

1 Friday, 21 June 2019

2 (10.00 am)

3 (Delay in proceedings)

4 (11.28 am)

5 LADY SMITH: Good morning. Could I begin by echoing an  
6 apology that I think has already been made to you for  
7 our delayed start this morning. I think it has been  
8 explained that there's nothing wrong with the video link  
9 at this end, but there were real problems at the other  
10 end that proved to be insurmountable, despite us trying  
11 to work on them from yesterday afternoon when the  
12 difficulty first became apparent, so I'm sorry about  
13 that.

14 I understand that a different video link is now  
15 ready to go and should be working as well as we need it  
16 to.

17 Ms MacLeod, it's your witness, I think.

18 MS MACLEOD: Good morning, my Lady. This witness is Brother  
19 Joseph O'Neill and he's appearing on video link from  
20 Dublin.

21 LADY SMITH: Brother O'Neill, can you hear me?

22 THE WITNESS: I hear you clearly.

23 LADY SMITH: And can you see me?

24 THE WITNESS: I can see you, yes.

25 LADY SMITH: Good.

1           Good morning, Brother O'Neill, what I would like to  
2           start by doing is putting you on oath.

3                       BROTHER JOSEPH O'NEILL (sworn)

4                       (The witness appeared via video link)

5       LADY SMITH: Before I hand you over to Ms MacLeod, could  
6           I just impress on you the importance that this link is  
7           working from your perspective. If you have any  
8           difficulty in hearing or seeing, please let me know;  
9           will you do that?

10       A. I shall.

11       LADY SMITH: Also, I do understand that giving evidence,  
12           particularly over a video link, can be quite tiring and  
13           stressful, so if you need a break, please feel free to  
14           tell me. Will you do that?

15       A. I shall.

16       LADY SMITH: Thank you very much.

17           I'll now hand over to Ms MacLeod and she'll explain  
18           what happens next.

19                       Questions from MS MacLEOD

20       MS MACLEOD: Good morning, Brother O'Neill.

21       A. Good morning.

22       Q. Were you born on [REDACTED] 1932?

23       A. Yes.

24       Q. Are you now 86 years old?

25       A. 86. In [REDACTED] I'll be 87.

1 Q. You've provided a statement for the inquiry and I think  
2 you have a copy of that statement in front of you today;  
3 is that right?

4 A. That is correct.

5 Q. I'll give the reference for the transcript. It's  
6 WIT.001.002.6535. I wonder if you could turn to the  
7 final page of the statement. Do you have that?

8 A. I have it now.

9 Q. Have you signed the statement?

10 A. I have, yes.

11 Q. In the final paragraph do you say:

12 "I have no objection to my witness statement being  
13 published as part of the evidence to the inquiry"?

14 A. That is there, yes.

15 Q. And do you go on to say:

16 "I believe the facts stated in this witness  
17 statement are true"?

18 A. Yes, I abide by that.

19 Q. As you know, the reason you've been asked to provide  
20 a statement to the inquiry and to appear at hearings  
21 today is particularly in relation to a brother known to  
22 you as Mark Farrell and your recollections relating to  
23 him.

24 You've assisted the inquiry in your statement by  
25 looking at some documentation you have been shown and

1 identifying certain things for the inquiry; is that  
2 right?

3 A. That is correct.

4 Q. Before we come to that, I'll start by asking you  
5 a little about your own background and your education  
6 and your career. You set this out for us at the  
7 beginning of your statement.

8 I think you tell us that you joined the  
9 Christian Brothers when you were 14.

10 A. Correct.

11 Q. And that you became a novice at 16.

12 A. Correct.

13 Q. Did you then do a spiritual year and then a year of  
14 teacher training in Dublin?

15 A. Correct.

16 Q. Followed by four years of teaching?

17 A. Correct.

18 Q. Then I think you tell us that in December 1954 you were  
19 sent to South Africa where you taught in a school called  
20 St Columba's High School in Athlone; is that right?

21 A. That is correct.

22 Q. Did you spend around nine years there?

23 A. Yes.

24 Q. I think you say also that you did a distance learning  
25 course at that time at the University of South Africa.

1 A. Correct. We were able to get a degree through  
2 correspondence through the University of South Africa.

3 Q. I see.

4 A. And I did that in three years.

5 Q. From there, did you go to the Orange Free State?

6 A. Correct.

7 Q. And I think you tell us that you learned Afrikaans and  
8 that you taught and did further studies there.

9 A. Correct.

10 Q. And I think you say that you obtained a Bachelor of  
11 Education in 1967.

12 A. Correct.

13 Q. Did you then move to Welkom for a number of years?

14 A. Correct; that's also in the Orange Free State.

15 Q. I think you say that you were made principal of a school  
16 there at that time.

17 A. That is correct.

18 Q. Then you tell us that you moved on to the order's  
19 headquarters, I think, in Kimberley?

20 A. That is, of course, the South African headquarters. It  
21 was the first school that the brothers started in  
22 South Africa. I was moved there.

23 Q. I see.

24 At the General Chapter in 1972, I think you tell us  
25 you got a call from Rome to say that you were to be the

1 provincial for the whole of the South African province.

2 A. That is correct, because I wasn't at the chapter itself.

3 Q. Were you aged around 40 at that time?

4 A. It would be -- about 40, yes, I'd say that.

5 Q. You mention that a Brother Southwell had been your

6 predecessor.

7 A. Correct.

8 Q. And I think you also say that there were about 100

9 Christian Brothers in South Africa at that time.

10 A. That was plus or minus 100.

11 Q. As provincial for the South African province, I think

12 you say that you weren't teaching any more but that it

13 was a -- you were the administrative head for all the

14 Christian Brothers schools in South Africa?

15 A. That's right, pastoral and administrative.

16 Q. Thank you. Were there about 14 such schools in

17 South Africa?

18 A. South Africa and then -- today's Zimbabwe, it was then

19 Rhodesia.

20 Q. Were you the provincial for around nine years from 1972

21 to --

22 A. Correct. First of all, I was put for three years to get

23 the decree to make sure that the provincial was at the

24 chapters, but then I was reappointed after three years

25 for six more years, so it was nine years in all.

1 Q. I think you go on to tell us that after that time, after  
2 1981, you remained on the Provincial Council for  
3 South Africa, albeit not as provincial.

4 A. That is correct.

5 Q. And you then went back to teaching, I think.

6 A. Correct.

7 Q. You tell us that in 1997 you left South Africa having  
8 spent 43 years there.

9 A. That is correct.

10 Q. Since that time, 1997, have you lived in Dublin?

11 A. Yes.

12 Q. I think what you say is that you're technically retired  
13 but that you do or have done, until very recently, some  
14 work for the Marino Institute of Education.

15 A. That is correct.

16 Q. You then go on to tell us in your statement a little bit  
17 about the structure of the Christian Brothers order, and  
18 I would just like to ask you a little bit about that.

19 I think you mention that in 1972, worldwide, you say  
20 there were about 3,000 Christian Brothers.

21 A. Plus or minus. I'm not certain of the actual number.

22 That's about it, yes.

23 Q. Were those brothers divided into provinces?

24 A. Correct.

25 Q. I think you say there were about 13 provinces at that

1 time.

2 A. Thirteen, I think that would be about right. A number  
3 of them there, actually.

4 Q. Yes, I see you say there that there were four provinces  
5 in Australia, one in New Zealand, one is South Africa,  
6 one in India, one in England, two in America, one in  
7 Canada and two in Ireland.

8 A. That is correct.

9 Q. And you tell us that one of the main aims of the order  
10 is the education of the young, especially among poorer  
11 people.

12 A. Correct.

13 Q. In terms of the number of provinces, do you know if  
14 that's still the position today?

15 A. No, because in Ireland now -- there was two provinces in  
16 Ireland and one in England, but around about 2009, these  
17 were brought into one province --

18 Q. Thank you.

19 A. -- whereas the same in Australia, as far as I know, the  
20 four provinces became one, and I don't know if  
21 New Zealand was part of them, but we were so taken up  
22 with our own field that we weren't too -- but that  
23 I think is the correct answer, yes.

24 Q. You set out some information about the General Council  
25 in Rome.

- 1 A. Correct.
- 2 Q. And who was the Superior General at the time that you  
3 were the provincial of South Africa?
- 4 A. Brother Kelty.
- 5 Q. And as well as Brother Kelty, were there other brothers  
6 on the General Council?
- 7 A. There were. I do believe there were four on the  
8 General Council. Because at that stage they would  
9 appoint maybe one that would represent Australia and the  
10 one from England and South Africa, and India was one.  
11 They picked one because there were four there, you see,  
12 and that incumbent was -- you will later see the name of  
13 Brother Colman Curran. They were appointed at  
14 a General Chapter.
- 15 Q. Does the Superior General have personal authority over  
16 the communities and brothers of the order?
- 17 A. Correct. That is the thing, but in a working order it's  
18 done -- what do you say? -- it's a circus one, he has  
19 the provincials below him and they advise him on things.  
20 A lot of the ordinary decisions are taken by the  
21 provincial, you see, whereas then -- but he has the  
22 ultimate -- he has the personal authority of the  
23 communities and brothers of the order.
- 24 Q. Is the General Council also known as the order's  
25 leadership team?

- 1 A. Correct.
- 2 Q. And I think you tell us that the General Council carry  
3 out visitations of the provinces.
- 4 A. Correct. But also, the local province, the provincial  
5 council, they also have visitations as well for their  
6 own province, but the General Council come every now and  
7 then and have the visitation for the province.
- 8 Q. In relation to the provincial council in South Africa  
9 when you were the provincial of South Africa, I think  
10 you tell us there was yourself and five brothers.
- 11 A. Four others.
- 12 Q. Four others and yourself?
- 13 A. Five in all, yes.
- 14 Q. You mention that one of these was a Vincent Kelleher?
- 15 A. Correct.
- 16 Q. I'm now going to focus on the issues relating to  
17 Mark Farrell and we'll have look at that.
- 18 A. Right.
- 19 Q. Is Mark Farrell the person also known as John Bernard  
20 Farrell?
- 21 A. Correct, yes. The religious name was Mark.
- 22 Q. You give us some information in paragraph 15 of your  
23 statement about where Mark Farrell worked during  
24 a period of time that he spent working in South Africa.
- 25 A. Correct. Might I say that two of those years were as

1 a student. That will come up later on.

2 Q. Could you take me through, as far as you're aware from  
3 that information, where he started out and the moves  
4 that he had?

5 A. He started out in Welkom, then Pretoria, then Athlone,  
6 then Cape Town, then ... now, next would be actually  
7 Bulawayo, because that would be from 1975 to 19 ...  
8 He was studying there. And then for the rest of the  
9 year, he seemed to have been in Boksburg; that's close  
10 to Johannesburg.

11 Q. So did he then spend time working or teaching, as it  
12 were, in five places, and a period of time studying in  
13 Bulawayo?

14 A. Correct.

15 Q. You tell us in your statement that he arrived in  
16 South Africa in 1967.

17 A. From the records, yes.

18 Q. We'll come to look at this, but I think we know that he  
19 left in 1977, so that he spent around 10 years there.

20 A. Correct.

21 Q. In 1972, when you became the provincial of South Africa,  
22 where did Mark Farrell work at that time?

23 A. He was then in Pretoria.

24 Q. Which school was he at in Pretoria?

25 A. Christian Brothers College, Pretoria.

1 Q. You tell us that at your first provincial council  
2 meeting as provincial of South Africa, an issue came up  
3 at that meeting in relation to Mark Farrell. Could you  
4 tell me about that?

5 A. I was appointed as provincial in 1972. I was earlier  
6 there, but then after that I had a road accident and  
7 I was three days unconscious, but I overcame that except  
8 for double vision for a while. But this was my first  
9 meeting of the council in South Africa, that one there,  
10 when Brother Kelleher brought the notice to the council  
11 that he had interfered with a boy or boys in the  
12 boarding school in South Africa.

13 Some of the community were in residence in the  
14 boarding school, but the rest were in the ordinary house  
15 there, you know.

16 Q. The school Mark Farrell was in, the college, was that  
17 a boarding school?

18 A. It was, but there were two, if you like -- some of the  
19 brothers were in the boarding section, others were  
20 in the ordinary community residence.

21 Q. So can you remember what Brother Vincent Kelleher said  
22 at the meeting? How was this introduced?

23 A. I'm not certain, but as I had said there, he had  
24 interfered with a boy or boys who were residing in the  
25 boarding school, because he was in the boarding section

1 and he had received a complaint and had taken the  
2 decision to move Mark Farrell from the boarding school  
3 to the community residence on the same campus.

