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The Marist Brothers: Organisation

Revised version of Parts C and Part D

Part C - Prevention and Identification

4. Policy and Practice

4.1 National

Past

- i. Was there national policy/guidance relevant to the provision of residential care for children? *Not known.*
- ii. If so, to what extent was the organisation aware of such? See above. *All Marist brothers who were head teachers of these establishments are now deceased.*
- iii. If there was national policy/guidance in respect of any of the following in relation to provision of residential care for children, to what extent was the organisation aware of such? See answer to 4.1.ii above.
 - Child welfare (physical and emotional)
 - Child protection
 - Complaints handling
 - Whistleblowing
 - Management of residential establishments
 - Child migrants (*Not relevant*).
 - Record retention
 - Recruitment and training of residential care staff
 - Requiring employers to divulge details of complaints etc. to prospective employers
 - Reviewing a child's continued residence at a residential establishment
- iv. If the organisation was aware of such, did they give effect to that policy/guidance? *Not known.*
- v. If so, how was effect given to such policy/guidance? *Not known.*
- vi. If not, why not? *Not known. All Marist Brothers who were head teachers of these establishments are now deceased.*

Present

- vii. With reference to the present position, are the answers to any of the above questions different? *Not applicable.*
- viii. If so, please give details. *Not applicable.*

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Past

- i. Was there local authority policy/guidance relevant to provision of residential care for children? *Not known.*
- ii. If so, to what extent was the organisation aware of such? *Not known. All Marist Brothers who were head teachers of these establishments are now deceased.*
- iii. If there was local authority policy/guidance in respect of any of the following in relation to provision of residential care for children, to what extent was the organisation aware of such? *See answer to 4.2. iii above.*
 - Child welfare (physical and emotional)
 - Child protection
 - Complaints handling
 - Whistleblowing
 - Management of residential establishments
 - Child migrants (*Not relevant*).
 - Record retention
 - Recruitment and training of residential care staff
 - Requiring employers to divulge details of complaints etc. to prospective employers
 - Reviewing a child's continued residence at a residential establishment
- iv. If the organisation was aware of such, did they give effect to that policy/guidance? *Not known. All Marist Brothers who were head teachers of these establishments are now deceased.*
- v. If so, how was effect given to such policy/guidance? *Not known. All Marist Brothers who were head teachers of these establishments are now deceased.*
- vi. If not, why not? *Not known. All Marist Brothers who were head teachers of these establishments are now deceased.*

Present

- vii. With reference to the present position, are the answers to any of the above questions different? *Not applicable.*
- viii. If so, please give details. *Not applicable.*

4.3 Admissions

(a) Policy

Past

- i. What policies and/or procedures did the organisation/establishment have in place in relation to admission of children to the establishment? *Preference would have been given to the admission of Catholic boys. Boys from other backgrounds were also accepted. The education*

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- provided was for boys of average to above average intelligence. The schools did not cater for children with special educational needs.*
- ii. Was there a particular policy and/or procedural aim/intention? *The aim / intention was to provide an essentially Christian education to boys who required or would benefit from a boarding education. The Curriculum was devised to cover complete courses in primary and post – primary education.*
 - iii. Where were such policies and/or procedures recorded? *These aims were recorded in the school prospectus, which, for St. Joseph's College, was published in the College Annual until 1955.*
 - iv. Who compiled the policies and/or procedures? *The Head Teacher compiled policies and procedures.*
 - v. When were the policies and/or procedures put in place? *Such policies were put in place when the colleges were founded and adjusted in the light of experience and new regulations.*
 - vi. Do such policies and/or procedures remain in place? *Not applicable.*
 - vii. Were such policies and/or practices reviewed? *It is not known if reviews took place.*
 - viii. If so, what was the reason for review? *Not known.*
 - ix. What substantive changes, if any, were made to the policies and/or procedures over time? *None.*
 - x. Why were changes made? *Not applicable.*
 - xi. Were changes documented? *Not applicable.*
 - xii. Was there an audit trail? *Not known.*

Present

- xiii. With reference to the present position, are the answers to any of the above questions different? *Not applicable.*
- xiv. If so, please give details. *Not applicable.*

(b) Practice

Past

- i. Did the organisation/establishment adhere in practice to its policy/procedures in relation to the admission of children to the establishment? *Yes.*
- ii. How was the adherence demonstrated? *The majority of children were of the Catholic faith. They were able to follow a full course of academic study and progressed to third level education or suitable professions or employment.*
- iii. How can such adherence be demonstrated to the Inquiry? *Information is available in the School Annuals regarding students, academic achievements, careers of former students and religious activities that took place as part of the school year.*
- iv. Were relevant records kept demonstrating adherence? *The information available in the School Annuals provides evidence of the schools' adherence to its admissions policy.*

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- v. Have such records been retained? *The records of individual students who attended St. Joseph's College as boarding students were destroyed in 2016 on the advice of the Local Education Authority, which has a policy of not retaining records more than seven years old. The following documents related to St. Columba's College, Largs, were found in the Marist Archives which, at that time, were held in Marist House, Glasgow: The House Annals, which are also called "Day Book," (3 volumes, 1975 - 1990), 2 Finance books covering 1936 – 1972, and 1972 – 1989, and a Solicitor's letter regarding the sale of Northfield, Largs, and referring to the sale of Landour, Largs (1985). The school was closed in 1982. Copies of the School Annuals of St. Joseph's College (with some gaps) are held in The Scottish Catholic Archives in Edinburgh, and in St. Joseph's College, Dumfries.*
- vi. If policy/procedure was not adhered to in practice, why not? *Not applicable.*
- vii. If policy/procedure was not adhered to in practice, what was the practice? *Not applicable.*

Present

- viii. With reference to the present position, are the answers to any of the above questions different? *Not applicable.*
- ix. If so, please give details. *Not applicable.*

4.4 Day to Day

(a) Policy

Past

- i. What policies and/or procedures did the organisation/establishment have in place in relation to the day to day running of the establishment? *The Marist Brothers followed their own traditions and the requirements of the Scottish Education Department in their manner of running their schools and boarding establishments. The Common Rules of 1960 contain a section entitled "Relations with Pupils" which contains practical points regarding supervision and relations with pupils. This document was superseded by documents that were produced and approved at the Extraordinary General Chapter of 1967 – 68, which had the responsibility to update Marist religious life in accordance with the Mandates of the Second Vatican Council (1962 – 65). Even though the document was superseded, the practical provisions of the Common Rule of 1960 continued to provide wise guidance for the safeguarding of brothers and students, and some of the instructions and values continued to be implemented in Marist boarding colleges after 1968.*
- ii. Was there a particular policy and/or procedural aim/intention? *The policies, practices and traditions were designed to help the Head Teacher and staff to conduct the Colleges according to the educational values and practices of the Marist Brothers and the requirements of the Scottish Education Department. They were designed to protect the*

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students from abuse or unfair treatment, and to protect the Brothers from making choices that would show favour or allow for the abuse of any child.

