

1 Monday, 25 March 2019

2 (8.00 pm)

3 LADY SMITH: I'm going to say good evening here, but, Bert,
4 is that all right if I call you Bert?

5 A. Yes, that's fine. I'm used to it.

6 LADY SMITH: I know it's good morning to you.

7 A. Yes, good morning.

8 MR MacAULAY: My next witness, my Lady, is James Albert
9 McGregor.

10 LADY SMITH: I would like to start if I may by asking you to
11 take the oath and that means you raising your right hand
12 and repeating after me.

13 JAMES ALBERT MCGREGOR (sworn)

14 Questions from MR MacAULAY

15 LADY SMITH: Before I pass back to Mr MacAulay, I think you
16 understand that I'm Lady Smith, I chair the inquiry.
17 It's very important to me, Bert, that you understand
18 this is your evidence, that you must give at whatever
19 pace suits you, and if you need a break, that is
20 absolutely fine by us. You just let us know. Okay?

21 A. Thank you. That'll be fine.

22 LADY SMITH: Also, if you're having any difficulty with the
23 link, because I know that just because we can see you
24 well and hear you well, it doesn't necessarily mean
25 you're seeing us and hearing us as well as we are you,

1 so do let us know if you have any problems?

2 A. That's very clear at the moment, sharp picture and clear
3 voice.

4 LADY SMITH: Good. Let's get going while it's working.
5 I'll hand back to Mr MacAulay.

6 MR MacAULAY: We met just a few moments ago, Bert. I'm
7 Colin and I'll be asking you a number of questions.

8 I want to confirm your name and you are James Albert
9 McGregor; is that correct?

10 A. That's correct, yes. Commonly known as Bert.

11 Q. And your date of birth is [REDACTED] 1941?

12 A. Yes. Correct.

13 Q. Do you have a copy of your statement in front of you?

14 A. Yes. It's here.

15 Q. Could you turn to the last page? Can you confirm that
16 you have signed the statement?

17 A. Yes, I have signed it, on 26 November 2018.

18 Q. And if you look at the statement on the last paragraph,
19 do you say:

20 "I have no objection to my witness statement being
21 published as part of the evidence to the inquiry.

22 I believe the facts stated in this witness statement are
23 true."

24 Is that correct?

25 A. That's still true, yes. No objection.

1 Q. By way of an overview, Bert, when you were 5 years of
2 age, in 1947, were you sent from Scotland to Australia?

3 A. Yes, on the Ormonde. A ship called the Ormonde.

4 Q. Did you then spend the next 40 years or so of your life
5 in Australia?

6 A. Yes. All of it, yes, except Fiji and Africa.

7 Q. But you came back to Scotland, I think I'm right in
8 saying, in 1987; is that correct?

9 A. Yes. That was family reunion on my way to Rome and
10 after that I came another time and did some university
11 work and worked for the Cyrenians for a couple of years
12 in Aberdeen.

13 Q. And that was in the 1990s?

14 A. Yes, I think so.

15 Q. Can I go back, Bert, then to when you were in Scotland.
16 You were placed as a baby in Nazareth House at Aberdeen;
17 is that right?

18 A. I believe so, yes.

19 Q. I know you don't remember, but I think you discovered
20 afterwards that you had an uncle, who took you there
21 when you were a baby.

22 A. Yes. Uncle [REDACTED], yes. It was Uncle [REDACTED] in the
23 cabin of his truck.

24 Q. I think you tell us in your statement that at the time,
25 and this is what you learned afterwards, he wasn't very

1 happy about that.

2 A. No, no. Uncle [REDACTED] wasn't happy either. My mother [REDACTED]
3 was a bit wild, I think. She was a product of the war,
4 I think. She was a young mother.

5 Q. Although you do not remember this, we know from records
6 that we have seen and you have seen that you were
7 admitted to Nazareth House in Aberdeen on 9 March 1942
8 when you were about 4 months old.

9 A. Is that so? Yes.

10 Q. Do you have much of a recollection of your time in
11 Nazareth House?

12 A. No, no. I don't really have any, no. I think I started
13 to wake up when I started to move down to ...

14 Q. Just in relation to moving, do you have any recollection
15 as to how it came to be that you were chosen to be sent
16 to Australia?

17 A. I think we had the volunteer take one step forward and
18 I saw kids, I suppose, taking one step forward, so
19 I did. Yes, I took one step forward and, from then on,
20 it was out of my hands. But did I consciously make
21 a decision? Oh no, not at that age, no.

22 Q. I think you were only 5 at the time, Bert.

23 A. Yes, absolutely. I followed the leader.

24 Q. Do you remember if there were any other children then
25 who were with you and went with you from Aberdeen?

1 A. From Aberdeen? I think the [REDACTED] boys, they were
2 brothers.

3 Q. Do you remember if you went to any other Nazareth House
4 in Scotland or anywhere else before you went on to the
5 ship?

6 A. No, no.

7 Q. But were you with a group of children when you went on
8 to the ship?

9 A. Yes, I have seen a photo, yes. I was with other
10 children. I have seen the big photo, the photo of about
11 15 of us on the steps of the ship, but I wasn't
12 conscious of friendships or knowing any of those kids,
13 no.

14 Q. We know from other sources that the ship, the SS
15 Ormonde, left for Australia on 10 October 1947. Is that
16 your understanding?

17 A. I believe so, yes.

18 Q. When you were --

19 A. I know that was the ship.

20 Q. At that time you were 5 years of age?

21 A. Yes, turning 6. I turned 6, I think, a couple of days
22 before Fremantle.

23 Q. You arrived in Fremantle on 7 November 1947, so you'd
24 have turned 6 on 2 November?

25 A. Yes. That's correct, yes.

1 Q. When you arrived at Fremantle, I think you first went to
2 St Joseph's in Subiaco; is that correct?

3 A. Yes, St Joseph's Foundling Home, Subiaco, run by an
4 order of nuns called the Nazareth Sisters. Yes, I was
5 there.

6 Q. Can you remember how long you spent there?

7 A. No, not really, but I believe it was about a year.
8 Certainly not more than two.

9 Q. And do you know why you went there and not to the other
10 places we're going to look at?

11 A. No, I really don't know. I was silent, I presume. It
12 was because I was small and silent and skinny, I just
13 guess. But I don't know why. It wasn't long.