4 Q. What was your understanding at the time of what it was  
5 alleged that Mark Farrell had done at the school?

6 A. The only thing that came up, as I said here, is he is  
7 completely (inaudible:distorted) experience of the  
8 language, that he had interfered with the boys, in other  
9 words some moral transgression had occurred and I was  
10 surprised that he was just ... I never received  
11 a complaint from the parent or parents. It was  
12 Brother Kelleher got that and he dealt with it. But  
13 when he came into the council, then I decided, probably  
14 at the meeting, that he should be moved completely from  
15 Pretoria.

16 Q. Was it your understanding that he interfered with one  
17 boy or more than one boy?

18 A. That I don't know, I didn't go into that. As I said  
19 there, I didn't know the ages of the one he had  
20 interfered with. Seeing the complaint had come to  
21 Brother Kelleher, it didn't come to me, and I went on  
22 the word of Brother Kelleher that the complaint had been  
23 made to him, and then we decided that he should be moved  
24 from Pretoria.

25 Q. Was your understanding at the time that he had

1           interfered with the boy or boys in a sexual way?

2           A. That is my summing-up of it at the time.

3           Q. What was the age range of the children at the school?

4           A. Because I was principal in that school later on, many  
5           years later, and it would have gone from about standard  
6           2 to standard 10. In South Africa, it goes numbers ...  
7           so I would say from about 8 or 9 up to 18.

8           Q. Within that range of age, did you have any indication of  
9           the age group of the boy or boys concerned?

10          A. No.

11          Q. How had Brother Kelleher became aware of the allegation?

12          A. It seems that he had received a complaint. I don't know  
13          whether it came from the boys who made the complaint or  
14          their parents. I don't know. But it would seem that he  
15          got that complaint and I took it that it was a moral  
16          transgression, but I didn't meet the parent or the  
17          parents. In today's world, it would be a different way  
18          of approaching it.

19          Q. Do you know if Brother Kelleher spoke to Mark Farrell  
20          at the time?

21          A. I'm not certain, but it was left over to him to deal  
22          with the complaint there, and actually when it came in  
23          to us, we took it that now we were dealing with the  
24          brother on it, you see ... he was left at the time to  
25          continue with whatever happened in Pretoria and I didn't

1           again get anything -- there was no follow-up on that  
2           that I'm aware of at all.

3       Q.   So as I understand it, the decision had already been  
4           taken before the issue was brought up at council that  
5           Mark Farrell be moved out of the boarding side of the  
6           school; is that right?

7       A.   Correct, yes.

8       Q.   Was there then a discussion at the council about whether  
9           something else required to be done?

10      A.   Well, I'm rather vague on this, but I think  
11           Brother Kelleher said the idea was that the community  
12           residence might be -- my feeling at the time was that he  
13           should be moved from Pretoria completely.

14      Q.   Did the council make a decision about that, whether or  
15           not he should be moved from Pretoria?

16      A.   Well, I'm sure they did -- I'm vague on that, but anyhow  
17           that was what happened.  He was moved then at that  
18           stage.

19      Q.   What were your own thoughts at the time about the  
20           allegation that had been made?  Did it surprise you?

21      A.   No, you see, I didn't know him well at all, I never  
22           lived with him, but I am certain that at the time  
23           anything like that of a sexual nature was not very much  
24           in the news.  I thought that this was, for him, an  
25           indication that he had transgressed because I believed

1           what I heard from Brother Kelleher and that -- and in  
2           subsequent places that he would attack this problem  
3           himself and that the opportunity was given him to turn  
4           over a new leaf on the matter.

5           Q. Do you know if the matter was reported to any place  
6           outside the Christian Brothers order, for example any  
7           external organisation or the police?

8           A. No, not at that time. Because there was no follow-up  
9           from that side; it was left in the hands of the  
10          principal of the school, Brother Kelleher.

11          Q. Do you know how quickly Mark Farrell was moved from  
12          Pretoria after the decision had been taken at the  
13          meeting that he should be moved?

14          A. It would have been very shortly afterwards. I think  
15          later on, thinking over the thing, that it was in August  
16          in 1972 that he was -- it would have been pretty soon  
17          after that that he was moved.

18          Q. Do you know if Mark Farrell knew the reason that he was  
19          moved from Pretoria?

20          A. Well, I'm going on things that ... why was he moved was  
21          the very fact ... I definitely assumed that he knew what  
22          the situation was.

23          Q. The school that he was moved to, was that St Columba's  
24          High School in Cape Town?

25          A. Correct.

1 Q. Was that school made aware of what had happened in  
2 Pretoria?

3 A. No, I think that was a day school, whereas he was moved  
4 from the boarding school in Pretoria.

5 Q. Would there be any monitoring of him in that school by  
6 the council or anybody who knew what had happened in  
7 Pretoria, the allegation?

8 A. No. No, but I do know that I watched the thing  
9 carefully and for the rest of the time between 1972 and  
10 1977, as I state later on in the document, there was  
11 never any report of any kind coming in of any sexual  
12 transgression at that time.

13 Now, two of those years admittedly were as a student  
14 in Bulawayo, but I had never at that time had any  
15 complaint of that kind, and I probably assumed, wrongly,  
16 that he had overcome this tendency.

17 LADY SMITH: So Brother O'Neill, when you say you watched  
18 the thing carefully, are you talking about watching  
19 carefully for any reports coming in of further  
20 complaints of sexual misconduct?

21 A. That's right. I went completely on anything that anyone  
22 would complain about him in that style(?).

23 LADY SMITH: Right. But am I right in thinking there were  
24 no proactive efforts made to enquire as to how he was  
25 conducting himself?

1 A. The only way that would have been would be the annual  
2 visitation reports that we reported at that stage.

3 LADY SMITH: Thank you.

4 MS MACLEOD: Did he ever work in a boarding school again in  
5 South Africa?

6 A. No.

7 Q. Would he have been allowed to work in another boarding  
8 school in South Africa?

9 A. I don't think so (inaudible: distorted) but there wasn't  
10 any, there wasn't any request.

11 The only thing I should bring out here is that  
12 at the time there were some brothers in South Africa who  
13 had one year in Marino and they hadn't got the full --  
14 what can I say? -- qualification. And a circular went  
15 out to them that they could, some of them, go to evening  
16 classes at some of the universities or to study  
17 full-time and he was the only one, actually, who availed  
18 of that opportunity to study full-time in Bulawayo, at a  
19 training college in Bulawayo.

20 Q. I'm now going to ask you to look at a number of  
21 documents that I think the inquiry have shown you and  
22 you discuss in your statement. If I can take you, first  
23 of all, to the first document in your folder. I'll give  
24 the reference for the transcript. It's  
25 CBR.001.001.5652. Have you got that?

1 A. Yes, I've got it, yes.

2 Q. Is this a Province of South Africa visitation report  
3 from 7 to 11 August 1972?

4 A. Correct.

5 Q. Does it relate to St Columba's High School in Athlone?

6 A. Yes.

7 Q. Do you know who carried out this visitation on behalf of  
8 the province?

9 A. I'm not certain, but it was probably myself.

10 Q. If we look at the final paragraph of the report, I'll  
11 just read out a part of the final paragraph and then  
12 we can look at it:

13 "Brother Mark Farrell joined the community on the  
14 second day of visitation, having been changed due to  
15 circumstances in Pretoria. He is a very good worker in  
16 school and in extracurricular activities and it is to be  
17 hoped that he will be able to overcome the reasons for  
18 his change from Pretoria."

19 Do you see that?

20 A. Yes.

21 Q. Who would see this report? Would St Columba's School  
22 see the report?

23 A. No, definitely not. It would only be an internal  
24 brothers' report.

25 Q. What do you take then, looking at that now, what's

1           written there, what do you take from that?

2           A. Well, that he had been changed and there was no  
3           complaint or anything about the matters because he was  
4           changed away from the boarding school, that there was no  
5           accusation of, say, sexual aberration.

6           Q. If we can then move on to the second document. I'll  
7           give the reference for the transcript: CBR.001.001.5653.

8                     Is this a visitation report for the same school,  
9           a visitation by the province for the following year, 20  
10          to 24 May 1973?

11          A. Correct.

12          Q. Who prepared this report?

13          A. Again, I put it down that it was probably myself,  
14          because I was the only one of the council that was  
15          fully -- a lot of the others were in school and they'd  
16          come for meetings at certain times, but sometimes some  
17          of them did prepare the reports, but in all probability  
18          now that report would be made by myself.

19          Q. If I can take you to the final paragraph in the main  
20          section of the report, I'll read out a couple of lines:

21                     "Brother Mark Farrell seems to have made a good  
22          recovery from his troubles of last year. Though rather  
23          loud and extrovert, he is leading a good life and is  
24          working very hard in school and is carrying out his  
25          duties as bursar well."

1           I just wonder, when carrying out the visitation, how  
2           would that kind of information be sought? Would you  
3           speak to people at the school, would you speak to  
4           Mark Farrell himself?

5           A. Well, you would speak with each brother individually,  
6           but you didn't speak to anybody in the school. For  
7           example, it seems that he got a job, that he worked hard  
8           in school, and that would have come from observation of  
9           what he did there at the time.

10          Q. So when it says that he seemed to have made a good  
11          recovery from his troubles, would the people you spoke  
12          to in the school know about his troubles?

13          A. They wouldn't know about it at all. It was all very  
14          much kept as an internal matter. Even amongst the  
15          brothers themselves. I give you -- maybe I'm diverting  
16          here, but later on, I read that they had a meeting in  
17          England and a brother that had been in Welkom beforehand  
18          said that he was changed and they didn't know why he was  
19          changed. That was the Pretoria change. So it was kept  
20          kind of, even amongst the brothers, as very, very  
21          private. It was for the individual himself to make the  
22          changes.

23          Q. If we can move on to the next document, which is  
24          document number 3. I'll give the reference for the  
25          transcript: CBR.001.001.5673. I think we're moving some

1           years ahead here. This document is -- we're moving from  
2           1973 to 1977. If we look at this document, does this  
3           seem to be a letter from Mark Farrell to the  
4           Superior General, Brother Kelty, in Rome?

5       A. Correct. I'm looking at it now. If you notice now,  
6           this will be five years later. That would be 45 years  
7           ago. This is the first time I've seen that letter at  
8           all, but that would be him all right: finished his  
9           course, the two-year course in Bulawayo, the two years  
10          that he had off.

11       Q. I think you may have seen a copy of this letter when you  
12          prepared your statement for the inquiry.

13       A. It may be that there were other letters there. I never  
14          saw that particular letter itself, but it was referred  
15          to.

16       Q. I see. Well, in this letter -- do you understand that  
17          at least in some letter Mark Farrell wrote to the  
18          Superior General to ask to be transferred back, to be  
19          near his family?

20       A. Yes, but that was one that was referred to already, so  
21          I knew that he had done that.

22       Q. If we look to the final paragraph of this letter, I'll  
23          just read that out:

24                 "In April, while making my annual retreat, I wrote  
25          my first draft of this letter. Then I refrained from

1 posting it until I had spoken to my provincial in May at  
2 visitation. He was most sympathetic and, after frank  
3 discussion, his comment was that I should discuss it  
4 more widely with my confrères, but ultimately my  
5 vocation and happiness are of more concern to him than a  
6 further dwindling of the number of brothers in the  
7 province."

8 Do you recall having a discussion with Mark Farrell  
9 about his wishing to move back to the English province?

10 A. No, I cannot remember having the discussion with him,  
11 but at a visitation I'm sure, because it was  
12 a one-to-one thing, that he definitely could have  
13 brought it up there. I can't remember it now, but I go  
14 by what's there on that letter.

15 Q. If we look to the next document, which is a short  
16 letter, I'll give the reference for the transcript:  
17 CBR.001.001.5675. This appears to be a letter from  
18 Brother Kelty, dated 1 September 1977, where he says  
19 in the second paragraph to Mark Farrell:

20 "You have discussed the matter of your request for  
21 a transfer back to St Helen's province with the  
22 provincial."

23 So would that be you, the provincial?

24 A. Yes, that would have been me, yes. But that would have  
25 taken place at that visitation, I'd say.

1 Q. Then in the final paragraph do we see that Brother Kelty  
2 says:

3 "When I have something definite from Clement, I will  
4 write you again."

5 A. I'm Clement.

6 Q. I was going to ask you: is Brother Clement your  
7 religious name?

8 A. Yes, Joseph Clement, yes.

9 Q. Thank you. Then if we look to the next document,  
10 number 5, which is at CBR.001.001.5676, do you see that  
11 this appears to be a letter from Brother Kelty to you,  
12 Brother Clement, on 1 September 1977?