- iii. Where were such policies and/or procedures recorded? *The Annual Report of the Principal was printed in the College Annual. The Principals described achievements and challenges which illustrate the values, policies and practices that existed in the school. The Day Books from St. Columba's College provide information about some aspects of daily life at the College. It is possible to understand some aspects of school policy from reading these documents.*
- iv. What did the policies and/or procedures set out in terms of the following?
 - Activities for children: *The Prospectus lists activities available for children and reports can be found in the College Annual.*
 - Off-site activities for children including trips, holidays and visits to family. *As above.*
 - Schooling/education. *As above.*
 - Discipline. *As above.*
- v. Who compiled the policies and/or procedures? *The Principal of the school recorded the policies and practices of the school.*
- vi. When were the policies and/or procedures put in place? *Policies and practices were put in place when St. Joseph's College was founded in 1875 and St. Columba's College was founded in 1920.*
- vii. Do such policies and/or procedures remain in place. *The Boarding Colleges of the Marist Brothers in Scotland have all been closed.*
- viii. Were such policies and/or practices reviewed? *It is not known if reviews took place.*
- ix. If so, what was the reason for review? *Not known.*
- x. What substantive changes, if any, were made to the policies and/or procedures over time? *One could reasonably assume that gradual changes were made over time.*
- xi. Why were changes made? *Perceived benefit to the school, educational requirements, changes in staffing.*
- xii. Were changes documented? *The Board of Governors noted changes in the minutes of their meetings and other changes were indicated in the Principals' reports.*
- xiii. Was there an audit trail? *Minutes of meetings of the Board of Governors exist (with gaps) along with printed copies of the Principals' reports.*

Present

- xiv. With reference to the present position, are the answers to any of the above questions different? *Not applicable.*
- xv. If so, please give details. *Not applicable.*

(b) Practice

Past

- i. Did the organisation/establishment adhere in practice to its policy/procedures relating to the day to day running of the

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- establishment? *There is evidence that the schools did not always adhere to the policy of the Marist Brothers as stated in the Common Rules of 1960, with regard to physical punishment or supervision arrangements in dormitories.*
- ii. Did the organisation/establishment adhere in practice to its policy/procedures in terms of the following? It is believed that for the most part it did.
 - Activities for children
 - Off-site activities for children including trips, holidays and visits to family
 - Schooling
 - Education
 - iii. How was adherence demonstrated? *Reports are available in the College Annuals.*
 - iv. How can such adherence be demonstrated to the Inquiry? *The Marist Brothers can furnish the Inquiry with copies of the College Annuals. The Day Books from Largs provide information about a range of school activities.*
 - v. Were relevant records kept demonstrating adherence? *As above.*
 - vi. Have such records been retained? *As above.*
 - vii. If policy/procedure was not adhered to in practice, why not? *Individual Marist Brothers either chose to behave in ways contrary to stated policies, or a lack of Brothers meant that it was not always possible to supply two brothers for each dormitory. Those responsible do not appear to have considered the possibility of employing lay staff to share responsibility for dormitory supervision.*
 - viii. If policy/procedure was not adhered to in practice, what was the practice? *Not applicable.*

Present

- ix. With reference to the present position, are the answers to any of the above questions different? *Not applicable.*
- x. If so, please give details. *Not applicable.*

4.5 Children

(a) Policy

Past

- i. What policies and/or procedures did the organisation/establishment have in place in relation to caring for children at the establishment? *The Marist Brothers followed the requirements of the Scottish Education Department and made the Brothers aware of the requirements of the Common Rule and Constitutions of the Marist Brothers which indicated appropriate behaviours regarding the care of and relationships with children.*

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- ii. Was there a particular policy and/or procedural aim/intention? *The Common Rule and Constitutions aimed to ensure that Marist Brothers provided a good education in a range of academic subjects, treated children with respect and kindness, and avoided harsh or unfair punishments. These texts also indicated clearly the proper boundaries necessary to ensure healthy relationships with students and appropriate behaviour.*
- iii. Where were such policies and/or procedures recorded? *Such procedures were not recorded. However, a former student, reminiscing on his days at St. Joseph's College made the following observation: "Lots of boys had curtains to provide privacy. The Brothers lived in the Big Mount, "into which we never went."¹ This suggests a care for the privacy of students and an understanding of a clear boundary regarding places where students could and could not go.*
- iv. What did the policies and/or procedures set out in terms of the following?
 - Safeguarding. *This term has only recently come into usage regarding the care of children. What is evident from the Common Rules of 1960 is that the Marist Brothers were aware of the need to establish clear boundaries related to the care of children and the importance of supervision.*
 - Child Protection: *See above.*
 - Medical care. *The school had a Medical Officer. From 1935 until 1960 it was Dr. Gordon Hunter, who retired in 1960. A school nurse was employed before 1950, but it has not been possible to ascertain the exact date. There was also a school matron at St. Joseph's College until the Boarding Section closed. There was a matron at St. Columba's College, Largs, from around 1952 until 1970.*
 - Children's physical wellbeing. *St. Josephs' College had a strong tradition of sporting activity and achievement. Children at Largs had opportunities for games. Both schools were situated in healthy, attractive environments.*
 - Children's emotional and mental wellbeing.
- v. Who compiled the policies and/or procedures? *The Principals of the schools.*
- vi. When were the policies and/or procedures put in place? *Policies and practices were put in place when St. Joseph's College was founded in 1875 and St. Columba's College was founded in 1920.*
- vii. Do such policies and/or procedures remain in place. *The Boarding Colleges of the Marist Brothers in Scotland have all been closed.*
- viii. Were such policies and/or practices reviewed? *It is not known if reviews took place. Adjustments to policies and procedures probably took place on an informal, ad hoc, basis.*
- ix. If so, what was the reason for review? *Not known.*
- x. What substantive changes, if any, were made to the policies and/or procedures over time? *It is reasonable to assume that gradual changes were made over time in line with the requirements of the Scottish*

¹ The Blue and Gold, p. 60 – 61.

