LADY SMITH: Good morning. Today we don't start with a video link, but we will get to that this afternoon. I think we have a witness ready in the witness room; is that right, Mr MacAulay?

MR MacAULAY: That's right, my Lady, we do. The next witness is Abbot Geoffrey Scott.

ABBOT GEOFFREY SCOTT (sworn)

LADY SMITH: Please do sit down and make yourself comfortable. I know that you've been in the hearing room for some days, and I thank you for that, so you'll know that we normally use witnesses' first names, but only if they're comfortable with that. Is it all right if I use your first name or would you prefer me to address you a different way?

A. That's fine.

LADY SMITH: Geoffrey, if you'll ready, I'll hand over to Mr MacAulay. Is that all right with you?

A. Yes, thanks very much.

Questions from MR MacAULAY

MR MacAULAY: Good morning, Geoffrey.

A. Good morning.

Q. As you know, we first look at your statement. It's in the red folder if you want to have a look at it. The
reference for the transcript is BEN.001.004.4357. If you could confirm that you have signed the statement.

A. Yes, I have signed the statement.

Q. And you are content that the statement forms part of the evidence to the inquiry?

A. I am.

Q. I think you say also that you believe the facts stated in the witness statement are true.

A. Yes.

Q. Can I confirm with you, Geoffrey, that your date of birth is 1947?

A. Yes.

Q. So you're now aged 72?

A. I'm afraid so.

Q. Like myself, you have been present at this case study every day?

A. Yes.

Q. Just looking to your background, and perhaps beginning from the present, at the moment you have the role of First Assistant Abbot of the English Benedictine Congregation; is that correct?

A. Yes.

Q. And you are representing the Congregation at the inquiry?

A. Yes.
Q. So far as your CV is concerned, I think you tell us that you joined Douai Abbey in 1966; is that correct?
A. It is.
Q. And at that time you'd be aged, what, about 20 or 21?
A. Yes.
Q. Clearly, you were joining the abbey in order to become a Benedictine monk.
A. That's right.
Q. And when did you take your final vows?
A. Let me think: I think it would be 1971.
Q. But looking to your academic background, I think you acquired a diploma in theology from London University.
A. That's right.
Q. You also read modern history at Oxford University?
A. Yes.
Q. And you obtained a teaching certificate of education from Cambridge?
A. Yes.
Q. Indeed, you have a PhD from King's College in London.
A. Yes.
Q. That was in 1984?
A. Yes.
Q. What was the topic of the dissertation?
A. I put it in here because I thought it might be of some interest, "The English Benedictines in the 18th
Century", effectively from 1689 until the French Revolution.

Q. You have been a teacher at Douai School?
A. Yes.

Q. And I think that was between 1976 to 1994?
A. Yes.

Q. And for part of that time, 1987 to 1993, you were the headmaster of the school?
A. Yes.

Q. Can you just give us some idea of the relationship between the abbey and the school?
A. Well, yes, I think it's useful for me, and perhaps for you, because there are sort of similarities with Fort Augustus. The school never grew, I think deliberately. It reached a peak at about 300 pupils and in its latter years, it became co-educational.

Q. You say "latter years"; I think it closed in 1999.
A. It was the first thing I had to do when I became abbot -- so I'm sort of experienced in the closure of schools -- largely because of decline in numbers and increasing deficits.

So it was similar in the sense that -- I think I mention this later on in my statement -- it didn't have separate independent houses. There were houses like Fort Augustus, but they were all under the same
roof. So in that sense, structurally, it was rather
similar and numerically it was a bit bigger than
Fort Augustus, but there were similarities.

So I suppose I have some -- there was some common
ground I could call upon in speaking about
Fort Augustus.

Q. But it was a boarding school like Fort Augustus?
A. It was a boarding school with increasing day pupils
at the bottom, in the junior end. Like Carlekemp, we
founded a prep school in Hampshire after the Second
World War and that fed the senior school until it merged
with the senior school, I think, in the mid-1970s.

LADY SMITH: Where was the prep school?
A. The prep school was near Petersfield, it was a place
called Ditcham Park, gloriously overlooking the Isle of
Wight. There were four monks there, so there are sort
of similarities structurally with the fort.

MR MacAULAY: Douai School and the abbey, do we have
a similar arrangement as we had with Fort Augustus,
namely in very close proximity to each other? Were they
on the same site, the school and the abbey?
A. Yes, similar to Fort Augustus.

Q. You also tell us that for a period of time, 1994 to
1997, you were the chaplain to the English Benedictine
nuns at Stanbrook Abbey.
A. Yes, that's quite important for the inquiry because Aidan Duggan was sent from Fort Augustus to be chaplain to the nuns at Stanbrook.

Q. Are you seeking to make any sort of connection?

A. Well, it was some -- by the time I got there, he'd been gone some years. They didn't really speak of him, but the fact that they didn't speak about him made me feel that perhaps he wasn't a great success, he hadn't endeared himself to the nuns, although they didn't say anything. I just mention it casually as being a place where he had been.

Q. Is that a full-time commitment?

A. It could be, but I decided that I'd probably go crackers if I just sat and did nothing, so I taught in my time there, north Birmingham, at Oscott College, which is a seminary for the Midland diocese. I also taught at Wonersh at St John's Seminary Wonersh, near Guildford, which trains seminarians from Cornwall through to Kent. So in the midst of the week I would go down and teach at those two places and then return for the weekends to Stanbrook.

Q. Do you have any insight into Aidan Duggan's commitment to Stanbrook in that did he have also other outside commitments?

A. No. I think he might have been asked to say Mass for,
say, a local priest that was on holiday. That would be
the sort of thing that a full-time chaplain at Stanbrook
would do and he would have had to get permission to
celebrate Mass from the Archdiocese of Birmingham, which
is where Stanbrook is located.

Q. You also tell us that you were elected abbot of
Douai Abbey in about 1998.

Q. And that was a position you held for over 20 years?
A. Still.

Q. You also provide us with, in paragraph 7 of your
statement, some insight into various commitments you've
had over the years to, for example, educational and
health trusts and councils and committees of various
professional bodies.
A. Yes.

Q. It appears you have been fairly active over the years.
A. Yes.

Q. We can read it for ourselves.

One thing you do tell us there is that you visited
Fort Augustus twice, once in 1986 and the other in 1987,
and I'll look at what you say about the inspection of
the archives in a moment. But on the first visit when
the school was active, did you have any connection with
the school?
A. No. I think it must have been in -- it was probably in the Easter holidays or something like that.

Q. How long did you spend there on that occasion?

A. Oh, a couple of nights, really, I think. The trouble is I've lost my notes of what I took at that visit, but it was ... The monastery was working at that time in a normal way. For the later visit, of course, it was a completely different sort of meeting, it was a General Chapter.

The monastery was quite small, very formal -- and I mention that later on in my statement -- a much smaller community even then to the community that I was used to. They were welcoming enough. Nicholas Holman was the abbot at that time.

Q. Before I look at other aspects of what you say in your statement, can I take you to the very beginning of the statement, Geoffrey, and the first three paragraphs. I think there are three particular points that you would like to make at the very beginning of your evidence.

A. Yes.

Q. Can you perhaps tell us?

A. Do you want me to summarise them?

Q. Summarise them and we can read -- if there's anything I want to pick up from what you've written ...

A. These statements I decided on overnight, about three
days ago, because otherwise I felt my statement was
being very congested with facts that people asked me to
put into it, really. I think they're fundamental to
give a sort of direction to what I'm trying to say about
the context of Fort Augustus.

They are three statements and I would like to say,
having sat through the hearings in the last few weeks,
that I am convinced that abuse did take place in the
schools run by the community of Fort Augustus. I speak
here on behalf of the English Benedictine Congregation,
as one who has sat in these sessions, and have been
impressed to hear the suffering that many ex-pupils have
experienced, and particularly I think I've been
impressed by members of the families who have come
forward and been interviewed here. I would like to
offer a sincere apology, personally and on behalf of the
Congregation, for the suffering and sadness that I have
witnessed over the last few weeks.

Secondly, as you'll appreciate, my knowledge of
Fort Augustus is limited, and I have been very dependant
in my statement on the applicants' evidence over the
last few weeks. All I can do here really is provide
a context -- that's the key word -- for the events that
we've been talking about, based on my knowledge of the
working of the English Benedictine Congregation and hope
that I'll be able to provide some assistance to the inquiry.

My third and last point is something I inherited, a situation I inherited in May this year, which were discussions on the offer of financial compensation from the English Benedictine Congregation to victims -- to applicants, I think they're called -- and their families, using the residual assets of Fort Augustus, which perhaps we can talk about later.

I think one of the features which has arisen from listening to the evidence for me, anyway, is of course the support for applicants, but also their families. Because for mothers and sisters, it's terribly embarrassing and a great burden for them to carry. How we do that, I don't know, but I'm concerned, really, about the families, and it's something that the journalists that we've heard took up. I think there should be a greater role, not only for the support of applicants but for those that are close to them, particularly their families and there needs to be some sort of support.

Those are my three points.

Q. Thank you for that. Can I perhaps just pick up on the third point, since you have raised it as a preliminary point, and look to see how that's developed in your
If I can take you to paragraph 22, first of all, of your statement. In that paragraph under the heading "Assets of Fort Augustus", you mention the St Benedict's Abbey Fort Augustus Trust, which was established in 1936, and was closed effectively, I think you tell us, in 2011; is that right?

A. Yes.

Q. Was it the assets of the trust as they then existed that were transferred to the English Benedictine Congregation?

A. Yes.

Q. What you tell us there is that they were transferred to the English Benedictine Trust as a restricted fund. I fully understand that you're not a lawyer and I wouldn't expect you to have a detailed insight in relation to how the fund operates, but can you just tell me what it means when it was transferred as a restricted fund?

A. Yes. The trust carried on after not only the closure of the school and the closure of the monastery and a deed of suppression in 2001. I think at some point there must have been a new trustees' appointment. The details behind this, I'm not quite clear, but the fact that two of the new trustees were abbots of Ampleforth made me
realise that Father [REDACTED], who's still on the
trust, had taken up residence, he'd retired to
Ampleforth, so it was sensible for the three or four
trustees to be Ampleforth-based.

I remember going up to see him and just talking
things through generally, and eventually the trustees
decided to transfer the residual assets into the EBC
trust, which -- of course, the Abbot of Ampleforth was
a member of the EBC at the time. It was decided, to
begin with, that it would become a restricted fund,
that is we didn't have all this money to spend on all
sorts of projects and it had to be clearly defined what
it could be used for.

Q. And at that time -- and we'll come to see what you're
now proposing -- what was the intention at that time as
to what it was to be used for?

A. There was a very strong emphasis by Father
[REDACTED] that it needed to be related to
Scotland. If one reads the terms which govern the
restricted fund, it was things like -- I think he was
right here. The money needed to help ex-Fort Augustus
monks in their future life when they went into
retirement, and we heard, I think yesterday, about how
one of the monks was given £50,000. I think there had
been a sort of payoff, as far as I could understand.
LADY SMITH: And of course we've heard of two monks being given £50,000.

A. That's right. I think there had been an internal payoff earlier on, which had nothing to do with this new arrangement for the trust.

MR MacAULAY: Yes, I think the payoffs that you've described, they took place before the assets were transferred?

A. They did, that's right. Nevertheless, it was felt that as they were monks that had been at Fort Augustus, members of the community, it was their money after all and it should be used for their retirement or whatever.

Then I think the earliest criteria governed help in education in the EBC schools to Scottish children. Then there was another criterion which said that the trust would help to support Catholic chaplaincies in Scottish universities. Then there were more general reasons for the trust, which I think is quite important for what we're going to talk about in a second.

But it was generally directed towards Scotland and the Catholic Church, particularly in Scotland.

Q. We've heard about the two payments to John, who gave evidence yesterday, and also to Father of £50,000, and I think also Dom Richard mentioned that his abbey received a similar sum on behalf of a monk that he
had taken in.

Leaving that aside, can I then take you to paragraph 75, where you develop this topic. It's page 4373. What you say there is:

"All the English Benedictine monasteries in England are independent charitable trusts."

A. Yes.

Q. You also say:

"The EBC is also in itself a constituted charitable trust."

A. Yes.

Q. You go on to say -- this is what you've been talking about:

"On 30 May 2010, the trustees of St Benedict's Abbey, Fort Augustus, and the English Benedictine Congregation trustees entered into a deed of gift."

The last sentence:

"On 31 May 2018, the assets of the Fort Augustus fund were valued at £1,292,589."

Is that right?

A. Yes.

Q. That was the figure as at 31 May 2018?

A. Yes.

Q. It may have fluctuated since then, but that's the sort of figure we're looking at --
A. Yes.

Q. -- insofar as the fund we're talking about is concerned; is that right?

A. Yes.

Q. You then go on to talk about Abbot Richard Yeo's involvement, and in particular that -- and indeed as he said in evidence -- the English Benedictine Congregation as a Congregation decided that it bore a moral responsibility for the abuse that had occurred at Fort Augustus and Carlekemp; is that correct?

A. Yes.

Q. We know this point about autonomy and so on --

A. Yes.

Q. -- but leaving that aside, it's fully accepted, isn't it, that you have a moral responsibility?

A. Yes.

Q. And is it on the back of that that you're seeking to find a way how to meet that moral responsibility by use of the fund that was transferred from Fort Augustus to the EBC?

A. Yes.

Q. In paragraph 77 you tell us about some involvement that you've had with the Charity Commission. Can I just ask you about that, Geoffrey?

A. Yes. I think the lawyers were helpful on this. The
criteria established for the restricted fund of The Fort Augustus Trust, as I said, tended to centre on Scotland and help to Scotland. But I think beyond that, there were rather broader criteria which allowed the EBC itself to use the money for, for instance, things like publications.

I think, just to ensure that we were keeping things within legal boundaries -- actually, I had nothing to do with this, so I hope I am not misquoting or leading people astray, but the Charity Commission were approached and asked, was it right for the use of the trust to help applicants who had been abused as pupils in relation to Fort Augustus?

Apparently the Charity Commission have a way of dealing with this sort of request. They basically say to the trust involved, "We are not standing in the way of you using these funds for that purpose". So I think, having got that assurance, we decided that that's where the money really -- and quite rightly -- ought to go to that.

Q. Do I take it from that answer then that the focus has moved away from the original intention to focusing upon those who were abused at these schools?

A. Yes, I think it's not so much moving away, it's become an additional criterion of the restricted fund. The EBC
would go even further, probably, and say that its principal concern in the ten or so criteria -- this at the moment would be what we would be using the money for and forgetting chaplaincies in the universities. I think we would tend to be using the fund at this stage to help.

LADY SMITH: It sounds as though, Geoffrey, because of the Charity Commission's assurance, your advice has been you don't need to formally vary, as we lawyers say, the objects of the trust, they're widely enough drafted to include your proposal to help the Fort Augustus people.

A. Yes.

LADY SMITH: Is that really it?

A. Yes, because if you look at the criteria, they become more general as you move down them, and this element would be included. But I think they were just being cautious and getting permission and that was what they were trying to do. So it doesn't worry me too much because I think we'd be covered anyway.

LADY SMITH: Good.

MR MACAULAY: If we move on then to paragraph 79 to get some understanding of the present position. What you say there is:

"The acceptance of moral responsibility for abuse meant that the Congregation was satisfied that there was
a basis for the payment of compensation to those who
suffered abuse at Fort Augustus."

You go on to tell us -- and I think this updates the
part D response that the Congregation made:

"By September 2019, a total of 12 complaints of
physical or sexual abuse at Fort Augustus had been
received by the English Benedictine Congregation Trust.
These are being presently investigated and ten have now
been settled."

A. Yes.

Q. Do I take it from that that payments of compensation
have been made to ten applicants?

A. Yes. The last time the solicitor dealing with this was
in contact with me, there was a long list of complaints
and some had been dealt with, some were pending, some
were in the very early stages, so it was a sort of mixed
bag, and I think this is the most up-to-date figure that
we've been given. But there would be others to be dealt
with over the next few months, I suppose.