13 A. Correct.

14 Q. Do you remember seeing this letter when you provided  
15 your statement to the inquiry?

16 A. I think what I -- I didn't get the letter, but I think  
17 it was referred to, the documents that I had.

18 Q. I see. Well, if I read out the second paragraph of the  
19 letter for you, it's a letter to yourself from  
20 Brother Kelty in relation to Mark Farrell's request for  
21 transfer:

22 "Do not be surprised if there is something deeper  
23 affecting Mark and causing him to make this request for  
24 transfer. It is normal enough to miss one's family, but  
25 a man of 36 who has already completed ten years of such

1 separation would normally be able to face the situation  
2 more calmly than Mark is doing at the present time. If  
3 he is to go back to Ireland, I would ask Brendan to let  
4 him do the tertianship as early as possible. If he  
5 returns, you might allow him to come through Rome so  
6 that I can talk with him about the future. He seemed to  
7 settle down very well after the upset -- in Pretoria  
8 wasn't it? -- of a few years ago, and there could be  
9 a legacy of that period influencing his situation at the  
10 present time. It is common enough."

11 And I think in the final sentence of the letter, he  
12 says:

13 "I really think that Mark will not settle down now  
14 in South Africa whatever the root cause of his present  
15 unhappiness."

16 Does it appear from that letter that Brother Kelty  
17 knew at least something about what had happened in  
18 Pretoria?

19 A. Definitely, because with documents at the time -- with  
20 the meeting with the people of the central part, then  
21 you weren't kept in kind of secret as with a lot of the  
22 other brothers in the province with headquarters. It  
23 was definitely as if he knew at the time and it was  
24 especially later on, which we will find in this  
25 correspondence) consulate with Colman Curran. So

1 I think to answer your question, I'd say he knew of it.

2 Q. I think what you mention in your statement is that it is  
3 possible that Brother Kelty learned about it from  
4 Brother Colman Curran.

5 A. Correct.

6 Q. He was a member of the General Council at the time;  
7 is that right?

8 A. Correct.

9 Q. And did he have a particular role in relation to  
10 South Africa?

11 A. Well, he was, as I said... When the General Council  
12 at the time -- now, this is not written down, but  
13 usually they would send -- whenever the General Council  
14 was elected it would represent especially provinces, and  
15 I think at the time that India, England and South Africa  
16 were kind of grouped together, so he would have  
17 a special interest on that one that way.

18 Q. Did you at any time tell Brother Kelty about what you  
19 knew about Mark Farrell's move from Pretoria?

20 A. I don't think so. I don't think so, but as I said from  
21 the documents there, I'd say he had the information from  
22 somebody on the General Council. And Brother Curran was  
23 one of these.

24 Q. How would Colman Curran have come to know about the  
25 situation in Pretoria?

1       A. The only way is I've talked to him some time or other.  
2       I can't remember now, but definitely it would have  
3       been ... because we used to have meetings and they'd  
4       come on visitation. I can't remember, I haven't written  
5       anything, but I would say that I would have told him  
6       that.

7       Q. Do you remember receiving this letter from  
8       Brother Kelty?

9       A. I don't remember receiving it, but it definitely is very  
10      genuine.

11     Q. When Brother Kelty says that:

12             "There could be a legacy of the period in Pretoria  
13      influencing Mark Farrell's situation at the present  
14      time, it is common enough."

15             What did you or what do you take him to mean by  
16      that?

17     A. Well, he was an Australian and I suppose from previous  
18      experience, when dealing with jobs that he had to do,  
19      that there was a legacy of what happened, similar to  
20      what happened in Pretoria, and that now it might have  
21      something to do with his request for a transfer. But  
22      at the time it was a request for Mark to go back to  
23      either England or Ireland. But you can see that:

24             "I really think that Mark will not settle down ...  
25      whatever the cause of his present unhappiness."

1           Because now he had gone to the (inaudible:  
2           distorted) and took the two years off and now when he  
3           gets it, he wants to be transferred away from  
4           South Africa.

5           Q. If we move on to the next document then, document 6,  
6           CBR.001.001.5681. Does this appear to be a letter from  
7           Mark Farrell to Brother Kelty, the Superior General, on  
8           9 September 1977?

9           A. Correct.

10          Q. Do we see him in the second paragraph set out that he  
11          would be happy to go to the English province?

12          A. Correct.

13          Q. "The English system of education is reasonably familiar  
14          to me through being stationed in Rhodesia and I would be  
15          happy to go to the English province if you feel the need  
16          for personnel there is more pressing."

17                 Would that be more pressing than Ireland?

18          A. Well, I don't know. Probably that's what he meant by  
19          it.

20          Q. Do you see that in the final sentence of that paragraph  
21          he says:

22                 "Clement arrived back at provincial headquarters  
23          today and when I saw him this evening he had received  
24          your letter."

25          A. Yes.

1 Q. So that may be you confirming to him that you'd received  
2 the letter that we just looked at to you from  
3 Brother Kelty, from 1 September 1977.

4 A. But I can't remember it. The way it's down there, it  
5 looked as if he had -- that he knew about it.

6 Q. I see. If we turn to document number 7, which is at  
7 CBR.001.001.5683. This is a letter which is dated a few  
8 weeks later, 2 October 1977, and it appears to be  
9 a reply to Mark Farrell from Brother Kelty, saying that  
10 he will contact Fergal O'Brien. Was Fergal O'Brien the  
11 provincial in the English province at that time?

12 A. Correct, that's true.

13 Q. Do we see in the letter that he also says:

14 "I have advised the provincial in Boksburg by letter  
15 today to write to Fergal also."

16 Is that yourself?

17 A. That was me, yes.

18 Q. Do you know if you did write to Fergal O'Brien, the  
19 provincial of the English province, about Mark Farrell's  
20 transfer?

21 A. I think I did, yes.

22 Q. Do you remember what you said in the letter?

23 A. I again referred to his record since the problems  
24 started in Pretoria and that there hadn't been any  
25 complaint or anything like that. I didn't refer at all

1 to the reason for his being moved from Pretoria, but the  
2 thing was that I was going on the ... I think the  
3 document that I had there was never -- never referred to  
4 that that for some reason or other I didn't put it down,  
5 about what happened in Pretoria.

6 Q. Okay. We'll come to look at that.

7 A. I didn't make specific reference to that, but as we  
8 found out earlier, they did know that in the  
9 General Council in Rome, earlier we found, you know.

10 Q. And we'll come to look at that.

11 If we turn to the next document, which is document  
12 number 8, at CBR.001.001.5684. Do you see that this  
13 appears to be a letter from Brother Kelty in Rome to  
14 Brother Fergal O'Brien, the provincial of the English  
15 province --

16 A. Yes.

17 Q. -- dated 2 October 1977?

18 A. Yes.

19 Q. In this letter, he starts on the first paragraph by  
20 saying it appears that he's had an application from  
21 Brother Mark Farrell for a transfer from the South  
22 African province to England. He says:

23 "Mark is a native of Dublin and joined the brothers  
24 in 1959. Now just 35 years of age, he has spent  
25 10 years in South Africa."

1           And he goes on to mention a trip that Mark Farrell  
2           had home to Ireland and in the final line of that  
3           paragraph:

4           "On paper, it looks like a genuine case of  
5           homesickness."

6           A. Yes.

7           Q. If we miss one paragraph and move on:

8           "I am just putting this case to you at this stage  
9           and you will probably receive a letter from Clement  
10          asking for somebody in exchange."

11          Then he goes on to speak about -- it appears,  
12          negotiations about brothers moving to and from  
13          South Africa. He says:

14          "You may think that I'm feeling uneasy about the  
15          transfer. That is not so. But I do think you should  
16          safeguard your own province in any transfer like this.  
17          You are as pressed for numbers as Clement, who has had  
18          a bad time these last two years."

19          So do we see there that Brother Kelty is expressing,  
20          in relation to Mark Farrell, what happens to be  
21          a general case of homesickness and that his main concern  
22          appears to be in relation to negotiating the numbers of  
23          brothers?

24          A. That's right. That put in mind that I would be looking  
25          for some people in exchange for one moving out of the

1 province.

2 Q. So there's nothing mentioned here about a concern about  
3 Mark Farrell in relation to the issue in Pretoria, for  
4 example?

5 A. No, but here and in that letter earlier he did know of  
6 that, you see, but not in this particular case.

7 Q. When you say he did know of that, is that Brother Kelty?

8 A. Brother Kelty, yes.

9 Q. If we move on to document 9, which is at  
10 CBR.001.001.5699, does this letter appear to be a letter  
11 to yourself, it says "Dear Clement" at the top, dated  
12 2 October 1977?

13 A. Yes.

14 Q. I think you mention in your statement at paragraph 41  
15 that the signatory of the letter is missing on the page  
16 but that you think or you assume that it either came  
17 from Brother Kelty or from Colman Curran.

18 A. Just right at the end, it's definitely from  
19 Brother Kelty.

20 Q. Thank you.

21 LADY SMITH: Yes. The very small part of the signature  
22 we can see certainly looks similar to the signature that  
23 he puts on the letters where we can see the full amount  
24 of his signature, doesn't it?

25 A. Yes.

1 LADY SMITH: And you're deducing that from the way he writes  
2 the J and L on the letter that you can see here?

3 A. With what I had before, I didn't have that on the  
4 document, but here I would definitely say it's from  
5 Brother Kelty.

6 LADY SMITH: Was Brother Kelty interested in cricket?

7 A. Very much so.

8 LADY SMITH: Because he makes reference to Australia's lack  
9 of success, I should say, in a recent test match at the  
10 foot of that letter, doesn't he?

11 A. Yes. Definitely it was in there.

12 LADY SMITH: "An ignominious display"?

13 A. Correct. That's the sort of thing that he would say.

14 LADY SMITH: Ms MacLeod.

15 MS MACLEOD: Do we see that in the first paragraph of that  
16 letter, Brother Kelty is thanking you for two letters  
17 that he's received from you, 16 and 14 September, with  
18 accompanying materials?

19 A. What paragraph is that?

20 Q. The very first one.

21 A. Yes. "And for the accompanying material", yes.

22 Q. Do you know what these letters were or what the  
23 accompanying materials were?

24 A. I cannot remember that.

25 Q. Okay. In the second paragraph, does he say:

1           "I had a letter from Mark Farrell again and he  
2 prefers to join the English province. I suggest you  
3 write to Fergal and try to arrange some sort of  
4 exchange, but you would need to let him know that Mark's  
5 return would be a permanent arrangement. When you have  
6 sent me your vote, I will also write to Fergal and  
7 approve Mark's transfer."

8           Do you see that?

9       A. I see that, yes. I'm surprised -- I must have got that  
10 because the vote -- we rarely voted in that way, but  
11 anyhow we must have. He was counting up people that  
12 were saying things about the transfer, actually.

13       Q. I want to ask you a little bit more about that. In the  
14 penultimate paragraph of the letter it reads:

15           "I have just read the postscript to your long  
16 letter. It must be a record one for you and I will have  
17 to take that as a favourable vote on Mark's request.  
18 It is a bit involved but it appears that the vote could  
19 be read as 3-2 under any circumstances. I will write to  
20 Fergal as soon as possible and let him know the  
21 situation."

22           We don't have your letter with that postscript, so  
23 I just wonder if you can remember or help me at all,  
24 what was this vote and how did it work?

25       A. I think, actually, it was a case of whether he should be

1 granted the request to join the English province.  
2 That's the only thing that could be going on that and  
3 then I'm rather surprised on the 3-2. I don't even know  
4 who would be voters on that. It looks as if that one,  
5 I was saying that, fine, he could be moved to ...  
6 I would agree to his move to England, the English  
7 province.

8 Q. If we turn to document 10, which is at CBR.001.001.5700,  
9 does this appear to be a letter again from Rome from  
10 Brother Kelty --

11 A. Yes.

12 Q. -- to yourself, and it's dated 24 October 1977?

13 A. Yes, that's right, yes.

14 Q. If we turn to the second page of this letter, and the  
15 third paragraph down, I'll just read a few lines there:

16 "Mark Farrell expressed a preference for the English  
17 province, so I have written to Fergal to inform him of  
18 that. I have heard nothing from him as yet. Brendan  
19 may be keen to accept Mark back there and I think Mark  
20 would be happy to go to any of the three provinces. All  
21 things considered, I am worried about Mark's future,  
22 though I cannot give any facts that give me a cause for  
23 concern. I promised to write him again when I have some  
24 news from England."

25 I just wonder if you could help me with what you

1 take from the words:

2 "All things considered, I am worried about Mark's  
3 future, though I cannot give any facts that give me  
4 cause for concern"?

5 A. Well, I think, actually, that he could have had the  
6 initial Pretoria episode in mind, but he might also have  
7 had the fact of was he going to try to get -- what  
8 exactly was his reasons. Because I think this thing of  
9 homesickness didn't mean a lot to Brother Kelty.

10 Q. If we look to document 11, which is at CBR.001.001.5690,  
11 does this look to be a letter from Brother O'Brien, the  
12 provincial in England, to Brother Kelty, the  
13 Superior General in Rome?

14 A. From the address at St Mary's, The Priory, Bath. I have  
15 only one page of that.

16 Q. Unfortunately, we only have one page of it.

17 At the top of the letter, do we see that it's dated  
18 29 October 1977?

19 A. Correct.

20 Q. In the second paragraph of the letter, does it read:

21 "South Africa: since your letter I have heard from  
22 Clem ..."