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Education Department and perceived improved practices that emerged over time.

- xi. *Why were changes made? Perceived benefit to the school, educational requirements, changes in staffing.*
- xii. *Were changes documented? The Board of Governors noted changes in the minutes of their meetings and other changes were indicated in the Principals' reports.*
- xiii. *Was there an audit trail? Minutes of meetings of the Board of Governors exist (with gaps) along with printed copies of the Principals' reports. It may be possible to discern changes from reading the Day Books of St. Columba's College, Largs.*

Present

- xiv. *With reference to the present position, are the answers to any of the above questions different? Not applicable.*
- xv. *If so, please give details. Not applicable.*

(b) Practice

Past

- i. *Did the organisation/establishment adhere in practice to its policy/procedures relating to the care of children at the establishment? For the most part, yes, though allegations of abuse and the custodial sentences given to two former Marist Brothers in 1998 and 2019 demonstrate that some brothers did not adhere to policies and practices regarding the care of children.*
- ii. *Did the organisation/establishment adhere in practice to its policy/procedures in terms of the following?*
 - *Safeguarding: Policies were, for the most part, put into practice. Sadly, we know of instances of abuse in both colleges which indicate that not all members followed the policies required of members of the Marist Brothers.*
 - *Child Protection: Policies were, for the most part, put into practice. Sadly, we know of instances of abuse in both colleges which indicate that not all members followed the policies required of members of the Marist Brothers.*
 - *Medical care: Sadly, reports regarding some of the women who served as matrons do not suggest that a sympathetic approach was always in evidence in the medical care of children*
 - *Children's physical wellbeing: Yes.*
 - *Children's emotional and mental wellbeing: Yes, with the exceptions mentioned in 4.5. (b) i. above.*
- iii. *How was adherence demonstrated? The majority of former students have gone on to live productive, well-adjusted lives.*
- iv. *How can such adherence be demonstrated to the Inquiry? As above.*
- v. *Were relevant records kept demonstrating adherence? The Day Books from Largs provide information about the life of St Columba's College, including educational matters. The College Annuals of St. Joseph's*

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College demonstrate academic, sporting and cultural events and achievements. Many former students speak highly of their education and years at St. Joseph's College.

- vi. *Have such records been retained? College Annuals are available for inspection and the Day Books from Largs are currently held by the Inquiry.*
- vii. *If policy/procedure was not adhered to in practice, why not? Some individual Brothers who did not adhere to policies did so without the approval of the school or Province leadership.*
- viii. *If policy/procedure was not adhered to in practice, what was the practice? In general, policies and procedures were adhered to.*

Present

- ix. *With reference to the present position, are the answers to any of the above questions different? Not applicable.*
- x. *If so, please give details. Not applicable.*

4.6 Staffing

(a) Policy

Past

- i. *What policies and/or procedures did the organisation/establishment have in relation to staffing at the establishment? The majority of Brothers were graduates and qualified teachers according to the requirements of the Scottish Education Department. All lay staff who were employed as teachers were qualified according to the requirements of the Scottish Education Department. Since St. Joseph's College and St. Columba's College were private establishments it was possible to give teaching and boarding responsibilities to brothers who either had not fulfilled the teaching requirements of the Scottish Education Department or who had not completed Third Level Education.*
- ii. *Was there a particular policy and/or procedural aim/intention? The policy was to employ brothers who were graduates and trained teachers, but this was not always followed in practice. All lay staff were graduates and trained teachers.*
- iii. *Where were such policies and/or procedures recorded? Unknown.*
- iv. *What did the policies and/or procedures set out in terms of the following?*
 - *Pre-employment checks. Not known.*
 - *Recruitment. The Principal, in discussion with the Provincial, would arrange for a full complement of teachers and boarding staff. In the 1960s, the school recruited more and more lay staff either by invitation, recommendation or advert.*
 - *Induction: Not known.*
 - *Transfer of staff to or from other establishments within or outwith the organisation. This was the responsibility of the Brother Provincial.*
 - *References: Not known.*

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- Appraisal/supervision. *Not known.*
 - Training: *Brothers and lay staff were encouraged to undertake ongoing professional training as part of their employment in the school.*
 - Personal/Professional development: *see above. Also, Marist Brothers benefited from opportunities for personal spiritual renewal through participation in the Second Novitiate programme of the Marist Brothers in St. Quentin Fallavier, France, and Fribourg, Switzerland. In the 1960s and 1970s some brothers participated in catechetical and theological renewal programmes as part of their summer break.*
 - Disciplinary actions: *Not known.*
 - Dismissal. *Not known.*
- v. Who compiled the policies and/or procedures? *The Principal.*
- vi. When were the policies and/or procedures put in place? *Policies and practices were put in place when St. Joseph's College was founded in 1875 and St. Columba's College was founded in 1920.*
- vii. Do such policies and/or procedures remain in place? *The Boarding Colleges of the Marist Brothers in Scotland have all been closed.*
- viii. Were such policies and/or practices reviewed? *It is not known if formal reviews took place.*
- ix. If so, what was the reason for review? *Not known.*
- x. What substantive changes, if any, were made to the policies and/or procedures over time? *It can reasonably be assumed that gradual changes were made over time in line with the requirements of the Scottish Education Department and perceived improved practices that emerged over time.*
- xi. Why were changes made? *Perceived benefit to the school, educational requirements, fewer brothers available to become members of staff at St. Joseph's College.*
- xii. Were changes documented? *Letters of employment exist for lay staff and there are lists relating to superannuation payments which provide information about members of staff. These papers exist in the archives of the Marist Brothers which are held at the Scottish Catholic archives, Columba House, Drummond Place, Edinburgh. Names of brothers who taught in St. Joseph's College and Largs 91930 – 1982) exist in the lists of Placements which (with gaps) can be found in the Archives of the Marist Brothers in Rome and the Archives of the Marist Brothers in which are held at the Scottish Catholic archives, Columba House, Drummond Place, Edinburgh. Lists which contain the names of brothers who taught in St. Joseph's College and Largs (1930 – 1982), with their roles and responsibilities, have been prepared and sent to the S.C.A.I.*
- xiii. Was there an audit trail? *See above.*