14 Q. And do you have much of a memory of life at Subiaco?

15 A. The swimming pool. That's it. The swimming pool and
16 the huge big orphanage for the girls up the hill, or
17 what seemed to be up the hill, across the main garden.
18 That's about it.

19 Q. You have mentioned a year or so later you were moved
20 from Subiaco and you went to Castledare Boys Home;
21 is that correct?

22 A. That's correct, yes.

23 Q. So if we're talking about a year or two later, or so,
24 it's possibly 1949 or thereabouts?

25 A. 49 rings a bell. 50, yes. 49, yes. That's correct.

1 Q. Who ran that particular establishment?

2 A. The Christian Brothers ran that. The man in charge was
3 Hugh Crowley for a little while and then a brother
4 called Thomas McGhee took over. There were about five
5 brothers in the community.

6 Q. In relation to other staff, were there lay staff
7 employed there?

8 A. Rosie, the cook.

9 Q. Was that it?

10 A. That was it, yes. Yes, I think so. Oh, wait a minute.
11 Jimmy Fox, who the brothers schemed to marry off, and
12 they succeeded. Jimmy Fox was the man in charge of the
13 farm. He ran the farm for milking and a few chooks.
14 I don't know about the pigs that were there.

15 Q. Was it a place for boys?

16 A. Just boys, yes.

17 Q. Looking at the age range, can you tell me what the age
18 range of the boys was?

19 A. Grades 1 to 3, which means until about 11 or 12. From 8
20 or 9 to 12.

21 Q. So when you arrived, you'd be one of the youngest boys?

22 A. Yes. That's correct, yes.

23 Q. Are you able to tell me how many boys there were
24 accommodated there?

25 A. I think it was up to 150. It was a lot. We had to

1 queue up and we all had numbers. It was easy to operate
2 a number than remember a name.

3 Q. But when you were spoken to --

4 A. I was number 2.

5 Q. When you were spoken to by the brothers, would you be
6 spoken to by a name or a number? What was the practice?

7 A. Surname. McGregor, come here. There was no ... It was
8 surnames.

9 Q. And the boys that were there, you were a migrant, were
10 there other migrant boys there as well?

11 A. The majority were migrants and there were some
12 Australian private placements and there were some
13 Aboriginal children as well. So it was a mixture.

14 Q. Can you tell me a little bit about the location, the
15 buildings and the environment? Can you describe it for
16 me?

17 A. Beautiful, beautiful location. Heavenly environment.
18 On the River Canning, playing fields, yards, ovals,
19 gardens. It was physically a paradise. Yes, it was
20 a lovely place. But the accommodation was communal.
21 That was your congregate care type dormitories and
22 massive dining room tables. There was nothing personal
23 in the living conditions.

24 Q. Can I ask you a little bit about the routine? One thing
25 you talk about in your statement, although I don't think

1 this applied to you, was in connection with bed-wetting.

2 How were bed-wetters treated?

3 A. They had a separate section. In Castledare it was the
4 far dormitory. There were two main ones and they were
5 in the second one. I don't think they were treated too
6 well. It was a horrible smell, it was terrible, but
7 I looked upon them as traumatised children. That's the
8 way I saw it. It wasn't their fault. So we never
9 condemned or teased or anything. That just wasn't on
10 the cards.

11 Q. Did you see how they were treated by the brothers?

12 A. As an annoyance, because they had to be showered and
13 laundry and all that. I got the impression, and I still
14 have the impression, it was an inconvenience, an
15 annoyance, the whole process. They were isolated
16 together, which I don't think was right.

17 Q. What were the arrangements about clothing? What sort of
18 clothing were you provided with?

19 A. Shorts and shirt. That was it. But when we had to go
20 out and compete in corral(?) contests and things like
21 that, we were done up to the nine pins, even shoes and
22 socks. Shorts and shirts. No underwear. No personal
23 locker for our own supply of clothes, no. That was it.
24 And you got changed once a week. A change of clothing
25 and a change of pyjamas and a towel. They all had your

1 number on it. That was it. So it wasn't a complex
2 thing, we never lost anything. Couldn't afford to.

3 Q. You mentioned the river Canning.

4 A. Yes.

5 Q. That was nearby. Did that become an attractive place
6 for your leisure time?

7 A. It was my life saver.

8 Q. Could you explain that?

9 A. I could swim like a fish. I would just go up the river,
10 down the river, playing with my friends, diving.
11 I wasn't very good at climbing the trees and jumping in,
12 but I was all right off the springboard. It wasn't very
13 wide, but to us it looked a mile wide. It went long,
14 for miles, right up to Queen's Park, right down past
15 Aquinas College. It went for miles. So once you got
16 in the swimming, you were in another world.

17 Q. Did you learn to swim in the river?

18 A. Yes. Yes, holding your breath under a beam and see who
19 won and hoped you didn't drown in the meantime. We
20 learnt to swim in the river, yes. Not professionally,
21 but proficiently, yes. I could swim like a fish.

22 Q. One thing you also tell us about your leisure time is
23 you did see movies, watch movies on a Saturday night.

24 A. Yes. That was a highlight. But unless you were in
25 trouble, so you stayed out of trouble, otherwise you'd

1 have to sit on the floor and face the other way if you
2 were naughty.

3 Q. So that was a punishment, was it?

4 A. Yes. Terrible, yes, shocking. You missed the ...

5 You'd miss the news and the cartoon and the feature,
6 which was nearly always a western in those days.

7 Q. I was going to move on to ask you about your schooling
8 at this time. What were the schooling arrangements?

9 A. There were three classes, one, two and three. I must
10 have looked intelligent because I skipped one and
11 I pulled out of two and was put into three, Brother
12 Hanratty's class, so I never learned to read. I missed
13 it because I looked too bright or something. So I went
14 into grade 3 and that was Brother Hanratty. He was the
15 first real teacher. The others were lay brothers, doing
16 something they really didn't want to do, being in the
17 classroom.

18 Q. But before you left Castledare, had you learned to read
19 and write?

20 A. No, not until 16, not until I lent Clontarf. I had to
21 start from scratch in New South Wales.

22 Q. I'll come to that. One thing you tell us in your
23 statement, Bert, is that once a year, you would be
24 billeted out to a family.

25 A. Yes. I went to one family the whole time. They tried

1 to shift me to another one when I wanted to join the
2 brothers, but I ran away and went back to the [REDACTED].
3 I was with the [REDACTED]. They were a life saver to me.