23 Is that yourself?

24 A. Yes, correct.

25 Q. "... who informs me that 'we are quite in agreement

1           about the transfer here but as to the exact reason for  
2           it, I do not know as I have my doubts about the reasons  
3           he put forward to me'."

4           So does it appear from that that you had expressed  
5           doubt about the reasons Mark Farrell had put forward and  
6           that you'd expressed these doubts to Brother O'Brien?

7       A.   Correct, because he had gone for two years, the only one  
8           of such, the extra two years in teacher training, and  
9           now he's coming up with conveniently -- I shouldn't use  
10          that word -- but in 1977 he had that, and that's why  
11          I had my doubts about the reasons for his going back.  
12          I'm not going on to what happened later on in his  
13          career, but that was written at the time.

14       Q.   Do you know if you said anything else to  
15          Brother O'Brien? Did you tell him, for example, about  
16          the allegations you knew about from Pretoria?

17       A.   I don't think I talked to Brother O'Brien.

18       Q.   If we move on to the next document, number 12, which is  
19          at CBR.001.001.5662. Does this appear to be a letter  
20          from Brother Kelty to Brother O'Brien in England, dated  
21          14 November 1977?

22       A.   Yes, I think so.

23       Q.   And if we go to the fourth paragraph of the letter, I'll  
24          read that out:

25                 "I have no further word from Clement about

1 Mark Farrell but I would expect him to contact you again  
2 first. We will certainly approve his transfer and  
3 I trust that he will be able to settle down in England.  
4 As Clement mentioned, the only apparent reason why he  
5 wants to transfer from South Africa is because of  
6 homesickness. But that is rarely the full cause of  
7 decisions like this. If I learn anything that will be  
8 of use in your care of Mark, I will let you know."

9 Do you see that?

10 A. I see that, yes. The word that really stands out for me  
11 there is "the only apparent reason" and "I would expect  
12 him to contact you again first". Whether I did that or  
13 not, I don't know, but I did send something to  
14 Brother O'Brien, but it might be ... I think later on  
15 we come across that in the letter that I wrote.

16 Q. Yes, we'll come on to look at that.

17 You said that the word "apparent" sticks out to you;  
18 what do you take from the use of that word?

19 A. "The apparent reason why he wants -- the only one that  
20 said there must be other reasons why he wanted to get  
21 back.

22 Q. If we now turn to document 13, which is at  
23 CBR.001.001.5703. This is a three-page letter. Does it  
24 appear to be a letter from you to Brother Kelty?

25 A. Yes. Definitely, because that was one of our schools in

1 Tweespruit in the Orange Free State and my signature is  
2 there. That's definitely me.

3 Q. Is the letter dated 14 November 1977?

4 A. Correct.

5 Q. And if we turn to the third page of the letter, about  
6 nine or so lines down the third page, does it read:

7 "Fergal has agreed to take Mark Farrell and as soon  
8 as I get back to Boksburg I will arrange his travel  
9 through Rome so that you can meet him on the way.  
10 I will give you good notice of his coming."

11 A. That's correct.

12 Q. So do we see there that you seem to be saying you're  
13 going to arrange for Mark Farrell to go to the English  
14 province but via Rome so he could meet up with  
15 Brother Kelty?

16 A. That's right.

17 Q. If we turn to document 14 in your folder, which is at  
18 CBR.001.001.5691, this is a two-page letter. Does it  
19 appear, at least from the second page and the end of the  
20 second page, that it is a letter to Colman Curran?

21 A. Correct.

22 Q. I think what you say in your statement at paragraph 55  
23 in relation to this -- and it doesn't appear that we  
24 know who the letter is from ...

25 A. Are you referring now to 5692?

1 Q. Yes. It's a two-page letter.

2 A. Yes.

3 Q. So is it a letter to Colman Curran?

4 A. Yes.

5 Q. I don't think it's clear from this letter who it is  
6 from, but we might be able to look at another document  
7 in a moment that might assist you with that. From  
8 looking at this letter, do you know who it's from?

9 A. It's the first time I've seen this letter.

10 Q. I see, so you didn't see this when you provided your  
11 statement to the inquiry?

12 A. No, definitely not.

13 Q. Okay.

14 A. It might have been a one or two page -- a two-line  
15 statement in my statement, but I definitely didn't see  
16 all this in it.

17 Q. I see. Okay. So it appears -- and I can look at this  
18 with you when I look at another document shortly -- that  
19 this might be from somebody in the English province.

20 A. Correct, yes.

21 Q. I'll read a part of the second page, which might assist  
22 you. If we turn to the second page of the letter and  
23 the fourth paragraph down. It reads:

24 "We need someone for Prior as Pat Carey is having  
25 his hip operation in January. Could the South African

1           likely to join us shortly be suitable for St Peter's and  
2           generally in Prior? He was in Pretoria according to  
3           Clement's sheet on him, but I wonder whether this was  
4           a boarding school. Otherwise he would have been in  
5           a day school in Africa. I would like to see P Carey  
6           moved and the new man take over St Peter's."

7           Do you see that?

8       A. That's right. That definitely looks as if it is one of  
9           the assistants in the English province writing back to  
10          Brother Colman Curran in the Generalate in Rome.

11       Q. Okay. Do you see that this letter suggests that a sheet  
12          has been provided by you to the English province, which  
13          showed that Mark Farrell had been in Pretoria?

14       A. Definitely, because that's what was known as the  
15          transfer, where you had the thing of a brother, where  
16          you write down where he was and what school he was at  
17          while he was there in the province.

18       Q. Does it appear that the person writing this letter  
19          in the English province didn't know from the sheet that  
20          had been provided whether the school in Pretoria had  
21          been a boarding school or a day school?

22       A. The only school that they were -- they were one and all,  
23          it was the same school. But some of the pupils in the  
24          day school were boarders.

25       Q. Do we see that the person who's writing this letter

1           says:

2                    "But I wonder whether this was a boarding school."

3                    So it appears that at least the person writing this  
4           letter didn't know whether or not that was a boarding  
5           school.

6           A. That's right, yes.

7           Q. You've already told us that you didn't include  
8           information about the reasons for the move to Pretoria.

9           A. Correct. To England, to the English crowd. I did not  
10          include the Rome crowd in that. I didn't include it to  
11          the English province.

12          Q. Yes, thank you. So the person writing this letter -- it  
13          doesn't appear they knew anything about concerns about  
14          Pretoria?

15          A. Correct.

16          Q. Do you see that the plan, at least at this time when  
17          this letter was written, was that Mark Farrell might be  
18          placed in a school called Prior?

19          A. I think so. That was definitely there. Prior -- it  
20          could be Prior Park, there was a school, Prior Park.

21          Q. Is that Prior Park Preparatory School in England?

22          A. Probably.

23          Q. Is that a boarding school?

24          A. I'm not certain, but I think it was. My knowledge of  
25          the English province schools was then rather vague.

1 Q. I see. If we then turn to the next document,  
2 document 15, which is at CBR.001.001.5664. This is  
3 a two-page letter and it appears to be, I think,  
4 a letter from Brother O'Brien in England to  
5 Brother Kelty.

6 A. Yes.

7 Q. Did you see this letter when you provided a statement  
8 for the inquiry?

9 A. I don't think I saw it, but there may have been  
10 references to it in the documentation that came through.

11 Q. Your statement mentions that this might be a letter from  
12 Brother O'Brien to Colman Curran, but I think when you  
13 look at the letter -- do you think it's to  
14 Brother Kelty?

15 A. Well, down at the end it is -- it is to Brother Kelty,  
16 as it says here, and "To my dear Brother General", which  
17 means it had to be to Brother Kelty.

18 Q. It's dated 9 December 1977.

19 A. Correct.

20 Q. If I read the third paragraph of the letter:

21 "Mark has been with you now for some time and we  
22 expect him here any day now. As a result of your  
23 meeting with him, I would like you to let me have any  
24 further information that may have emerged which would  
25 help us to place him suitably here in the province.

1 I have had his record card from Clem."

2 A. Correct.

3 Q. So does it appear that Brother O'Brien has the record  
4 card from you and that he's now asking Brother Kelty, if  
5 there's any further information that would assist the  
6 English province in placing Mark, that he would like to  
7 have that information?

8 A. Yes.

9 Q. If we turn to document 16, which is at CBR.001.001.5693.  
10 This is a two-page letter.

11 A. Correct.

12 Q. Does it appear to be a letter from Colman Curran in  
13 Rome --

14 A. Yes.

15 Q. -- to a Brother Hooper, which is on the address label of  
16 the letter?

17 A. That's right., he was a member of the provincial council  
18 in England, Placidus Hooper.

19 Q. Is this letter dated 10 December 1977?

20 A. Correct.

21 Q. I'll read out the first part of this letter:

22 "Thank you for your letter, which arrived in Rome  
23 this morning. Thank you for all the news and for  
24 keeping me up to date with the educational world of  
25 England."

1           If I can pause there. Does this assist us perhaps  
2           with finding out who may have written the letter that we  
3           just looked at, at document 14, which was a letter to  
4           Colman Curran from somebody in the English province?

5           A. Oh yes.

6           Q. So might it have been Brother Hooper who wrote the  
7           letter at document 14?

8           A. It definitely could have been, because this is the first  
9           time I've seen this particular one. If it isn't  
10          Placidus Hooper, from a lot of the stuff there, it might  
11          have been somebody that was on the provincial council  
12          there.

13          Q. I see.

14          A. But I'm not certain of that.

15          Q. Thank you.

16                 If we go back to the letter at document 16 that  
17                 we were looking at, CBR.001.001.5693. I'll continue  
18                 reading the first paragraph:

19                 "I thought I had better drop you a note immediately  
20                 lest you were making some of your after Christmas  
21                 appointments. I would urge you not to place your most  
22                 recent addition to the province in a boarding school  
23                 situation. I did write to the provincial when I heard  
24                 that the provincial had agreed to the transfer. I did  
25                 not hear of the move until it was completed, but

1 I presumed the South African pro had explained the  
2 entire background and the urgent need to move brother  
3 from Pretoria."

4 Do you see that?

5 A. Yes. I have seen a copy of that in the documentation  
6 that I had -- excerpts from it, definitely. But that's  
7 from Colman Curran, isn't it, to England? And here it's  
8 evident that he knew about this thing and that England  
9 did not know.

10 Q. Does it appear from the letter that Colman Curran was  
11 very concerned about the suggestion that Mark Farrell be  
12 placed in a boarding school in the English province?

13 A. Definitely.

14 Q. Do we see from this letter that Colman Curran had  
15 presumed that you had explained the entire background to  
16 the English province and the urgent need to move  
17 Mark Farrell from Pretoria?

18 A. From that, yes -- I did remember getting a letter about  
19 10 December there and that I should explain the whole  
20 thing to England. I had that -- I could have got that.  
21 I didn't know if I had replied to that letter or sent  
22 the information that he wanted sent to England, that  
23 I gave them that information.

24 Q. So do you know if you provided the entire background to  
25 the English province at that time?

1 A. I don't know, but it looks like this -- as if they  
2 didn't get that information from me, actually. But the  
3 only thing is that the General Council in Rome would  
4 have known it through Colman Curran's letter there.

5 Q. I think if we could look for a moment at paragraph 63 of  
6 your statement that you provided to the inquiry -- have  
7 you got your statement in front of you?

8 A. Yes.

9 Q. That's WIT.001.002.6546.

10 I think here you tell us about your task when you  
11 were in touch with the provincial in England,  
12 Brother O'Brien. You say:

13 "My task when I was in touch with the provincial in  
14 England, Brother O'Brien, was the question of  
15 Mark Farrell's request to be transferred to the English  
16 province."

17 Then a few lines down, about eight lines down, you  
18 say:

19 "In my report to Brother O'Brien in England,  
20 I limited it to say that he was a good teacher, was good  
21 at the games, was good in community, and that he taught  
22 science. I did not mention the question of the moral  
23 aberration of 1972 as I based my report on the years  
24 since he had been transferred from Pretoria from  
25 September 1972 to 1977. I assumed that he had overcome

1           that aberration. This was of course 55 years ago and no  
2           doubt in today's world I would have taken a different  
3           approach."

4           And then you go on to say that you sincerely regret  
5           the decision taken by you at the time in not having  
6           spoken to Mark Farrell himself and subsequently not  
7           having informed the English province on his transfer to  
8           the English province.

