the founder but obviously has changed
22 at different points.

23 The Rule is the way in which the Brothers themselves
24 live their lives, which is accepted by the
25 Catholic Church, both in Scotland and in England. They

1 live their vows --

2 Q. What are their vows?

3 A. Poverty, chastity, and obedience and association, and to
4 go wherever I'm sent -- and that's the hardest one: as
5 a provincial you are telling someone, this is where you
6 are going to move to, and they forget that bit of the
7 vow that they took, but those are the vows that we take.

8 Q. I think you are telling me that you are an autonomous
9 congregation with your own rules, if I can put it that
10 way.

11 A. Yes.

12 LADY SMITH: So once the bishop invited you into an area to
13 become involved in teaching at a school, it wasn't for
14 the bishop to direct you how to do it?

15 A. No, that is quite correct.

16 LADY SMITH: It is up to you to carry out your mission as
17 you see fit in accordance with your rules and your
18 principles?

19 A. Yes. But the one thing that the bishop would actually
20 have in canon law is that he has to ensure that the
21 school is a Catholic school and has to ensure -- and
22 there would be inspections.

23 LADY SMITH: Of course there are some specific provisions in
24 canon law about the bishop's continuing duty to visit
25 Catholic schools; is that right?

1 A. Correct.

2 LADY SMITH: Presumably for the purpose you have indicated:

3 to see to it that the teaching is in accordance with the

4 Catholic faith?

5 A. Yes, and now we have the Section 48 in the English

6 schools which each diocese has their own inspection

7 where, similar to an OFSTED inspection, where they will

8 actually come in, and they check everything.

9 LADY SMITH: Is that Section 48 of canon law?

10 A. No, Section 48 of the --

11 LADY SMITH: The English legislation?

12 A. Yes.

13 MR MacAULAY: The next question then, that was focusing on

14 the degree of autonomy enjoyed by the order. What you

15 say to that:

16 "In Scotland the De La Salle Brothers were invited

17 by local bishops to provide staff, including the head,

18 to assist in running existing or newly founded diocesan

19 schools."

20 I think throughout this report you refer to the

21 schools as "diocesan schools". Is that how you would

22 describe the schools?

23 A. That's how I would describe them.

24 Q. You go on to say:

25 "By agreeing to undertake this work the brothers

1 became the employees of the managers of the schools,
2 whose appointments were the ultimate responsibility of
3 the trustees of the dioceses or archdiocese ..."

4 So the schools would have a board of managers; is
5 that correct?

6 A. That is correct.

7 Q. Are you presenting a picture that the headmaster of the
8 school would then report to the board of managers?

9 A. Correct. It is like any -- I mean, like the modern
10 system: you have your board of managers or your
11 governors, who actually appoint the actual members of
12 the staff to the school, including the head. The head
13 is then held responsible for the running of the school
14 by the board of managers, who himself or herself could
15 be removed.

16 Q. You have portrayed the Brothers then as being the
17 employees of the managers of the schools; would they be
18 paid in that position?

19 A. Funnily enough, I was thinking about that this morning,
20 but I'm not sure because I can tell you one fact is that
21 the Brothers were invited into one school in the UK and
22 they were told they would be getting the following
23 stipend and the following provisions for the community
24 to live. Then, unfortunately, the parish priest changed
25 and the new parish priest said, well, I'm not going to

1 do this, and so the Brothers said, well, then we will
2 leave, and he didn't believe them and then overnight
3 they packed their bags and left. They were invited back
4 later on, but at that point the point was made. But on
5 this one I have no idea.

6 Q. But in any event what you tell us is that there would be
7 this agreement between the bishop and the superior and
8 that agreement would normally reserve for a Brother the
9 headmaster's job; is that correct? That's your
10 understanding?

11 A. Sorry, could you say that --

12 Q. I was just reading what you have --

13 "At the same time there was an agreement between the
14 bishop and the superior of the Brothers that the
15 headship would normally be reserved for a Brother of the
16 superior's choosing."

17 A. Yes, that would be correct.

18 Q. So within a residential school, the normal position
19 would be that the headmaster in charge of the running of
20 the school on a day-to-day basis would be a Brother?

21 A. Would be a Brother, yes. The superior here refers to
22 the provincial and not the Superior General.

23 Q. It refers to you, as it were, in your position?

24 A. Yes. Because what I need to make clear is that in
25 the -- when we talked a few minutes ago about where the

1 schools -- who would actually have set up -- allowed the
2 Brothers to go in there, we would talk about the
3 Superior General At that stage, whereas now it is the
4 superior.

5 Q. Is that why any written agreements would be in Rome?

6 A. Would be in Rome.

7 Q. On that note perhaps we could go back and look at the
8 structure of the congregation. You deal with this in
9 the report at page 82. This is at paragraph 2.4 in the
10 report.