4 Q. Was that around Christmastime that this would happen?

5 A. Christmas, yes. In Castledare it was just Christmas.
6 At Clontarf it can be weekends and extended -- Easter
7 and things like that. But they were just introducing
8 the idea at the time, I believe, and it was just
9 Christmas.

10 Q. I think you tell us that although it was at the
11 Christmastime, you would miss Christmas Day because you
12 had to stay back at Castledare?

13 A. Yes. I was their servant. I served the meals. I got
14 dolled up in a waiter's suit with a little bow tie and
15 a white shirt and trousers, looked a million dollars,
16 but my job was to serve the brothers when they all
17 turned up for their Christmas gathering party. Yes,
18 I was the servant. That happened just about every year,
19 so I missed Christmas Day for 15 years.

20 Q. Did you ever receive any presents at Christmas?

21 A. Oh, we all did. We all had a Christmas party, I think
22 it was Bones and Foys put on something. I remember
23 getting a plastic truck. I don't know what happened to
24 it.

25 Q. What about birthday presents? Did you ever receive

1 a birthday present?

2 A. Oh no. We never knew -- I never knew my birthday, no.

3 No.

4 Q. Can I ask you about work: were you required to do work?
5 What I would call work at Castledare.?

6 A. We had what we called charges. My charge was sacristy,
7 sometimes it was polishing the huge dorm with a heavy
8 block with old blankets on it and a broomstick and we'd
9 slide it along, and before that we would wax the floor.
10 It would come up beautiful every time. That was another
11 charge. But mainly, I was spoiled, I had to wait as
12 a waiter on the brothers' meals.

13 Q. During your time there, were there any lay staff who
14 would do any cleaning?

15 A. Some nuns were expelled from China in the early 50s,
16 late 50s. We're still at Castledare, are we?

17 Q. Yes.

18 A. They would do the -- not the laundry, that was the big
19 machine job. Somebody did, I don't know who did that.
20 But after the folding and sorting and naming and
21 numbering and mending, it was done by these Hungarian or
22 Polish nuns who had been expelled from China. They did
23 that. But they were invisible to us all the time. They
24 never had anything to do with child minding, no.

25 Q. Did you ever receive any visitors when you were at

1 Castledare?

2 A. No. No.

3 Q. Were you conscious of there being any inspections?

4 A. I don't think anybody saw visitors. Inspections, no,
5 but we had VIPs come and we'd sing in the choir for
6 them. That was about the extent of our contact. But
7 being inspectors, no, never. Not that we were aware.
8 I know now that they turned up, but they never got to
9 our level. Never.

10 Q. You have mentioned already, Bert, the punishment that
11 involved you having to sit with your back to the films.
12 What were the other forms of punishment, can you
13 remember?

14 A. There was the strap. In those days, it was pretty
15 common. Corporal punishment was just taken for granted.
16 That was a punishment. But you'd have to be late or
17 cheeky or something, or break something or other. We
18 never got the strap for missing lessons because I don't
19 remember any.

20 LADY SMITH: Was that a leather strap, Bert?

21 A. It was. They were especially made, I have since found
22 out, by a man called Brother Robertson, who lived at
23 St Vincent's, South Melbourne. It was about 14 inches
24 long, it was about an inch wide, and it was about five
25 or six layers of leather, stitched.

1 LADY SMITH: Was it divided at one end or was it solid all
2 the way down?

3 A. Oh, it was solid all the way down. I never known it to
4 be divided, no. Actually, when I graduated as
5 a brother, I was presented with two things: a hat and
6 a strap. I lost the strap on the train on the way up to
7 Ballarat. I don't know what happened to it. The hat
8 disappeared soon after as well.

9 LADY SMITH: Thank you.

10 A. It was standard equipment for every brother. The strap.

11 MR MacAULAY: What part of the body would be struck?

12 A. 90% on the hand. I don't know about the backside.

13 I was never that wicked. But yes, on the hand. Six was
14 a famous saying. Six of the best.

15 Q. Bert, I want now to ask you about a particular brother
16 that you talk about in your statement, and that's

17 Brother [MDF]. Can you tell me about Brother [MDF]?

18 A. He was tall, he was lean, he was domineering. He was
19 very ignorant. He was cruel. He was possessive and
20 he was a paedophile.

21 Q. Let's take each of these in turn. You say he was cruel.
22 How did he act cruelly towards you?

23 A. Quips, psychological quips. He would put you down.

24 Even though I was only a kid, he had to put you down and
25 dominate you, make you feel as if you were nothing.

1 He was terrible. He was shocking awful. Yeah,
2 terrible. So he was cruel that way. I think it was
3 because he was very insecure and very immature. He was
4 really a vile man in emotionally attacking little kids.

5 Q. You're talking about your own experience, but did you
6 see how he behaved towards other children?

7 A. No, he seemed to pick half a dozen, and the others just
8 didn't, as far as I'm aware, come into his radar. So he
9 had this habit of -- well, especially me, he picked me
10 out and that was the way he behaved. He sort of
11 undermined your self-esteem if you had any. Yeah,
12 terrible.

13 Q. One thing you said, I think he was possessive.

14 A. Oh yes.

15 Q. Can you explain that?

16 A. He didn't like you to talk. He didn't like to see you
17 talking to other brothers. You were his, you belonged
18 to his dormitory, and he made it very, very clear that
19 he was extremely upset with you if you even smiled or
20 talked to another brother. Oh yes, he'd isolate you
21 that way. Terrible man.

22 Q. The other thing you said, Bert, about him is that he was
23 a paedophile. When you were at Castledare, did he do
24 anything sexual to you?

25 A. No. He'd take me to -- I'd have to stand at his door

1 and he'd take me to his bed, but that was as far as
2 he was going. He grew into it. So by the time I met
3 him again at Clontarf at 12, 13, 14, yeah, he was
4 a different kettle of fish.

5 Q. I'll come on to that shortly. But you've been telling
6 us about his behaviour towards you and perhaps a few
7 other boys. What about the other brothers? Did they
8 witness this behaviour?

9 A. I don't think so. I hope and pray that they didn't
10 because they didn't do anything. I don't think they
11 did. Later on, of course, they were alive to him and
12 they shifted him out, back to Adelaide, I think.