It's a complicated picture because some of the ...
A demand, if you like, has been made but nothing else
has happened, it's never been followed up by the
particular person that wrote. So it's a complicated
picture, but I think it's useful that you have that
statistic in front of you, really.
Q. I think what you're portraying here is what one can describe almost as a bespoke redress scheme whereby children who were abused at either Fort Augustus or Carlekemp can benefit?

A. Yes, as simple as that, yes.

Q. Can we then go back to the earlier part of your statement and turn to paragraph 8 and onwards. At paragraph 8 you provide us with a succinct picture of the background to the abbey and the school, and in particular to the school and when it was established and its personnel. I don't think we need dwell on that.

A. Could I just make one -- apologies for butting in. In paragraph 9, the -- St Anne's serves Washington DC and St Benedict's Abbey, Portsmouth, Rhode Island are now independent abbeys, they're not related to Fort Augustus. They got their independence and became abbeys and they are part of the EBC, so one needs to change "now dependant" to "now independent".

Q. I think there's a typographical error third line from the bottom:

"At the time of its closure in 1973."

Do you mean 1993?

A. I do, yes -- no, no, sorry, that's at Carlekemp, so it is 1973, isn't it?

Q. Carlekemp was 1977, I think.
A. Was it 1977? Right, sorry.

Q. We can check that.

You then talk about the archive and I do want to ask you a little bit about that because we've already touched upon this. You went and inspected the Fort Augustus archive in 1986.

A. Yes.

Q. This is at paragraphs 10 onwards.

A. Yes.

Q. Can you just give me some information about what you found, what the position was when you looked at the archive?

A. I was sent up in 1986 by the English Benedictine History Commission. I was not -- just an ordinary monk at the time, but they were concerned that -- you see, Fort Augustus was always so remote and monks, members of the community, rarely came to meetings. It was a sort of fortress separated from the rest of the Benedictine world, really.

So I think the History Commission were a bit concerned, given the fact that there were some important historical records there, that we ought to have some idea what it was like. So that's why I was sent up.

It was a bit shocking, really, because they were housed in a sort of stone cellar, which archivally is
very, very bad for archives because of damp, et cetera.

But nevertheless, they were there. I wasn't really interested in the school and I can't remember much in the school in that archive. It was really the historical collections which were important. I remember listing those and coming away.

I think I make a note in my statement that the school archive wasn't really there and it was probably in another place, and like the office, it was a working archive, and I think that chimed in with what John was saying yesterday in his time as . There was no ... This is not a vast religious order of hundreds of members that run huge orphanages and schools and hospitals. This is a tiny, declining community, and their priorities are not archival collection, they come down lower, I'm afraid, in the order of priorities.

Therefore, as things declined as Fort Augustus, the care of the archives didn't receive massive attention.

Q. But in relation to your trip in 1986, what did you do? Did you provide any advice? Did you do any cataloguing?

A. No, I didn't. I didn't feel that was my job. At that time, I don't know what his status would have been in 1986, he may have been at Columba House Edinburgh, I can't remember the dates he went there, but
he was a very well-established historian and publisher, particularly interested in Scottish Benedictine history, and I thought that's his job, really, to be looking after ... So that wasn't my brief. My brief was just to sort of tell the rest of the commission what historical monastic records were at the fort.

LADY SMITH: So by the time of your visit in 1986, you were going to look at what ought to have been carefully kept records spanning 110 years, something like that?

A. Probably more.

LADY SMITH: They were founded in 1876 and you went in 1986.

A. Yes. There was material deposited there by the Scottish Catholic lairds, the Lovats, so it was quite interesting historically for Scotland, an interesting collection.

MR MacAULAY: I think it went back centuries, in fact.

A. Yes, and there was medieval material. Of course, Oswald Hunter Blair, he was what you might call a self-publicist, he produced vast numbers of his autobiographies and they were all there, I remember. That's what I was really interested in. And of course, in 1986, I was sort of relatively new to the game and nowadays I would have probably been a bit more forensic. I would have looked at classification of the archives and one would have seen the school and the headmaster and the bursar and everything and pupils' reports. They
would have had a decent classification.

I can't remember in 1986 ever seeing

a classification of archive.

Q. You tell us in paragraph 11 that there was some

organisation and cataloguing of the archive by Sister

Christine Johnson, who was the keeper of the Scottish


A. Yes.

Q. This looks like a very detailed handwritten index.

A. Yes. Five files, yes.

Q. It is a very lengthy document, isn't it?

A. Yes. It's Dr Christine Johnson, actually, she's not

a member of a religious order. She was at

Columba House, Edinburgh. I've never met her, but she

is a highly efficiently and a professional archivist.

As archives came in from Catholic institutions in

Scotland, her first job would be to list them -- I think

she's retired now -- and she produced this at the time,

probably for her own use, this incomplete handwritten

index. I've never seen it, to tell the truth, I've

never had time, but I'm assured by the solicitors that

the lever arch files are now in Edinburgh with the rest

of the archive.

Q. But what you tell us is that, unfortunately, not all the

material listed in the handwritten archive remains and
presumably has been lost over time? Is that the explanation?

A. Yes. So you've got two losses, haven't you? The thing's incomplete to begin with because of negligence, I suppose, at Fort Augustus -- you know, files weren't kept on pupils. Et cetera -- but also in the move from Fort Augustus down to here, other material went missing. That's what we're talking about. And I can't understand why it went missing. It could just be the move and a few boxes were neglected here and there. There may have been ... In the final clearance of Fort Augustus, there could have been negligence. I mean, the other alternative is to say there's some sort of mischievous ... but if you're faced with, say, 100 boxes of archives, and you're looking for sensitive material you want to get rid of, burn or whatever, it's quite a lengthy process to sort of plough through it, particularly if there's no decent classification. So I guess there probably wasn't a mischievous interloper who was trying to ferret out archives. I can only say that as pure speculation.

Q. What you do say in paragraph 15 is in essence the files that relate to the school are relatively few and incomplete?

A. Yes.
Q. And:

"In particular, there does not seem to have been any systematic attempt to create or retain files on teaching staff or pupils."

So depending on the year when a student attended the school, there may be some or no relevant documents at all; is that correct?

A. Well, it was a small school, probably the headmaster, who would have been principally involved in the collection of school archives, he might not have had secretarial support of any strength. What happens in a school archive, as you create what's called a working archive, which is stuff that is current and you keep wanting to refer to, and stuff which is not current, a decent secretary would put it into the archive and it doesn't seem to have happened here. It may be that the cause of blame has to be focused on the lack of secretarial assistance for the headmaster, for instance. That's all I can think of.

Q. But what you say is that much of the material that could relate to Carlekemp is not in the archives?

A. No. Carlekemp's archival position was even weaker, probably. It was a sort of outpost with four monks who were running around and trying to teach and keep the place in order and probably didn't have too much
secretarial help there.

Q. In summary, what you tell us in paragraph 16 is that the Fort Augustus archive contains the following records in relation to the former students of the Abbey School. There are parent and account ledgers from 1947 to 1952, 1958 to 1968, 1977 to 1981. There's a relatively complete set of class lists for the Abbey School. There are brief pupil files for many of the students who left the abbey prior to 1969, but almost no pupil files for the years 1970 to 1993. That suggests there's a greater dedication in retaining files in the earlier period than in the later period.

A. Yes. I was interested in those dates -- I'm sure you were -- because many of the allegations of abuse take place between 1970 and 1993 --

Q. Yes.

A. -- and the files are not there. I can't speak to that at all. I'm just rather interested that the critical years are not covered by what might have been useful material. I'm sure the journalists in that television programme regret that too, that there's not the information.

Q. You say there's an incomplete set of housemaster reports from the 1980s.

A. Yes, which would again ... The pastoral position of
housemasters might have had material there which would have been very useful for inquiries into abuse.

Q. So far as Carlekemp is concerned, what you tell us in paragraph 17 is that:

"We have no pupil files for pupils before 1957, as they are missing from the archive. From 1957 to 1977, the files were arranged alphabetically and we have some files of students with last names starting with H through to Y."

So there are some files available but very little?

A. That's right. That's bad housekeeping, archival housekeeping, I'm afraid, and I regret it, particularly in the light of what was to happen to Carlekemp, but I don't know where -- I don't think they were probably kept anywhere; they must have been destroyed by the headmasters of the time.

Q. In the round then, are you saying that really there was inadequate record-keeping, particularly in relation to the children at both these schools?

A. Yes. I'm sure of that.

Q. You then provide us with some insight into the history of the abbey, and in particular the influence of what you call, I think, the --

A. Beuronese Congregation.

Q. Can you elaborate upon that for us?
A. The 19th century was a period of the Romantic revival and many people saw it as a return to a monastic golden age. And there were two major Benedictine Congregations founded in the 19th century. One was in France and it's called the Solesmes Congregation. It doesn't do apostolic work, it's more contemplative. Given the great French history of the Congregation of St Maur, which was founded in the early 17th century, and split -- the Solesmes Congregation goes in for study and scholarship.

Its sister was the Beuronese Congregation in Germany, which similarly had Charismatic founders, probably mid-19th century, and went in for a similar contemplative Benedictine lifestyle, with lots of neo-medieval features, which didn't go in for apostolic work in any sense. I'm not sure whether any Beuronese monasteries/abbeys have schools attached.

But the founder of those -- so those are the two, and the Beuronese is what concerns Fort Augustus. The founder of Fort Augustus, an extraordinary man called Jerome Vaughan, who was brother of the cardinal and brother of the second -- third Archbishop of Sydney, from a Catholic gentry family, was very much a sort of lone ranger, who did his own thing. And it was he that really wanted to found the fort and he didn't get much
support from the English Benedictines south of the border, but he did get support from the Scottish bishops and some of the great Scottish Catholic landowners and he founded Fort Augustus.

But he himself was a neo-medievalist, he believed in that Romantic vision. So I think he sort of went in a huff over the English Benedictines not supporting him to found a revived Scottish Benedictine Congregation. So he went to Beuron, which at that time was the fashionable place to go.

Therefore, he left the English Congregation and joined up with the Beuronese, and they had, to me -- again. It's speculative, but it's my own impressions for what they're worth -- it pushed Fort Augustus away the English Benedictine tradition of a mixed life, that is a life of prayer and activity, and Fort Augustus became more sort of enclosed. That's why the school, if you notice, is only founded much later, it's sort of 1920s.

Q. 1923, I think.
A. When it returns, after it returns -- the Beuronese thing, it had a couple of Beuronese abbots, German abbots at Fort Augustus, and then of course it didn't work out for all sorts of reasons and they returned to the English Benedictine Congregation and founded
a school, and the rest is history.

Q. That's a very interesting and useful history lesson that you've just given us and it tells us, for example, where the name for Vaughan House comes from.

A. Sure.

Q. What you take from this, I think, is that the way in which the abbey was formed could not have helped to develop a warmth among the monks towards the pupils who were in their care.

A. Yes.

Q. How do you feel --

A. That's speculation, I apologise. The stricter form of monasticism affected Fort Augustus much more than in the English monasteries. For instance, you had a class system. The English house monasteries or abbeys never had lay brothers, they had a couple perhaps at the most. In Fort Augustus you had a strong sense of the choir monks and the lay brothers who did the sort of menial chores. That was directly imported from Germany.

When I was there, and just listening to applicants and the way that they saw the abbot, it wasn't quite like it would have been in an English abbey. The abbot would have been more hands-on and would have been around a bit more, but there he was a sort of exalted, distant figure. Again, it's speculation, but I just sense that
the abbot's role in Fort Augustus was different form
what it was in the English houses -- and don't forget
the English houses only had abbots from 1900, they had
priors before that.

But also I was there. In an English abbey, the
calefactory, the common room is a common room where
people go to recreate and talk and read the papers.
At the fort, when I went in 1986, it was much, much more
formal. They sat in order of clothing in the habit, so
you're next to the same person every night for the rest
of your life sort of thing, and it had that degree of
formality, which probably didn't engender much warmth in
their relations with each other. Whether it influenced
their relations with the school, I can't say, but it had
an atmosphere, I sensed.

Q. Another point you make is because of this influence at
Fort Augustus, it never developed its own parishes away
from the monastery.

A. No.

Q. Can you compare that to other Benedictine monasteries?

A. It was mentioned, I think, in John's evidence yesterday,
that the English Benedictine Congregation, because of
its revived history, was keen on apostolic work, what
you might call missionary work. It sent, for 200 years,
monks across to England in a period of persecution to
help English Catholics, and eventually these little places, particularly the industrial areas of Liverpool and South Wales and the north-east, they developed into parishes.

Parishes attached to the monastery would not be looked upon well by the strict monastic 19th century Romantic revival. That's why Beuron and Solesmes and Fort Augustus had a much more restricted view of monasticism. The parishes in the English Benedictine Congregation got a special privilege of the parishes becoming incorporated into the monastery.

So for instance, the parishes that my abbey runs, I look after those parishes and go and visit them. Fort Augustus never had such apostolic work. It had a few Mass centres, as far as I can see, around the abbey and a few of the monks were sent out to help in other parishes of the English Benedictines when it was necessary for an assistant priest, but they never developed that system.

So the monastery at Fort Augustus was more enclosed and I suppose to some extent their main work remained the school. But having said that -- and I mention it later on -- because of this Romantic idea of a monastery being -- its first work being prayer and the monastic daily routine, even at Fort Augustus School, which
should have been their principal act of work, perhaps
took second place to that.

We kept hearing about how there were other monks up
in the monastery who didn't have anything to do with the
school. That tuned in with that idea.

Q. Can I then look at the topic of education, because you
also talk about that in your statement, beginning at
paragraph 24. What you begin by saying of course
is that the order of St Benedict was primarily not
a teaching religious order --

A. No.

Q. -- in comparison to other religious orders. So how did
it --

A. How did it develop?

Q. Yes.

A. Well, the Rule talks about children of the cloister, so
there were obviously orphans, et cetera, in the
6th century and some of the great saints, like St Bede,
was sent as a little boy to Wearmouth-Jarrow. So there
was always a degree of education, but it wasn't founded,
it wasn't some charismatic founder of a new religious
order who said, right, we are going to have schools
attached and get on with it. It didn't work like that.
It sort of evolved that way.

When you think about it, an abbey is a very stable
institution, which to some extent is not good for it, because it's stuck there and it can be a target for all sorts of, you know, criticisms. But the stability of the abbey, what sort of work would it do? It couldn't be writing manuscripts because a thing like printing had come in. So if it's stuck there, it has to have a job which the monks can fulfil, work out, and a school would be an obvious thing of some sort. It didn't have to be a big boarding school, it could be just a choir school or an aluminate, I think it was called.

It didn't have to be a school but it sort of naturally developed, particularly in Scotland and England, with Catholics getting freedom of worship in the 19th century, precisely at the time that Fort Augustus began to develop.

So it came about that way. But I don't think ... I have just thought about this: perhaps that's one of the reasons why Fort Augustus was rather negligent in not going in for teaching qualifications.

Q. Yes, we've heard about that and indeed we looked at correspondence as recent as the 1980s with John yesterday --

A. Yes.

Q. -- where it was apparent that teachers at the school did not have teaching qualifications.
A. Yes.

Q. What was the position south of the border? Was it the practice, at least in the 1970s and 1980s, for monks who were teachers to have teaching qualifications?

A. Yes, and I think I mention that because -- I think John was typical of many. He was in the school run by the community and then he joined the community. His experience of a broader world of education where there were curricular developments -- and I mention those -- they weren't aware of. It was a rather sort of fossilised institution at the end when it should have been partaking in current educational initiatives.

So I think it was a weakness, I'm afraid.

Q. If I take you on to paragraph 27, you say there:

"Sometimes past Fort Augustus pupils have shown a striking loyalty to their old school in spite of serious deficiencies which we now know to have existed."

And we have had complaint from applicants that they did not consider that they received a proper education at the school. There's been one criticism. But you make reference to an overview of both schools by --

A. Yes.

Q. -- that indicates this loyalty to the school; is that right?
A. Yes. I put this in, although it was criticised as a whitewash, I think yesterday or the day before. It's one of the few published works on Fort Augustus. He's still alive. In fact, I met him for the first time last Easter. He came to give a talk on some musician or other.