11 There is a section dealing with structure. What was
12 the structure of the organisation? That is the
13 congregation. You have already, I think, covered most
14 of this but if you just try and understand the hierarchy
15 of it. It is worldwide, structured in provinces. What
16 we have in the UK is a province?

17 A. We do, yes.

18 Q. "... usually coinciding with national boundaries. Each
19 province was under the direction of a Regional Superior
20 known as the provincial."

21 That's you in this instance?

22 A. That's me.

23 Q. "Each community of Brothers was overseen by a Local
24 Superior known as the director."

25 Can I understand that? Would that at the schools be

1 the headmaster?

2 A. Yes. At the time -- now before -- I would say before
3 1970/1980, the headmaster and the brother in charge of
4 the community were one and the same. So they were the
5 directors.

6 We began to split the two things because the whole
7 thing about schools having a headmaster and the duties
8 of a headmaster and the running of the school as
9 a headmaster was detracting from the actual pastoral
10 side of the community.

11 One of the statements in our rule about a director
12 is that he must be -- at the needs of the brother in
13 a pastoral way. So ongoing formation, for example, and
14 ensuring the regularity of prayers.

15 Q. So then if we look at the time frame that involves, in
16 particular, let's say St Joseph's Tranent, are you
17 saying that there would be a head man which goes up to
18 1992 --

19 A. Yes.

20 Q. -- which goes beyond the timescale that you mentioned?
21 Are you saying there would be a headmaster and
22 a director?

23 A. No. In that case it was -- they were one and the same,
24 they remained as one and the same.

25 Q. Is that because of the numbers?

- 1 A. Because of numbers.
- 2 Q. So what you set out in relation to the structure in 2.4
3 is the structure within the United Kingdom; is that
4 right? I just want to understand who would you report
5 to.
- 6 A. I would report to the Superior General.
- 7 Q. In Rome?
- 8 A. In Rome.
- 9 Q. And I take it the Superior General Would have some form
10 of leadership team, would he?
- 11 A. The Superior General Has -- at the moment he has what is
12 known as a general council. Again, to make it quite
13 clear for you, the general council are made up -- there
14 are nine of them. There are also regions. When he says
15 that his regions usually coincide; now we have what we
16 call geographical regions, so the region that I belong
17 to or this provincial belongs to is the region of RELEM,
18 which is the European region.
- 19 So we have -- although he is not -- the general
20 councillor is not canonical and therefore has no say in
21 making decisions; he actually runs the region.
- 22 Q. So if you wanted to, as it were, approach the Superior
23 General You would go through him?
- 24 A. No.
- 25 Q. You wouldn't? You would have a direct line?

1 A. Yes. The present Superior General Has made it very
2 clear that his line is himself, the provincials, and the
3 directors.

4 Q. Can I then look at the legal status of the congregation
5 and that you address at page 0065. You have already
6 told us, I think at least in passing, that in 1725 the
7 congregation was recognised by the Catholic Church as
8 a religious congregation.

9 A. Correct.

10 Q. You have mentioned the three vows already, poverty
11 chastity and obedience. The vow of poverty perhaps
12 doesn't quite chime with the anecdote you told us about
13 the Brothers who threatened to leave because they would
14 not get remunerated.

15 A. I would think it did.

16 Q. It does?

17 A. Absolutely. I mean if you are going to be told that
18 your bread is not going to be on the table, that you are
19 not going to have water, that you are not going to have
20 bedding, etc, there's so much poverty you can do.

21 Q. So there is no contradiction?

22 A. No, none at all.

23 LADY SMITH: I suppose you are talking about support for the
24 community as opposed to individual payments to
25 individual Brothers.

1 A. Indeed. Many of the schools that we have in --
2 certainly in England, are built on the money that the
3 Brothers would have been paid as teachers, but that
4 money was automatically put into bricks and mortar.

5 MR MacAULAY: Then moving on to the legal status in the
6 United Kingdom. I think you tell us that the province
7 became a charitable trust registered in England; that's
8 at (iii) --

9 A. Yes.

10 Q. -- in 1953?

11 A. 1953, yes.

12 Q. The question you were asked next:

13 "What was the legal basis which authorised or
14 enabled the organisation to become responsible for the
15 provision of residential care ... for children in
16 Scotland?"

17 Again you make the point that:

18 "The congregation at no time was responsible for the
19 provision of residential care; that responsibility lay
20 elsewhere."

21 But nevertheless the congregation and its members in
22 a school like St Joseph's would clearly have a degree of
23 responsibility for the care of the children.

24 A. Day to day, yes.

25 Q. If you look at St Joseph's, can you tell me what the

1 arrangements were with regard to sleeping arrangements,
2 cooking, and so on and so forth?

3 A. I have no idea of that at all.

4 Q. When you talk about day to day, are you postulating
5 effectively a school day or --

6 A. A school day.

7 Q. So beyond the school day what happens?

8 A. You see, what you have at the moment, which may be
9 coming up, is that the whole of the students at that
10 school were divided into what is known as a cottage
11 system.