9           A. That is correct, because there it was -- I was going on  
10          the way that we handled the affair in Pretoria, that we  
11          kept it as an internal matter and that by his record  
12          from the following five years, that there was no further  
13          allegations and I assumed that he'd overcome that  
14          aberration. But I can see now that -- well, he hadn't  
15          overcome that aberration. But that was the time back in  
16          1972, you see. So as I say that -- then we would have  
17          -- because I didn't know what exactly the subsequent  
18          affairs in Pretoria was, you see, and that if it was  
19          now, it would be a different way of approaching a thing  
20          like that. The one that was the victim was the first  
21          one that should be looked after, not the one who had  
22          caused the trouble.

23          Q. So do you think then that you should have told the  
24          English province --

25          A. Yes (inaudible: distorted), yes. I should have told

1           them at that time. But all I can say there, I didn't  
2           tell the English province, but Rome itself did know  
3           that, and that's what Brother Colman Curran says here in  
4           the letter to Placidus Hooper.

5       LADY SMITH: Brother O'Neill, can I just check one thing?  
6           Did I pick you up correctly earlier when you said the  
7           "following five years", so we're talking about the  
8           five years after the Pretoria affair. Brother Farrell  
9           was studying at college for two of those years; is that  
10          correct?

11       A. Correct.

12       LADY SMITH: And so it was for three of those years that  
13          he was working at another school?

14       A. Yes.

15       LADY SMITH: And that was a day school, not a boarding  
16          school?

17       A. Correct.

18       LADY SMITH: So he hadn't been tested out, if I can put it  
19          that way, in a boarding school environment again, not in  
20          South Africa?

21       A. Correct.

22       LADY SMITH: Do I take it that's because it was felt that it  
23          was safer to put him in a day school than a boarding  
24          school?

25       A. I think so.

1 LADY SMITH: Thank you.

2 Ms MacLeod.

3 MS MACLEOD: You've told us about your own approach at the  
4 time and that that wasn't something that you -- that  
5 information about Pretoria wasn't something you passed  
6 on to the English province. But I think we can see from  
7 the letter we've looked at, at document 16, that  
8 Colman Curran perhaps took a different view in that he  
9 felt that this was something the English province ought  
10 to be told about.

11 A. Correct. Correct. I see that document there,  
12 document 17, that letter definitely -- what he says  
13 there in his letter to Placidus Hooper brings it out  
14 very closely.

15 MS MACLEOD: I'm now moving on to another document, my Lady.

16 LADY SMITH: It's of a different tenor as well, isn't it?

17 Brother O'Neill, what I think we should do at this  
18 stage is take the lunch break. We've been asking you  
19 questions for nearly a hour and a half and I'm guessing  
20 you might welcome a break at this stage, would that be  
21 right?

22 A. Well, we'll go by your ...

23 LADY SMITH: I think we should. Could we try and start  
24 again at, say, 1.50? All right.

25 A. Thank you.

1 (12.55 pm)

2 (The lunch adjournment)

3 (1.56 pm)

4 LADY SMITH: Good afternoon, Brother O'Neill. Welcome back.

5 Are you ready for us to carry on to complete your  
6 evidence now?

7 A. Certainly.

8 LADY SMITH: Thank you very much. I'll hand back to  
9 Ms MacLeod.

10 MS MACLEOD: My Lady.

11 Good afternoon, Brother O'Neill.

12 A. Good afternoon.

13 Q. Can I start by asking you to look at the next document  
14 in the folder, which is document number 17. The  
15 reference is CBR.001.001.5695. Have you got that?

16 A. Right, got it now.

17 Q. Does this document appear to be minutes of a provincial  
18 council meeting held in Liverpool on 17 December 1977?

19 A. Correct, yes.

20 Q. Do we see noted in the very first line of the minute:

21 "All the members were present"?

22 A. Yes, correct.

23 Q. Would we take that to mean all the members of the  
24 English Provincial Council?

25 A. I think so, yes.

1 Q. If we turn over to the second page of the minute at  
2 CBR.001.001.5696, and if we look at the foot of that  
3 page, where there is a heading "Entry to Province".  
4 I'll read that out for you:

5 "Brother Mark Farrell had arrived and had stayed  
6 with the provincial in Bristol during the provincial's  
7 pastoral visit there. He has now flown to Ireland to  
8 see his family. He too would be available for an  
9 assignment and Titus would need replacing for the  
10 chapter in March held in the Rhodesian's teacher's  
11 certificate. He had taken a two-year course. He would  
12 not be a recognised teacher in the DES category."

13 Then it notes:

14 "Bulawayo 1975 to January 1977."

15 Then:

16 "He had left Ireland in 1963 (born 1942) without  
17 even doing the one-year course in Marino for teacher  
18 training. He had been posted to Welkom in August 1963  
19 and then in 1967 to Pretoria (boarding school), January.  
20 He was moved in August in the middle of the school year  
21 to Cape Town in 1972 where he stayed until his studies  
22 started in Rhodesia in January 1975.

23 "Since qualification he had been posted at Boksburg  
24 to the present end of the term. The provincial had  
25 commented to him that he had been in six different

1 houses in ten years. Mark said he had been giving  
2 edification. The provincial's immediate reflections  
3 were that he was an active, keen gamesman, but rather  
4 loquacious. His home was in Cabra. His provincial in  
5 South Africa had reported that he was a good school  
6 monk, good at games, good in community, and that he took  
7 science. He also reported that Mark was rather homesick  
8 after his last visit to these islands. He had given no  
9 other information about him."

10 Is that there referring to the information that  
11 you'd given to the English province about Mark Farrell?

12 A. Yes.

13 Q. "Mark told the provincial here that he had found life  
14 rather different in South Africa from Rhodesia and that  
15 he was homesick. Leo Kean who had him from a year in  
16 Welkom enjoyed meeting him. He mentioned to the  
17 provincial that his move from Pretoria in mid-year had  
18 been a surprise in the South African province at the  
19 time."

20 Leo Kean, is this a name that's familiar to you?

21 A. Yes. Definitely. He would have been in Welkom, the  
22 first community that Mark Farrell was in in  
23 South Africa.

24 Q. Do you know the reasons for Mark Farrell's transfer from  
25 Welkom to Pretoria?

1 A. No. It was just an ordinary transfer, I would say.

2 Q. The minute goes on:

3 "Colman Curran had sent a private confidential note  
4 to the provincial indicating that he would place Mark in  
5 a day school. He had given no reasons."

6 Do you see there that it seems this minute seems to  
7 note that Colman Curran had sent some kind of letter on  
8 a private and confidential basis to the English  
9 provincial?

10 A. Yes.

11 Q. "After discussion, the provincial agreed to phone the  
12 Superior General for further information. This the  
13 provincial did twice at the weekend without being able  
14 to speak to the General. Subject to a final decision  
15 in the light of the General's views, it was agreed that  
16 Gerry should be posted to Prior Park and Mark to  
17 Falkland. The decision would be finalised at the  
18 council meeting in Manchester."

19 Do you see that?

20 A. Yes.

21 Q. Does it appear then that although there had been  
22 a suggestion at an earlier stage that Mark Farrell was  
23 to be posted to Prior School, from reading this it  
24 appears that he's now to be posted to Falkland?

25 A. There was reference there to somebody from Prior, just

1 reading the word Prior, and that they were looking for  
2 somebody there, actually. (inaudible) read there, have  
3 you finished with that? There's something I want to go  
4 back on.

5 LADY SMITH: Yes, I'm sure we can go back. Ms MacLeod will  
6 take you there.

7 A. Right. One of the things in that particular paragraph,  
8 there was something there about his time in the first  
9 year of training. It was about the third line from the  
10 end:

11 "He had left Ireland in 1963 (born 1942) without  
12 even doing the one-year course in Marino for teacher  
13 training."

14 That second last line. In the one -- I had thought  
15 that he had done that teacher training and it struck me  
16 reading this document, when this came out earlier on,  
17 I just rang headquarters and: did he do that training?  
18 They said he did, but I didn't know (inaudible:  
19 distorted) this thing here, those council minutes that  
20 he didn't even do the one-year course so --

21 LADY SMITH: Brother O'Neill, we're hearing a bit of fuzz.  
22 You may be too close to the microphone. Try that  
23 position and we'll let you know if that's working. It's  
24 not your fault, you wouldn't know the problems we're  
25 having at this end. Can we take it from there? Before

1           you carry on, can I just be clear about what you've been  
2           explaining?

3                     It's to do with this reference to Farrell not even  
4           having done the one-year course at Marino; yes?

5       A.   Yes.

6       LADY SMITH:  Am I to understand that you had thought that he  
7           did do that course?

8       A.   Yes.

9       LADY SMITH:  Was it normal for people to do that course?

10      A.   It was.  Actually -- usually, in my day, myself, I did  
11           one year and then went out in teaching practice for  
12           four years and then came back to do the second year.

13      LADY SMITH:  I thought you'd said that, yes.

14                     So was the one year at Marino regarded as being the  
15           minimum that a brother should do before he engaged in  
16           any teaching at all?

17      A.   Usually, that was the case, that he should do that.

18      LADY SMITH:  Thank you.  Ms MacLeod.

19      MS MACLEOD:  My Lady.

20                     Staying with that for a minute, it goes on to say  
21           that:

22                     "Mark would, of course, not be recognised as  
23           a teacher by the Scottish Teachers Registration  
24           Council."

25                     So I think that's an acknowledgement there that he

1           wouldn't be recognised as a teacher in Scotland.

2           A. Yes. But the idea was that by doing that course in  
3           Bulawayo, as far as I can remember, that would have made  
4           him eligible to teach in Zimbabwe in a South African  
5           school.

6           Q. I see. If we now turn to the next document at  
7           number 18, which is CBR.001.001.5706. Do you see that  
8           this is a letter dated 17 December 1977, so the same day  
9           as the minute we've just looked at of the council  
10          meeting? Is it a letter to yourself, Brother Clement,  
11          from Colman Curran?

12          A. Yes. It definitely looks like that. I haven't seen  
13          this one before.

14          Q. Do you see that in the second paragraph, if I read from  
15          four lines down, it says:

16                 "Mark Farrell spent a few days with us here in Rome  
17                 en route to England. I hope they will not put him into  
18                 a boarding school. I am sure you gave them some advice  
19                 about placing him."

20                 Do you see that?

21          A. Yes.

22          Q. Do you remember receiving this letter from  
23          Colman Curran?

24          A. I don't, actually. There was a letter that he wrote on  
25          10 December, somewhere in the documents, where he put

1 down that he shouldn't be sent to a boarding school.

2 I'm not saying that this didn't come, but I can't  
3 remember it at the time.

4 Q. The letter from the 10th, I think the one you're  
5 referring to, was document number 16, which was from  
6 Colman Curran to Brother Hooper in England.

7 A. That's right.

8 Q. So if we look at the document number 18, the letter to  
9 yourself from Colman Curran, do we see from this that  
10 he's really expressing the hope that you are going to  
11 provide some advice to the English province?

12 A. Correct on that, yes.

13 Q. Did this prompt you in any way to give the English  
14 province advice about placing Mark Farrell in a boarding  
15 school?

16 A. Well, it seems -- I would say I would have replied to  
17 him, but I can't remember now seeing the letter or  
18 replying. But as it stands there, I probably would have  
19 replied to him, but I don't think I referred in any case  
20 to the English province about the Pretoria affair.

21 Q. If we now look to document 19, which is  
22 CBR.001.001.5698. Do you see that this appears to be  
23 the minutes of a provincial council meeting held in  
24 Manchester a few weeks after the other meeting we looked  
25 at? This is dated 30 December 1977.

1 A. Yes.

2 Q. The last one was 17 December, this is 30 December.

3 If I can just read out the part after "Matters  
4 arising":

5 "The provincial had confirmed the transfer of  
6 Gerry Bownes from Liverpool to Prior Park College.  
7 Brother Carey's operation was on 17 January next. The  
8 provincial reported that he had eventually contacted  
9 successfully the Superior General on the phone and had  
10 indicated our intention to post Brother Mark Farrell to  
11 Falkland. The General raised no query on this transfer  
12 and went as far as to state that he would accept  
13 responsibility for this posting. The provincial  
14 referred to a letter which Placidus had had from  
15 Colman Curran, in which he had mentioned again that he  
16 himself would not post Mark to a boarding school."

17 Do you see that?

18 A. Yes, I see that. It is rather extraordinary that the  
19 letter we referred earlier to Placidus Hooper was  
20 10 December. This is on 30 December. I presume that  
21 that was -- they had the information from Colman Curran  
22 about his Pretoria episode. But now I think that the  
23 final, what would I say, putting it into place would  
24 have been decided on 30 December 1977. But there had  
25 been -- at least one of them had been told about the

1 request from Colman Curran not to place him in  
2 a boarding school. That's my reading.

3 Q. Do we take from this that they knew about the concerns  
4 raised by Colman Curran but that ultimately, the  
5 Superior General had given the go-ahead to the transfer  
6 and said he would accept responsibility for the posting?

7 A. Well, it looks like that, as if he had accepted  
8 responsibility for it, because with the reading of the  
9 minutes earlier -- that's the famous vote and so on --  
10 and now he was accepting responsibility as  
11 Superior General. I suppose he had the right.