It's really a chronicle of the school's history and I found it useful in the latter years. For instance, it deals in detail with the time where the abbot had decided the school should be closed, old boys rose up, and then it had a sort of temporary revived existence, and then eventually disappeared. It was quite useful to read it.

So although it might be a whitewash and it doesn't talk about abuse, it's quite an important chronicle of those last years of the school at Fort Augustus. But I wasn't so much interested in "" -- I don't know whether you were impressed, like I was, with one of the first applicants who was on video link, I think from or somewhere, I can't remember, who was not in good health. I just felt that behind his just criticisms relating to abuse, there was a sort of residual loyalty, despite everything, to this institution which his family had known for generations and which he had been at, and I was quite impressed by
his evidence.

Q. Towards the end of that paragraph, you repeat what you've said already, that:

"[You] speak for the EBC when I deplore the child abuse which took place at the Fort, therefore, and the EBC and I are acutely aware of the suffering it has caused."

And I am interested in this next sentence:

"To the extent that previous statements on behalf of the EBC cast doubt on our acceptance that abuse took place, I sincerely regret that."

A. Yes, of course, some of the criticisms were that the apologies were not from the heart, and I think Abbot Richard's apology was characterised as being "mealy-mouthed". I think at this point, I wanted to put -- I mean, I could have just come for today, but the fact that I've been sitting here for the last few weeks, it's affected me personally, and therefore any apology I give I hope is from the heart, because I've had to go through all this stuff and listen to these people. And perhaps Abbot Richard didn't have that opportunity in the way that I've had. So I think that's what I'm trying to get at there.

Q. You have a section of your statement, beginning at paragraph 28, focusing upon the limitation of the
approach to safeguarding in the past. I think the
message you're putting forward here is that there was
little external regulation of, in particular,
Fort Augustus and Carlekemp, for most of their
existence.

A. Do you want me to comment on that?
Q. Yes, please.
A. I think this is related to the visitation and I think
we have to get away from the idea that a visitation is
an inspector coming along with a clipboard to tick
various aspects.

The visitation is about the spiritual renewal of an
individual and of the community. I'm talking in an
ideal sense. Every four years, the visitor comes and
his job is to investigate this, that and the other, but
principally he has to investigate whether individuals
are leading the monastic life to the best of their
ability and the community itself is being revived. If
you look at the constitutions dealing with the
visitations, that's what its central purpose is.

If you say to me, "Yes, but let's get away from
that, let's talk about the school and the abuse and
everything", if you don't have a community which has got
strong ideals, you get problems. The ideals, therefore,
are the energiser of the work that that particular
individual and community do. I say that because of course they're deficient because they don't mention the schools and the headmasters and everything, but its job was to make better people. It may have fallen miserably from that, but before a visitation takes place, there's a period where the community has to reflect on itself and individuals have to say, "Am I a good person? Can I be a better person?" even before the process begins.

That being said, I think education is a more complex thing than it was when Fort Augustus School was first founded in the 1920s and I think there's a place, really, for visitations to include specifically reports from the school. You can see this coming through in the -- how does the Abbot President deal with the declining community? And I think Abbot Richard talked about Fort Augustus being dysfunctional.

Lady Smith or you picked him up on this and said, "What do you mean by that?" "Well, they couldn't provide abbots and somebody had to be carted in from outside to run the place."

So it was dysfunctional, and therefore the school, by extension, would have had problems from that. So I think what was produced in 2013 -- and you'll see it in the constitutions -- is a whole section entitled
"Structures of Congregational Support". So if a community is in decline, if there are major scandals, the president or the community itself can apply for help from outside in a much more structured way. That would help the running of a school, if it still existed, because those supports would insist on regular inspections and safeguarding procedures in a way that wasn't the case in the past. So quite late in the day, it has come to that.

LADY SMITH: Geoffrey, can I just intervene here a moment, and I'm glad to hear that the thinking is shifting to visitations going beyond the monastic life itself. What troubles me, and has troubled me from the outset, here is the idea that if the purpose of a visitation is essentially to look at the spiritual well-being and the spiritual development and maturing of the monks, and there is available at the time of the visitation a place which could provide strong evidence of actually how well these monks are functioning in their daily life, that it should somehow be ignored. It seems turning a blind eye to some of the most valuable evidence of how some of the monks are functioning and whether indeed they can be seen as being well in mind, body and spirit.

A. I don't think they were deliberately ignored; I think it just sort of grew that way. That's why we're very
conscious with all the safeguarding issues that we're surrounded with in the constitutions, which is the law book of the way that the monastic life is led, it's got that huge section in.

And related to your point there is, even before the structures of support had gone into the constitutions and given the president a lot of power that he'd never had before, before the visitation -- and I conducted a number of visitations -- there were safeguarding reports by an external audit and, I think, a financial report and there's one other.

They were examinations, they were inspections before the visitation took place. It's perhaps not sufficient, but at least it's a start on addressing the issue that you mentioned.

I agree with you. I don't think an abbot decided deliberately one day he was going to avoid any inspection of the school; I think it just sort of wasn't there in the first place and just carried along. But look what it led to.

MR MacAULAY: And do you recognise that as a deficiency in the visitation system?

A. I think it could have been more -- yes, I probably would admit that it was a deficiency because I think having got the spiritual side right, and that's a priority,
then it could have been much more investigative, if
that's the right word, of the works that the community
did.

Of course, you say to -- what struck me is that
despite those monks that were accused of abuse, to have gone
every four years through this visitation system and not
been affected by it and carrying on in bad habits, if
you like, was not good. That in itself shows
a deficiency of the visitation system in itself
regardless of specific abuse, et cetera. It meant it
wasn't touching them in a way that it ought to do.

It's very difficult. If people are determined and
stubborn, it's very, very hard to change hearts. That's
what struck me in the light of what applicants were
speaking about over the last few weeks. But I accept
that there was a deficiency, it wasn't deliberate, it
was just the way it evolved, and the Congregation is
trying hard to improve things in critical areas where
there have been deficiencies in the past.

Q. What you say at paragraph 29 is, as you've said already,
that you do believe abuse did take place at these
schools and you repeat your apology. But you also go on
to say:

"I apologise for the inadequate investigations
conducted during the quadrennial visitations which might
otherwise have found evidence of abuse and should have
led to steps to deal with the problem."

And I took that to mean that you were accepting that
the visitations should have had a broader focus than
simply on the spiritual well-being of the monastery
itself.

A. Which they would do now. But I'd like to add to that --
and I think it throws light on what you say -- that
visitations are twofold type. There's the quadrennial
visitations every four years, which sounds as if it had
deficiencies, and there's an extraordinary visitation.

What happens there is that monks in the community
are concerned about a particular issue -- it could be
sexual abuse -- and the number is specified as to how
many have to -- it's something like six or something
members of the council. They can say to the president
there is a serious problem in this place and we wish you
to conduct a specific extraordinary visitation in
addition to the normal four-yearly visitations to deal
with this matter.

What I'm trying to say is that even in a period
where the visitations were rather general, were rather
spiritual, you might say, there was the mechanism to
isolate a really serious issue which would cause the
president to call an extraordinary visitation, either
because some of the community asked for it, or because he and his council felt it was serious enough for him to be involved.

I have no indication of extraordinary visitations taking place at Fort Augustus right up to its end, which in a sense is also a deficiency.

LADY SMITH: So if one takes, for example, matters getting to the stage that the \textit{SNR} tells a monk he should go to Australia in the face of allegations of sexual abuse, are you saying that would have been a prime opportunity to ask for an extraordinary visitation?

A. It would, and it didn't happen. There was no group from Fort Augustus applied to the president for an extraordinary visitation. The abbot, as far as we know, Nicholas Holman, did not say to the president, "Look, things are get out of hand here and I think you should consider an extraordinary visitation". So it didn't happen, which is unfortunate.

MR MacAULAY: If we look at Carlekemp, there's been evidence that at a point in time, four out of the five monks who were there may have been sexual abusers of children. And you've heard the evidence, I think, from Mr Daly and Mr Rodgers about what their position was, that it was effectively a paedophile arrangement.

The sexual abuse of a child, that's a grave sin,
isn't it?

A. That's right.

Q. I think I raised this with Dom Richard, but it would appear that notwithstanding what was happening, these priests were still saying Mass on a regular basis. So in that environment, it's probably not surprising that these particular individuals did not ring any alarm bells because it was they who were perpetrating the abuse.

A. Yes, it was a sort of self-regulating institution, really, and I think that's appalling. It developed into a sort of habitual abuse. That's what worried me, not so much celebrating Mass. Their whole vocation was in jeopardy and yet it seemed to carry on. I was very embarrassed to hear that.

Whether the authorities at Fort Augustus itself had any idea what was going on at Carlekemp, I just don't think we've got evidence for that. They weren't -- the reason I say that was that at the closure of Carlekemp, the monks that were alleged to have abused were just simply transported to Fort Augustus and got into the school in Fort Augustus. There didn't seem to be any thinking: well, this is the time to deal with the issue and prevent them carrying on with their bad ways. It didn't happen, they just simply transferred them. Not
good and I'm sorry about that.

Q. You make a point about the housemaster system at Fort Augustus in your statement. It's towards the bottom of paragraph 31. Can you just help me with that? What are you saying there? I think we do know, for example, from what John said yesterday that as a housemaster he could have had 40 to 50 boys in his charge.

A. I suppose this reflects the experience of our school. We didn't have separate houses like the -- and I mention this -- classic English public school system. They were all under one roof. Let's say two housemasters, one became ill with flu, the other housemaster would be running the entire establishment and it was too vast for them to run. There was insufficient, it seemed to me, pastoral supervision and they needed to sort of somehow rejig the buildings to have a clear-cut -- a clear-cut house system or to introduce more staffing. It was too much.

Again, it's speculation on my part, but if one's faced with a massive problem facing you in an educational context, you can resort to severe measures, it's a sort of in terrorem, a sort of police state, and I just wondered, I think in speculation, that the job was too much -- I mean that rebellion to me
was a sign that it was out of control, it could on occasion be out of control.

Either you rejig the buildings, as I say, to have separate house units or you employ more staff in a pastoral sense. I think that's one of the deficiencies of the fort: it didn't have the numbers of pastoral support to deal with the institution.

Q. Again if you look at the example of John, who was the housemaster for 40 to 50 boys, that's one person having to care -- that was the role of the housemaster, to look after the well-being and care for the boys. That doesn't seem to be a particularly happy situation.

A. No. One mention here only was from me in the whole of the inquiry. There's a very interesting television programme of 1975 -- this is territory -- which was made for television and broadcast, which I happened to watch. The "Sins of Our Fathers" programme, it begins with a clip from that television programme. I think for the inquiry, if it's still operating, it's worthwhile you watching that programme.

Q. What's the name of the programme?

A. It's probably called "Fort Augustus" or something. But it made a number of the monks look foolish. There was a poor lay brother, as far as I remember, watching
Mickey Mouse, having his hair cut, and this sort of silly business. It would probably appeal to the viewers.

I never knew, but it shows conducting the corps, all in kilts with bagpipes and things, by way of a gramophone record. I had a throwback listening to the rebellion yesterday. It would be very interesting for you, if you're conscious of the allegation of 1975/1976, to get a clear picture by a television company of what the fort looked like in action.

LADY SMITH: Thank you for that.

MR MacAULAY: One thing you suggest towards the bottom of paragraph 31, is that because of this set-up with two housemasters having to manage a significant number of pupils, it is possible that for control, they found it easier to resort to frequent corporal punishment.

A. Yes, again, that is speculative, and I may be talking nonsense here, but if you're faced with that sort of schoolboy rebellion, the easiest way to deal with it in some cases would be to frighten the life out of them by insisting on a regime of strict corporal punishment. I just sensed there was a thread of that running through a number of the applicants' statements.

Q. You also touch upon the movement of monks, Geoffrey,
beginning at paragraph 34. We've heard evidence, particularly for example with regard to and also and I think also Father and I think

A. Yes.

Q. Can I just ask you about that? Did you find it surprising that there was so much movement at Fort Augustus?

A. There had always been some movement in the sense although they didn't have separate parishes outside, Father So-and-so would fall ill and the abbot would apply to another abbot and say, can he go to your parish, or, can he come for convalescence to your monastery, and he went. But it was a temporary thing.

The movement of monks in terms of the constitutions is related to the transfer of stability. As far as I can see, there was not much transfer of stability of Fort Augustus monks. What there was was short-term movement.

I think it's interesting that one of and related to New Norcia, and if I'd had time, and I haven't, I'd have contacted New Norcia, which still exists, it's in the middle of Australia, and said, "Are there any files on these two?"

I mention that there are very strange figures for
Aidan Duggan in the cathology of the -- the
Confederation, that's the International Benedictine
World, produces a thing every four years with dates and
statistics. If you look at Aidan Duggan's, it's a very
peculiar timeline. Whether it throws up anything,
I don't know, but it might be worthwhile contacting the
Abbot of New Norcia and saying to him, "Have you
anything on these people that were associated?" Because
I can't understand why you go from the middle of hot
Australia into the Highlands of Scotland. It just seems
very strange. Anyway.

Q. So far as Father is concerned, you have heard
the background to him going back to Australia. What's
your view on that? By that I mean could he have been
kept at Fort Augustus within the monastery, the abbey,
and have nothing to do with the school, rather than
sending him away where there was no monitoring of him?

A. I think given the sort of enclosed and this relatively
small nature of Fort Augustus, it would have been very
difficult. For instance, we heard that the school came
to Mass on a Sunday where the community would have all
been there. Was to be removed from
all that? I think in practice it would have been very
difficult. As far as we can understand, it was a very
serious complaint, and it wasn't the abbot saying, "I'll
rap your knuckles, behave yourself", it was a serious complaint. Therefore I think he had to be removed.

Whether the removal to Australia was the right thing, I don't know, because I've got no indication of what arrangements were in place when he went there. But it brings up another point which I'd like the inquiry to consider. Before the world of safeguarding reports and safeguarding plans, in the early stages of the Children Act: what does one do with an offending monk who's only had a caution from the police? Well, you can buy him a room in Edinburgh and say, "Get on with your life, but don't do this, that and the other", but he needs more than that.

In this period, say, between 1990 and 2015 or whatever, the police having cautioned someone, would hand him over to the probation services, and I've got personal experience of this, actually, so I can speak to it. They agreed that he was best placed in another monastery provided there were safeguards in place. They weren't the elaborate developed safeguarding plans of the present day, but I remember going to meetings of the probation service, frequent meetings, with, I guess, the police acceptance, of the therapist and counsellor, of the abbot and headmaster of the monastery he came from, and myself, with the alleged abuser.
So I think it's not so much that there were
inadequate ways of dealing with abusers, but for the
time I think that worked quite well.

Q. For Father though, he's moved from
Fort Augustus to Australia without any suggestion that
he was to be monitored --

A. That's right.

Q. -- or kept away from children and so on.

A. Have we any idea what arrangements were set in place?

We haven't. Wasn't there something about him going to
look after elderly parents?

LADY SMITH: That's what's recorded.

A. I think he might have just pushed off, but that's just
speculation again.

MR MacAULAY: You do tell us at paragraph 47 of your
statement that there was, before the Nolan Report, which
was in 2001, the practice whereby monks accused of abuse
were transferred from EBC monasteries which had schools
attached or ran parishes, and they would be sent to
monasteries that had no schools attached. Is that the
position?

A. At this point, because I think Lady Smith mentioned it
in asking for clarification from Abbot Richard, could
I bring up Richard White at this point? Would I be
allowed or are you going to deal with him later?
Q. I was going to ask about him.

A. Let me just explain the Richard White thing because my name was associated with him the other day. Richard, in religion Nicholas, White, was accused of abuse at Downside related to a member of the school there, and it reached the national press in 1990/1991.

Of course, I knew about it from the press. As Fort Augustus began to wind down, after the closure of the school in 1993, I think the Abbot of Fort Augustus asked for help in the clearing-up process in practical terms.