12 Q. That was later, was it not?

13 A. Yes, they were moving towards that. Therefore, the
14 actual residential care and the fostering care were
15 taking -- the responsibility was with laypeople not with
16 Brothers, so you actually had house mothers and house
17 fathers working on that.

18 Q. Do you have a date for that, so far as St Joseph's is
19 concerned, if we are looking at St Joseph's?

20 A. Yes.

21 Q. When was that?

22 A. I don't have a specific date --

23 LADY SMITH: We need you to speak into the microphone so
24 that everybody can hear you.

25 A. Sorry.

1 LADY SMITH: Don't worry. That's fine.

2 MR MacAULAY: Would it be fair to say then that your

3 day-to-day care of the boys at St Joseph's and the other

4 establishments meant that you participated in their care

5 at least to that extent; is that fair?

6 A. Yes.

7 Q. But beyond that day-to-day care that, you say, was not

8 your responsibility?

9 A. That was not the responsibility of the Brothers.

10 Q. You can't help me, or can you help me, with the

11 arrangements in that connection in relation to any of

12 the establishments that we are looking at?

13 A. I think the only thing I could do is to go back -- we do

14 have one Brother who is still alive, in his 90s, who

15 might be able to answer these questions.

16 Q. Was he connected to one of the establishments?

17 A. He was connected to this one.

18 Q. To St Joseph's?

19 A. Yes.

20 Q. Do you know what time frame?

21 A. Yes. He was the last headmaster.

22 Q. That would be 1992?

23 A. Yes.

24 Q. I think we saw the annual numbers for a place like

25 St Joseph's and it is clear that a number of that sort

1 would require quite a significant amount of input from
2 different sources.

3 A. Mm.

4 Q. Is that fair?

5 A. That is correct, yes.

6 Q. But so far as the ongoing care after school was
7 concerned, your position is that that was not down to
8 your congregation?

9 A. That's my position at the moment. But I can actually
10 double check for you with this particular Brother.

11 Q. Do you know what the set-up was within, for example,
12 St Joseph's so far as living arrangements were concerned
13 in connection with the Brothers on the one hand and the
14 boys on the other?

15 A. No. I would not be able to say that with any great
16 authority.

17 Q. Can we at least understand that the Brothers lived on
18 the premises?

19 A. They did live on the premises and they would have had
20 community accommodation.

21 Q. I think you did mention that the headmaster would report
22 to the board. Do you know what that would involve?

23 A. I would presume it would be very similar to what goes on
24 in schools at the moment: they would actually talk --
25 report about the actual running of the school or the

1 day-to-day running of the school and what actually was
2 taking place in school.

3 Q. Subject to all you have said so far then in relation to
4 the Brothers' responsibility, I think you do accept in
5 the report that the Brothers had a duty of care by
6 virtue of the commitment they had made to the children.

7 A. Mm.

8 Q. Is that right?

9 A. Yes.

10 Q. Can I go back to another part of the report, page 64,
11 where you are asked some questions about funding. The
12 question that's asked at 1.2 is:

13 "How were the establishment's operations and
14 activities, so far as relating to the provision of
15 residential care for children, funded?"

16 What you tell us in the second paragraph is that:

17 "As far as we know, all capital costs were paid for
18 by the Scottish Office and the running costs covered by
19 fees per place charged to the relevant local education
20 authority, until 1985 when these responsibilities were
21 devolved to the social work department of the local
22 regional council."

23 There, I think, you are talking about more recent
24 times; is that right?

25 A. Yes.

1 Q. If we go back to 1914/1915, do you have any information
2 as to how --

3 A. We have no information at all.

4 Q. Again you use the description "diocesan school". You
5 say:

6 "As a diocesan school, funding for St Joseph's was
7 channelled through the board of managers which was
8 responsible for the finances of the school."

9 Do I take it from that that, so far as the
10 congregation was concerned, it had no involvement in the
11 finances of the school?

12 A. None at all.

13 Q. Is that the position from the very beginning?

14 A. Yes.

15 Q. Would that apply to all the -- is that same principle in
16 relation to all the establishments that you had
17 an involvement in?

18 A. In Scotland?

19 Q. Yes.

20 A. Yes.

21 Q. When the question is asked:

22 "Was the funding adequate to properly care for the
23 children?"

24 You don't have the information to answer that
25 question?

1 A. No, we don't.

2 Q. Is that because you don't have records?

3 A. We don't have records of this.

4 Q. Can I take you then to page 0068 of the report and the
5 section dealing with ethos. We may have covered some
6 aspects of this before but the question has been raised
7 as to what you saw your function and mission to be in
8 terms of residential care. Perhaps you can address that
9 now.