12 LADY SMITH: Brother O'Neill, did you say earlier that you  
13 didn't know anything about Prior Park School?

14 A. I said that I thought that there was a boarding section  
15 to Prior Park.

16 LADY SMITH: Do you know what sort of school it was?

17 A. As far as I know, it was a high school, but it looked as  
18 if there was a primary as well in it, you know, because  
19 I think it was very popular with overseas students.  
20 I don't know much about it, to be quite honest with you,  
21 on that.

22 LADY SMITH: Thank you.

23 MS MACLEOD: If we turn to the next document, document  
24 number 20, CBR.001.001.5666, do you see that this is  
25 a letter dated 5 January 1978?

1 A. Yes.

2 Q. Do you see that it appears to be from Mark Farrell?

3 A. Correct.

4 Q. I don't think we know who the recipient of the letter  
5 is. I don't know if you can assist with that.

6 A. No, I have no idea. It's the first time I've seen the  
7 full letter, actually. I heard a reference to it all  
8 right, but I don't know who that would be from. Can  
9 I have a look through it?

10 Q. Yes, of course.

11 A. (Pause). No, I couldn't throw any light on that at all.

12 Q. Does it appear that in the letter, Mark Farrell is  
13 confirming that he has arrived in Falkland?

14 A. "Safely ensconced here in Falkland, Scotland", yes.

15 Q. Okay. So if we then move on to the next document, which  
16 is document number 21, at CBR.001.001.5689. Have you  
17 seen this document before?

18 A. I saw it referred to in the documents I got, yes.

19 Q. This appears -- I'm sorry?

20 A. It's the one that says, "John Farrell: Convicted in the  
21 Scottish courts"; is that the one?

22 Q. That's the one.

23 A. Yes. I was asked to comment on that in the original  
24 documents that I had and the only thing I remember of  
25 that was I had met John Burke one day and he told me

1           that this man had been sentenced in the courts.

2           Q. Is that John Farrell?

3           A. Farrell, yes. The thing was I was asked to comment on  
4           that and what word I used in the ... I said, yes, he was  
5           engaged with -- he interfered with boys in Pretoria. He  
6           asked me about that and I said that was the only thing  
7           I had -- it was news to me that he was convicted in  
8           court.

9           Q. Is this a memo written by John Burke, Brother  
10          John Burke?

11          A. It must be. In other words, he probably did that and  
12          someone else -- I don't know where it would have come  
13          from, but it was John Burke, yes. He's the one that  
14          usually represents the brothers at these hearings.

15          Q. Do you remember having a conversation with Brother  
16          John Burke after Brother Farrell had been convicted of  
17          offences against children at St Ninian's in Scotland?

18          A. I just passed the information from him and I said, "Oh  
19          yes, he had a conviction, but he was" -- the matter of  
20          interfering with boys in Pretoria had taken place and  
21          that was all I said at the time.

22          Q. If we then move to the final document, which is at  
23          number 22, CBR.001.001.5657.

24          A. Yes.

25          Q. Do you see that this appears to be an email from

1 a Michael de Klerk to Karen Johnson.

2 A. Yes.

3 Q. Is Karen Johnson the archivist for the Congregation of  
4 Christian Brothers in Ireland?

5 A. In Ireland, yes.

6 Q. I'll read part of the email out:

7 "Dear Karen. Eileen and I have had another search  
8 of files in relation to former Brother Mark Farrell.  
9 Attached is a reference to his transfer from the  
10 Pretoria community on 7 August 1972 to Athlone  
11 (Cape Town) gleaned from the Pretoria community annals.  
12 He was transferred from Athlone to Green Point  
13 (Cape Town) at the end of December 1973 and he spent the  
14 1974 school year in Green Point. In 1975 he moved to  
15 Bulawayo and then to Rhodesia. All of the above has  
16 been obtained from community annals rather than council  
17 minutes.

18 "From the council minutes of November of 1975, there  
19 is reference to his request to do a BEd in Salisbury in  
20 1977. This request was denied by the provincial  
21 council. The council minutes of 1972 do not make any  
22 mention of the transfer from Pretoria. A change in  
23 provincial leadership occurred during the middle of  
24 1972. I regret that we cannot find any further  
25 information regarding the Pretoria 'upset' or the

1 reasons for the transfers within the province or the  
2 move to the UK."

3 Do you see that?

4 A. Yes.

5 Q. Are you surprised to note that the council minutes of  
6 1972 do not make mention of the discussions surrounding  
7 the move of Mark Farrell from Pretoria?

8 A. I am, actually, because that refers -- that would have  
9 been my first minute as provincial in August 1972. And  
10 I'm surprised that the minutes don't seem to be there at  
11 all. They're referring to the community annals. That  
12 was in the local house, somebody wrote what was  
13 happening there. But it hadn't the same official lot as  
14 council minutes.

15 Q. Were minutes taken at the meeting?

16 A. I'm sure that they were. But usually, they weren't  
17 signed and so on. I thought for a moment that I was  
18 mixing it up with another type of meeting, but they  
19 should have been there any how.

20 Q. Where would you expect those minutes to have been  
21 located and preserved?

22 A. Provincial archives, the South African provincial  
23 archives.

24 Q. There is mention there of the various moves that  
25 Mark Farrell had between different schools in

1 South Africa. You've told us about the move from  
2 Pretoria and the reasons for that. Do you know the  
3 reason for his move between any of the other schools  
4 during his time?

5 A. No, I got mixed up there because he was sent to Athlone  
6 first and then to Green Point. Then, you see, after one  
7 year in Green Point, as I referred to earlier, he asked  
8 to be let off to do the two-year training in Bulawayo.  
9 And if you notice there, there is on that letter from  
10 the council minutes of November 1975, there's  
11 a reference to:

12 "... his request to do a BEd in Salisbury 1977.  
13 This request was denied by the provincial council."

14 In other words, he wanted to do another section and  
15 it was turned down.

16 Q. Can you remember anything at the time to do with that  
17 request or why it was turned down?

18 A. No, but I would say that, as I said earlier, it was  
19 a number of brothers who had just done the first year  
20 and they were given alternate ways of adding to it. But  
21 he was the only one who went for a full-time course. So  
22 I presume that seeing as he had got that two years off,  
23 that maybe he wanted to do another one in Salisbury,  
24 which at that time was the capital of the then Rhodesia,  
25 and probably the reason was that he had got the chance

1 to do the two years and he was turned down on that  
2 particular one.

3 Q. Would other provinces have access to the South African  
4 province's minutes of their council meetings? Could,  
5 for example, the English province ask to look at those  
6 minutes? Would they be available to them?

7 A. Well, they'd have to, I suppose, go through the General  
8 in Rome for that.

9 Q. If I can just take you back for a moment to the decision  
10 that was made at the council meeting to move  
11 Mark Farrell from Pretoria. What was the purpose of  
12 moving him? What were the reasons behind the move?

13 A. Well, one of the reasons is that he wouldn't be in the  
14 local residence, but I suppose really the fact was that  
15 it was to get away from the boarding school environment.

16 Q. And why was it thought that he should be removed from  
17 the boarding school environment?

18 A. Well, after the case, the very first case that came in  
19 and where he had been guilty of the -- let's put it --  
20 the case of interfering with a pupil, and he was --

21 Q. So was he -- carry on.

22 A. The principal at the time sent him to the local  
23 community residence, so at the time he thought the best  
24 thing was to get him out of Pretoria completely.

25 Q. Was that to protect himself so that no further action

1           would be taken or for some other reason?

2           A. It was really to protect himself, that he would see the  
3           extent of -- the enormity of this sexual aberration,  
4           I suppose, and that he would be able to remedy it  
5           himself.

6           Q. So it was more to protect Mark Farrell than to protect  
7           children who may be in his care?

8           A. I think so, yes, but I think both of them come in there,  
9           actually, because you are safeguarding -- because today  
10          the important thing is to safeguard the victim, but  
11          I didn't -- the complaint didn't come directly to me  
12          at the time; it went to the principal in Pretoria at the  
13          time.

14          Q. The document we've just been looking at there, the email  
15          to Karen Johnson, it mentions, as we've just discussed,  
16          that Mark Farrell had requested to do a BEd in Salisbury  
17          in 1977. I just wonder if you can comment on -- that  
18          doesn't necessarily fit with him being homesick and  
19          wanting to return to the English province or the Irish  
20          province --

21          A. (Overspeaking). He wanted maybe to do this extra year,  
22          but he had got two years already, so I think that was  
23          the reason he was turned down. What it had to do with  
24          his desire to go back to England, I don't know.

25          Q. I think you and others, as we've seen in the letters,

1 had raised some doubts about whether his homesickness  
2 was the only reason for his wishing to transfer to the  
3 English or the Irish province. Do you think this  
4 request of his for a move to Salisbury suggests that he  
5 may not have been that homesick for Ireland or England?

6 A. I'd be inclined to go along that way because Salisbury  
7 is a distance of -- quite some distance from the nearest  
8 brothers' community in Bulawayo, so it was a different  
9 location completely.

10 Q. Did you speak directly to Mark Farrell at any time about  
11 what had happened in Pretoria?

12 A. That's a difficult one because I cannot -- I thought  
13 that the movement to the new place would make him see  
14 the (inaudible: distorted) and that he would act on it  
15 and I think that's why I put such reference on that for  
16 the following five years he seemed to have -- seemed to  
17 have -- overcome that.

18 Q. Do you know if you yourself did speak to him at any time  
19 about what had happened in Pretoria?

20 A. I spoke to him, definitely, but I cannot remember --  
21 I can't say now that I did speak to him directly on why  
22 he was changed because of the offence in Pretoria.  
23 I went on the word of the principal of Pretoria.

24 Q. In paragraph 85 of your statement, you tell us that  
25 prior to becoming provincial in 1972, you didn't receive

1 training. I just wish to ask you: did you receive  
2 training at any time while you were provincial as how  
3 such allegations against a brother should be dealt with?

4 A. No, I didn't, but what happened in later years,  
5 especially in Ireland, there was a different line  
6 altogether that the victim should be the main one and  
7 that it should be investigated, and then if it was to  
8 happen then -- what I saw -- I didn't get training, but  
9 the perpetrator should be suspended until such time as  
10 a proper interrogation was made, but that was years  
11 afterwards.

12 Q. I think what you say at paragraph 85 is:

13 "Prior to becoming provincial, I did not receive any  
14 training as to how such matters should be dealt with.  
15 There was no counselling given to Mark Farrell. Both of  
16 these things were a weakness in the system at the time."

17 A. I agree.

18 Q. Is that right?

19 A. Yes.

20 Q. The document you've got still open in front of you, the  
21 email, is there a second page behind that,  
22 CBR.001.001.5658?

23 A. 5658. There's something here, yes. That must be from  
24 the house annals:

25 "Stephen Gregory Brown took the place of

1 Mark Farrell who was transferred to Athlone."

2 That was in 1972.

3 Q. We can see there that there is nothing mentioned there  
4 about the reason for the move of Mark Farrell?

5 A. No, that's right.

6 Q. I think you're aware, as we discussed there, when  
7 we were looking at the memo by John Burke, I think  
8 you're aware that Mark Farrell was prosecuted and was  
9 convicted of certain serious sexual offences against  
10 children at St Ninian's in Falkland, in Scotland.

11 A. Yes.

12 Q. Do you yourself have any knowledge of St Ninian's?

13 A. No, to be absolutely open, I didn't even know that  
14 St Ninian's existed. In all that talk of the changing  
15 from South Africa to England, I didn't know of  
16 St Ninian's Falkland at all.

17 Q. I think you tell us towards the end of your statement,  
18 paragraph 88, that Mark Farrell came to see you in  
19 Dublin about eight years ago.

20 A. That's correct. He had left the brothers at that stage.  
21 He just came in one day in Dublin and we spoke at the  
22 time, but it was a kind of a -- there was no mention of  
23 prosecutions or anything like that. He wasn't a brother  
24 any longer. It was a case of maybe reminiscing on  
25 various things, but the matter of prosecution did

1           definitely not come up at all.

2           Q. Did the subject of his time in Pretoria and the transfer  
3           from Pretoria come up during that meeting?

4           A. No, definitely not. He had left the brothers at that  
5           stage, I know, anyhow, because really, the thing is,  
6           when he was transferred to -- you might find it  
7           difficult, but he was transferred to England and that  
8           was that. We had our own things to deal with in  
9           South Africa and we weren't concerned about what was  
10          happening in other places.

11          Q. At paragraph 89 of your statement you were asked if you  
12          had any comment to make on the fact that a brother with  
13          a record for moral transgressions who was not considered  
14          fit for a boarding school in South Africa was able to be  
15          placed in a boarding school environment run by the same  
16          order in Scotland. I just wonder, what is your comment  
17          on that now?