A number of monks went up to help. Downside Abbey had already had these complaints against Richard White and Richard White was sent up, the idea being that there was no risk involved because the school had closed by, I don't know, 1995 or so.

Abbot Richard became Abbot of Downside in 1998. The point is that the president, this idea that somehow a man sits up in some tower and controls the whole of the English Benedictine Congregation, there's all this autonomy issue which we're going to hear about later --
he wasn't involved. It would have been an agreement between abbots that various monks were sent to help up at Fort Augustus' clearance. Richard White, it was felt, was not going to be a risk to anybody and he was not doing much work because he couldn't, restricted, and so he was sent up.

So we get the famous photograph of 1997, which you're going to show me, because I might recognise some other people on that photograph.

Q. I was planning to show you. We're coming up to the break.

A. Can I move on with the story?

Q. We'll do it after the break. You finish off.

A. So he went up. Then, of course -- and Abbot Richard became abbot in 1998 and he said he was no risk because there was no school at Fort Augustus by this time, but also the family of the accuser did not want to press charges any further; I don't know what the technical term is for this. So that was an additional reason, I think, for having this fellow, this monk, at Fort Augustus.

I knew nothing about these arrangements. It was an arrangement between abbots and I can say I was not involved. In fact, I wasn't abbot or anything when the thing happened so I couldn't have been involved. I was
only elected abbot in the autumn of 1998, just after Richard was elected.

So life carries on. In 2001, Abbot Richard was elected Abbot President of the Congregation as well as remaining Abbot of Downside, and he had used at that point Richard White as secretary. He felt it was a sort of bureaucratic job and it was no risk to children, et cetera. I know that, not because it was ever discussed with me, but because I could see that Richard White was signing the occasional document from the president.

Q. So do I take it then that Richard White was back at Downside?

A. He must have been back at Downside, although I think at one point he was sent to Cambridge. Downside had a small house of studies in Cambridge called Benet House, and you'll find it in the year books of the time. It had no monks attached, it was standing empty, and I think he was there for some time. I can't remember -- I don't know the dates. So he may have acted as secretary living at Cambridge for all I know, possibly because the school was still at Downside.

You'd have to ask Richard about that, I don't know. But I wasn't involved in that. I knew nothing about that.

I think it's important to realise that as far as
I remember, Richard White's name was never brought to meetings of the Abbot President's council. If Abbot Richard was dealing with him, he was dealing with him as Abbot of Downside, okay, because it was a matter between abbots. So it never came to the top senior command at all.

Moving on, so it was never mentioned. Now, around 2010 -- I haven't got the chronology correct, perhaps it was a bit later -- the family of the original abused child or minor decided to take the matter to court, so the whole thing blew up again. Richard Nicholas White went to court, was charged with abuse, found guilty, and given a custodial sentence. That was in the public domain. It got into the papers, I can't remember which. He was sent to prison.

One day, out of the blue, I got a manuscript letter from him. I'd had nothing to do with him at all to this point, but because I was first assistant abbot and Abbot Richard was at Downside, his community, presumably he felt he wanted someone else to talk to.

The letter -- I think there were maybe two letters, they were really about a man who was panicking because his custodial sentence was coming to an end and he didn't know what was going to happen to him. It was really a cry for help.
I went to see him in prison and, again, I'd had no direct contact with him until to point, but he had written to me in a degree of desperation. So I went to see him and assured him that things would be all right and blah, blah, blah.

He was released from prison, and in two months of freedom, he was killed in a car crash. So it was a rather sad story throughout, but that's, from my point of view, the Richard White saga.

Q. Yes, and I think the Richard White case was looked at in some detail by the English Child Abuse Inquiry.

A. Yes.

Q. And according to them, he was in Fort Augustus from 1993 to January 1999.

A. Yes.

Q. So that's maybe when he re-associated himself with Downside in some way.

A. Sure, and then Richard took over as secretary probably just after that.

MR MacAULAY: Perhaps, my Lady, we should have a short break at this point.

LADY SMITH: We'll take the morning break now, Geoffrey.

(11.35 am)

(A short break)

(11.50 am)
LADY SMITH: Geoffrey, are you ready for us to carry on?
A. Yes, thank you.

LADY SMITH: Thank you.

MR MacAULAY: Can I just put the photograph on the screen for you, the one you mentioned, INQ.001.004.2723.

Can you tell us what the occasion was?
A. I think -- and you can tell me better than I know -- I think it's the golden jubilee of the ordination of --

MR MacAULAY: If this is , it would date that back to and you can check that from his dates in the officia.

Q. But Richard White, I think we thought was the person at the back to the left, back left.
A. With the blue vestment on? There's a fellow with a beard.

Q. I understand he's the second from the left at the back.
A. That's Nicholas White. On the right of him is Father Bernard McNulty, that you've had a statement from, and on the right of him is Father Anthony Haynes, who died last year. I won't bore you with all these people, but there may be particular people you want me to try and identify.

Q. We've already identified a Bishop Gilbert and Archbishop Mario Conti.
A. Yes, he's very front at the very far left-hand side.

That's Abbot Hugh Gilbert. The others I don't know much.

Now, this --

Q. -- I know nothing about him. I have never come across him.

A. -- I know nothing about him. I have never come across him.

Q. Can I leave the photograph aside then and look at the issues of recruitment and training of monks. It's one of the areas you cover, beginning at paragraph 51 of your statement.

Although you don't have any direct knowledge of the position historically with Fort Augustus, because you have no archival documentation to assist you --

A. Yes.

Q. -- I think what you do say is that generally, the EBC monasteries did not advertise for recruits to join them.

A. No. You heard this from one, I think, of the applicant statements, claimants, whatever they're called. With schools attached to them, there was a tradition of sixth formers joining the community; I was one, for instance.

That dried up more or less from about the 1970s, partly because it was decided young men at 18 or 19 should go off and have some sort of career and then reflect on things and then perhaps apply to join later,
or, more usually, to go to university first.

So the pool of what you might call talent dried up around that time. After that time, recruits came from all over the place, and I think that's reflected in the recruitment patterns that you get at Fort Augustus in its latter days.

Q. I think we heard yesterday from John that he himself had been a former pupil at Fort Augustus and he mentioned a number of others who had graduated from the school into the abbey.

A. It was very typical of that period for him. My impression is that, actually, a lot of people continued to join Fort Augustus, but they didn't persevere. If you look at the statistics of novices, which you'll only find in the Benedictine yearbook, and you probably haven't got copies of that, it'll mention in a particular year something like Fort Augustus, three or four novices.

So they were recruiting, and I think it was on the Scottish card, I think there was a sense that if you wanted to be a Benedictine in Scotland, this was the place to go to. So it wasn't that things dried up; they dried up ultimately but not in terms of initial recruitment, they still continued to get vocations.

Q. And training then, can we look at training. You tell us
You're focusing here on what you describe as intellectual training. What sort of training would a trainee monk receive before he would take his final vows?

A. That's very simple because it's across the Congregation. It's a year's novitiate where you go out, forget everything, and just get on with yourself. After the year's novitiate, you take temporary vows for three years and so you can leave during that time or at the end of three years. Then you're solemnly professed. That's the monastic training.

Lay brothers at Fort Augustus would have had something of that, but they wouldn't have been involved in any prolonged series of studies.

The choir monks, who were going to be ordained, would have done two years' philosophy and four years' theology; that was the basic requirement for ordination.

All those people who we've been talking about would have gone through that duration of studies. And I think at Fort Augustus, they were done in-house and you heard Bishop Hugh yesterday saying he did some of his studies at Fort Augustus and that was typical. He would have done ordination studies.

The brighter students from Fort Augustus were either
sent, during those six years, abroad or after, usually to continental universities, and I mention Germany and Louvain. I think he went to Louvain and he specialised in scripture, a specialism which Fort Augustus itself couldn't have managed. That was typical and at the end of those years, they were ordained.

Q. Can I just talk about the Rule for a moment. The Rule, as we heard from John yesterday, is very important to the Congregation.

A. Yes.

Q. And indeed, he told us that it would be studied as part of the training.

A. Yes.

Q. And excerpts read on a regular basis.

A. Yes.

Q. Is that correct? Can I just take you to it for a moment or two. I'll put the bits I want to look at on the screen. The reference is BEN.001.001.0001.

We're looking at the --

A. This is the great prologue of the Rule.

Q. I think I put to Dom Yeo that it was a very lengthy document, but he seemed to suggest that, compared to other orders' founding documents, it wasn't perhaps that long, but it is a lengthy document.
A. It's lengthy, I think it's 74 chapters, something like
that, but small chapters, and of course you don't have
religious orders in the 6th century. That's the point.
It's more complex than that.

Q. I fully accept this was written in the 6th century --

A. They'll hate me for this, but the solicitor phoned up
and he said, "You know, in chapter [whatever it was], it
says here, 'Boys shall be whipped'".

Q. I was about to take you to that.

A. He said, "You can't put that in, the inquiry will be
shocked, it goes against all the ..." And I said, "But
have you seen what he says about baths, that baths
should be taken infrequently?"

Q. We have to put it into its historical context.

A. You know about that, that's the important thing.

Q. Let's look at BEN.001.001.0020.

At chapter 28, there's a section dealing with:
"Those who refuse to amend after frequent reproofs."
We read there -- as we read on we see:
"Let him feel the strokes of the rod."
Is one of the prospective punishments. And then
towards the bottom:
"The manner of reproving boys."
We can read:
"Every age and level of understanding should receive
appropriate treatment. Therefore, as often as boys and
the young, or those who cannot understand the
seriousness of the penalty of excommunication are guilty
of misdeeds, they should be subjected to severe fasts or
checked with sharp strokes so they may be healed."

Again, a suggestion there of physical punishment?

A. Yes. It's the 6th century, don't forget. There are no
inquiries or anything at this stage.

Q. If we look at BEN.001.001.0028; I think this is the
section that you had in mind. Chapter 45:
"Mistakes in the oratory."

A. Yes.

Q. "Should anyone make a mistake in a psalm, responsory,
refrain or reading, he must make satisfaction there
before all."

And we're told he should humble himself and so on
and so forth. Then we read:
"Children are to be whipped for such a fault."

The reason I draw your attention to that, joking
apart, is that we've had evidence in this case, for
example, of two boys in particular being flogged in
public -- and I think they were stripped for that.

We've also had evidence that involved allegations
being made against MFF between 1961 and 1964
of the naked canings of groups of boys. Do you remember
that evidence?

A. Yes, I remember the evidence given.

Q. I just wondered to what extent that in any way could be
influenced by what's set out in the Rule.

A. No, I'm sure. In their study of the Rule, the novices
at Fort Augustus would have been told time and time
again that this extraordinary document is noted for its
moderation. St Benedict brings together all the
monastic tradition over the Egyptian desert and some
very, very strict rules relating to corporal punishment,
and he moderates them. You can see this in the way that
he portrays the abbot who's mentioned in the earlier
thing there, the need of moderation, of the broken reed
hasn't to be smashed, et cetera. It's a very impressive
document for the 6th certainly in that it moderates the
severity of many of the early monastic rules.

Therefore, with that in mind, the novices at
Fort Augustus would have said, "Well, probably here
children should be whipped for a fault", they would have
set that aside and said, "That's what a lot of the
Rules, but St Benedict is very, very ..."

It is an extraordinary document. It's noted for its
moderation and for its understanding of the human
condition, despite sentences like that. So I don't
think a monk at Fort Augustus, even the most savage
monks wanting to sort of beat boys, would have referred to this. They would have thought, "It's 6th century and the constitutions are what really run our lives first".

I think probably, dare I speculate, corporal punishment at Fort Augustus was something that other schools were practising at the time. What struck me was the severity. I was at a similar school and there was no bare beatings of bottoms.

LADY SMITH: Is there anything in the Rule which reflects Christ's teaching about what is the correct attitude to children and the care of children?

A. I can't remember. I don't think so. I don't think so. That's a very good point. No, he doesn't really legislate for children because many monasteries wouldn't have any children. Of course, what age are children? What would he regard as age? The life expectancy is 35 or something, isn't it? So no, it's not a big issue for him.

MR MacAULAY: If the evidence given in relation to the naked canings of groups of boys is correct, then that, I think you'd accept, goes way beyond any form of corporal punishment?

A. I can only make comparisons to my own experience and I never saw or heard of that in the Benedictine school I went to. That's why I do think that Fort Augustus was
more brutal in terms of physical punishment. That's my only humble experience on that.

Q. There's a section in your statement, Geoffrey, where you talk about the legacy of abuse; that's beginning at paragraph 68.

As you point out in paragraph 69, Abbot Richard really has had to deal with that because it coincided with his time as Abbot Principal; is that right?

A. Yes. He was president at the time, yes. I think I didn't quite ... Perhaps you could clarify for me. I couldn't quite decide at the end whether the allegations relating to Father went to first or to the abbot first. There seemed to be a contradiction in what we were told by the appellants.

Q. I don't think there's any contradiction in the evidence given by Peter, who was the applicant, and indeed his sister, in that it was Father who was the first port of call, and then went on to the abbot, yes.

A. And then went on to the abbot, yes.

Q. And the suggestion was it was then the abbot. But I think Father position with Abbot Richard was that, really, it was the other way round, that the abbot came to him, so there is the contradiction in the
evidence to that extent.

A. Right.

Q. You have a section, and I just draw it to the attention of the inquiry, beginning at paragraph 80, where you talk about the present and future for the English Benedictine Congregation, particularly in the context of safeguarding and following upon the Nolan and Cumberlege Commission reports; is that right?

A. Yes.

Q. You provide us with the changes that have been brought about as a consequence of that.

Can I then take you to paragraph 90, where you have a heading "Lessons for the future". Can you summarise what your message is in this paragraph?

A. I think it has been a steep learning curve for the abbeys that still have schools attached and there's been a sort of speeding-up of momentum in regard to safeguarding practices and procedures, which we can see reflected in the various documents.

My own hunch is that we're not finished with the process, because what I took from a number of the applicants was that, okay, there has to be compensation, but, you know, financial compensation is not sufficient and it's a sort of payoff and it's easily done if you've got the funds. It needs to be more ... The recovery of
applicants, if it's possible, is going to take more than just money. As I said earlier, I'm particularly concerned about the families.

I don't know where we go here. Although the monasteries -- and Fort Augustus never had this opportunity -- all fall under safeguarding officers of the diocese, and we have a very, very good relation in Portsmouth with the Diocesan Safeguarding Office, two abbeys have their own safeguarding committees or commissions.

Secondly, Praesidium, which is the USA, it deals with institutions, it doesn't particularly deal with religious institutions, it deals with major banks and this, that and the other, they've come alongside and they've been running courses and they are producing an audit to be filled in before every visitation. A very professional firm.

My only niggle is that these are run by the church. The church is the paymaster. Somehow or other, all those that are involved in the safeguarding world need to find a way towards an objective agency which deals with the whole afterlife of safeguarding and sets up procedures that we can all follow.

I think we're not there yet. Whether that's going to be a government sort of agency, I can't speak for
that, because I'm not an expert on the workings of
government, or whether it's going to be a sort of
sub-section of the Charity Commission.

But what we've heard from the inquiry is more than
just terrible incidences of abuse. We've been having
sort of cumulative stories of people that have been
affected by it. I think one of my hopes for both
inquiries, both here in Edinburgh and in London, is that
they can not only criticise, and quite rightly too,
shortcomings, but they can point the nation towards the
creation of some sort of body which will help all other
institutions in this growing question of safeguarding.
At the moment, it's completely piecemeal, it seems to
me.

Q. Thank you for that.

Finally, then, Geoffrey, can I take you to your
conclusion that you set out in paragraph 91 of your
statement.

A. Yes. I concur with that paragraph. I think for us,
it's very important, although we're mostly English now
and not Scotland, I think it's quite important to keep
the matter in our heads and not say, "Right, the
inquiries are finished, that's it, let's move on with
life". I think there needs to be close attention paid
to the findings of both inquiries. I think the English
inquiry is reporting at the beginning of October, its final report, we've had the interim report. I think one of my jobs is going to be to keep prompting the Abbot President's Council as long as I'm on it to ensure that we keep safeguarding high up on the agenda.