Present

- xiv. With reference to the present position, are the answers to any of the above questions different? *Not applicable.*
- xv. If so, please give details. *Not applicable.*

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(b) Practice

Past

- i. Did the organisation/establishment adhere in practice to its policy/procedures in relation to staffing at the establishment? *Not in all circumstances. Some brothers were involved in teaching and boarding responsibilities who were not graduates or who did not have formal training in the supervision of children.*
- ii. Did the organisation/establishment adhere in practice to its policy/procedures in terms of the following?
 - Pre-employment checks: *Not known.*
 - Recruitment: *Not known.*
 - Inductions: *Unknown.*
 - Transfers to and from other establishments within or outwith the organisation. *Not known.*
 - References: *Not known.*
 - Appraisals/Supervision: *Not known.*
 - Training: *This was an increasing part of the professional life of teachers from the 1960s onwards and was also the practice in St. Joseph's College.*
 - Personal/Professional development: *As above.*
 - Disciplinary actions: *Not known.*
 - Dismissal: *Not known.*
- iii. How was adherence demonstrated? *Unknown.*
- iv. How can such adherence be demonstrated to the Inquiry? *Unknown.*
- v. Were relevant records kept demonstrating adherence? *Not known.*
- vi. Have such records been retained? *Unknown.*
- vii. If policy/procedure was not adhered to in practice, why not? *The needs of the school, or the need to find work for a brother, were often allowed to supersede the requirement to have a fully qualified, trained brother as a member of staff in the College. The policy regarding placement of brothers in Largs was dependent on available brothers, some of whom were retired, and some of whom were younger men who were still in training.*

Present

- viii. With reference to the present position, are the answers to any of the above questions different? *Not applicable.*
- ix. If so, please give details. *Not applicable.*

4.7 Visitors

(a) Policy

Past

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- i. What policies and/or procedures did the organisation/establishment have in place in relation to visitors to the establishment? *All visitors had to report to the school office and request permission to enter the building, No one would have been allowed to meet with a pupil without permission of the Head Teacher.*
- ii. Was there a particular policy and/or procedural aim/intention? *The intention behind this policy was not to disrupt the smooth running the schools and to ensure the safeguarding of students.*
- iii. Where were such policies and/or procedures recorded? *The Prospectus of St. Joseph's College made this policy clear. St. Columba's College, Largs, in all likelihood copied this policy from St. Joseph's College.*
- iv. Who compiled the policies and/or procedures? *The Head teachers.*
- v. When were the policies and/or procedures put in place? *There is evidence of this policy from the Prospectus for St. Joseph's College that was published in 1939.*
- vi. Do such policies and/or procedures remain in place? *Not relevant.*
- vii. Were such policies and/or practices reviewed? *This policy remained in place as long as we are able to ascertain. This suggests that the school authorities were satisfied with this policy.*
- viii. If so, what was the reason for review? *Not applicable.*
- ix. What substantive changes, if any, were made to the policies and/or procedures over time? *Not known.*
- x. Why were changes made? *Not applicable.*
- xi. Were changes documented? *Not applicable.*
- xii. Was there an audit trail? *See annual published prospectuses in the St. Joseph's College Annuals.*

Present

- xiii. With reference to the present position, are the answers to any of the above questions different? *Not applicable.*
- xiv. If so, please give details. *Not applicable.*

(b) Practice

Past

- i. Did the organisation/establishment adhere in practice to its policy/procedures in relation to visitors to the establishment? *Yes.*
- ii. How was adherence demonstrated? *School secretaries of St. Joseph's College can provide evidence that visitors approached the office before being allowed to meet with pupils. Former members of staff of St. Columba's College, Largs, could be asked to provide oral testimony.*
- iii. How can such adherence be demonstrated to the Inquiry? *As above, 4 7 (b) ii.*
- iv. Were relevant records kept demonstrating adherence? *Not known. The Day Books from St. Columba's College often record the names of visitors, especially Marist Brothers.*
- v. Have such records been retained? *See As above, 4 7 (b) iii.*

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- vi. If policy/procedure was not adhered to in practice, why not? *Not applicable.*

Present

- vii. With reference to the present position, are the answers to any of the above questions different? *Not applicable.*
- viii. If so, please give details. *Not applicable.*

4.8 Volunteers

(a) Policy

Past

- i. What policies and/or procedures did the organisation/establishment have in place in relation to volunteers at the establishment? *To our knowledge there were no policies regarding volunteers at either establishment. If any volunteers were admitted, it would have been on an ad hoc basis.*
- ii. Was there a particular policy and/or procedural aim/intention? *See above.*
- iii. Where were such policies and/or procedures recorded? *See above.*
- iv. Who compiled the policies and/or procedures? *See above.*
- v. When were the policies and/or procedures put in place? *See above.*
- vi. Do such policies and/or procedures remain in place? *Not applicable.*
- vii. Were such policies and/or practices reviewed? *See above.*
- viii. If so, what was the reason for review? *See above.*
- ix. What substantive changes, if any, were made to the policies and/or procedures over time? *See above.*
- x. Why were changes made? *See above.*
- xi. Were changes documented? *See above.*
- xii. Was there an audit trail? *See above.*

Present

- xiii. With reference to the present position, are the answers to any of the above questions different? *Not applicable.*
- xiv. If so, please give details. *Not applicable.*

(b) Practice

Past

- i. Did the organisation/establishment adhere in practice to its policy/procedures in relation to volunteers at the establishment? *See above.*
- ii. How was adherence demonstrated? *See above.*
- iii. How can such adherence be demonstrated to the Inquiry? *See above.*
- iv. Were relevant records kept demonstrating adherence? *See above.*

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- v. Have such records been retained? *See above.*
- vi. If policy/procedure was not adhered to in practice, why not? *See above.*