10 A. With regards to the schooling in residential care, the
11 actual school, it would be the whole idea of the
12 formation and the quality of teaching because in our
13 Rule it points out that we are ambassadors of Jesus and
14 that we are bringing the Gospel to all people and that
15 would be part of the function and the developing of the
16 ethos.

17 The mission would vary from one place to another
18 depending on the type of students that you had, so that
19 in the present, for example, one school might be working
20 in one specific area and another in a different one.
21 They would actually still be looking at the overall
22 mission of -- the De La Salle mission in the country.
23 So whether we are talking about Scotland or England, it
24 is the mission of the Brothers in that particular
25 country.

1 Q. I think what drives this, I think you tell us towards
2 the end of that paragraph, is that you would attribute
3 to each young person in your care a God-given dignity,
4 irrespective of his station in life, his family
5 background or the particular circumstances of his
6 upbringing.

7 A. That's quite correct. Throughout the meditations of
8 De La Salle, which the brothers use on a daily basis,
9 there are sections there which tell us, from the
10 founder, how we should treat young people; it makes it
11 very clear that they are the important ones. So it is a
12 Christ-centred and child-centred approach to education.

13 Q. But God-given dignity is of the essence of that?

14 A. Yes.

15 Q. You have already told us about the vows that are taken
16 but in the next section do you also say that there are
17 temporary vows until you reach a particular age and then
18 you graduate to the final vows?

19 A. That's quite correct. It has changed a lot over the
20 years but basically a Brother -- sorry, a young man will
21 actually come into the order, would request to be part
22 of the order, it would take between one and two years of
23 training in theology, etc. Then, at the end of that, he
24 would receive the habit of the order and then one year
25 later, again still working on studies, he would then

1 take his first vows.

2 The first vow means it is a temporary vow. He will
3 take these temporary vows up until the point that he is
4 ready and it states here, at the age of 25, it could be
5 younger, depending -- by younger, I mean 21 or 22; mine
6 was 23 -- but you could actually take final vows at any
7 point. But you have to be able to make final vows and
8 to continue temporary vows. Your community will be in
9 counsel and they would actually make a decision whether
10 you were worthy to continue. Quite a number of men were
11 not.

12 Q. You are asked some questions on page 0069, just moving
13 on, about the establishment -- here we are talking about
14 St Joseph's, but it applies to all five -- and, for
15 example, towards the bottom of 0069, what services were
16 provided at the school in terms of care for children.

17 The response you make here, and indeed over the next
18 page or so is that you simply don't have the records to
19 deal with that question.

20 A. Mm.

21 Q. One point you tell us is that at St Joseph's Tranent,
22 which only admitted boys until 1988 and in fact admitted
23 girls after that because a girl's unit was established
24 there.

25 A. That is right, there was.

1 Q. So you had that information available to you from some
2 source?

3 A. Yes, I think that came from the Brother who had been the
4 former headmaster.

5 Q. On page 0070, again you are not able to answer the
6 questions specifically, but you do mention at (v) -- you
7 have touched upon this before -- the introduction of the
8 first cottage system in Scotland.

9 I don't think you are able on give me a date for
10 that --

11 A. No, I can't give you a date on that.

12 Q. What was that?

13 A. It was a system which has been used in the present
14 boarding schools in England, that they have adopted the
15 cottage system where they actually have a unit, it could
16 be a house or a cottage or a section of the floor, where
17 it is a group of students who are -- when they finish
18 school, because it is residential, when they finish the
19 day to day will come back to that and they will have
20 the -- a house mother and a house father who will
21 actually look after them and attend to their needs and
22 in some places they actually will do the cooking for
23 them.

24 Q. We understand I think that in Scotland Quarriers had set
25 up a cottage-type provision for children. Is what you

1 are describing something different to that or is it
2 similar?

3 A. It sounds as if it is similar.

4 Q. Can I take you then to page 0073 of the report, where
5 there is a section dealing with the children's
6 background and experiences. That's at 1.7, towards the
7 top of the page. Again, I think, in dealing with these
8 questions you feel constrained in your answers because
9 of the lack of records; is that correct?

10 A. That is correct.

11 Q. So in relation to the question:

12 "Did the children admitted ... generally have
13 a shared background and/or shared experiences?"

14 You tell us you don't have the information to
15 provide a definitive answer but you do make some
16 presumption there.

17 A. Yes.

18 Q. What is that?

19 A. That's the children coming in will actually have similar
20 sort of background, about their social and emotional
21 behaviours. That's because of the difficulties of
22 mainstream schools, where children find it very
23 difficult to fit in with the day-to-day running of
24 a mainstream school and therefore are removed and,
25 hopefully, to be able to work with them before they

1 actually go back into mainstream.

2 Q. Then if we move on from the next few pages, 0074 and
3 0075, you are not able to provide that information
4 because you have no records to look at?

5 A. That is correct, yes.

6 Q. Turning then to page 0076. There there are some
7 questions asked about the staff background. I think
8 again you feel constrained by the lack of records to
9 deal with that.