I've got the abbots meeting with me in a couple of weeks' time, both from England and the United States, and I'm hoping to give a report back to the Scottish inquiry, probably ending with those sentiments, that we need to keep the thing forward -- and I think by keeping it high on the agenda we might move towards this goal of some sort of institution which is going to help with safeguarding in the future.

MR MacAULAY: Very well, Geoffrey. Thank you very much indeed for all these thoughts and for providing this detailed statement to the inquiry. I have no further questions for you and, my Lady, I can confirm that no questions have been submitted to me.

LADY SMITH: Thank you. Are there any outstanding applications for questions? No.

Geoffrey, can I just check one thing with you; I probably should have asked earlier. Does the Benedictine Congregation still have a presence in Scotland? I should know and I'm afraid I don't.

A. The English Benedictine Congregation doesn't. The
Subiaco Congregation has Pluscarden, where Hugh Gilbert
a is monk of, and I think at the moment that's all,
alas. We never produced a Scottish Benedictine
Congregation in the great days of Ratisbon and Würzburg,
et cetera. Perhaps that's what I'll do when I come back
to Scotland.

LADY SMITH: Thank you very much.

Geoffrey, thank you so much for your presence here,
your thoughtful absorption of the evidence, and your
analysis of it. It has not escaped me that you wrote
a substantial document for our assistance that was
completed just at the beginning of this week, which
tells us what your thinking now is, having heard the
evidence, in addition to everything you can give us
about the history of the order and what you knew about
Fort Augustus when it was still operating. A lot of
work has gone into that and I do recognise the effort
that you must have applied. Thank you for that and I'm
now able to let you go.

A. Thank you very much.

(The witness withdrew)

MR MacAULAY: My Lady, we have time for a couple of
read-ins.

LADY SMITH: Let's do that, thank you.
Witness statement of FATHER COLIN GEDDES (read)

MS MACLEOD: The first statement I'll read in is the statement of Father Colin Geddes. It is to be found at WIT.001.002.7543.

This is quite a lengthy statement, my Lady, so I will just read out the parts that are particularly relevant. We've got the statement anyway as evidence before the inquiry.

Father Colin Geddes tells us that he was born in 1946 and joined the Benedictine Order in 1982. He tells us he lived at Fort Augustus in the novitiate and that he joined the school after he was ordained and that was on 8 December 1988.

In the initial paragraphs of the statement, Father Geddes provides some history and background in relation to the school and we can read that for ourselves.

In paragraphs 11 to 25 he provides information in relation to his recollections of the monks and staff at the school. I will read those paragraphs, starting at WIT.001.002.7546:

"During my time at Fort Augustus, were Father , Father , Father , Father , and Father . I recall all of the monks and lay staff in different
degrees.

"At some stage I saw all of them with children at the school, except Father and Father. They were quite relaxed with the children. The only discipline of the pupils by the staff was through giving the pupils detention. I never saw any of them abusing the children in any way. I didn't hear of any allegations of abuse against them from any of the children or anyone else.

"I knew Father all of my monastic life. He was a very good teacher. He was excitable. He taught and then he was. He would raise his voice a lot. He would shout at people not paying attention. I never saw him use physical force for discipline just shouting. There was no abuse. He expected people to do what they were told. The kids were in awe of him. He was not my favourite person. I knew to be wary of him.

"Father was in his fifties. He was a sacristy monk. He was a housemaster, but would teach occasionally. He was an ordinary guy but serious about what he was doing. He was an intellectual.

"Father was in his seventies. He was the then. He was also serious about the work of the school.
"Father was in his late seventies. He taught. He loved."

"Father was in his late seventies. He taught. He was a strange man. He rarely smiled and he liked a drink.

"I didn't really know Father. He was in his late fifties. He was gone quite quickly after I arrived. He was a housemaster then he left to go to Canada. He seemed very self-centred.

"Father was in his seventies. He had spent most of his monastic life in the Catholic Archives in Edinburgh. Then he was put up to Inverness to become at Fort Augustus. I found Father difficult to deal with. His was the last word. He had his own ideas of how things should be going and wanted to be in control.

"Father was in his seventies. He was at the monastery. He did not teach in the school. He was quite authoritarian. He did his job and expected you to do what you were told. He was quite a serious and intellectual man.

"Father was in his mid-twenties. He was the He was a young happy guy.

"Father was in his early sixties. He did teach
at the school, but I can't remember what he taught. He
loved his garden.

"MIH was one of the lay staff. He was in his early or mid-sixties. He also taught He had been a pilot in WWII and came out with some fantastic stories.

"Father MMF had been SNR until it got to the point where they were going to close the school. It was long before it did actually close. All hell broke loose. The parents of the pupils were up in arms and started a campaign to keep the school open. It was quite something. MMF said, 'I'm off'. He left when the school closed for the first time. He was released another monastic school in the United States where he was made SNR

"That left a vacancy for SNR and Father MRQ was then SNR. I can't remember what date that happened. He was an excellent man but he could fly off the handle very easily. He was not the best people person. I think Abbot Nicholas Holman realised he was fine for what he was doing, but he's no use for this job. Poor old Father MEW was then given the job.

"By that time, MEW would have been in his
seventies. Nicholas Holman, the abbot, looked around to see, 'Who the hell can I get to be the bursar', and that was me."

I'll pick up the statement at paragraph 28:

"For my day job as bursar I had a monk who worked under me, Father Anthony Haynes. Sadly, Father Haynes died recently. Tony was one of these great people who was very meticulous, which meant he was ideal for keeping all the filing and everything else. I could scatter a desk but Tony would make sure it was all tidied.

"By that time there were about 180 pupils at the school. I think at its highest the school had about 250 pupils. I was there as bursar for there a three-year period until I left. I think I left the school in 1992. The school closed in 1994.

"There was a shortage of monastic personnel who were young enough to be of use at the school. More and more of the monks who had taught were no longer teaching there and had been replaced by lay teachers. There were only two, three, maybe four monks who were left physically teaching at the school. They were: Father who taught ; Father who taught ; Father David Ward, who taught religious studies; and Father who taught
and Father [MEZ], who taught [____].

"Father [MMF] was [SNR] when I arrived and he [SNR] [MRQ] he did have a secretary to do some running around. At no point did I have any concern about any of these brothers being abusive to children.

"I thought that some were better than others as teachers, but they were all capable of doing what they did. There were a few monks who had been boys at the school and had more or less stayed.

"My relationship with Father [MEW] was up and down. We didn't always see eye to eye on some financial things. [____] I saw things in the records that I wasn't happy about, things like paying VAT on fuel when we shouldn't have done. I discussed these things with him. Father [MEW] left after I went to join the navy.

"The other members of teaching staff were all laypeople. There were about 15 teaching staff in total between the lay and religious staff. All of the main areas of the curriculum were covered including languages, geography, maths and sciences. There was also a matron there. There were three grounds staff and
three laundry staff. There was a well-known professional company who did all the catering. We got rid of them but kept the chefs.

"As far as I remember, the staff were answerable directly to the headmaster. If they had discipline problems at school they would report them to the housemasters and, if necessary, they or the housemaster would report them to the headmaster if it was at a level that it needed.

"Because of the order's inability to find monastic staff to do things, I was asked to take over one of the two housemaster jobs at Vaughan House. There were two houses, Lovat and Vaughan. I was asked to do that within about a year of being taken on as a bursar. I wasn't employed in any sense as a teacher. Occasionally I would stand in for religious instruction if Father Ward wasn't there. Other than that, I didn't teach any other classes. It would have been a waste of time.

"I remained as bursar during that period of time. I was bursaring during the day and housemastering in the evening and at night. I would get to bed at about 11 or 12 and be up again at 5.

"The housemasters were myself for Vaughan and Father for Lovat. Lovat and Vaughan were the
family names of the founders of the place.

"The pupils were divided between the two houses for sports competition and things. The pupils were not divided into junior and senior. I believe there had been a junior group but there was no one to look after them so the groups had become mixed up. The junior group was shoved in with the senior group. The pupils in Vaughan House ranged from 11 to 17 or 18.

"Vaughan House had about 50 or 60 pupils. The other house had approximately the same. By then, the numbers had dropped down to 180. I don't remember any day pupils; they were all boarders.

"The pupils were all boys. Pupils started at the age of about 11. Prior to my being at the school, there had been a feeder school called Carlekemp just outside Edinburgh. It varied of course, but if you were averaging it out, there would be about 20 pupils in each particular school year.

"In a sense they were all fee-paying pupils but very few of them were paying the full amount. The fees were heading up to about £9,000 a year when I was bursar. The majority were on a government subsidised scheme called the assisted places scheme. That was probably taking about two-thirds of the pupils.

"Most of the children were from the Central Belt of
Scotland. Most of the children were from families who had attended the school for two or three generations. There is an old boy's organisation and they still meet.

"My impression of the school is that it was a busy, happy place full of screaming kids, but funny. I didn't have a negative feeling whilst there.

"My role as housemaster was pastoral, basically to make sure that the kids were okay. If they had problems I would make sure I could talk to them about it. I had a monastic room as a monk. As housemaster I had what you might call a flat within the school. It had a lounge area with a television, a desk, and basic furniture for the kids. There was a kitchen so the kids could do all the things they liked to do, make toasties and popcorn or whatever.

"I slept in there when I was on duty. They knew I would be if there if they needed me. I was on duty every other night. When I was on duty I was looking after Lovat and Vaughan. Likewise the housemaster for Lovat when it was his turn."

Between paragraphs 38 and 88, my Lady, the witness gives information about the routine at the school, including morning and bedtimes, mealtimes, washing, clothing, personal possessions, school, leisure time,
religious instruction, gives information about trips and
holidays, birthdays and Christmas, visits and
inspections, and healthcare.

I propose to read on from paragraph 88 to 115.
That's on page WIT.001.002.7562:

"The matron dealt with a few cases where they found
the bed was wet the next day. That was to be expected.
She would have spoken to the child to try to see
what was on his mind. I am not aware of any
disciplinary action being taken over the issue of
bed-wetting, certainly not by me. They weren't made an
example of. Any aggro a child got would have been from
his mates. We would try to get their sheets taken to
the laundry separate from the other bedclothes. There
was nothing that might be described as a walk of shame
at Fort Augustus.

"There wasn't a written code or policy about
discipline; it was left to each individual teacher. If
there was a discipline problem with a pupil at the
school, it would be reported to the housemaster. When
I arrived at the school, corporal punishment was still
legal and the tawse belt was used. Its use had to be
entered into a register. After European Union law
prohibited corporal punishment in schools, boys were
made to spend extra time in the study hall or were given
detention or lines as punishment. They might have been restricted from doing things they wanted to do.

Detentions did not have to be recorded anywhere. I never actually saw the discipline register. Although we had ground staff, the task of cleaning the grounds of rubbish could be used as a form of detention.

"The kind of things a pupil could be punished for included failing to attend classes, the study hall or Mass, or being caught smoking. A serious breach of discipline would be something like a punch-up between pupils, running away, or stealing. I can't recall any occurrences of theft or running away.

"If a pupil was screaming and shouting about something, I would just let them scream and shout until they had finished. I don't remember any problems regarding drinking, cigarettes or drugs. I can't remember any expulsions during my time at the school.

"I can recall some kids having a flare-up, usually because of something happening at school.

"I couldn't say there was no bullying at the school, but I didn't see if any there was. If I had seen it, I would have put a stop to it.

"The discipline I used was either verbal chastisement or detention in the study hall. Lines were a pain for everybody, to be honest with you. I can't
recall any specific instances, but if there was
something really serious, it would be reported to the
headmaster. I didn't report anyone to the headmaster.

"The system was that prefects were used as the
footsoldiers, so to speak, to keep an eye on things.

There were about 12 prefects altogether. If you weren't
there yourself, you made sure someone was going to be
there. If there was a problem with a boy at night,
a prefect could take him to his housemaster.

"The prefects were part of the governing body of the
school. They had a degree of autonomy. They were
entitled to give out detention but they were not allowed
to give any physical chastisement. They would have to
tell you if they had given out detention.

"During my time at the school I did not have any
care about any underlying difficulty with the
operation of the prefect system. I did not have any
care about any member of staff. My only concerns
were about how the school could continue financially.

"It was the responsibility of all of us to supervise
the children. If they were out and about in the
village, you would make sure they were all back safely
and that no one was missing. It was very efficient.
The prefects played a part in what you would call the
administrative body, the governing body. They accepted
that as part of their position as a prefect.

"I did see other staff disciplining pupils. They would shout at them if they failed to bring the right kit for games. I can't recall anyone ever striking a pupil, not even cuffing the back of their heads. I never saw anyone being physical towards a pupil. I never saw any pupil with unusual or unexplained injuries; the only injuries were from the hockey pitch or the rugby field. I don't recall any child having to go hospital for an unusual injury.

"I never received any report from pupils or staff suggesting any physical assault or abuse. If I had received such a report, I would have reported the matter to the headmaster. I don't know if the headmaster received any reports of assault from any members of staff. If he did, they were not discussed with me as the headmaster did not take me into his confidence. He may have discussed it with Father [MRQ], who had been at the school a long time; he may even have been a boy at the school.

"I can't recall any instance, either at the time or with the benefit of hindsight, of a boy who was normally outgoing suddenly becoming withdrawn. I can remember a boy becoming quieter on one occasion. When one got talking to him, it was because he felt he wasn't wanted
at home. His father had remarried and he had been told
that he wasn't coming home for mid-term and things like
that. That is devastating to a child. I phoned his
father about it and told him this was not an acceptable
way to treat his child. He said he didn't know about it
and that it must be his wife who did that. I told him
to sort it out. The boy went home. I would have taken
him home myself; the dad was hurting someone in a way
that he had no right to do.

"I can recall one boy who got involved with a girl
from the village and she fell pregnant. After the boy
left school he still wanted to come back to the school
and visit his old classmates. I refused him permission
even to watch the sports because of the moral position
he had put himself in. I couldn't let the others think
he could do this and just get away with it. In the end
I had to go down to the House of Lords for him. It was
for a paternity suit to fight for the father's rights to
be the same as the mother's.

"If I had seen any abuse I would tell you. I recall
that a pupil reported seeing two people in a car at the
front of the school in some sort of sexual embrace.
I can't remember who reported it. We reported it to the
police. They went and had a look but couldn't see
anyone. It would have been two people unconnected with
the school. Presumably, they realised they had been seen because by the time I had spoken to the police they had just driven away.

"I cannot ever remember any child coming to see to complain about any member of staff for no reason. The only injuries I saw at the school were from rugby or hockey pitches.

"If a child had made a reported of abuse to me I would have wanted to know if he had any proof of the matter. However, even if they had no proof, I would have taken the matter to the headmaster and I would have followed it up too.

"If I had received a report regarding a monastic member of staff I would probably have mentioned it to the abbot as well, but I never had any adverse feelings about any member of staff, nothing of that nature. I didn't have to go to the headmaster for any matter relating to the children. I am not aware of any record of such reports to the headmaster. I only had to go to the headmaster for financial matters.

"There was one occasion in 1991 or 1992 when two detectives from Inverness police station came to the school. They said they had received an allegation against a monk, Father MFA. I don't know what the full allegation was and I wasn't told. I don't
I remember much of the content of it.

"I was asked to sit in with Father whilst he saw the detectives as the boy making the allegation was in Father's house. The police wanted permission to speak to one of the boys as opposed to all of the boys, and that permission was granted. I don't know what happened after that because I was only asked to sit in when the police spoke with Father. I was only involved for about 10 minutes in total.

"What I can say is there was no feedback from that, at least not to me. You would have thought there would be some sort of feedback somewhere in the system.

"Father never seemed happy. His nickname was However, I am not aware of him ever being abusive towards any of the children.

"Later I gave a statement to the police on 3 March 2014. It related to an allegation by a pupil against another monk. I gave this statement to the local police who had been acting on behalf of the police in Scotland. They asked me questions but not as many questions as the Scottish Child Abuse Inquiry have.