Present

- vii. With reference to the present position, are the answers to any of the above questions different? *Not applicable.*
- viii. If so, please give details. *Not applicable.*

4.9 Complaints and Reporting

(a) Policy

Past

- i. What policies and/or procedures did the organisation/establishment have in place in relation to complaints and reporting at the establishment? *Not known, however, it is unlikely that there was a written policy about complaints. All complaints would have been dealt with by the Head Teacher or one of his assistants.*
- ii. Was there a particular policy and/or procedural aim/intention? *The Head Teacher had overall responsibility for the school. As such, he would have been in best position to respond to complaints. This applies to St. Joseph's College and to St. Columba's College, Largs.*
- iii. Where were such policies and/or procedures recorded? *In all likelihood, there was no written policy.*
- iv. What did the policies and/or procedures set out in terms of the following? *There were no formal policies dealing with the matters set out below. Complaints would have been dealt with directly by the Head Teacher.*
 - Complaints by children
 - Complaints by staff
 - Complaints by third persons/family of children
 - Whistleblowing
 - Support, including external support, for those who made complaint or those who were the subject of complaint
 - Response to complaints (including response by organisation and/or establishment)
 - External reporting of complaints
- v. Who compiled the policies and/or procedures? *See above.*
- ix. When were the policies and/or procedures put in place? *See above.*
- vi. Do such policies and/or procedures remain in place? *See above.*
- vii. Were such policies and/or practices reviewed? *See above.*
- viii. If so, what was the reason for review? *See above.*
- ix. What substantive changes, if any, were made to the policies and/or procedures over time? *See above.*
- x. Why were changes made? *See above.*
- xi. Were changes documented? *See above.*
- xii. Was there an audit trail? *See above.*

Present

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- xiii. With reference to the present position, are the answers to any of the above questions different? *Not applicable.*
- xiv. If so, please give details. *Not applicable.*

(b) Practice

Past

- i. Did the organisation/establishment adhere in practice to its policy/procedures in relation to complaints and reporting at the establishment? *In practice, people with complaints would have been encouraged to approach the Head Teacher. There is evidence of an internal investigation of complaints about sexual abuse that took place in St. Joseph's College in 1956, and another in 1972. The latter complaint led to the involvement of the police.*
- ii. Did the organisation/establishment adhere in practice to its policy/procedures in terms of the following? *As far as we know, Head Teachers dealt with complaints when they received them.*
 - Complaints by children
 - Complaints by staff
 - Complaints by third persons/family of children
 - Whistleblowing
 - Support, including external support, for those who made complaint or those who were the subject of complaint
 - Response to complaints (including response by organisation and/or establishment).
 - External reporting of complaints.
- iii. How was adherence demonstrated? *External reporting of complaints did not happen during the time that the Marist Brothers were responsible for the two establishments in question with the exception of a complaint that was made in 1973 against Brother Damian McCann, that led to involvement by the police from Dumfries. This is reported in a letter written by Brother Cyril McNeil to Brother Ronnie McEwan on 11th April 2000.*
- iv. How can such adherence be demonstrated to the Inquiry? *See above.*
- v. Were relevant records kept demonstrating adherence? *Notes have been found that appear to have been written in 1956 which show that an internal investigation took place regarding complaints of child sexual abuse in St. Joseph's College.*
- vi. Have such records been retained? *See above.*
- vii. If policy/procedure was not adhered to in practice, why not? *No one involved in the known investigations is alive. It is likely that those in positions of responsibility preferred to deal with matters internally as far as possible.*

Present

- viii. With reference to the present position, are the answers to any of the above questions different? *Not applicable.*

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- ix. If so, please give details. *Not applicable.*

4.10 Internal Investigations

(a) Policy

Past

- i. What policies and/or procedures did the organisation/establishment have in place in respect of internal investigations relating to the establishment? *The information we have regarding two internal investigations that took place at St. Joseph's College show that the Head Teacher interviewed some students and members of staff. The first investigation appears to have led to one brother leaving Marist religious life and another being moved to a different community and school. The second investigation led to police involvement. We have no knowledge of any internal investigations in Largs.*
- ii. Was there a particular policy and/or procedural aim/intention? *Not known.*
- iii. Where were such policies and/or procedures recorded? *See 4.9(b)iii & iv above.*
- iv. What did the policies and/or procedures set out in terms of the following? *We have no record of any written policies regarding internal investigations.*
 - Approach to/process of internal investigations
 - Identifying lessons/changes following internal investigations
 - Implementation of lessons/changes following internal investigations
 - Compliance
 - Response (to child and abuser)
 - Response to complaints (including response by organisation and/or establishment)
 - External reporting following internal investigations
- v. Who compiled the policies and/or procedures? *See above.*
- vi. When were the policies and/or procedures put in place? *A written Policy for the Marist Brothers was put in place in 1992. St Joseph's College currently has its own policy regarding abuse and complaints.*
- vii. Do such policies and/or procedures remain in place? *The Marist Brothers currently adopt the Safeguarding Policy of the Roman Catholic Church in Scotland. St. Joseph's College has its own Safeguarding Policy which conforms to the requirements of Dumfries and Galloway Council.*
- viii. Were such policies and/or practices reviewed? *The Safeguarding policy of the Marist Brothers was reviewed in the early 2000s, and again in 2011 and 2016.*
- ix. If so, what was the reason for review? *The Marist Province of Great Britain became part of the new Province of West Central Europe in 2000. This was an occasion to review safeguarding policies for the whole Province. The General Council of the Marist Brothers required all*

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Provinces to review and institute, where necessary, safeguarding policies in 2011. The Marist Brothers have formally adopted the Safeguarding Policy of the Catholic Church in Scotland for the Marist Brothers in Scotland.