13 Q. Again, that's later on, I think. Let's move on then
14 from Castledare to when you moved to Clontarf. I think
15 there came a point in time when you were of a certain
16 age that you were moved from Castledare to Clontarf;
17 is that right?

18 A. Yes, that's right.

19 Q. What age were you then?

20 A. I think I was 12. Yes, 12, 13, 14, 15 ... Yes, it had
21 to be 12, yes.

22 Q. So that would be early 1950s?

23 A. Yes, early 50s. But then I skipped grade 4 in Clontarf,
24 again another reason why I never learned to read, and
25 went straight into grade 6.

1 Q. I'll look at schooling shortly. Just give us an
2 understanding as to Clontarf and what it was like.
3 Let's look at the location and the premises. As you did
4 before, can you describe --

5 A. Clontarf. Massively beautiful setting on the Canning
6 river, a mile frontage. Mud flats, full of mud fish,
7 which we could catch. Dolphins going past the jetty.
8 And down the other direction to the right was Aquinas,
9 about two miles away, and up the other way, three or
10 four miles, was Castledare. And this massive river
11 frontage and then the farm was fully functional, horses,
12 ex-policemen's horses, pigs, they were into pigs in
13 a big way. A truckload went to market every month.
14 Chooks, bantams, we all had our own bantams. You know
15 bantams? A small hen type of thing, coloured. We had
16 bantams. We had massive round birdcages. One was for
17 cockies and corellas and the other one was for finches
18 and canaries. That was in this big cement quadrangle.
19 At the top end of the quadrangle was a stage, so we put
20 on concerts on the stage and the quadrangle was full of
21 people. And upstairs, six big dormitories, and then
22 brothers' rooms in between.

23 Q. And all boys?

24 A. Pardon?

25 Q. It was all boys?

1 A. Oh yes, all boys, yes. The cook had a son and daughter,
2 but they had a special unit in the ex-army barracks hut.

3 Q. And the number of boys, can you help me with that? What
4 are we talking about?

5 A. I believe up to 250, 150, 250. It was much bigger than
6 little Castledare.

7 Q. And the age range?

8 A. Up to 15, and then some stayed on as working boys to do
9 the dairy and the piggery, the farm stuff. All the
10 others were apprenticed out or were found jobs in Perth,
11 around Perth.

12 Q. And the brothers, how many brothers were there caring
13 for the boys?

14 A. Six or seven. It varied. There was old Brother Kent,
15 but he was retired. And there was old Brother Acari,
16 who stayed down on the farm. Brother Campbell, who
17 drove the tractors. And then there was four or five who
18 did the classrooms, up to junior certificate, and that
19 was it. And of course, the nuns, the same group of --
20 another group of those nuns did the clothing, stitching.
21 The laundry was done by a fella called [REDACTED] and
22 [REDACTED] but [REDACTED] was disabled, he was
23 a disabled -- mentally. He was a very small man. Then
24 there was [REDACTED] who was mongoloid, about 30 or
25 40, he stayed there.

1 Q. Can I look at the routine? If you're comparing the
2 routine at Clontarf to Castledare, what would you say,
3 how would you compare and contrast the regimes?

4 A. The same. Exactly the same, except we were bigger and
5 older. We knew the system by then. I was number 62.
6 So it was: line up for this and that. Again, there was
7 no individuality or ... That just wasn't on.

8 Q. Can I ask you about the food? How would you describe
9 the food for the boys?

10 A. Well, we always complained about the food, but we got
11 three meals a day. We didn't like the stews on the
12 weekend, but bread and jam, no butter. Sometimes bread
13 and treacle. The food was very, very basic.

14 Q. Did you get the same food as the brothers?

15 A. Oh no. I served the brothers later. I broke down at
16 12.

17 Q. I'll ask you about that shortly. Just looking at the
18 food --

19 A. After that, they took me out of congregate care and
20 I had to wait again on the brothers. Missed the
21 Christmases again.

22 Q. Tell me about the brothers' food. Was that quite
23 different to the food given to the boys?

24 A. Oh yes. Yes. Yes, it was.

25 Q. In what way? It may be obvious.

1 A. Well, I served them for a few years. It was varied. It
2 wasn't over the top. There were bowls of fruit and
3 plates of bread and condiments on the table. I had to
4 get it right, serving from the right and take from the
5 left and all that sort of thing. I was good at it. But
6 the food was -- yes, it was good. They had a cooked
7 breakfast for a start, we never had a cooked breakfast,
8 we had porridge. What we called sinker. Yeah,
9 porridge.

10 So it wasn't over the top, the brothers' food, but
11 it was good, it was close to home cooking, whereas our
12 massive bowls and ... Yeah, huge aluminium pots. Some
13 of them I had to scrub.

14 Q. You mentioned again the River Canning. Again, was that
15 a release for you, if you like, in your leisure time?

16 A. Oh, a life saver. Absolutely, yes. We had wars along
17 the bulrushes: the Aussies on to the Poms. Along the
18 bulrushes, you could go for miles along the river there.
19 Then there was the ex-police horses that we could ride
20 on the weekends. We had about 20, 30 of those. That
21 was good.

22 Q. Coming back to schooling then, Bert, what sort of
23 education were you being given at Clontarf?

24 A. None. I skipped grade 4. I went into grade 5. I was
25 considered too bright. I went into grade 6. And that

1 was Brother Campbell. Then form 1 or year 1, I was in
2 there year 2. Year 3, and before junior I was shot
3 across to New South Wales. Then I started to learn to
4 read and write. They never had the time to teach me to
5 read, teach a lot of us to read, I suppose, if I was
6 considered bright and couldn't read, I suppose some of
7 the others couldn't as well. But then I started after
8 I left.

9 Q. During this time in Australia when you were growing up
10 as a boy and heading to become a young man, what was
11 your understanding as to your family background?

12 A. Oh, that was ... We were war orphans. That was it.

13 Q. Who told you that?

14 A. Everyone. It was just who we were, how we were
15 described: the orphans. That, I think, was a publicity
16 stunt to get the people in Western Australia on side.
17 We were war orphans, which wasn't true. But if you're
18 told something like that and you won the war and you
19 came out with your life and you were in an institution,
20 you accepted it. That's who you were.