10 A. Correct.

11 Q. The point you make though is that the congregation was
12 not the employer in the schools in question but the
13 Brothers and their lay colleagues were employed by the
14 board.

15 A. Correct.

16 Q. You already explained this to us. Perhaps I can pick it
17 up at (iv) where we are trying to get some feel for:

18 "How many members of the order had a responsibility
19 for residential care services for children provided by
20 the organisation."

21 Again you say you didn't have responsibility for
22 residential care services and the number of Brothers
23 would vary from year to year. You mentioned five
24 already and I think that is the figure you give there.

25 A. What would normally happen is that Brothers, after so

1 many years, would be moved on to another school. That
2 happened to myself in my early teaching that I was moved
3 from one school to another in order to get more
4 experience. So I moved from, say, a private school into
5 a comprehensive school, which I mentioned this morning.
6 So that would be the norm, that Brothers would move
7 around.

8 Q. But five in each school, very approximately that would
9 be about 25 Brothers in Scotland?

10 A. In Scotland.

11 Q. At a given time?

12 A. At a given time.

13 Q. You mentioned earlier this morning the experience and
14 qualifications that your members may have. Looking to
15 the early days, I think your position was that there may
16 not have been qualifications of the kind we look at
17 nowadays.

18 A. I certainly would agree with that, that there would not
19 be the qualifications.

20 Q. At a point in time then, did Brothers who were teachers,
21 for example, acquire the relevant qualifications for
22 that sort of position?

23 A. That came in certainly in the 1950s, the late 1950s and
24 early 1960s, that a lot of the Brothers were looking to
25 get qualifications for teaching. That was actually done

1 after school. So they would actually do the courses.
2 They would go to residential in order to do that. The
3 luxury of being able to go to university wasn't
4 an option at that time, but later, certainly in the
5 1960s, that was the option.

6 Q. So before the 1950s, and certainly the 1960s, then the
7 brothers who taught at schools like St Joseph's would be
8 unqualified?

9 A. Yes.

10 Q. What would give them the basis, if you like, to teach
11 then in those circumstances?

12 A. I think a desire to impart knowledge. A desire to be --
13 to see the need in youngsters to actually put them on
14 the right footing for their future life.

15 Q. The next section of the report at 0079, 2.2, is looking
16 at culture and the culture within the congregation.
17 I think in large measure you have looked at this already
18 but what you tell us is that:

19 "The approach was to try to provide an education
20 within an atmosphere as close as possible to the family
21 home."

22 That was the intention within the schools?

23 A. That was the intention, yes.

24 Q. You go on to say that:

25 "That was to be done within an atmosphere of

- 1 kindness, encouragement and stability."
- 2 A. Mm.
- 3 Q. That was the approach?
- 4 A. Correct.
- 5 Q. On page 0081, there is a section there dealing with
6 leadership, 2.3. We have probably covered most of this
7 but you are making the point and you are emphasising the
8 point that:
- 9 "The establishment was under the management of
10 a board of managers who were not appointed by the
11 congregation."
- 12 In fact, you say it is really the other way round,
13 is it, that in fact the congregation members who were
14 there would be required to get the approval of the
15 board?
- 16 A. They have to get approval from the board.
- 17 Q. But nevertheless the school would be led by the head and
18 the deputy head?
- 19 A. Yes.
- 20 Q. You have provided us with some information about the
21 relevant -- is this a list of headmasters that we have?
- 22 A. These are the list of headmasters from 1929 through to
23 1992.
- 24 Q. We see that from 1951 to 1954 the headmaster had
25 a teachers' certificate, but before that, for the person

1 before, "Qualifications not recorded". Can we see that
2 going back to even 1938, the headmaster had a teacher's
3 certificate?

4 A. Mm.

5 Q. Your records show that do they?

6 A. The records show he actually had a teacher's
7 certificate. Whether that was achieved later, I don't
8 know.

9 Q. Can I then take you to page 0084 where we are seeking to
10 get some information about external oversight and that's
11 at 2.6, halfway down the page. Again, I think your
12 position is the absence of records do not allow you to
13 provide us with very much information here; is that
14 right?

15 A. That is quite correct.

16 Q. You do say at (ii):

17 "It is understood that the List D schools were the
18 subject of regular oversight by the managers, the local
19 authority and the Scottish Office. Otherwise, we do not
20 hold the information required to answer this question in
21 detail."

22 You are making the assumption that that would be the
23 case?

24 A. Except we can actually Google that and it will tell you
25 that they were subject to regular inspections.

1 Q. If they are List D schools then of course this must be
2 after 1968.

3 A. Yes.

4 Q. There's just, I think, one point I want to take from you
5 in connection with one of the other schools. That's
6 a little bit different to what we have been looking at.
7 This is for St Mungo's in Mauchline. It is at page 1130
8 (sic).