- x. What substantive changes, if any, were made to the policies and/or procedures over time? *The current policy includes mandatory reporting to the statutory services and the Catholic Church in Scotland. It also includes internal reporting to the Brother Provincial. The Marist Brothers in Scotland participate in the Safeguarding Commission of the Marist Province of West Central Europe. The current policy also involves safeguarding of adults in situations of vulnerability, and mandatory background checks for brothers in ministry.*
- xi. Why were changes made? *Changes were made in the light of developing understanding of issues related to safeguarding of children and promotion of the rights of children. The current policy also includes sections related to the protection of adults in situations of vulnerability. The changes reflect our desire to be transparent in our dealings with victims and the statutory authorities.*
- xii. Were changes documented? *All changes were documented.*
- xiii. Was there an audit trail? *Yes.*

Present

- xiv. With reference to the present position, are the answers to any of the above questions different? *Not applicable.*
- xv. If so, please give details. *Not applicable.*

(b) Practice

Past

- i. Did the organisation/establishment adhere in practice to its policy/procedures in respect of internal investigations relating to the establishment? *There was no written policy about internal investigations. However, the documents referred to above demonstrate that internal investigations took place which involved interviews with students and brothers, including those against whom allegations were made.*
- ii. Did the organisation/establishment adhere in practice to its policy/procedures in terms of the following? *See reply to 4. 10 (b) ii, above. As far as we know, the Head Teachers dealt with complaints as they received them.*
 - Approach to/process of internal investigations
 - Identifying lessons/changes following internal investigations
 - Implementation of lessons/changes following internal investigations
 - Compliance
 - Response (to child and abuser)
 - Response to complaints (including response by organisation and/or establishment)

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- External reporting following internal investigations
- iii. How was adherence demonstrated? *See above.*
 - iv. How can such adherence be demonstrated to the Inquiry? *See above.*
 - v. Were relevant records kept demonstrating adherence? *See above.*
 - vi. Have such records been retained? *Three Day Books exist for St. Columba's College, Largs. There is no information in these books about any internal investigations. Notes exist regarding an internal investigation that took place in St. Joseph's College, Dumfries in 1956, and Brother Cyril reported an internal investigation that led to Police involvement in a letter that was written to Brother Ronnie McEwan on 11th. April 2000. Individual student records for St. Joseph's College were destroyed in 2016, in accordance with the policy of Dumfries and Galloway Regional Council Education Department.*
 - vii. If policy/procedure was not adhered to in practice, why not? *See above.*

Present

- viii. With reference to the present position, are the answers to any of the above questions different? *Not applicable*
- ix. If so, please give details. *Not applicable.*

4.11 Child Migration: *This section is not applicable to the Boarding establishments conducted by the Marist Brothers as the Marist Brothers in Great Britain had no involvement in this programme.*

(a) Policy

Past

- i. What policies and/or procedures did the organisation/establishment have in place in relation to child migration?
- ii. Was there a particular policy and/or procedural aim/intention?
- iii. Where were such policies and/or procedures recorded?
- iv. What did the policies and/or procedures set out in terms of the following?
 - Identification and checking the suitability of the places where children were sent
 - Selection of children to migrate including age, gender and background
 - Provision of information to the child and/or his/her parents before migration
 - Provision of information and records to children and/or their parents once child had been migrated
 - Obtaining consent of child
 - Obtaining consent of parents of child
 - Obtaining of consent of others e.g. Secretary of State
 - Responding to requests for information from former child migrants
 - Other issues
- v. Who compiled the policies and/or procedures?

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- vi. When were the policies and/or procedures put in place?
- vii. Were such policies and/or practices reviewed?
- viii. If so, what was the reason for review?
- ix. What substantive changes, if any, were made to the policies and/or procedures over time?
- x. Why were changes made?
- xi. Were changes documented?
- xii. Was there an audit trail?

Present

- xiii. With reference to the present position, are the answers to any of the above questions different?
- xiv. If so, please give details.

(b) Practice

Past

- i. Did the organisation/establishment adhere in practice to its policy/procedures in relation to child migration?
- ii. Did the organisation/establishment adhere in practice to its policy/procedures in terms of child migrants relating to the following?
 - Identification and checking the suitability of the places where children were sent
 - Selection of children to migrate including age, gender, background
 - Provision of information to the child and/or his/her parents before migration
 - Provision of information and records to children and/or their parents once child had been migrated
 - Obtaining consent of child
 - Obtaining consent of parents of child
 - Obtaining of consent of others e.g. Secretary of State
 - Responding to requests for information from former child migrants
 - Other issues
- iii. How was adherence demonstrated?
- iv. How can such adherence be demonstrated to the Inquiry?
- v. Were relevant records kept demonstrating adherence?
- vi. Have such records been retained?
- vii. If policy/procedure was not adhered to in practice, why not?
- viii. How many children were sent as child migrants from the organisation's establishments, and where were they sent?
- ix. What was their age and gender?
- x. Over what time period were children migrated from the organisation's establishments?
- xi. Who funded the child migration?
- xii. Who received the funding in relation to migrant children?
- xiii. In general terms, how much was this funding?

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- xiv. How did the organisation/establishment respond to requests for information from former child migrants?

Present

- xv. With reference to the present position, are the answers to any of the above questions different?
- xvi. If so, please give details.
- xvii. In hindsight, does the organisation have a view on policies/procedures that were in place in relation to child migration?
- xviii. If the organisation accepts that such policies or procedures were flawed, has the organisation provided a specific response e.g. apology, redress or any other type of response?

4.12 Records

(a) Policy

Past

- i. What policies and/or procedures did the organisation/establishment have in relation to record keeping? *Records were kept for individual students. There are no student records from St. Columba's College in Largs. The following documents from St. Columba's College, Largs, were found in the Marist Archives which, at that time, were held in Marist House, Glasgow: The House Annals, which are also called "Day Book," (3 volumes, 1975 - 1990), 2 Finance books covering 1936 – 1972, and 1972 – 1989, and a Solicitor's letter regarding the sale of Northfield, Largs, and referring to the sale of Landour, Largs (1985). Individual records existed for all students at St. Columba's College, Largs, but they are no longer in the possession of the Marist Brothers and may have been lost or destroyed after the College was closed in 1992. The Marist Brothers have records of the names of members of the community. St. Joseph's College held the records that would have been standard in a school and boarding establishment of that time. The names of students, academic achievements, sporting events, school performances, clubs, religious events, school celebrations and information about former students were recorded in the College Annuals. The names of Marist Brothers who were members of staff are held in the Marist Brothers' archives in Rome. Some are held in The Marist Brothers archive in Glasgow.*
- ii. Was there a particular policy and/or procedural aim/intention? *Records were kept to provide information to parents and for requests for references once students had left the school. Information about the life of the school was recorded for the benefit of students and parents and to promote the good name of the school, and to provide a record of students, and achievements. The Marist Brothers kept a Province archive with information about individual brothers: family, date of birth, formation, dates of profession, community appointments, studies, and*

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date of departure or death. This information was also sent to Rome where it was retained on a "fiche" for each Brother.