21 Q. You say it was a lie?

22 A. I accepted it. Oh yes. It was a massive lie, yes.
23 Half of Aberdeen is related to me.

24 Q. In your statement, you say it was the great sin of the
25 whole thing.

1 A. It was. Oh yes, the scheme, what they called the
2 scheme, to bring us out, was a great sin, yes,
3 of course. It was wrong, and as a child you accept the
4 river, the environment, you accept your friends and all
5 that, but you don't know the dark secrets of why they
6 brought you out. It was the great sin. The scheme was
7 immoral. It was wrong.

8 Q. You tell us in your statement, Bert, that your brother
9 [REDACTED] came to Clontarf when you were there.

10 A. Yes.

11 Q. Did you know he was your brother?

12 A. Oh no. No, no, no. I used to fight him. He was
13 a tease. Still is, I must say. Yes, he was a tease.
14 I didn't like him at all. I saw him as --

15 Q. He was a younger brother?

16 A. Oh yes, about three or four years younger. [REDACTED] became
17 very famous, you know. He founded the street kid work,
18 drugs, alcoholics, he did that for years, and now it's
19 a full grown profession. Plus he married and has two
20 lovely children.

21 Q. Just to be clear, when he came there as a migrant like
22 yourself, he was there, you knew who he was but you did
23 not know he was your brother?

24 A. No, he was one of the kids. I didn't even know he was
25 from Scotland. He was a pest. Used to stir me like mad

1 because I got to serve the brothers and he didn't.

2 Q. In your statement, Bert, you talk about how you were
3 isolated from society and how you were treated by the
4 brothers and emotionally undermined. Can you explain
5 that?

6 A. Isolated from society. Well, it just wasn't there, was
7 it? And treated -- I was their servant. That's where
8 I had the breakdown. I just found the lack of
9 affection, lack of family, lack of roots, the congregational
10 care, the whole thing was too much for me. Treated by
11 the brothers -- I think they woke up to it, that's why
12 me pulled me out and made me their servant, their house
13 servant, to serve at their meals. I had my meals after
14 everybody else in the staff room.

15 Q. One thing you say in your statement is that Brother
16 MDI would tell you:

17 "We had no rights but a Christian funeral."

18 A. Oh, he loved it, yes. If there was a fight in the yard,
19 they'd form a circle and MDI would be there
20 encouraging it, yes. One of discipline things
21 was: you have no rights but a Christian funeral. So
22 what do you do? As a kid, as a teenager?

23 Q. What about punishments? What form of punishment could
24 there be?

25 A. The same as Castledare. The same. Missed pictures.

1 Strap. That was it. There wasn't much in the way of
2 work punishments. But we worked.

3 Q. I was going to ask you about work, actually. You have
4 told us about the work you did at Castledare. Did
5 you have to do that sort of work when you came to
6 Clontarf?

7 A. Yes. I had that. I had the monks' toilets and I had,
8 of course, serving duties at meals. Then the other work
9 was more congregate work, like building swimming pools
10 and making massive ovals along the river front, carrying
11 sods of earth from the back passage up to the playing
12 fields. We did all of that, yes.

13 Q. Was that fairly heavy manual work?

14 A. Oh, yes, oh yes, but I didn't mind it. I knew all the
15 cement formulas by the time I was 13. Concrete, cement,
16 top layering, yes, I knew all that. Most of us -- not
17 most of us, a few of us did, yes. So we'd be in charge
18 of producing the cement, the concrete, the digging of
19 holes for the pool. 33 metres, mind you, a third
20 Olympic standard. It was a good pool. Never leaked.

21 LADY SMITH: Bert, can you tell me what you mean when you're
22 talking about making ovals? What were the ovals?

23 A. Playing fields. Double size, proper fields. You can
24 imagine it, 200-yards by 100 wide.

25 LADY SMITH: You were taking turf there when you were

1 talking about taking turf?

2 A. Yes, oh yes. We had to dig it up in the back paddy and
3 carry it side by side, and it was heavy. We had to
4 bring enough soil. And then we'd place it down slowly,
5 the playing fields formed a couple of hundred yards.
6 That was a Saturday morning special job after charges.
7 Charges was your normal work.

8 MR MacAULAY: We understand from your statement, Bert, that
9 shortly after you moved to Clontarf, Brother **MDF** also
10 moved. Is that right?

11 A. Oh yes. That was it.

12 Q. Can you tell the inquiry then what happened to you after
13 Brother **MDF** moved?

14 A. Well, he took up where he'd left off, but by that time
15 he was a fully-fledged paedophile and he would take me
16 to his room, stand at his door until he was ready, and
17 then he'd take you to bed with him. That was common.

18 Q. What would happen in the bed?

19 A. Well, I'd be squeezed up between him and the side wall.
20 Terrible. Do I have to go into that?

21 Q. No, it's entirely up to you, Bert, as to how much you
22 want to tell us.

23 A. Because that was -- no... Well, you can imagine the
24 rest. But he was a fully-fledged paedophile at that
25 time. He had complete power. Like I wasn't even in his

1 dorm. And he would come round the veranda and pull me
2 out of my bed and take me to his door and then he'd
3 disappear and come back later and then he'd have his way
4 with me in his bed, yes.

5 Q. I take it from what you've been telling us, Bert, and
6 I'm not going to take it any further, you were badly
7 sexually abused by him.

8 A. Oh yes. Oh yes, yes.

9 Q. For how long did this go on for?

10 A. You don't get over it. Thank God he ... This time it
11 was ... Well, it was a year because they stayed that
12 long. But a year -- I remember I was in the end dorm,
13 which makes it about form 3, 13, 14. At the end dorm,
14 after that I was out of there. So yes, I would have
15 been 13/14 years old when that nightmare descended back
16 on the staff. Yes, he was a nightmare.

17 Q. In your statement what you say is that he was
18 untouchable and unaccountable. What do you mean by
19 that?

20 A. Exactly. They seemed to have no authority over them.
21 They were laws unto themselves. The superiors, the big
22 bosses, they lived over in Sydney and the bosses at
23 Clontarf didn't seem to have any power over them. You
24 can imagine four or five men looking after 250 kids,
25 seven days a week. And in my position as serving them

1 at meals, they were lauded to the skies every time
2 visiting brothers arrived and we had to spoil them
3 rotten when they arrived by dressing up as little
4 pageboys, serving their meals. There was no authority
5 visible or active in their world. They had complete and
6 absolute control over us without anybody seemingly
7 keeping an eye on standards. and you wouldn't dare report
8 it.

9 Q. Do you think if any other brothers who were there when
10 Brother **MDF** was abusing you would know what was going
11 on?