"They sent me a copy of the statement to check and sign, which I did. I re-read the statement in April 2019 and there is nothing that I would change about that."
"I remember a particular boy. He was 14 or 15 when I was at Fort Augustus. He was not in my house. He was a loner. He could magnify stories as much as any kid. He wanted to be accepted. The other kids were always having a go at him because he was always lying or magnifying stories. I think the boy left about a year before I did. This boy had made a complaint against Father [MFA]. I think he said at one point that he and another boy had been handcuffed underneath the stage. I didn't know anything about that. The stage was very low and you couldn't have stood up underneath the stage. I understand that he said that I was kind to him.

"Towards the final years of the school, we took in some pupils that we might not usually have taken in. Those pupils had disturbed backgrounds and no one else would take them. They would usually be 14 or 15. They settled in all right.

"From a child protection point of view, there was no one outside the school that was up on the noticeboard as being someone people could speak to. There was no specific list of which member of staff a pupil could speak to about child protection. The children could have spoken to any member of staff. If there had been anything of that nature reported to me, which there
wasn't, I would have taken it straight to the headmaster.

"There were no instances of staff leaving suddenly or without explanation. There were some who came and went during that period, but nobody who was suddenly gone when you woke up in the morning. There was none of that at all. I didn't have a lot to do with the staff, but my impression of them was that they were a pretty decent sort of crowd. They were just ordinary people."

"I wasn't made aware of any anecdotes or descriptions of any allegations against any former members of staff. I have heard very little about three Australian brothers, the MES/MEY and MEV. I heard that they had belonged to the community and that they had returned to Australia. This was before I arrived and joined the community. I remember asking why they were going back to Australia, but I was just told that they had come from a monastery over there and were going back. I was told that MEV was a MES. At the time I didn't know anything about the allegations which he is now facing.

"I think if we were dealing now with issues relating to abusive behaviour, given cultural changes and things, we would have probably come at some of these things.
differently. If there was any allegation we would be
much more careful to have things written down, to have
proof of things, because anyone can say anything without
some form of proof. If there had been a deputy
headmaster, they could have taken on some things.

"I see other former staff from the school
occasionally, maybe once a year, just when I have been
up in Scotland. They are in a state of shock about the
allegations of abuse. They're saying, 'When? We didn't
know about it'.

"There was no written child protection policy when
I was at the school. When I was bursar and housemaster,
I didn't think we were doing anything or lacking
anything in a sense that would have led to things being
hidden or not known or not found out.

"Would we have done things differently? Most
certainly. As you know, we know have a strict code of
practice with regard to safeguarding and you can't step
outside those under any circumstances or you are right
in the proverbial poo."

In paragraph 116 onwards, the witness tells us that
he left the school in 1992, a couple of years prior to
its close, and that he left to join the navy as
a chaplain.

After three years, he returned to Fort Augustus and
in that regard, I'll read out just three paragraphs from
119 at WIT.001.002.7569:

"When I came out of the Royal Navy and returned to
Fort Augustus, I saw various things. One such thing was
that, didn't really have any
specific job for me to do. I got involved in all sorts
of stuff which I wasn't particularly interested in.

"I always had a keen eye on money. I managed to see
the accounts and they were in a bad way. I said to
'SNRMFF', 'You're in the shit, Father.
Certain things have got to be done otherwise you're
going to go bankrupt'. He wouldn't listen to me and in
fact he threw me out of his office.

"But I was elected to what is call
Council, which is a governing body within the community.
I said to 'SNRMFF', 'You are going to have to
call an extraordinary general meeting'. That's what it
says in the constitutions because of grave importance,
and this was grave. I said I would write to
Abbot President Rossiter and say to him that 'SNRMFF'
wasn't doing what he was supposed to do
and something had to be done about it.

"Abbot President Rossiter was based in Ealing.
I said I would give 'SNRMFF' a copy of the
letter. 'SNRMFF' said, 'Please yourself'. 
"I wrote the letter. My letter to Abbot President Rossiter contained my complaint about acting against the constitutions by not calling a monastic council meeting. I do not have a copy of the letter. was then called to see Abbot President Rossiter. To cut a long story short, resigned. "The resignation of meant there was no for the monastery and that caused Abbot President Rossiter to decide to put in an administrator for the monastery until they decided what they were going to do or not do. The school was put into administration at that time. At that point I decided enough was enough and I decided I was leaving."

I will then move on to paragraph 124 at WIT.001.002.7571:

"I first became aware of allegations of abuse at Fort Augustus over six years ago. There was a newspaper article that was pointed out to me by a friend who's now dead. No specification allegations were mentioned in the article.

"When the article first came to light, I got a phone call from Police Scotland wanting to take a witness statement. I wasn't sure which planet I was on, to be
honest. None of this makes any sense to me. That was about six years ago and I have heard nothing since then.

"I am privy to all the stuff that came out in the press, just the general allegations, nothing specific, apart from the man who made the television programme. That television programme was extremely one-sided and biased and based on the one person featured in the programme, I can't remember his name, for whom they still haven't provided proof or whatever.

"The poor old abbey and the school got a lot of stuff thrown at it that it didn't really deserve. I'm not saying the school was perfect because what is? But I don't remember any of the things that constitute the allegations of abuse and I am not someone who lives in cuckoo land or walks around with my eyes and ears shut. It just doesn't make sense to me all. Hence my main purpose in any of now is try and make sure that what I know to be the truth, which is limited of course, is also recorded.

"We live in a very strange world, particularly in our present age. Just putting your head above the parapet at all can leave you in all sorts of things. But there are times when you have to put your head above the parapet and I would be prepared to give evidence and answer anything that was asked of me. I'm not perfect,
I can't say I remember everything, but I'm pretty sure I would have known something if there had been anything that could be construed as abuse or even heavy bullying or anything like that. It was a small group of people. In my time there were 140, 150 kids and 15 staff in the community itself. When I joined the monastic community there were 30-odd there. By the time I left it was down to about 8. They just died off due to age.

"You can't keep an awful lot of things buried that somebody doesn't know something about or hear about. As for the stuff that all the allegations of abuse are about, it was prior to me ever being there so I have no idea. I know of the three Australian brothers, I heard their names mentioned. All three of them were at Fort Augustus before my time there. The only thing I heard about [MEV], the one they're trying to get back from Australia, was that he had a great record and was a fantastic [MISSING]. Other than that, I don't know anything about him at all. He wasn't there when I was there at all.

"I feel really proud of the work done at Fort Augustus Abbey School. I have nothing but fond memories of the place and I found it very upsetting to hear all the allegations now being made. I don't know what to make of them as I didn't see anything like that when
I was there. I feel as if the allegations being made are completely overshadowing the good work and achievements that were made. There were some amazing people there over the years. The first Gaelic dictionary was produced by a monk at Fort Augustus and he was Russian. In one of his very first actions the first abbot of Fort Augustus provided clothing for all the children of a village as a gesture of friendliness at Christmastime. At one time they had their own bakery. They had electricity before Queen Victoria had it, it was supplied by a hydroelectric generator and they made their own turbos. The abbey even supplied electricity to the village. At vespers, the evening prayer, they would put the big organ on and all the lights in the village dimmed. That was all before my time.

"Even when I was there, they must have hired two-thirds of the village in one way or another. It was a large provider of income to that area. It was a very important place in its own right.

"In 1990 some of the pupils rowed a boat the length of Loch Ness, 22 miles, to raise money for handicapped children. It was an old gig from the 1800s, part of the Combined Cadet Forces equipment. There must have been about 18 of those kids all from the fifth or sixth year."
We all cheered them.

"I was ordained as a priest in 1998 in the abbey church. The Bishop of Argyll came down and did it. When the ordination was finished, all the kids were in the church in their red blazers. All the kids sang and they raised the roof off the place. I went down as a new priest to give Communion and I don't know how I got through it. Even today, I couldn't keep the tears away, the beauty of it. They were all smiles and it was lovely, absolutely beautiful. Those are the memories I have of the school and the monastery and they far exceed anything else that I know of.

"I didn't keep any records or notes of my own after I left the school. I'm not even sure who took over from me as bursar. There wasn't really anybody to take over from me as housemaster because numbers had dropped quite dramatically. I think Father ended up having to I got left everything in the housemaster's room as you would. I didn't keep any diaries, I'm not a diary person. I didn't keep notes, I had no reason to. I don't have photographs either.

"My overall experience of working at the school was good. It's changed into flats now. One of my jobs as bursar was to look after how much it would cost to refurbish and put the plant back in good working order."
LADY SMITH: Is that "plant" or is it meant to be "place"?

MS MACLEOD: I'm not sure, my Lady.

LADY SMITH: It must be "place". The figures wouldn't make sense if you were going to refurbish the entire buildings. We haven't heard of any incredibly expensive plant that needs to be refurbished.

MS MACLEOD: "We have to be very careful we don't use judgements based on current procedure for something that was totally different 50 years ago. When I went to school it was not unusual to get thumped on the head, smacked with a ruler, or blackboard rubbers being chucked.

"I'm not saying it was right but that is what happened. You wouldn't do it today, you wouldn't dare for obvious reasons. I am always a bit wary that when making judgments people are making them in the proper sense. Most of the guys who were named by the police are all dead, they can't defend themselves now. That annoys me a little. I didn't know them as well as others, but they were pretty decent men. They were good monks who took their vows seriously.

"Father [MEW] was about 98 when he died. Towards the end of his life he was in Ampleforth Monastery in Yorkshire. I was down there visiting somebody and I saw him. In some senses he hadn't changed. He was still
using his computer. When I saw him, he was helping an
old person along the corridor. He died shortly after,
but he said to me, 'I don't want to live anymore
especially with these things they are saying, it's so
unfair'. I believe him, but what can we say, what can
we do? We have to take things, hopefully for the right
things to the end, and see what happens.
"I have no objection to my witness statement being
published as part of the evidence to the inquiry.
I believe the facts statemented in this witness
statement are true."

The statement was signed by Father Geddes on
4 August 2019.

LADY SMITH: Thank you. And then?

Witness statement of SEAMUS COLEMAN (read)

MS MACLEOD: The next statement is from Seamus Coleman and
that's at WIT.001.002.6708.

Seamus Coleman tells us that he was born
in [redacted] 1961. He gives some background to his own life
before going on to describing his application to teach
or to be employed as a teacher at Fort Augustus Abbey
School. I'll read from paragraphs 5 to 12 of the
statement in that respect:

"I started teaching at Fort Augustus Abbey School in
1986. It was my first teaching post. I applied to all
the regions in Scotland for a job. I didn't think
I would be teaching at a private school, but the art
teacher that was there was leaving and he called the
college. It was on the last day and I was in collecting
stuff. The teacher was still friendly with the
technician. She told me there was a job going if
I wanted to apply, so I did, got an interview and got
the job.

"There was a two-day interview over the weekend. It
was a sort of: come up and take a look at the place.
I got a tour of the place. Father interviewed me. There must have been some sort of sit
down discussion, but it was basically: go there, get
a tour round, meet the staff and see how the place
worked. I don't know if others were interviewed. There
was no one else when I was there.

"About two weeks later I was informed that I had the
job. I had three placements while I was in training, in
different schools, but for Fort Augustus I don't know if
there was a probationary period. There probably was.
I think it was maybe: we'll employ you for a certain
amount of time. I wasn't aware of it being a probation
like you would have in a state school.

"Fort Augustus is halfway between Inverness and
Fort William. During the weekend there I stayed in a
lodge. It used to be the old convent, I believe.

It would have been during term time. Once I got the interview, I found out as much as I could about the place. I found out it was a boarding school. I was quite impressed. It was out in the countryside, a beautiful setting at the bottom of Loch Ness. You were right on Loch Ness. It was a beautiful school. The boys were all in their uniform, a bright red uniform. Everyone was very friendly. It was a boys' school. The age range was first to sixth year. I was introduced to some of the boys in passing but not in any great depth. I was introduced to one or two of the staff there too. Everybody seemed friendly.

"There were a maximum of seven or eight lay teachers and a couple of monks that did the teaching at Fort Augustus. I was teaching art and design and French. I enjoyed French. I had higher French and a couple of years before I went to Fort Augustus I spent six weeks working in France, but that was it. Because I really enjoyed it, I was looking forward to it. As long as I was a couple of pages ahead of the boys, I could cope. Obviously, it meant every night I was studying and learning what I was going to do. It was the very basics of French, grammar, punctuation, spelling and tenses. I was really just handed two books
and told to teach from them.

"It was just me and the art department. I was in charge teaching Highers and O Grades, as they were then. I had to follow the National Curriculum. I taught from first year to sixth year. When I first went to the school, there were about 70 boys, and when I left there were about 50. I was there for seven years. There were about 10 to 12 boys in each class in every year. It was fairly even, maybe the sixth year was a bit thinner, not by much.

"I went out to teaching placements while I was at St Andrews. I taught in Europe and Lourdes Secondary School in Glasgow. I can't remember where the third one was. I taught about 20 children maximum in these placements. For all practical subjects the maximum in the class is 20.

"I wasn't given any instruction as to how to design the courses for each year at Fort Augustus. There was an inspection a couple of years into me being there. I was fine with that. The inspector was happy with the art department. I asked to keep in touch with the inspector. Being the only teacher there, I didn't have a principal teacher to ask for advice and guidance and was acutely aware of my shortcomings as the sole teacher, so I tried to reach out to other people. The
inspector would come down from time to time, just to keep me on track, which was greatly appreciated as I was not long out of teacher training in a school of my own and no principal teacher to ask for guidance.

"I did contact the local state school because the taught art up at the local school so I was up there quite often. It's always good to have someone else's opinion. I needed a job and that was the job that came along. I didn't imagine that in my first job I would be on my own or not have a principal teacher.

"Because the school was so small, there wasn't going to be another art teacher so I felt that it was up to me to keep abreast of what was going on. The school was supportive of this. It didn't involve going out too much. We had games in the afternoon. We would teach until lunchtime. I taught in the morning then was involved in either regular by hockey, rugby or football in the afternoon. On a Monday when there was no afternoon games so I could pop up to the local school or contact the inspector to arrange a visit."

The witness then speaks about the routine, my Lady. I will read just a couple of paragraphs on pages 24 and 25 at WIT.001.002.6714:

"I kept a record of each child. It was pretty much
like a record book. It showed the progress of each child, their academic progress, and any issues that arose. It had class lists, names, test results, grades, et cetera. It was like they have in any state school now. I can't remember being specifically told to do this by the school; I just assumed that as I was the teacher I should keep records.

"I had my records as any teacher would, but as far as the headmaster or housemasters are concerned I am unaware of what records they kept or where they kept them. I would have destroyed my records when I left the school.

"There's nothing that comes to mind that I thought that shouldn't have happened. The only thing that was new to me was that they had social evenings when the children were allowed to have a beer. That was usually Friday nights. I'm not saying every Friday night they were socialising; I wasn't there. I think it was just the senior boys. These involved the boys and the housemaster. It could be said they were being trained to drink responsibly. That was during my time there. Nobody actually made a point of telling me, I just found out.

"It seemed to be the norm for a private school: senior boys were allowed a beer, but they were not (sic)
being trained to drink responsibly. This was casually
mentioned by a housemaster as a response for allowing
them to drink. I can't remember which housemaster.
I don't know how the boys spent their evenings
normally."

I'll then move on to paragraph 32 where the witness
deals with the issue of discipline:

"The housemasters would deal with discipline.
I don't personally remember having any great issues with
any of the boys so I didn't report any of them to
housemasters for anything. I didn't witness any abuse
at the school, apart from one incident. Corporal
punishment had just been abolished the year before.
I went to Fort Augustus. I don't know if the school had
the birch or the strap before this, but I didn't see any
of it. I think discipline would have been dealt with
after school hours. I didn't see any. I don't know of
anyone being taken out of classes but I was in the other
building for half the time and no one was taken out of
my classes.

"I'm not aware of any recording procedure for
discipline. We had meetings every three weeks with the
headteacher and housemasters on pupils' academic
progress, their general attitude, achievements, how well
they were doing, any issues, stuff like that. I can't
recall anyone taking notes or recording them.