- iii. What did the policies and/or procedures set out in terms of records relating to the following? *See above. The policy involved keeping an individual file for each student which would contain family information as well as a record of academic results and other achievements. It is not known what other documentation would be continued in the individual files of the students since none of these files currently exist. There is no record of discipline or punishments received by students.*
- Children in its care:
 - Staff
 - Complaints
 - Investigations
 - Discipline
 - Child migrants (*not relevant*)
 - Responding to requests from former residents for information/records. (*Not known*).
 - Other issues
- iv. Who compiled the policies and/or procedures? *Not known.*
- v. When were the policies and/or procedures put in place? *Not known.*
- vi. Do such policies and/or procedures remain in place? *Not relevant as both boarding establishments have been closed.*
- vii. Were such policies and/or practices reviewed? *Not known.*
- viii. If so, what was the reason for review? *See above.*
- ix. What substantive changes, if any, were made to the policies and/or procedures over time? *Not known.*
- x. Why were changes made? *See above.*
- xi. Were changes documented? *Not known.*
- xii. Was there an audit trail? *There are no student files from St. Columba's College in Largs. All student files relating to the time when the Marist Brothers were in charge of St. Joseph's College have been destroyed, following the policy of Dumfries and Galloway Regional Council.*

Present

- xiii. With reference to the present position, are the answers to any of the above questions different? *Not applicable.*
- xiv. If so, please give details. *Not applicable.*

(b) Practice

Past

- i. Did the organisation/establishment adhere in practice to its policy/procedures in relation to record keeping? *Individual files existed for all students, but they no longer exist for St. Columba's College or St. Joseph's College.*
- ii. Did the organisation/establishment adhere in practice to its policy/procedures in terms of record keeping relating to the following?

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There were records on individual students, and the Marist Brothers kept files for all Marist Brothers. There are no records of complaints, but there are records regarding two internal investigations, as mentioned above. There were no records regarding discipline or punishment.

- Children
 - Staff
 - Complaints
 - Investigations
 - Discipline
 - Child migrants
 - Responding to requests from former residents for information/records
 - Other issues
- iii. How was adherence demonstrated? *See above.*
- iv. Were relevant records kept demonstrating adherence? *Not known.*
- v. Have such records been retained? *The following documents were found in the Marist Archives which, at that time, were held in Marist House, Glasgow: The House Annals, which are also called "Day Book," (3 volumes, 1975 - 1990), 2 Finance books covering 1936 – 1972, and 1972 – 1989, and a Solicitor's letter regarding the sale of Northfield, Largs, and referring to the sale of Landour, Largs (1985). Individual records existed for all students at St. Columba's College, Largs, but they are no longer in the possession of the Marist Brothers and may have been lost or destroyed after the College was closed in 1992. The Marist Brothers have records of the names of members of the community. St. Joseph's College held the records that would have been standard in a school and boarding establishment of that time. The names of students, academic achievements, sporting events, school performances, clubs, religious events, school celebrations and information about former students were recorded in the College Annuals. The names of Marist Brothers who were members of staff are held in the Marist Brothers' archives in Rome. Some are held in The Marist Brothers archive in Glasgow. The names, with roles and responsibilities of all Marist Brothers who were members of staff at St. Columba's College, Largs, and St. Joseph's College, Dumfries, have been sent to the S.C.A.I. The student records from St. Joseph's College were destroyed in 2016 as the policy of Dumfries and Galloway Regional Council is not to retain school records that are more than seven years old. The student records from St. Joseph's College were destroyed in 2016 as the policy of Dumfries and Galloway Regional Council is not to retain school records that are more than seven years old.*
- vi If policy/procedure was not adhered to in practice, why not? *Not known.*
- vii Did the establishment undertake any review or analysis of its records to establish what abuse or alleged abuse of children cared for at the establishment may have taken place? In 2014 the Scottish Catholic Safeguarding Service required all religious orders to complete a historical audit of cases of child abuse. The data was sent to the Catholic Safeguarding Service after a review of all documents related to allegations of Child Sexual Abuse by Marist Brothers or former Brothers. The Marist Brothers undertook a similar exercise in preparation for the

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SCAI, which included a review of the Minutes of the Provincial Council meetings and files of individual brothers. In October 2018 Brother Colin Chalmers, General Archivist in Rome, did a review of the Marist Archive to ensure that every document related to child sexual abuse had been sent to the Inquiry. As a result of this search Day Books and Finance books from St. Columba's College in Largs were found and were sent to the Inquiry. An archivist undertook the job of cataloguing the complete Marist archive between November 2018 and June 2019. She was asked to inform Brother Brendan Geary, the Provincial, if she identified any documents that could be important for the SCAI. She alerted Brother Brendan Geary to documents she found that related to an internal inquiry that took place in St. Joseph's College in 1956. These documents were passed to the Inquiry with a narrative description of what appears to have taken place. The Marist Archive has now been placed in the Scottish Catholic Archives in Drummond Place, Edinburgh.

- Dumfries and Galloway Police contacted former students to inquire about possible cases of abuse in the late 1990s and 2000s.*
- viii If so, when did the reviews take place, what documentation is available, and what were the findings? *See 4. 12 (b) vii above. Any documentation about this police inquiry will be held by Dumfries and Galloway Police.*
- ix How have the outcomes of investigations been used to improve systems, learn lessons? *The outcome of this inquiry took place after the Marist Brothers had stopped being involved in Boarding establishments. The current policies of the Marist Brothers have benefited from what has been learned by the Catholic Church in Scotland in recent years, as has our own practice in responding to abuse allegations.*
- x What changes have been made? *The Marist Brothers' policy document from 1992 demonstrates a desire to put the needs of victims first, while responding compassionately to any Marist Brother who is accused of abuse. It states clearly that if an allegation is made against a living member of the Order that he should be stood down from ministry immediately until an investigation is put in place. It promotes the values of transparency, accountability and compassionate response. Since the preparation of the original Policy Document the Marist Brothers have learned about the importance of informing the statutory authorities immediately and of leaving any investigations in their hands.*
- xi How are these monitored? *Safeguarding matters are a standing item at meetings of the Provincial Council, which take place on average 8 times each year. There is also a Safeguarding Commission for the Marist Brothers in Scotland, which meets at least twice each year. Once each year the Marist Brothers Province Safeguarding Commission meets to review safeguarding matters in the Province and has met five times between 2012 and 2017.*
The Scottish Catholic Safeguarding Commission has been contacted as an advisory group to help with cases where outside review was required.
- xii Did the organisation/establishment afford former residents access to records relating to their time at the establishment? *There are no records*

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available to offer former boarders who may wish to have access to records.