12 A. I really don't know. I really don't know. Because
13 we were isolated. But I believe since, with the
14 inquiries and what have you, that there were others,
15 yes. But they never came into my sphere of action. But
16 I believe there was a ring, a paedophile ring operating.
17 I can't prove that, but I have since read Coldrey's
18 works and his scheme and I wouldn't be surprised that
19 there was a paedophile ring. But I don't know. I only
20 know, thank God, my story.

21 Q. You've told us, Bert, you've mentioned more than once
22 already that you had a breakdown. Can I just ask you
23 a little bit about that? What happened to you?

24 A. I just stopped. I just -- one day, I just stopped, and
25 physically and mentally I just went dumb and just had

1 (9.15 pm)

2 LADY SMITH: Hello again, Bert. I'm told you're ready to
3 continue; is that right?

4 A. Yes, we've had a cup of tea. I'm all set to go. Fire
5 the questions and I'll try to answer them.

6 LADY SMITH: I'll invite Mr MacAulay to carry on doing that.

7 A. It's been very pleasant at the moment.

8 LADY SMITH: We'll try and keep it like that for you.

9 MR MacAULAY: Very kind of you to say so. I'm now going to
10 look at the pleasant time you had at
11 Strathfield College, because you went there when you
12 left Clontarf at the age of 15; is that right?

13 A. That's right.

14 Q. That would be -- sorry?

15 A. It was 1957, Strathfield, yes.

16 Q. What sort of experience was that for you?

17 A. Brilliant, but embarrassing. I was completely ignorant,
18 couldn't read, I was kicked out of class to go to the
19 library and I taught myself over the next three years to
20 be fluent to read well, to be an acceptable level of
21 reading. But the saddest part was they kicked me out of
22 the maths and I loved it. So they thought if he's no
23 good at speaking and reading, he can't be any good at
24 maths, but I was good at maths. My maths career came to
25 an end. But they were brilliant, they were real

1 teachers and they were professional.

2 Q. Were they Christian Brothers?

3 A. They were, yes. Only Christian Brothers and only young
4 teenagers, 15, 16, 17, 18, who thought they might like
5 to become Christian Brothers. It was a special school
6 and it had about 70, all up, boys and staff.

7 Q. And you did become a Christian Brother, Bert, as you've
8 said?

9 A. 37 years.

10 Q. What age were you when you took your final vows?

11 A. I had to be 25, but I was a bit slower, so I think I was
12 27.

13 Q. You became a teacher?

14 A. Oh yes. Loved every minute in the classroom, yes.
15 I taught what nobody else wanted to teach.

16 Q. And what was that?

17 A. Well, it was English, it was maths, I loved modern
18 maths, and it was history, geography, I was full bottle
19 on that. Music, of course, I started brass bands. Art,
20 of course. Put up kilns everywhere and did pottery and
21 dug up back yards where there was clay. I loved it.
22 Teaching was wonderful.

23 Q. And you taught at Ballarat in Victoria, is that correct?

24 A. Yes. Four years. Two years at Drummond Street Primary
25 School and two years up at the college.

1 Q. And you spent time in Fiji as a teacher?

2 A. Yes.

3 Q. How long did you spend in Fiji?

4 A. All up over the years, eight years in Fiji. I loved
5 Fiji. Then two in Africa, Tanzania. I went there as
6 a rebel, actually, because we had a seminar,
7 a conference, about the fundamental option for the poor
8 and they were talking about spiritual poor and I said,
9 "Oh rubbish". And I went to the pontifical mission
10 society and said, "Where are the poorest people in the
11 world? Who could do with free education?" they said
12 Tanzania and somehow or other I volunteered and found
13 myself heading off to Africa.

14 Q. How long did you spend there?

15 A. Two years. Then I was dragged out of there, back.

16 Q. Can I take it, Bert, that in the main you've devoted
17 your life to teaching?

18 A. Definitely, yes.

19 Q. I think you told us earlier that you spent some time as
20 a student again in Aberdeen in the 1990s; is that right?

21 A. Yes. I ended up at King's College and I did the masters
22 of education there. Got the masters of education.
23 Nobody knows that. That's a secret.

24 Q. Can I now look at that chapter of your life that
25 involved you tracing your family? What you tell us in

1 your statement is that in 1987, you came to Scotland to
2 see if you had any family.

3 A. Yes. One of the superiors, what we called superiors,
4 the head brothers, came up and said, "We think you have
5 family in Scotland". And that was the beginning of
6 turning my world upside down, yes. I went there and
7 there's a whole clan of us.

8 Q. What did you find out, Bert, about family?

9 A. I found mother, I found three sisters, and then one
10 morning Margaret Humphreys, you probably know that name,
11 she dropped [REDACTED] in on us, and that was [REDACTED]. So that
12 was 87. Found Uncle [REDACTED], found old Uncle [REDACTED] crying
13 in his beer in a bar. So there was no shortage of us.
14 And since then, I found my favourite sister, [REDACTED].
15 So there were four girls and two boys, as far as I know.
16 And then mum, she was mad on bingo, which bored me to
17 tears, and that was it. [REDACTED] she had a son, [REDACTED].
18 [REDACTED] had two sons, [REDACTED] and [REDACTED]. [REDACTED]'s come out to
19 Australia and he's married and he's in Melbourne
20 somewhere, young [REDACTED]. [REDACTED]. So there was lots
21 and lots of the clan.

22 Q. How did you feel, then, Bert, coming across this family
23 after 40 years?

24 A. Nothing. That's the sad thing about it. I was so
25 enculturated into my teaching world, my religious world.

1 I felt nothing. There was nothing there.

2 Q. What about meeting your mother after so long? How did
3 you feel about that?

4 A. No ... I was shocked because I didn't feel anything.
5 The capacity to love and to relate and -- no, it had
6 gone by then. It had completely -- well, been
7 destroyed, I think. I think it was destroyed by the
8 whole experience of growing up and them not being around
9 and my new life as a teacher, I was completely absorbed
10 in it, loved every minute of it. Does that sound
11 shocking? I had no emotional attachment at all.

12 Q. What you say in your statement is that it was really
13 what you call a bitter sweet experience, meeting your
14 family.