"In the school prospectus one of the pages stated that there would be meetings every three weeks. Parents would see this in the prospectus. I initiated the three-weekly meetings on taking up the post of acting principal teacher of art and design at Sanquhar Academy. This refers to the marks and grades each pupil achieves but I soon found out there were too many pupils to keep it going, but it was certainly done at Fort Augustus. The whole staff would get together and discuss the pupils. I think it was on a year group basis.

"The only abuse I did see was a boy -- some of them had small separate bedrooms -- being assaulted by a teacher, in his room and I pulled him off him and reported him. I can't remember the time of day this happened, but probably at a mid-morning break or lunchtime, as none of us were in class, but it was during the school day as did not stay in school after he had finished teaching.

"I can't remember the reason I was going through that area of the school. There was a new area for art being built and I may have been walking through the boys' area to go to this area. The boy was one of the senior boys in his fourth, fifth or sixth year. He was a bit of a cheeky boy. I knew him but I can't remember
his name. I can see his face. I don't know if it was through walking through, teaching art, or part of the CCF.

"The teacher had him on the bed and was on top of him, pinning him down. [MIG] was clearly enraged and I think I saw swinging arms before I pulled him off. I don't know what he was doing there. The sleeping areas weren't restricted in any way that I can think. It was in an area of a series of 'duckets', I suppose, within a larger area, like a big room sectioned off.

"I enquired some time later, probably a few weeks, to ascertain what action had been taken in light of the fact I reported an incident and there did not appear to be any tangible difference to [MIG] position within the school, either immediately after or in the subsequent weeks and months. I was told it was being dealt with and that's the last I heard of it.

"I don't think any monk or teacher had a sleeping area near the boys there. I think that was in another part where the housemasters were. I can't be sure.

"I reported the incident to [SNR], Father [MRQ]. He said he would look into it. I went back later on to find out what had happened because in my opinion nothing had changed. Father [MRQ] told me it had been dealt with. To me it was an assault. I can't
be sure of the date. It was probably halfway through my
time at the school. I just assumed by reporting it to
it would be dealt with. I'm not sure
it was.

"After the incident with the teacher,
we were both still teaching but I had nothing to do with
him. I didn't have anything to do with him before the
incident. He was such an arrogant man. He was full of
himself. He thought was the only subject. In
my opinion, he thought he could lord over everyone.
I didn't like the man.

"He continued to teach there until the school
closed. I didn't speak to the boy involved about the
incident. I told some of the other teaching staff whose
attitude was that I should report it. I was young, it
was my first teaching job, and it was completely outwith
my experience. I thought something should have been
done. Maybe there was and I wasn't aware of it, but on
the surface nothing seemed to change. I was annoyed
that nothing seemed to have been done about it.

"There was one occasion of peer bullying. I saw
a boy trying to gee up the other boys a bit too much, so
I put a stop to that.

"At no time did I have a boy speak to me about being
abuse. Likewise, I didn't hear about anyone going to
another teacher about being abused, although that would have been confidential anyway.

"That's why it was such a shock when Murdoch Rodgers got in touch because I never once felt that at all. To me the boys seemed happy enough. Obviously they would have their ups and downs, good days and bad days, but there was no underlying sense of something wrong."

My Lady, I have a few paragraphs to go, will I carry on?

LADY SMITH: I think we should just carry on now, yes.

MS MACLEOD: "If the boys had any issues, they would probably have reported it to their housemaster to discuss it with them. Obviously they could have gone to any member of staff they felt comfortable with, housemaster or possibly prefects. The housemasters when I was there were Brother [MPE], who became Father [MPE], Father [MER] was with one for a while, and Julian Shergold for a short period. That's the ones I remember. The prefects were senior boys.

"I believed everything to be all positive at the school. I was really surprised when Murdoch Rodgers got in touch with me and started asking questions about the school. That was the first I'd ever heard there was any alleged abuse that went on and that took me aback. I was absolutely unaware of any abuse taking place."
"I would have expected to know if there had been, being in my position. It's a small community teaching the boys. I got on well with them. I had been there seven years and I thought one of the boys would have said something in all that time that would have made me suspicious.

"I heard nothing at all about sexual or physical abuse at Fort Augustus. I was told that Murdoch was trying to find me when he was making the programme 'Sins of Our Fathers' as a BBC producer, but he couldn't find me for some reason. He was told to look for me under the name Seamus Coleman rather than James.

"The housemasters were in charge of the welfare of the children. I was teaching art and design, French and games, so I had a lot of contact with the boys in different scenarios and none of them intimated, mentioned or alluded to anything like that at all, which I find strange.

"There was one boy who told Murdoch that he thought of me as one of the normal people at the school. If that was his opinion, I would have thought he might have confided in me. I haven't seen the programme so I don't know who that was or what was said.

"I am not aware of any complaints or allegations against me."
"When Murdoch Rodgers contacted me, he mentioned he had spoken to someone who had said there were no meetings. I produced the prospectus stating meetings would be every three weeks, so there was a definite discrepancy there.

"The school closed in 1993. I got a couple of weeks' notice. They had spoken of closing it the year before I went there; I didn't know this but I heard about it later. They were also talking about the numbers of pupils going down. There was always talk of this. So I did a few years and I really enjoyed it, but I needed to get out. I had been there on my own for four or five years and needed more experience.

"As well as this, the school looked like it may close fairly soon and my family was growing up, so I needed long-term security. I had started looking for another job by this time. My dealings with the school were all positive.

"I would hope that the inquiry would be able to access all parties concerned and establish exactly what has occurred and when. Also, that all findings would be transparent while still upholding the wishes and rights to privacy of those adversely affected by time spent at Fort Augustus.

"I would also hope that people will get some closure
and redress from the inquiry and for it to become the norm for people to come forward with their accounts rather than wait to be chased up.

"If there are any other members of staff that have information I would hope that they would come forward. I don't know if Murdoch has contacted other teachers. "I have no objection to my statement being published as part of the evidence to the inquiry. I believe the facts stated in the witness statement are true."

The statement was signed by the witness on 13 June 2019.

LADY SMITH: Thank you very much.

It's after 1 o'clock now, so I'll rise for the lunch break and sit again at 2.00.

(1.05 pm)

(The lunch adjournment)

(2.00 pm)

LADY SMITH: Good afternoon.

Mr MacAulay, it looks as though we're ready to go; am I right?

MR MacAULAY: We are, my Lady. The next witness is Sister Nancy Bauer. The sister is coming to us from Washington with a five-hour difference, so it's 9 o'clock in the morning there.

LADY SMITH: Good morning, Sister Bauer. Have I got the
pronunciation right?

THE WITNESS: Sister Nancy is fine. Good morning.

LADY SMITH: Good morning to you; as you appreciate it's the afternoon here. Thank you for being prepared to join us by video link today.

Before we start taking your evidence, I'd ask you to take the oath, please.

SISTER NANCY BAUER (sworn) (via video link)

LADY SMITH: Sister Nancy, you probably appreciate that I chair the inquiry. I'm Lady Smith, and I think you've already made informal contact with Mr MacAulay, who will be asking you questions to gather your evidence orally.

If you're ready, I'll hand over to him and he will take it from there. Is that all right?

THE WITNESS: That would be just fine, my Lady. Thank you very much.

LADY SMITH: Thank you.

Mr MacAulay.

Questions from MR MacAULAY

MR MacAULAY: Good morning, again, Nancy.

A. Good morning.

Q. Can I begin by taking you to your CV, which you've provided to us. We have copies here in front of us; do you have a copy of your CV there?

A. I do not.
Q. I'll take you to it. Perhaps I can begin -- can I ask you to provide us with your date of birth?

A. I was born in 1953, -- excuse me, 1953.

Q. Thank you. Looking at your academic background, I understand you began in photojournalism, is that correct --

A. That's correct.

Q. -- with a BA degree from the University of Minnesota. You then in 1988 obtained an MA in theology from St John's University; is that right?

A. That's correct.

Q. You then obtained a JCL from the School of Canon Law in Washington?

A. Yes. At the Catholic University of America.

Q. That was in 2001?

A. Yes.

Q. You also have a JCD degree, from the School of Canon Law, again in Washington; is that right?

A. Yes, that's correct.

Q. That was following upon a dissertation with the title, "Benedictine Monasticism and the Canonical Obligation of Common Life"; is that right?

A. That's correct.

Q. Are you a Benedictine sister?
Q. When did you take your final vows?
A. In 1981.

Q. You then provide us with some information about your professional life and also your religious life.

As far as your professional life is concerned, is the position you presently hold, and have held since 2014, that of assistant professor of the School of Canon Law at the Catholic University at Washington?
A. Yes.

Q. And you've set out for us what your track record has been before that.

So far as your religious life is concerned, were you the prioress of the sisters of the Order of St Benedict at St Benedict's Monastery in St Joseph's from 2005 to 2011?
A. Yes, I was.

Q. What's the position at the moment? Are you attached to a monastery?
A. I am still a member of St Benedict's Monastery, yes.

Q. Do you combine that membership with your academic life?
A. Yes, I do.

Q. You then provide us with some more information about your involvement with the Federation of St Benedict and other memberships.
Finally in your CV -- and I'm taking this very quickly -- you provide us with details of presentations you've given, publications you've published, and also your commitments to various boards and committees; is that right?

A. Yes.

Q. I think it's the case, sister, that you were asked by Clyde & Co, who are solicitors acting for the English Benedictine Congregation, to provide an opinion on certain aspects of canon law.

A. Right. Correct.

Q. And I think we've seen from your CV that you have expertise in canon law.

A. Yes, I do.

Q. We have in front of us the report or the opinion you've provided. I will give the reference of this for the benefit of the transcript: it's BEN.001.003.7201. Do you have a copy in front of you, sister?

A. Yes, I do.

Q. You begin by setting the scene, so to speak, and in particular making some preliminary observations as to what the context is of the opinion that you give; is that right?

A. Yes, that is correct.

Q. For example, you tell us what the abbreviations you use
mean. You tell us that when you're looking at the EBC
constitutions, you're looking at the 2013 edition. You
also say that when you're citing canon law, you're using
the 1983 Code of Canon Law; is that right?
A. That's correct.
Q. As opposed to the 1917 code, which was the previous
code?
A. Right.
Q. You make a point, sister, that in between the codes,
in the interim, there was other material there, norms,
that could be sought from a number of different sources?
A. That's correct.
Q. Were these norms then superseded by the 1983 code?
A. That depends. Some of them would still be in effect.
All of the documents of Vatican II, including the
decrees, are still what we would call (inaudible: distorded) law. Some of the interim documents were
ad experimentum until the 1983 code came out, and then
there have been documents since then.
The point I was trying to make is between Vatican II
and the 1983 code, it was really in many ways a period
ad experimentum when it came to religious life.

While religious institutes were advised to redo
their constitutions, even to try some experimental
things within their communities, the basic thing was to
go back to the beginnings, to the foundations of the
institute, and re-examine what was the vision of the
founder or foundress because a lot of accretions had
built up and the point was to go back to the original
vision. That took some study and work and there were
many committees and then the General Chapters revised
the constitutions.

Q. One point you make early on -- this is on page 7201,
towards the bottom of the page -- is that there is
a great variety of religious institutions --

A. Yes.

Q. -- and the proper law of each institute protects its
specific charism; is that right?

A. Yes, that's true.

Q. You draw a particular note of the set-up of the
Benedictine monastic system of governance. Can you just
elaborate on that for me?

A. The Benedictine is part of an ancient monastic
provision, so it is really the first form of what comes
to be called religious life. They arose as individual
autonomous, independent monasteries. Eventually, they
were formed into federations or congregations where
would be some mutual support among a group of
monasteries.

For each monastery retains its autonomy with its own
abbot, abbess, prior, prioress, depending on whether
it's an abbey or a priory, canonically speaking. That
federation model is a rather loose connection.

That's very different from the later developments of
the more apostolic orientated congregations where
there's a supreme (inaudible: distorted) at the top
(inaudible: distorted) and various divisions and all the
members. There's more of a hierarchy of authority of
the supreme moderator, provincial superiors,
local superiors, et cetera, and they are all obligated
to that supreme moderator.

Q. If we turn to page 2 of your opinion, the first question
that I think you want to address here is:

"What is the canon law position on corporate legal
responsibility? In particular what does canon law state
on the status of individual abbeys; the status and
purpose of the congregation; and the relationship, if
any, between an abbey and the local diocese?"

If we start with the first of these points, the
status of individual abbeys, can you tell us about that?

A. The (inaudible: distorted) that I cite, 613,
paragraph 1, says basically that monastery of canons,
regulars or monks is autonomous, unless the proper law
of the constitution state otherwise. The constitutions
the EBC state that each monastery is in fact autonomous.
So most Benedictine monasteries are in that category, they would be considered canonically autonomous.

Q. Do the constitutions of the EBC -- would they have been required to have been approved by the Holy See?

A. Yes, they're a pontifical federation or congregation and the constitutions are always approved by the Holy See of a pontifical institute.

Q. Then if you look at the next point, the status and purpose of the congregation, what do you tell us about that?

A. The purpose of the congregation is really for mutual support among the monasteries. Kind of a mutual vigilance that each monastery is living according to the Rule of Benedict.

This arose within the church as a way for, first of all, abbots, monasteries of men -- things for the monasteries of nuns have always been a little bit different. But if we talk about the monasteries of men, the Holy See was interested in the abbots of an ecclesiastical province or the various dioceses to come together every once in a while and sort of check up on each other to make sure their monasteries were living according to the Rule.

Q. But I think you tell us that according to canon law, the EBC, just likes each of its member monasteries, is
a public juridic person; is that right?

A. Yes, that's true.

Q. So it's capable of --

A. Primarily the temporal (inaudible: distorted). So

a public juridic person has the capacity to acquire,
administer, possess, its own temple goods. So each
monastery, as a public juridic person, acquires its own
financial, property, whatever, manages it, keeps it in
their possession, if it's theirs, it belongs to that
monastery. The Congregation, as a public juridic
person, owns its own temporal goods for the operation of
a Congregation.

Q. And the third point you consider at this stage in your
opinion is that of the relationship, if any, between an
abbey and the local diocese. I think the point, putting
it shortly, you make is that the religious institutes
generally, in fact the Benedictine monasteries in
particular, are of pontifical right and are exclusively
subject to the power of the Holy See.

A. Yes, in most matters. It's when monks or sisters get
involved in an apostolate within a diocese that the
diocesan bishop has some role. But the diocesan bishop
does not have jurisdiction over the internal life of the
monastery if it's a pontifical monastery.

Q. And you give one example how a diocesan bishop may
become concerned if there's a monk causing scandal --

A. Yes.

Q. -- and then the bishop might go to the abbot to see if that can be sorted out.

A. Yes. And the canon that brings it up is within the canons on the apostolative institutes. So it's almost as if you have to look at -- interpret the canon within the context and the (inaudible: distorted). The context -- it seems to me most canonists would say if in some context of the apostolate within the diocese a religious is creating havoc, then the role of the bishop -- or the procedure would be for the bishop first to approach his superior and ask the superior to handle this.

If the superior does not handle it, he can require that monk to not live in his diocese. He can basically say he cannot live here. But then the matter is immediately referred to the Holy See for the Holy See to handle.

So the diocesan bishop cannot dismiss the monk from the monastery. He can't dispense the monk or anything like that. It's only if a monk is really creating some kind of difficulty and basically creating scandal among the faithful of the diocese.

Q. On page 4, at paragraph 17, head 2, you pose the
question:

"How does canon law define the concept of autonomy?"

Can you take me through that? How does canon law define autonomy?

A. Canon law doesn't define its terms very often and autonomy is one that's not exclusively defined. However, canonical tradition and ... We can describe it.

There's really three main elements of autonomy. First of all, it means that the monastery itself elects its own superior, its own abbot, and the abbot is what we call a major superior.

Secondly, it means that each monastery has its own novitiate, it receives its own candidates, they are born there, they make their profession there, they're members of that monastery.

Thirdly, it means it's a public juridic person which acquires, possesses and administers its own property. It also means that the community has its own life together, its internal autonomy of life, all of those kinds of things. But those three things are primary.