9 LADY SMITH: Do you mean 0130?

10 MR MacAULAY: Sorry, 0130.

11 LADY SMITH: Not 1130. You said 1130 and I do not think we
12 jump to over 1000 in this group of documents.

13 MR MacAULAY: No, not yet.

14 LADY SMITH: It is 0130.

15 MR MacAULAY: Yes, it is.

16 LADY SMITH: Thank you.

17 MR MacAULAY: If we move to about halfway down the page --
18 I just want to bring this out because it was following
19 the closure of the school in 1956 that the Secretary of
20 State for Education wanted to convey his thanks to the
21 school for -- to the congregation for the work they had
22 done in connection with that particular school; is that
23 right?

24 A. That is correct.

25 Q. Is that correspondence that you have in your records?

1 A. I would have to check that one because this section
2 wasn't done by myself. But that must be in our records
3 to be able to put that in. It could actually be in
4 a book which talks about the history of different
5 schools.

6 Q. Does the book talk about the history of this particular
7 school, St Mungo's?

8 A. I think only in the idea that it was actually set up for
9 a specific reason.

10 Q. I see.

11 LADY SMITH: What book is that that you are referring to?

12 A. There are several -- not several -- there is a book on
13 the -- by one of our Brothers on the history of
14 education in Scotland. That's where it is taken from.
15 Do you want copies?

16 LADY SMITH: Can we, for the notes, just put the title in
17 now, if you can remember the title?

18 A. I can't remember the exact title because there's another
19 one which is someone's thesis for an MA, but I can
20 actually get the -- I can send the titles through.

21 LADY SMITH: That would be very helpful, thank you.

22 MR MacAULAY: I haven't long to go my Lady. I know
23 your Ladyship likes to give the stenographers a short
24 break --

25 LADY SMITH: Somewhere about now?

1 MR MacAULAY: About now, but I won't be long.

2 LADY SMITH: We will take a five-minute break at this point.

3 If we can be back ready to go again at about
4 3.05 pm, please, and we will check the broadband speed
5 again in the meantime. My apologies if you are getting
6 frustrated at the time that it is taking for some
7 documents to come up. It is not our fault. We have
8 been in contact with our broadband providers and they
9 are promising to do better.

10 (3.00 pm)

11 (A short break)

12 (3.07 pm)

13 LADY SMITH: Mr MacAulay.

14 MR MacAULAY: My Lady.

15 Before the break, Brother Hughes, you mentioned
16 a thesis. Do you know which university that was done
17 for?

18 A. Manchester.

19 Q. Do you know the title of the thesis?

20 A. No. I think it has got to do with approved schools
21 across the board, so it was both Scotland and in the UK.
22 I can't send you a copy, but I can give you all the
23 details.

24 Q. Thank you for that.

25 The final part of the report, part B, was inviting

1 the congregation to consider the question of abuse and
2 to consider whether there was to be any retrospective
3 acknowledgment and/or admission of abuse.

4 If we turn to page 0086 of this report, this is the
5 report for St Joseph's Tranent. Here you provide some
6 information in connection with this issue. Can you
7 explain what the position is?

8 A. The position for?

9 Q. This is St Joseph's Tranent.

10 A. Yes, that we actually acknowledge the abuse which was
11 confined to those convictions against one Brother.

12 Q. So what you tell us is:

13 "To date the extent and scale of the abuse appears
14 to be confined to convictions of physical and sexual
15 abuse, 14 in number, by a member of the congregation."

16 A. Correct.

17 Q. But when you talk about "a member of the congregation",
18 it is a Brother?

19 A. That's one Brother.

20 Q. You go on to make some other observations though in the
21 next paragraph.

22 A. Sorry?

23 Q. If you read on, what do you tell us?

24 A. So the Brothers withdrew from the school?

25 Q. No, it is the previous paragraph. "The congregation

1 acknowledges"; do you see that?

2 A. Sorry, yes:

3 " That abuse may not be confined to those with
4 convictions. However, the Brothers withdrew from the
5 school nearly 25 years ago by which time there has been
6 no knowledge of abuse having taken place."

7 Do you want me to carry on?

8 Q. Yes, please.

9 A. " Those Brothers whom the superiors of the congregation
10 would have wanted to interview in order to assess their
11 awareness of the extent and scale of any abuse that took
12 place are dead."

13 Q. When did the congregation first become aware of the
14 allegations of abuse linked to this particular member of
15 the congregation?

16 A. That was in the 2000s.

17 Q. So what you are telling us then there was no
18 contemporaneous knowledge of the abuse?

19 A. No.

20 Q. What time frame was covered by the abuse?

21 A. For this one it ... sorry, it does have it somewhere.
22 It is in the report somewhere. I can't find it at the
23 moment.