18          A. Well, at the time I thought this was an extra question  
19          that was put in, you know, with a record of moral  
20          transgressions ... At that stage, the only moral  
21          transgression that I was aware of was the one in  
22          Pretoria. And as I've said already, in the following  
23          five years, I didn't have another -- that was the only  
24          one.

25                 Whereas a record of moral transgressions -- well,

1 I don't think it was established to my knowledge,  
2 anyway, at that stage.

3 Q. I see. So do you have any comment to make then on the  
4 fact that a brother, against whom there had been an  
5 allegation that he had interfered with boys in  
6 a boarding school in South Africa, was able then to be  
7 placed by the same order of brothers in a boarding  
8 school in Scotland?

9 A. I did say that if there was the correct knowledge of it  
10 in today's world, he definitely wouldn't be on that.  
11 I don't know what it is at the time.

12 It's rather general, "with a record for moral  
13 transgressions". I want to bring out that it was one  
14 transgression and that on -- the evidence available to  
15 me was that, from his point of view, as such there  
16 wasn't record of moral transgressions that I was aware  
17 of.

18 Q. I see --

19 LADY SMITH: Brother O'Neill, just let me check this: you  
20 didn't have specific details of Brother Farrell's  
21 interference with boys at the school in Pretoria, did  
22 you?

23 A. No.

24 LADY SMITH: So it could have been more than one boy he  
25 interfered with?

1 A. Yes, that could be the case.

2 LADY SMITH: You see, I wondered whether that ought to be  
3 read as being in that event there was a multiplicity of  
4 moral transgressions, namely every time he interfered  
5 with a child was a moral transgression.

6 A. I don't know, because, as I said, it was my first  
7 meeting as provincial, and it was the principal of  
8 Pretoria, who wasn't the council, who reported it at  
9 that stage. In other words, it was left to -- I don't  
10 know whether it was just one or any more at that stage.  
11 I had no knowledge of that. Because I didn't put enough  
12 questioning on what happened exactly.

13 LADY SMITH: That's very frank of you, thank you,  
14 Brother O'Neill.

15 MS MACLEOD: I think you go on in paragraph 90 of your  
16 statement to say:

17 "I am disappointed that Mark Farrell was placed in  
18 a boarding school on his return to the UK against the  
19 advice of Brother Colman Curran of the General Council."

20 A. I see, yes. Well, that particular information that they  
21 got, I think, from that letter that he had written on  
22 10 December and it wasn't acted on.

23 MS MACLEOD: Thank you very much, Brother O'Neill. I don't  
24 have any further questions to ask you today.

25 My Lady, I think I have covered all the issues that

1 I have been asked to put to Brother O'Neill. I am not  
2 aware of anything else.

3 LADY SMITH: Are there any outstanding applications for  
4 questions? No.

5 That does complete all the questions we have for you  
6 from here in Edinburgh. It simply remains for me to  
7 thank you very much for bearing with us today.

8 I appreciate it has been a long session we have asked  
9 you to engage in over the video link. Thank you very  
10 much for doing that and, of course, for providing your  
11 detailed written statement, which has been of such  
12 assistance to us, and taking the time and trouble  
13 you have done to go back through the Christian Brothers'  
14 records that we were able to gather from the order.

15 I'm now pleased to say I can let you go and I hope  
16 you're able to rest for the rest of the day. Thank you  
17 very much.

18 A. Thank you. Thanks to you and the rest of the committee  
19 for the gracious way of the questioning that I have been  
20 subjected to. Many thanks.

21 LADY SMITH: Thank you.

22 I'm going to take a five-minute break now whilst we  
23 get ready for the next witness at this stage.

24 (2.37 pm)

25 (A short break)

1 (2.42 pm)

2 LADY SMITH: Mr MacAulay.

3 MR MacAULAY: My Lady, the next witness is William Norman  
4 Smith Crawford.

5 WILLIAM CRAWFORD (sworn)

6 LADY SMITH: Please sit down and make yourself comfortable.

7 Can I just ask you to stay in a good position for  
8 the microphone. It's important, not just that everybody  
9 hears you in the room, but so the stenographers can hear  
10 you clearly through the sound system. If you're ready,  
11 I will hand over to Mr MacAulay.

12 Questions from MR MacAULAY

13 MR MacAULAY: Bill, are you William Norman Smith Crawford?

14 A. I am.

15 Q. Is your date of birth [REDACTED] 1964?

16 A. Yes, it is.

17 Q. In the red folder that you have in front of you,  
18 you will find a copy of the statement that you have  
19 provided to the inquiry. The reference for the  
20 transcript is WIT.001.002.6557.

21 If I could ask you to turn to the final page of the  
22 statement. Can you confirm you have signed the  
23 statement?

24 A. Yes, I did, on 10 June this year.

25 Q. Do you say in the last paragraph:

1           "I have no objection to my witness statement being  
2           published as part of the evidence to the inquiry"?

3           Is that right?

4           A. Yes.

5           Q. Do you go on to say:

6           "I believe the facts stated in this witness  
7           statement are true"?

8           A. That's correct.

9           Q. I think you are aware that you've been called to give  
10          evidence, and indeed you were asked to give your  
11          statement, in connection with some involvement you had  
12          with Father John Farrell, prior to his trial in the  
13          High Court in 2016.

14          A. Yes.

15          Q. By way of background, do you tell us that you completed  
16          30 years of police service and retired from  
17          Police Scotland as an inspector in 2014?

18          A. That's correct.

19          Q. But thereafter, did you go back to join the police?

20          A. I have subsequently since done that, yes.

21          Q. What position do you presently hold?

22          A. I'm an interim production assistant as a member of  
23          police staff.

24          Q. What you tell us from about paragraphs 6 onwards is  
25          information about your role in safeguarding at different

1 levels and also what safeguarding involves; is that  
2 correct?

3 A. Yes.

4 Q. By way of background, are you a member of a Catholic  
5 parish in the Diocese of Motherwell?

6 A. I was at that time, yes.

7 Q. In that capacity, did you become involved in  
8 safeguarding?

9 A. Yes, I did.

10 Q. Just to get an understanding of the safeguarding system,  
11 and we're not looking at it in detail today, but working  
12 from the top downwards, we have the Bishops' Conference  
13 at the top; is that right?

14 A. Yes.

15 Q. Do we have a national safeguarding adviser who reports  
16 to the Bishops' Conference?

17 A. That's correct.

18 Q. And I think at the moment that's Tina Campbell?

19 A. Yes, it is.

20 Q. Below her, do we have safeguarding advisers for each  
21 diocese in Scotland?

22 A. Yes. It is the position that each diocese should have  
23 their own safeguarding adviser in place.

24 Q. And there are eight dioceses in Scotland?

25 A. That's correct.

1 Q. Then coming to the parish level, do the parishes require  
2 to have what's called a safeguarding coordinator?

3 A. Yes, they do.

4 Q. At a point in time was that a position you held?

5 A. Yes, it was.

6 Q. In paragraph 22, you make mention of what's called the  
7 Diocese Risk Assessment Management Team, DRAMT for  
8 short.

9 A. Yes.

10 Q. Were you a member of that particular committee?

11 A. I was eventually asked to join the committee. That  
12 group for the diocese -- the Motherwell diocese.

13 Q. In a sentence or two, can you tell me what that  
14 committee's function is?

15 A. Basically, it reviewed particular events or cases where  
16 there was a risk -- perhaps where there was an  
17 allegation made by a parishioner against another  
18 parishioner, or one of the most common ones was where  
19 maybe someone had been released from prison, they wished  
20 to practice their faith, and they were to be reviewed as  
21 to be allowed to go to a particular parish and under  
22 certain circumstances and controls, so they could then  
23 practice their faith but obviously we reviewed it and  
24 risk-assessed it to minimise any risk to them and any  
25 other person in that parish.

1 Q. If you look at someone like Father Farrell, against  
2 whom, as we will see, there were allegations of abuse  
3 being made, was there a process whereby under the  
4 auspices of this committee, a covenant of care would be  
5 set up to manage somebody like Father Farrell?

6 A. Yes. The covenant of care -- there were two covenants  
7 are of care, one for the example I gave you, but there  
8 was also a similar one which related to clergy, which  
9 obviously was a wee bit more involved because of their  
10 responsibilities to restrict them in their ministry.

11 Q. I think you've mentioned that you were the safeguarding  
12 coordinator for the parish. Did you move on to take on  
13 the position of diocesan safeguarding adviser for  
14 Motherwell?

15 A. Yes, I did.

16 Q. And I think you tell us in paragraph 55 that that was  
17 something you took on in about January 2014; is that  
18 right?

19 A. I did it as a temporary role for a few months prior to  
20 that, but my official appointment was in January 2014.

21 Q. At that time were you still in the police?

22 A. Yes, I was.

23 Q. Was it then in that particular capacity that you became  
24 involved with Father Farrell?

25 A. Yes.

1 Q. I think you tell us that you had a number of meetings  
2 with Father Farrell after certain allegations had been  
3 made; is that correct?

4 A. That's correct.

5 Q. So if we look, for example, at paragraph 70 of your  
6 statement, do you tell us there that the first meeting  
7 you had with Father Farrell was on 14 November 2013?

8 A. That would be correct.

9 Q. That then was before you actually took over the full  
10 position as safeguarding adviser. Were you acting as  
11 the safeguarding adviser for the diocese as at that  
12 time?

13 A. It wasn't an official acting role, but Mrs Campbell had  
14 been successful in securing the national adviser's role.  
15 She was the predecessor. So I volunteered because of my  
16 knowledge of working with the DRAMT team, that I would  
17 try and assist so she wasn't overly burdened, and one of  
18 those cases that I was assisting with was Father  
19 John Farrell.

20 Q. And of course, we remind ourselves that Father Farrell  
21 had been a priest in the Motherwell diocese.

22 A. He was a retired incardinated priest from the Diocese of  
23 Motherwell.

24 Q. I think at the time when this came to light, he was  
25 living in England; is that correct?

- 1 A. That's correct.
- 2 Q. But I think you tell us in your statement that once the  
3 allegations had come to light, he required to move back  
4 to Scotland?
- 5 A. Yes, he did.
- 6 Q. And the covenant of care was in place in Scotland?
- 7 A. That's correct.
- 8 Q. And without looking at the detail, would that be there  
9 to manage essentially his ministry and what he could or  
10 could not do as a priest?
- 11 A. Yes.
- 12 Q. The meeting that you had on 14 November 2013, where did  
13 that meeting take place?
- 14 A. It was at Father Farrell's flat in Haddington.
- 15 Q. And was he -- did he have friends in Haddington and had  
16 he gone to stay with friends and then moved to his own  
17 flat?
- 18 A. Yes, he did.
- 19 Q. I think you tell us that there were others present at  
20 that particular meeting.
- 21 A. They were present that day, but they weren't actually  
22 present at the physical meeting. It was only  
23 Father Farrell and Mrs Campbell and myself that was at  
24 the review for the covenant.
- 25 Q. At that particular meeting, did you tell Father Farrell

1           that, although you were there in your capacity as  
2           a safeguarder, you were also a police officer?

3           A. Mrs Campbell and myself both made that clear to him and  
4           there were two separate roles, but any dealings I would  
5           have with him was as the -- at that time acting and then  
6           subsequently the safeguarding adviser.

7           Q. Can I then take you to the meeting that you talk about  
8           in your statement that you had on 16 February 2014.  
9           First of all, what was the background to that particular  
10          meeting?

11          A. The covenant of care is reviewed quarterly, or more  
12          frequently if circumstances dictate. But it was coming  
13          up for a review and also I was made aware that  
14          Father Farrell had been interviewed by the police and  
15          there'd been some activity regarding the investigation.  
16          So I made an arrangement with him to come and see him to  
17          review the covenant but also I was concerned there was  
18          some -- I think the police had difficulty contacting him  
19          immediately after and we just needed to check on his  
20          welfare and make sure everything was okay and there was  
21          no support needed for him.

22          Q. What you tell us in paragraph 80 of your statement is  
23          the information that you received was by way of  
24          a voicemail message from Father Farrell himself.

25          A. Yes, that's correct.

- 1 Q. And in that message he had made you aware of certain  
2 developments?
- 3 A. That's correct.
- 4 Q. What had he told you?
- 5 A. He had told me that he had been taken to Glenrothes  
6 police office in Fife, he had been interviewed in the  
7 presence of his solicitor, and he had been arrested and  
8 charged with 11 sexual offences against minors before  
9 being released.
- 10 Q. And then against that background, did you make an  
11 arrangement to meet him?
- 12 A. Yes, I did.
- 13 Q. Was the meeting again in the same place where you'd had  
14 the previous meeting?
- 15 A. Yes, it was at his temporary accommodation in  
16 Haddington.
- 17 Q. In what capacity then were you going to see him at that  
18 time?
- 19 A. As the diocesan safeguarding adviser for Motherwell.
- 20 Q. On that particular date would you be in civvies or would  
21 you be wearing a police uniform?
- 22 A. I was dressed, I think, very similar as I am today, with  
23 a suit, collar and tie.
- 24 Q. I think 16 February was a Sunday; is that correct?
- 25 A. Yes, that's correct.