Q. I don't propose to look at the detail, but from paragraphs 18 through to 26, you address these three issues and provide some explanation for them. You then go on to ask the question -- this is on page 7:
"To what extent is the Abbot President autonomous from the regimen?"

Can you explain what you are seeking to address there?

A. The word "regimen" is not one that I've come across in other constitutions but I have learned that it means "the president's council" in the context of the EBC constitutions. So the extent to which the Abbot President is autonomous would mean to what extent does the Abbot President operate within the Congregation and in relation to the monasteries, independently of any kind of consultation or consent from the president's council?

And my point is the Abbot President is described in canon law not as a major superior, but comparable to a major superior, but not with the same level of authority. Whatever is within the scope of his authority is what's going to be stated in the constitutions in the proper law --

Q. So he derives his authority from the constitutions?

A. Yes. And a number of the things in the constitutions state for him to act or to make certain decisions, he requires either to consult with that council or to receive a consent of that council.

So for any major decision regarding a monastery, he
Q. What you tell us is that he has executive or administrative power to the extent that it is granted to him by the constitutions; is that correct?
A. Right. The church states (inaudible: distorted) the power of governance, or what we call jurisdiction, which is legislative, judicial and executive.

The Abbot President has no legislative power. That would be the General Chapter or the universal legislator for the church, the Roman Pontiff or the College of Bishops. So his power is executive, which is really the administrative aspects.

Q. And if I take you to page 9, paragraph 34, do you tell us there that in summary:

"The Abbot President, in order to make executive administrative decisions of any weight, requires either the advice or consent of his council or, in some cases, actives collegiately with his council."

Does that summarise the position?
A. Yes, it does.

Q. And indeed, you invoke the Rule of St Benedict.
A. Yes.

Q. And the quote is:

"Do everything with counsel and you will not be sorry afterwards."
A. For a Benedictine monastery -- this may be another difference between our monastic system and the others. The Rule of Benedict is foundational for us. You will find, at least in my community, that sisters will quote the rule of Benedict to you from morning until night. If you ask them something about the constitutions, they will just look at you blankly.

We don't -- that doesn't really guide our daily life in the same way. It's really the prioress who looks at the constitutions when necessary, but the Rule of Benedict is primary.

Q. I think we do understand that, sister. We have heard that already.

A. (Inaudible: distorted).

Q. Can I then turn to heading 3, and there you ask the question:

"To whom is the abbot of an individual monastery answerable?"

Can you just deal with that for me, please, if you could?

A. An abbot/abbess/prior/prioress is responsible first of all to the members of his or her own community. The chapter, the voting members of the community, which would be all of those in perpetual profession, elect the abbot. The abbot requires sometimes the advice of the
chapter or the consent of the chapter to do certain things. The abbot would report to the chapter, convokes the chapter.

So first of all he's responsible to those people who elected him. He's responsible to lead that community in accord with the Rule and the constitutions.

Secondly -- then I make the point that if an abbot is failing to do that, which may be for reasons of health -- it has been my experience of a prioress who was beginning to have health problems and that affected how she was relating to the community. So it's not necessarily because the abbot is a bad person, it could be for some other reason, the abbot is maybe not fulfilling his responsibilities and not helping the community live its life. The members of that community, the EBC constitutions point out a procedure, and I don't recall it verbatim, but they can go to the Abbot President and ask for (inaudible: distorted) visitation.

The Abbot President with, I believe, it's the consent of the council, can carry out an extraordinary administration, will visit, find out what the problem is, and that may result in the community needing to choose a different abbot.

LADY SMITH: Sister Nancy, have you ever encountered the
community in such circumstances being unable to elect
a new abbot?

A. I have not had that experience. I do know that there
are such situations and then sometimes an administrator
is appointed.

It seems to me the EBC constitution -- according to
the EBC constitutions, when there's a regular election,
if after many votes they cannot agree on someone, it
seems to me -- and I'd have to look it up again to be
certain -- that the Abbot President can appoint someone
as administrator.

LADY SMITH: Is it rare for an administrator to be
appointed?

A. Yes.

LADY SMITH: What would it signify?

A. In the current situation, it usually is a situation
where a monastery is declining in membership. This is
unfortunately the sad situation of the church today, not
only of monasteries, but of many religious institutes,
where there has been a significant decline in the number
of people entering for a number of decades now.
Communities -- the membership is getting elderly and
smaller, and for monasteries in particular, which are
not large to begin with, you can end up with a community
of maybe four or five people, most of them elderly, and
there isn't anyone really capable of taking on the role of being abbot.

In that case an administrator may be appointed.

LADY SMITH: I see. One other thing: a moment ago you were talking about circumstances in which the abbot needs to look to his council for -- and you've used repeatedly to consult or for their consent. I'm a little confused about consult and consent being bracketed together because, I don't need to tell you, I am sure, they're two quite different concepts.

A. Yes.

LADY SMITH: Is it clear from the provisions that apply when it's a matter of looking for consent and when it's a matter of consulting?

A. Yes, it is. In the constitutions, it will say -- there are actually three actions of a council: consent, consult and collegial.

When a superior -- it could be a diocesan bishop -- needs to consult (inaudible: distorted). In this case every superior needs to have a council of a number of members of the monastery, and the constitutions will say: for the abbot to make these particular decisions he needs to consult the council.

That means he needs to convene the council in accord with canon law, unless the constitutions describe
another way. He needs to present the situation that he
needs advice on.

Consult is really seeking their advice, so they need
enough background information to give reasonable
intellectual advice. He needs to listen to all of them,
he needs to hear anyone who wants to speak. He needs to
do that for validity of the act if he carries out
(inaudible: distorted). It's for validity, which means
if he doesn't do that the act is invalid, it does not
have the canonical (inaudible: distorted). He does not
have to follow -- he does not have to do the act in
accord with the advice given if he has serious enough
reasons to act otherwise. But he has to hear it, he has
to take it into consideration, and he does not
willy-nilly act opposite to that.

LADY SMITH: Thank you.

A. Consent means he needs to (inaudible: distorted) to act,
not act without it. But they cannot command him to act.
He can choose not to act.

LADY SMITH: Thank you.

MR MacAULAY: You also tell us, sister, at paragraph 39,
that:

"An abbot can also be answerable to the
General Chapter of the Congregation in relation to those
matters required of him by the constitutions."
A. Right. (Inaudible: distorted) stood out to me was the abbot is obligated to attend the General Chapter and answerable to the General Chapter if he fails to show up without a good excuse. That would be one.

Q. Yes, but you also say that the abbot, according to the Directory of the Congregation attached to the 1986 constitutions, promises obedience to the Abbot President.

A. Yes. The Directory was mentioned as part of the proper law. The only Directory I had access to in the materials sent to me was the one attached to the 1986 constitutions, and it does say there -- so I can't say that that's still in the current Directory. But it does say that after the election, the abbot makes a promise of obedience to the Abbot President. That was surprising to me.

I could not say more specifically what it means other than the Abbot President could not command him to do anything other than what is already in the constitutions as the prerogative of the Abbot President.

It's not -- it could not be a vow of obedience in the same way that a monk makes a vow of obedience to the abbot. The Abbot Primate -- not the Abbot Primate, that's different. The Abbot President doesn't become the abbot's abbot in a way.
Q. Yes, I think I understand that. So that provision surprised you?

A. Yes. I don't recall ever seeing that in other constitutions. It's not true of our federations. Yes, that was very unusual to me.

Q. In a way, it tends to undermine the jurisdiction of the abbot?

A. Not if you put it in the context of the rest of the constitutions, which clearly state the authority of the abbot within his own monastery.

Q. Then, just dealing with answerability, you say: "The abbot is answerable also to the Holy See."

A. Yes.

Q. And -- sorry, carry on.

A. Well, it's a pontifical institute. It doesn't mean that the Holy See is supervising the abbot because there are hundreds of these. It would mean that if there was some question or some conflict, it would be referred to the Holy See and they would follow the directions of the Holy See.

Q. Of course, ultimately, you tell us in paragraph 42 that the abbot is answerable to God.

A. Yes, and that's the scary part, having been a prioress.

Q. You then have a section, sister, where you address the issue of the movement of monks between abbeys --
A. Yes.

Q. -- and in particular, what responsibility rests with abbots and what rests with the Abbot President. Can you take us through that? What are the rules on movement?

A. Well, as I mentioned, the short answer is monks do not move from abbey to abbey. Benedictines make a vow of stability. As I noted, the triad of the Evangelical Council -- charity, poverty and obedience -- did not become normative for religious life until about the 12th century, and we're talking about the 6th century here.

So Benedict prescribes that when a new member makes a permanent commitment, they make a promise of stability, which means they will remain in that community, they will remain a member of that particular monastery until death. Canonically, that gives rise to the right to remain with that abbey, with that monastery, until death. So for someone to move to another monastery permanently, to transfer, would have to be the decision of the individual monk.

Abbots and Abbot Presidents do not transfer monks from one monastery to another. A monk would have the right to live with his own brothers in his own community.

That doesn't mean at the abbey itself. These
particular abbeys have schools and parishes, so the monk
could be sent to one of these, but it would mean living
within their own community.

(Inaudible: distorted) the constitutions, even for
an abbot to send a monk to serve as chaplain of one of
the member monasteries of nuns, the monk himself has to
agree to do that.

Q. So could an abbot or indeed Abbot President ever order
a monk then to move to another location?

A. No. There is one exception that I found in the EBC
constitutions, that the Abbot President -- and it's
a specific situation, when a monastery is having
trouble -- what was the term they used?

(Pause)

They have a system called "Structures of
Congregational Support". It has to be in the specific
context. So that is when a monastery is experiencing
difficulties. It doesn't say what they are, but
typically it would be there's an insufficient number of
members, it might be financial difficulties, there could
be other difficulties. So the monastery is asking
really for the help of the Congregation, and in that
situation it says the Abbot President can send some of
the monks of that monastery to another one. It doesn't
make them members, it's not a permanent transfer, they
still belong to their original monastery, they retain
their rights there. When the situation improves, they
go back there. That's the only situation I could find
in there.

In almost every other situation, a monk cannot be
told to go and live somewhere else without the monk's
approval, the monk's consent.

Q. Where a monk at
Fort Augustus School
the sexual abuse of
a child and it would appear he then left the monastery
and went to another place. In that situation, could the
abbot have ordered him to leave the monastery and go
somewhere else, without his consent?

A. If he did so, the monk would have the right of appeal to
the Holy See.

Q. So if that happened, and there was no such appeal, can
we assume that the monk concerned must have consented
to be sent?

A. He would have to consent. The addition made in the 2017
draft -- what I received was described as a draft, I do
not know if the 2017 constitutions have been approved by
the Holy See. But in that, there is a provision to
require a monk to live outside the monastery if this is
necessary for safeguarding reasons.

Q. But there, I think you're talking about the 2017
A. Right, but that's not retroactive, that was not in the earlier constitutions.

If an abbot ordered a monk to move some place else and the monk did so, yes, we would have to say he had consented to it, otherwise he could have said to the abbot, "No, I'm a member of this monastery, I have rights here", et cetera, and he could seek resource with the Holy See if the abbot insisted and then the Holy See would make a determination.

Q. In the final section of your opinion, sister, you address the issue of pontifical secrecy. You acknowledge that this particular area is not an aspect of canon law that you have studied to great extent, but you're giving us some general background to it. Can you just introduce us to this topic?

A. Pontifical or papal secrecy. There are many things within the church, within monasteries, that are considered confidential, just as in any other business or enterprise.

Pontifical secrecy is a matter of confidentiality that is of -- you could say of somewhat a higher level. It really has to do with matters that refer to the Holy Roman Pontiff, members of the Holy See.

In 1974 there was an instruction from the Holy See
that listed the items that are under papal secrecy and they are things like if the Roman Pontiff is preparing a document, you don't go around and tell people, "He's doing this and here's what's in it", et cetera.

For matters handled by the Secretariat of State, the Congregation for the Doctrine of the Faith, papal legates, those who are sent to the various countries to represent the Holy See, the naming of cardinals. You don't reveal that until the Roman Pontiff reveals it.

Selection of bishops, nominating bishops. People are asked for suggestions. They are held to papal secrecy regarding that they were asked and what they said.

So it's really pretty much matters that relate to the Holy See. It's not that everything a bishop does is regarded as under papal secrecy or an abbot. The one thing in the instruction -- it talks about:

"Under papal secrecy is extrajudicial denunciations received regarding delicts against the faith and against morals, and regarding delicts perpetrated against the sacrament of penance, and the process and decision which pertain to these denunciations, always safeguarding the right of him who has been reported to authorities to know of the denunciations."

So it would appear to me that something like
a denunciation regarding sexual abuse, according to this instruction, appears to have been under papal secrecy. What also appears to be the case is that probably most people didn't know that, including maybe the abbot and bishops.

Q. Just so I can understand, if a monk, [REDACTED], confessed to having sexually abused a child, which would be a crime under canon law, would that be subject to papal secrecy?

A. It depends what you mean by confession. In the sacrament --

Q. Not the sacrament of confession, simply an admission.

A. It appears to be from this, but again I'd say I'm not an expert in this area of canon law.

Q. I'm just trying to follow it through. If a statement made by a monk that would otherwise constitute a crime would be covered by papal secrecy, does that mean that the person to whom the statement was made could not tell another person?

A. Exactly.

Q. Is that what it means?

A. Yes. I could get -- if you want a more expert opinion on papal secrecy, I would refer you or suggest you find a canonist who has done more with that work, with that area. It's not my area of expertise.
Q. You say in paragraph 5 something I think some laypersons might find surprising:

"Therefore it can be said that papal secrecy applied to allegations of sexual abuse of a minor as early as 1974. Some have pointed to this secrecy as a reason that bishops did not report sexual abuse."

Is that correct?

A. Yes. Some people say bishops kept this secret, kept this confidential because of papal secrecy. My point is I don't know if that is really why bishops kept things confidential, or if some of those bishops even knew that kind of delict was under papal secrecy and knew that they were obligated by that --

Q. It does seem a surprising proposition in that if such a crime is covered by papal secrecy and therefore the monk who's been told of the crime cannot warn other people, that seems quite a surprising proposition.

A. Yes, it does.

Q. We can perhaps explore that a little further than. As you say, it's not truly your area of expertise, sister.

A. It's not my area of expertise, so I hesitate to make definitive statements about it.

MR MacAULAY: Well, thank you for that, and indeed thank you for coming along this morning to give your evidence to
the inquiry.

These are all the questions I have for you, sister, and, my Lady, I haven't received any other questions to put to sister.

Lady Smith: Are there any outstanding applications for questions? No.

Sister Nancy, that does complete the questions we have for you. Could I just thank you very much for giving so much detailed attention to the written questions that were put to you in providing your very helpful report, and for being so patient with us today as you have been. It's been very helpful to hear from you in person.

I'm now able to let you go and wish you a good day's work ahead. Thank you.

A. Thank you. Bye now.

Lady Smith: Bye.

(The video link was terminated)

Mr MacAulay: I think we've probably cut off the link.

Lady Smith: I think we have.

So, Mr MacAulay.

Mr MacAulay: My Lady, that then concludes the evidence for this week and indeed the evidence for this case study. We come back a week on Tuesday for the closing submissions. We have two days set aside for closing
submissions.

LADY SMITH: Yes. I'll leave it to the solicitors' team to
confirm in writing the exact arrangements for the
lodging of written submissions and the running order and
so on.

Very well. Thank you all very much. I hope you all
have a good weekend and I'll adjourn now until a week on
Tuesday.

(2.47 pm)

(The inquiry adjourned until 10.00 am
on Tuesday, 1 October 2019)
INDEX

ABBOT GEOFFREY SCOTT (sworn) .........................1

Questions from MR MacAULAY .........................1

Witness statement of FATHER COLIN .................73
GEDDES (read)

Witness statement of SEAMUS COLEMAN ...............99
(read)

SISTER NANCY BAUER (sworn) (via ..................113
video link)

Questions from MR MacAULAY .......................113