15 A. Yes. It's nice to know who your relations are, which
16 was a secret for, what, 40, 50 years. But emotionally
17 I had surrendered to other things, yes. I had
18 surrendered to my religion, I had surrendered to my
19 profession, I had surrendered to my order. I was
20 completely satisfied, as much as possible. As for human
21 emotions, well, we were trained to put them aside,
22 weren't we? And I did. So when I met mother, sad to
23 say, I was curious but I had no filial feelings at all.
24 Mind you, I don't think she had any for me either. It
25 was strange, but it was the answer to questions that

1 I thought would never be answered. That's the great lie
2 of the scheme, you know.

3 Q. The other aspect of your life I want to explore briefly
4 with you, Bert, is your role as a campaigner and raising
5 awareness of abuse, particularly amongst the
6 Christian Brothers. Can you tell me a little bit about
7 that?

8 A. Yes. Well, after Scotland, 1987, I then went to Rome,
9 and in Rome I knocked on the doors, trying to get
10 answers because I was boiling over with frustration and
11 shock and all sorts of emotions. No door opened because
12 nobody could handle it. They'd never come across it,
13 really, and I don't blame them, but there was no help to
14 be got there.

15 Q. What were you looking at at that time? Were you looking
16 at abuse?

17 A. I was looking at ... I think I was struggling with the
18 lie of the scheme, that my whole life had been
19 unnecessary because it was founded on a lie. I was
20 looking for somebody to say, "It's all right, Bert, you
21 can go on", but nobody -- they all ran away.

22 Q. Who were you speaking to in Rome, who did you approach?

23 A. The big chiefs, the number ones. The general
24 consulters, and even friends in the council, Mitchell
25 and those. They just -- well, they didn't know how to

1 handle it.

2 Q. That's the Christian Brothers?

3 A. Oh yes. They did not know how to handle it, so I then
4 wrote "With God Behind The Eight Ball".

5 Q. I'll look at that in a moment, that's your
6 autobiography. I think you also say in your statement
7 that you did some independent research into sexual
8 abuse.

9 A. Yes.

10 Q. Can you help me with that? What did you do there?

11 A. This was when I came back, the first time, 87. It was
12 after the master's. I had been approached by old boys,
13 ex-childcare adults, and they sort of painted a picture,
14 which was much bigger than my experiences, and I was
15 shocked. But I had to confirm it because I knew it was
16 going to be shattering, so when I got to Perth, I did
17 a mini survey, which I'd learned in the masters, I did
18 a mini survey of 14, 15 cases. One was a group and the
19 others were individuals, and it was extraordinary the
20 number of the same story of abuse. I was shocked, I was
21 really, really shocked.

22 Q. Were you focusing on Clontarf or more than one place?

23 A. I was on the individual's story, whether from
24 Clontarf -- they were all Clontarf and Castledare boys.
25 I didn't do Bindaon or Tardun because they were out of

1 my ken. They weren't in my circle. But I did these 15,
2 I suppose, case studies, and the amount of abuse was
3 over 50%. So I sent that to the superiors in Melbourne.
4 Nothing. It was like dropping it down a well.
5 Absolutely nothing.

6 Then I wrote for myself "With God Behind The Eight
7 Ball", my story, and that was it.

8 Q. The mini survey, I think you gave a copy to the inquiry.
9 Do you have a copy there in front of you?

10 A. I don't know. I don't think so.

11 Q. Perhaps not. But I can tell you, Bert, that we do have
12 a copy of it and I think in fact --

13 A. Oh good.

14 Q. I think in fact we've got it from the Royal Commission.
15 So we do have a copy of it.

16 A. The last case on that was my own.

17 Q. That's correct.

18 A. And then before that were the other ones. I'm pleased
19 you've got that.

20 Q. Can I then look at your autobiography. You have called
21 that "With God Behind The Eight Ball". I think I know
22 what you mean. Can you explain what that means?

23 A. Well, it means that although I had opted for the good
24 and the service and helping people and all that, my
25 beliefs, religious beliefs, were positive, the eight

1 ball was the revelation of the lie of my whole first 40,
2 50 years, until they released the files on family.
3 What was that, 1987? They just told me I had family in
4 Aberdeen, go there. The eight ball was the lie that was
5 always there and I grew up believing in the good, only
6 to find out that the authorities had planted me in the
7 middle of this huge lie.

8 With God behind the eight ball, it doesn't mean you
9 throw out God, it means that despite the lie, I somehow
10 opted for a positive approach to life and service.
11 That's it.

12 Q. And again, Bert, I can tell you, the inquiry does have
13 your autobiography.

14 A. Oh good.

15 Q. You tell us in your statement that you sent a copy of
16 that to the Senate Inquiry into Institutional Care in
17 2003; is that right? You sent them a copy?

18 A. I suppose that's a long time ago, yes. I suppose so, if
19 they say so, yes. Apparently, yes.

20 Q. You also participated in the oral history project that
21 was conducted.

22 A. Yes, I did.

23 Q. What was your thinking behind that? Why did you do
24 that?

25 A. I suppose I had lost a bit of confidence in the truth

1 ever coming out and I wanted an independent source that
2 had my story. Because "With God Behind the Eight Ball"
3 sunk like a lead balloon, nobody, but nobody seemed to
4 pick up what was behind it. Maybe I was too subtle.
5 But it just disappeared. And it's stuck away in the
6 archives. I've had a few people ring me up, wanting to
7 put their story and print it out as a book, but I keep
8 telling them it belongs to the people of Australia.
9 They might rediscover it one day.

10 Q. But you had your voice when you gave evidence to the
11 Australian Royal Commission. That's something you did
12 do?

13 A. Yes, I was the second on the stand.

14 Q. And again, I would understand you would tell them the
15 truth as to what happened to you?

16 A. Yes.

17 Q. When you were in care.

18 A. Mm-hm.

19 Q. And I think you've also provided a statement to the
20 redress scheme; is that correct?

21 A. I suppose -- I don't know. I can't remember. I've sort
22 of put most of this aside. If you say so, yes. Oh,
23 wait a minute. Yes. Yes, I think so.

24 Q. And again, what would be in that statement would be
25 true?

1 A. Oh yes. Well, yes, I always tell the truth, yes. Yes.
2 I'm very conscious of that. I'm very conscious of not
3 hurting the brothers or hurting the church. I'm very
4 conscious of that, so I just tell the story as simply as
5 I can and as positively as I can. I'm not vindictive.

6 Q. And we do know that there have been apologies from
7 governments, both the Australian Government and the
8 British Government. What's your response to those
9 apologies?