24 Q. We can perhaps see if we can find it. It certainly
25 doesn't appear in this section of the report.

- 1 A. No.
- 2 Q. Could it be in another part of the report that's been
3 submitted since?
- 4 A. No, because I have actually read it.
- 5 Q. I haven't focused on it. (Pause).
- 6 A. No, I apologise. It is actually in this report because
7 I did read it last night.
- 8 Q. Can I ask you, did the time frame cover a period of
9 years?
- 10 A. It does, yes.
- 11 Q. When you talk about 14 convictions, do these relate to
12 14 separate victims or can you tell me?
- 13 A. No, I think they refer to several victims but maybe
14 multiple.
- 15 LADY SMITH: Multiple charges?
- 16 A. Yes.
- 17 MR MacAULAY: But several victims?
- 18 A. Several victims.
- 19 LADY SMITH: In respect that you also, Brother Hughes,
20 acknowledge that abuse may not be confined to those with
21 convictions, are we to take it that you have thought
22 about what you do know and, on the basis of that, you
23 don't rule out it being possible that there were other
24 instances of abuse?
- 25 A. I don't rule out that is possible --

1 LADY SMITH: You accept other abuse possibly happened?

2 A. I do, yes.

3 MR MacAULAY: Then if we look at the next section, 3.2,
4 where you look -- you are asked to look at systemic
5 failures. Can you tell us what your position there is
6 please?

7 A. We actually have no evidence of systemic abuse.

8 Q. Can you backtrack a bit. What you say in the answer is:

9 "In view of the fact that abuse of the school did
10 take place, as has been established by the courts ..."

11 That is leaving aside the possibility of any other
12 abuse:

13 "... the congregation fully accepts that there must
14 have been a serious failure to protect children."

15 So you accept that, is that correct?

16 A. Because of one person, yes.

17 Q. Then you say:

18 "However, there is no evidence to suggest that this
19 failure was systemic."

20 I think you have accepted that there were a number
21 of victims?

22 A. Yes.

23 Q. Over a time frame that extended to years, is that
24 correct?

25 A. That is correct.

1 Q. And notwithstanding these facts, would you still
2 maintain that there was no system failure in such
3 circumstances?

4 A. I would have to accept that there would be a failure.

5 LADY SMITH: I can see from the answers that when they were
6 drafted it may be what was in the mind of the author of
7 those answers is that you were being asked whether you
8 thought there was systemic abuse, which is a different
9 concept from addressing the question of whether one has
10 to infer that there was a failure in the systems for the
11 protection of children, enabling the one person you know
12 about, who was convicted, to abuse on so many occasions
13 in relation to so many children. And possibly, as you
14 acknowledge, there to be abuse of other children as
15 well.

16 A. Certainly. Thank you.

17 LADY SMITH: Thank you.

18 MR MacAULAY: If we move on then to the next page, 0087.

19 At (iv) you are asked what is the congregation's
20 explanation for such failures and how do you address
21 that?

22 A. I think with regards to -- we see a disturbing lack of
23 awareness -- clearly a perpetrator is not going to be
24 broadcasting what they are doing. But there must have
25 been somebody, this is only my opinion, that there must

1 have been somebody who was aware that something was
2 happening.

3 Now, whether that was a Brother or whether that was
4 a member of the board or a lay person on the staff,
5 I wouldn't know. But the other thing that I would
6 question to a certain extent is, if we had a chaplain,
7 which quite clearly it states that a chaplain was
8 appointed to these schools.

9 Now we know all about the whole canon law with
10 regards to the confessional. And at that stage there
11 wouldn't been this whole thing that if you disclose
12 something this has to be then passed on. I would have
13 thought if there had been a lot, the disturbing lack of
14 awareness, I think the chaplain would also have known
15 something. But I'm only presuming.

16 Q. In any event, I think you do accept that the fact that
17 this abuse occurred represents an alarming failure to
18 protect the pupils?

19 A. Yes. I mean I can only talk for myself as a chaplain;
20 disclosure was given to me on several occasions of
21 abuse, which I then had to hand on straightaway to the
22 safeguarding officer of the school. I'm just thinking
23 along those sorts of lines; that we would actually
24 presume that an adult would be passing this on,
25 especially for failing children.

1 Q. And the disclosure in the sort of situation you are
2 talking about is by a child?

3 A. Yes.

4 Q. To the chaplain?

5 A. Yes.

6 Q. The other school I want to discuss with you is
7 St Ninian's Gartmore and the part B response that's
8 contained in that particular report. You will find that
9 at page 0116.

10 We are now looking at a different establishment. We
11 have discussed it in passing. This is St Ninian's
12 Gartmore near Stirling.

13 Again, you were asked the question about the extent
14 and scale of abuse. What information do you provide us
15 with there at (ii)?

16 A. Confined to convictions of sexual abuse by two lay
17 members of staff and to convictions of physical abuse,
18 ten in number, by a member of the congregation.

19 Q. So the abuse you are identifying here is, first of all,
20 convictions of sexual abuse by two lay members of staff?