1 Q. Can you tell me what time of day it was that you went to  
2 see Father Farrell?

3 A. It was about 2 pm in the afternoon.

4 Q. Was there anybody else there?

5 A. No, it was just Father Farrell and myself.

6 Q. Can you tell us then what happened when you had this  
7 meeting?

8 A. Obviously, I went with the intention of reviewing the  
9 covenant and to go over the facts and that. We did that  
10 every time we met to make sure that there was no  
11 ambiguity regarding what was in the covenant and  
12 what was expected from him. But I was also wanting to  
13 enquire as to how his well-being was -- obviously what  
14 he'd been through would have been a significant event  
15 for him -- and just to make sure that he was fit and  
16 well in his own right.

17 Q. How did he come across to you when you first met him on  
18 that particular day?

19 A. He did seem a wee bit more subdued than he had been  
20 previously, but I felt that was to be expected.

21 Q. Just to be clear, when you talk about the covenant of  
22 care, that's a physical document, is it, that you'd go  
23 over with him?

24 A. Yes. The initial document would be created by  
25 Mrs Campbell and then at each subsequent visit, there

1           would be a new iteration of that and it would be signed  
2           by all parties, so that -- and that would be retained  
3           at the diocesan office.

4       Q. Did you ask him about what had happened in relation to  
5           his involvement with the police that he had mentioned  
6           in the voicemail?

7       A. I asked him how he was and what had happened, just to --  
8           obviously, my intention was to just make sure he was fit  
9           and well, that there was no kind of ongoing effect from  
10          him from the effect of being detained and taken to the  
11          police station.

12       Q. Did he then respond to that?

13       A. Yes, he did.

14       Q. Did you make notes at the time, taking note of what  
15          he was saying to you?

16       A. Yes, I did.

17       Q. Did you have a particular book or document in which you  
18          would record these notes?

19       A. Yes, it's what I call my daybook and it was -- each  
20          meeting or phone call, I documented it for reference  
21          purposes.

22       Q. This in the context and in your capacity as  
23          a safeguarder?

24       A. Yes.

25       Q. Can I ask you to look at this document. It'll come on

1 the screen in front of you: CFS.001.006.9171.

2 If we move down the page, because we were looking at  
3 parts that have been blanked out, do you recognise the  
4 handwriting?

5 A. Yes, that's my handwriting.

6 Q. We can read that it's headed "Sunday, 16 February 2014";  
7 is that the day of the meeting?

8 A. Yes, it is.

9 Q. I think you have told us it was about 2 o'clock in the  
10 afternoon; is that right?

11 A. Yes.

12 Q. Have you then gone on to note what Father Farrell said  
13 to you at a point in time in this meeting?

14 A. Yes.

15 Q. Could you just tell us what you've written?

16 A. I have:

17 "Father JF Michael Mallon, Glasgow PF. Copy of  
18 signed lease -- copy and return."

19 Q. That reference to "copy of signed lease", what was that?

20 A. The diocese paid for his lease of the temporary  
21 accommodation and it was some paperwork that had to be  
22 returned for the finance officer so she could have  
23 evidence of why the funding was coming out from the  
24 diocesan funds.

25 Q. Read on.

1 A. "11 charges, 8 complainants. 2 reason. 6 not?"

2 Q. Just read that again.

3 A. "11 charges. 8 complainants. 2 reason. 6 not?"

4 Q. "2 recent"?

5 A. "2 reason."

6 Q. "6 not"?

7 A. Yes.

8 Q. What comes after the "not"?

9 A. A question mark.

10 Q. Okay. Moving on to the next page -- before we move on,

11 perhaps I should just ask you, what did you understand

12 was meant by the reference to "2 reason"?

13 A. "2 reason" is -- I inferred that two had reason to make

14 the complaint, the allegations that he had been told

15 about.

16 Q. And six did not?

17 A. Yes.

18 Q. If you go on to the next page, 9172, again it's on the

19 screen in front of you now. Can you tell us what you've

20 written at the top of the page?

21 A. "Times of inappropriate touching. 2 right. Others

22 fictional."

23 Q. That's clearly in note form.

24 A. Yes.

25 Q. So you're trying to write down what he is saying to you?

- 1 A. That's correct.
- 2 Q. What was he saying to you?
- 3 A. That two had reason to -- you know, the allegations were  
4 founded, the others remaining were fictional.
- 5 Q. You've a further note. What else have you noted?
- 6 A. "Abuse by other Christian Brother -- abused."
- 7 Q. What was he saying to you at this stage?
- 8 A. That there was another Christian Brother, there was some  
9 form of abuse, and minors were abused.
- 10 Q. Again, I think the note goes on to talk about the -- to  
11 record some information about the covenant review.  
12 Is that essentially the note you made in relation to the  
13 allegations that were being made that we've just looked  
14 at?
- 15 A. Yes. I asked him how he was, how he was feeling, how  
16 things were. That was what he said, and as soon as he  
17 made those comments to me, I noted them down as quickly  
18 as I could. I was conscious that I needed to take him  
19 off that train of thought because I wasn't there as  
20 a police officer. It became evident to me then that  
21 I was implicated in the investigation, whereas up to  
22 that point I believed I hadn't been.
- 23 Q. And what was your reaction to Father Farrell providing  
24 you with this information?
- 25 A. I'm not sure if it was maybe naivety, but I was rather

1           -- I think I made the comment I was gobsmacked. I was  
2           there in my role as a safeguarding adviser looking after  
3           his welfare. I didn't expect him to make the comments  
4           he made to me.

5           Q. Were these comments in any way elicited by you?

6           A. I asked him how he was, what had happened, how things  
7           had went, just so I could try and assess how he was  
8           feeling and whether maybe we needed to try and get him  
9           some support, whether it be medical or welfare.

10          Q. Well, what then did you do once this meeting with  
11          Father Farrell had finished?

12          A. When I left, I went into my car, which wasn't in view,  
13          it was parked round the back, and between there and on  
14          the way home I made a phone call to Mrs Campbell because  
15          she's the national coordinator, so she needed to be made  
16          aware of that. I also then phoned Bishop Toal, to make  
17          him aware, and I also told both of them that I would now  
18          need to make that officially reported to the police  
19          investigation team, so they could then could take  
20          whatever course of action they deemed appropriate.

21          Q. Let's just take it in stages -- perhaps before I do  
22          that, can we go back to the meeting with Father Farrell.  
23          Did Father Farrell know that you were noting what he was  
24          saying to you?

25          A. Yes, he was sat opposite me on the couch and I was sat

1 in front of the window in the armchair. I had my  
2 daybook in my lap, as I always do, and a copy of the  
3 covenant and he could see me taking notes.

4 Q. You said you contacted Tina Campbell, by telephone  
5 I take it?

6 A. Yes.

7 Q. What did you tell her?

8 A. I basically told her that I'd been to see  
9 Father Farrell, that his welfare seemed to be fine, but  
10 I told her what had happened, that while discussing with  
11 him what had went on and how he was feeling, that he had  
12 made admissions to me.

13 Q. Insofar as Bishop Toal, who was the Bishop of  
14 Motherwell, what did you say to the bishop?

15 A. Very much similar, but my aim was to make them aware  
16 that Father Farrell was fine, but also to say that  
17 he had made comments to me that I was duty-bound to make  
18 sure that the police were sighted on them.

19 Q. Is that what is provided for in the safeguarding manual,  
20 that if that sort of disclosure is made, the police  
21 require to be informed?

22 A. Yes, that's a four-pronged -- it's: listen, respond,  
23 record and refer. We don't take any investigatory  
24 action whatsoever. We just record it and then pass it  
25 along so as to make sure the right channels are informed

1           and they then take up the investigation or the right  
2           course of action from there on.

3           Q. Did you regard what Father Farrell had said to you to be  
4           the sort of disclosure that ought to be passed on to the  
5           police?

6           A. Yes, I did.

7           Q. Why was that?

8           A. Obviously, with my police background, I understood the  
9           context of what he had said. But it was like if anyone  
10          had said to me in my safeguarding role or anyone had  
11          come to me, as they frequently did, to say that  
12          individuals had made allegations or raised facts, they  
13          were always referred on towards the police and the  
14          police took whatever course of action they deemed  
15          appropriate.

16          Q. Did you do that, did you contact the police and pass the  
17          information on to them?

18          A. I didn't actually get the chance because Mrs Campbell  
19          had done that, and before I could, they actually  
20          contacted me and confirmed that they would need to take  
21          a statement from me.

22          Q. Did that happen?

23          A. Yes, it did.

24          Q. Did you have further dealings with Father Farrell  
25          leading up to his trial?

1 A. Yes, I did.

2 Q. What were these dealings?

3 A. I had subsequent review meetings with him, but I also  
4 attended -- it was decreed that it was inappropriate for  
5 him to remain in Haddington because of the distance from  
6 the diocese and also the distance from myself, providing  
7 welfare. There was also concern that, as the  
8 investigation progressed, there could be various  
9 activity where we needed to make sure that he and anyone  
10 else involved was protected. So we arranged for him to  
11 be relocated into a flat within Motherwell diocese.

12 Q. I think you did tell us in your statement that when  
13 Father Farrell made a court appearance and was released  
14 on bail, that's at paragraph 129, you were present when  
15 that happened?

16 A. I conveyed Father Farrell from his accommodation to the  
17 court and back again.

18 Q. I think you tell us that you had a discussion with  
19 Father Farrell's solicitor on that occasion; is that  
20 correct?

21 A. Yes. Outside the court, I was aware that -- I don't  
22 think that it had been communicated, so I felt it was  
23 appropriate to make sure his solicitor was sighted on  
24 that information that I was indeed a witness in the  
25 investigation, or potential witness in the

1 investigation.

2 Q. Did you tell the solicitor what Father Farrell had said  
3 to you?

4 A. I just said that he had made some admissions that I had  
5 been required to inform the police about and the police  
6 had taken a statement from me.

7 Q. I think you were also involved in taking Father Farrell  
8 back to his new home after that court appearance?

9 A. Yes.

10 Q. Did you say anything to Father Farrell about the  
11 previous conversation you'd had on 16 February?

12 A. I wasn't sure -- his solicitor was apparently going to  
13 make him aware that I had spoken to him and what  
14 information I'd given. I asked him if his solicitor had  
15 indeed done that. He didn't, so I felt in fairness to  
16 Father Farrell that I should tell him and confirm with  
17 him that I would be potentially a witness in the ongoing  
18 investigation.

19 Q. But did you tell him why you'd be potentially a witness?

20 A. Because of comments he'd previously made to me which  
21 I had had to report to the police.

22 Q. What was his reaction to that?

23 A. I think it was something like, "Fine, thanks for letting  
24 me know".

25 Q. I think you were also in fact called to give evidence at

1 the trial of Father Farrell and others.

2 A. Yes.

3 Q. Clearly, that was in the context of the disclosure that  
4 Father Farrell had made to you; is that right?

5 A. That's correct.

6 Q. Did you give evidence at the trial then in connection  
7 with that disclosure?

8 A. Yes, I did.

9 Q. Was anything being suggested to you on behalf of  
10 Father Farrell as to the validity of the disclosure?

11 A. Yes.

12 Q. What was being suggested?

13 A. I think if my memory serves me correctly, the allegation  
14 was that because I was a police officer, I'd fabricated  
15 it and I'd colluded with the police investigation team  
16 and in actual fact the comments that I alleged he'd made  
17 to me didn't actually take place or weren't actually  
18 uttered by him.

19 MR MacAULAY: Very well, Bill. Those are all the questions  
20 I have for you. I haven't been asked to put other  
21 questions to you. Thank you very much indeed.

22 LADY SMITH: Are there any outstanding applications for  
23 questions of this witness? No.

24 Bill, that completes all the questions we have for  
25 you. Can I just thank you very much for engaging with



1 evidence on commission there, although it is a bit hot  
2 at this time of year.

3 MR MacAULAY: My Lady, we do have a week to play with!

4 LADY SMITH: Well, on that note, let me thank everybody for  
5 their attendance in this case study so far. As you've  
6 heard, we haven't quite finished yet, but we're having  
7 a week off and I'll see you all, I think, a week on  
8 Tuesday.

9 Thank you very much.

10 (3.10 pm)

11 (The inquiry adjourned until  
12 Tuesday, 2 July 2019 at 10.00 am)

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BROTHER JOSEPH O'NEILL (sworn) .....2

Questions from MS MacLEOD .....2

WILLIAM CRAWFORD (sworn) .....75

Questions from MR MacAULAY .....75

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