10 A. I think it's wonderful. I think they've finally faced
11 up to the enormity of sending the children away from
12 their country to another country and the enormity of
13 sufficient safeguards, overseers or whatever. You
14 assumed that the religious orders were the best place
15 for children and it turned out that it might have been
16 the worst. And at the same time, I didn't want to pull
17 down the good in the church and orders, and at the same
18 time I just wanted them to know that all was not well.
19 But that sunk like a lead balloon because I believe they
20 didn't know how to handle it.

21 Q. One of the areas you touch upon in your statement is the
22 impact that being in care had on you. You've already
23 touched upon this, Bert, in relation to relationships
24 and so on. But again, and this is what you say at
25 paragraph 176:

1 "I think you must come to terms with the abuse
2 you have suffered personally."

3 And I think you consider you have come to terms with
4 the abuse you suffered?

5 A. As far as I want to, without injuring the church.

6 I think I've come to terms. You do, you have to face
7 it, because it's like a cancer that eats at you and
8 hurts and hurts over years until you face it. And when
9 I did face it, I don't know if it was healing, but it
10 was good. I was pleased it was out there. I was
11 disappointed with the reaction: none.

12 Q. But what you say in that paragraph, and you have said
13 this before, is that:

14 "What I couldn't come to terms with was the lie of
15 my being a child migrant."

16 A. Yes. Oh yes, oh yes. It was, wasn't it? It was
17 enormous. I still haven't come to terms with that.
18 I've got to be careful because at the same time I don't
19 think my life, had I stayed in Scotland with my family,
20 would have been a bed of roses. I think it would have
21 been hell also. But not to have the chance of belonging
22 to a family and to relationships, whether good or bad,
23 is a great sin and should never happen again.

24 Q. If I take you to the final page of your statement,
25 you have it in front of you there, I want you to look at

1 paragraph 187.

2 A. Yes.

3 Q. You are there narrating, as you've discussed in
4 evidence, that you have worked in Africa and Fiji and
5 you have seen the children in these places.

6 A. Yes.

7 Q. And what you go on to say is:

8 "They had a family, they had a village and they had
9 a country."

10 A. Yes.

11 Q. Are you drawing some contrast between them and your own
12 experience?

13 A. Oh yes. The exact opposite. I think what I didn't say
14 was I would have preferred that to the existence that
15 I had, because I didn't come home from holidays, from
16 Fiji, I would go straight out to a village for village
17 life, out of the (inaudible) in western Fiji. I would
18 see the families and I was green with envy. They had
19 nothing, but they had everything. A child in Fiji can
20 be carried around by anyone in the village until the age
21 of 5, he need not know who his family was, but he did
22 know his clan and he was accepted completely, no matter
23 what. And I thought how brilliant. That's what we
24 didn't have and that's what sort of crystallised in my
25 mind the eight ball. The eight ball is what was taken

1 away.

2 Q. In paragraph 189, this is the second last paragraph of
3 your statement, this is what you say there:

4 "Children who have been separated from their parents
5 are emotionally numb. They have to be taught the
6 emotions that they should feel. There is no cure for
7 migrants. How do you mend a broken child?"

8 A. Yes.

9 Q. And that's a question. You haven't got an answer for
10 that?

11 A. No. I have now. I would donate them to a village in
12 Fiji. I really would. And they would grow up with all
13 the love and acceptance. See, what was missing in these
14 places, although they fed you and clothed you and half
15 educated you, they couldn't give you any emotional
16 development at all. That's the saddest part of it. Oh
17 yes, I'd have no trouble sending a small child to grow
18 up in a village in Fiji. The acceptance was brilliant,
19 yes. And everyone there supported the growth of the
20 child.

21 We were instead looked after, fed and clothed and
22 taught religion and told to be good, which I accepted
23 because I had no other experience, and therefore coming
24 out of that, you find it very difficult to relate with
25 emotion to anyone. You just can't, you're so stripped

1 bare of that side. It was almost as if it was wrong to
2 be loved. That's shocking, but that's the way I feel
3 about it. I would never place a child in care, that
4 sort of care, again, but I'd have no trouble sending
5 them overseas to live in a Fijian village. No trouble
6 at all.

7 Q. Well, Bert, thank you very much indeed for giving us
8 your evidence, your evidence to the inquiry. I have no
9 other questions for you and no one else has submitted
10 any questions.

11 A. Thank you.

12 LADY SMITH: Just give me one moment, Bert.

13 Are there any outstanding applications for
14 questions?

15 Bert, those are all the questions, I can confirm
16 that. It just remains for me to thank you very much for
17 agreeing to engage with us over the video link in the
18 way you have done. It's been of such help and I'm very,
19 very grateful to you for doing that. I'm now able to
20 let you go and enjoy the rest of your day in peace.

21 Thank you.

22 A. Thank you very much, Lady Smith. Thank you very much.

23 LADY SMITH: Mr MacAulay, just let me check one thing.

24 I think I know the answer, but confirm it for me.

25 Brother MDF is he covered by my general restriction

1 order?

2 MR MacAULAY: He is dead.

3 LADY SMITH: Thank you. So he would be.

4 MR MacAULAY: He would be.

5 LADY SMITH: He was never convicted.

6 MR MacAULAY: No.

7 LADY SMITH: Just for confirmation then. I know the
8 statement has been redacted, but of course in the usual
9 way we have used the name during the hearing and he has
10 the protection of the general restriction order outside
11 the hearing room.

12 MR MacAULAY: And there were other names used as well by
13 Bert, the family in particular.

14 LADY SMITH: Yes, there were some family names which might
15 be able to be traced back to him, so again, they have
16 anonymity in the usual way. There could otherwise be
17 jigsaw identification. Were there other brother names
18 used that would be protected? I don't think so.

19 MR MacAULAY: No. so my Lady, there is no other evidence for
20 the rest of the evening.

21 LADY SMITH: Thank you to everybody who's come along today
22 and I'm now going to rise until we sit again next week.

23 MR MacAULAY: Next Tuesday, my Lady.

24 LADY SMITH: Next Tuesday with the resumption of evidence in
25 phase 1. Thank you.

1 (9.50 pm)

2 (The inquiry adjourned until Tuesday 2 April 2019)

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JAMES ALBERT MCGREGOR (sworn)1

Questions from MR MacAULAY1

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