21 A. Mm.

22 Q. But also physical abuse. When you say ten, ten
23 convictions? Ten charges?

24 A. Ten charges.

25 Q. By a member of the congregation?

- 1 A. Mm.
- 2 Q. If we focus on the member of the congregation. Can you
3 say how many victims were involved in that?
- 4 A. No, I would not have that information.
- 5 Q. What about the time frame?
- 6 A. Time frame would be over several years.
- 7 Q. In relation to the convictions of sexual abuse by two
8 lay members of staff. Again if we look at the time
9 frame, can you help with that?
- 10 A. I certainly can't help with lay members of staff.
- 11 Q. Can you help us as to what the role within the school
12 was, by that I mean were they teachers or did they have
13 any other role?
- 14 A. They could be teachers but they could also be ancillary.
- 15 Q. I think again you accept that these failures do
16 represent a serious failure to protect children?
- 17 A. I do.
- 18 Q. You make the same comments as you did before. Insofar
19 as the congregation then is concerned and its
20 responsibility, what is your position in relation to any
21 victims of abuse at any of these establishments?
- 22 A. If I can explain what I have done as the provincial of
23 this new district. I was at the -- when I became
24 provincial in 2015, it was towards the end of the
25 Northern Ireland Inquiry.

1 My concern was certainly for the victims very much
2 so. One of the victims asked if he could speak with me
3 and that would be normal. Over the past two years as
4 provincial of this new district, I have spoken to at
5 least four. So that people, who have been abused, the
6 victims, who want to speak are free to actually make
7 an appointment. But by making an appointment I don't
8 mean they have to come to me. I'm much happier for them
9 to decide on the place that they would like to meet,
10 which is safe for them, also the agenda that they want
11 to talk about. They normally send me some points that
12 they like to discuss and then it is the opportunity to
13 actually -- for me to listen because that's the real
14 issue here is to actually listen and believe what has
15 actually taken place.

16 For one person it was a stepping over the threshold
17 of the house that I use in Dublin as my provincialate,
18 because it was stepping over a De La Salle property and
19 for that -- that was a big relief for him to be able to
20 do that.

21 Then we spent about an hour discussing his
22 situation. He pointed out to me that there were many
23 more like himself who would like to come and talk and
24 I made it very clear to him and to the network, because
25 there is a network in Ireland for victims of abuse, that

1 I'm available.

2 I tend not to give it to my safeguarding officer
3 because that's not what they want. They want to see
4 a Brother and they want to speak to a Brother about what
5 has happened to them by a Brother and that's important.

6 Q. That offer that you have made, is that Northern Ireland,
7 or Southern Ireland rather?

8 A. Northern Ireland. But that's open to everybody because
9 the other -- several of the others are in England. One
10 particular person that I have met with twice to discuss
11 his situation. Once he decided that I would become his
12 spiritual director, I had to withdraw because I'm not
13 an authority on being a spiritual director but I have
14 kept in contact with him as well.

15 Q. As you know, even from your own information, there have
16 been victims in Scotland?

17 A. Mm.

18 Q. As you fully accept in this report. Are you making that
19 offer to them?

20 A. I am, yes.

21 Q. I take it it goes without saying that you on behalf of
22 your congregation are apologising for --

23 A. Indeed.

24 Q. -- to any victim?

25 A. Yes.

1 Q. Is that the case?

2 A. That is the case.

3 MR MacAULAY: My Lady, I have not received any written
4 questions for Brother Hughes. I don't know if there are
5 any or not?

6 LADY SMITH: Could I just check whether there are any
7 outstanding applications for questions of
8 Brother Hughes? No, nothing.

9 Well, that's all Brother Hughes, thank you very much
10 for your assistance today. We can now let you go?

11 A. Thank you very much.

12 (The witness withdrew)

13 MR MacAULAY: My Lady, that is the position for today.

14 There is no evidence to be led tomorrow. Can I just
15 touch upon next week?

16 LADY SMITH: That would be very helpful. The list for next
17 week will be going on the website within the next hour
18 or two will it?

19 MR MacAULAY: Yes.

20 LADY SMITH: It may already be there.

21 MR MacAULAY: It may be but next week we have the Christian
22 Brothers, the witness is Mr Michael Madigan; the
23 Marist Brothers, Brother Brendan Geary; Benedictines,
24 Dom Richard Yeo and finally Crossreach on behalf of the
25 Church of Scotland, Viv Dickenson.

1 LADY SMITH: Thank you very much and that will begin at
2 10 o'clock on Tuesday(sic) morning.

3 MR MacAULAY: That is the position at present my Lady.

4 LADY SMITH: Thank you. We are going to adjourn now until
5 Tuesday(sic) morning. Thank you very much.

6 (3.30 pm)

7 (The Inquiry adjourned until 10.00 am
8 on Wednesday, 21st June 2017)

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