- xiii If so, how was that facilitated? See above.*
- xiv If not, why not? Records from St. Joseph's College have been destroyed. The Marist Brothers have not been able to locate any student records from St. Columba's College Largs. We are willing to share any information that can be found in the Day Books which were found in 2018.*

Present

- xv With reference to the present position, are the answers to any of the above questions different? Not applicable.*
- xvi If so, please give details. Not applicable.*
- xvii Please provide details of any records currently held relating to the establishment in respect of the following: The current policy of the Marist Brothers deals with recruitment and vetting of staff, complaints, and investigations (responsibility of statutory authorities). We respond to all requests in a prompt and transparent manner.*
- Children in its care
 - Staff
 - Complaints
 - Investigations
 - Discipline
 - Child Migrants
 - Responding to requests from former residents for information/records

Part D – Abuse and Response

The questions in Part D should be answered in respect of abuse or alleged abuse relating to the time frame 1930 to 17 December 2014 only. In accordance with the request of Lady Smith on 25th October 2019, this section has been updated to October 2019. As requested, the data presented here will cover allegations that have been brought to the attention of the Marist Brothers.

5. Abuse

5.1 Nature

- i. What was the nature of abuse and/or alleged abuse of children cared for at the establishment, for example, sexual abuse, physical abuse, emotional abuse? There are allegations of sexual, physical and emotional abuse and one of neglect.

5.2 Extent

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- i. What is the organisation/establishment's assessment of the scale and extent of abuse of children cared for at the establishment? *There are 25 allegations related to St. Joseph's College, Dumfries, and ten allegations relating to St. Columba's College, Largs.*
- ii. What is the basis of that assessment? *This assessment is based on the information contained in the Marist Safeguarding archive. Some allegations came to us by letter or Email. Some have been passed on from third parties, others in phone conversations and some from the Police.*
- iii. Against how many staff have complaints been made in relation to alleged abuse of children cared for at the establishment? *There are allegations against 12 named and five unnamed members of staff from St. Joseph's College and against six brothers and one unnamed brother at St. Columba's College in Largs.*
- iv. How many staff have been convicted of, or admitted to, abuse of children cared for at the establishment? *One member of staff from St. Joseph's College was convicted of abuse and admitted abuse and one member of staff from St. Columba's College, Largs, has been found guilty of abuse.*
- v. How many staff have been found by the organisation/establishment to have abused children cared for at the establishment? *There have been allegations against a minimum of twelve and maximum of 16 members of staff at St. Joseph's College, depending on the identity of the brother or brothers whose names are unknown to us. There have been allegations against a minimum of five and a maximum of six Marist Brothers at St. Columba's College, Largs, depending on the identity of the brother whose name is unknown to us. See above 5.2.i.*
- vi. In relation to questions iii – v above, what role did/do those members of staff had/have within the organisation/establishment? *The members of staff were teachers and / or responsible for boarding supervision. Former Brother Peter Toner was also the community bursar.*
- vii. To what extent did abuse and/or alleged abuse of children cared for at the establishment take place during off-site activities, trips and holidays? *Unknown.*
- viii. To what extent was abuse and/or alleged abuse of children cared for at the establishment carried out by visitors and/or volunteers to the establishment? *We have received an allegation that a visitor to St. Columba's College Largs may have been involved in the abuse of a child at the College.*
- ix. Have there been allegations of peer abuse? *There are no reported allegations of peer abuse at either establishment conducted by the Marist Brothers.*

5.3 Timing of Disclosure/Complaint

- i. When were disclosures and complaints of abuse and/or alleged abuse of children cared for at the establishment made to the organisation or establishment? *The first complaint of abuse was reported to the Provincial in January 1994. The most recent allegation relevant to the*

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- terms of this inquiry was received on 25th October 2019. Other reports and allegations of abuse were received between these two dates.*
- ii. To what extent were complaints and disclosures made while the abuse or alleged abuse was on-going or recent? *The conversation containing an allegation against former Brother Norman Bulloch took place in June 1977. All other allegations were received after those making the allegations had left St. Joseph's College or Largs, or the person against whom the allegation was made was deceased. All allegations were received after those making the allegations had left St. Joseph's College or Largs, or the person against whom the allegation was made was deceased.*
 - iii. To what extent were/are complaints made many years after the alleged abuse i.e. about non-recent abuse? *The most recent allegation relates to an event alleged to have taken place in 1982. The earliest date related to an allegation of abuse is 1952.*
 - iv. Are there any patterns of note in terms of the timing/disclosure of abuse and/or alleged abuse? *With the exception of the allegation which was shared in a conversation with senior students at St. Joseph's College in June 1977, all allegations have been received from adults who allege that they were abused as children.*

5.4. External Inspections

- i. What external inspections have been conducted relating to children cared for at establishment which considered issues relating to abuse and/or alleged abuse of children? For each such external inspection please answer the following: *There was one allegation of abuse that led to the involvement of the Police in 1973. (Allegations regarding the behaviour of Brother Damian McCann). Apart from that there were no external inspections to our knowledge apart from standard inspections by the Scottish Education Department and those undertaken by Rev Dr Morrison (1884 until his death – date unknown) in the early years, and after that by Dumfries and Galloway Council.*
- ii. Who conducted the inspection? *See above.*
- iii. Why was the inspection conducted? *See above.*
- iv. When was the inspection conducted? *See above.*
- v. What was the outcome of the inspection in respect of any issues relating to abuse or alleged abuse of children? *Not known.*
- vi. What was the organisation/establishment's response to the inspection and its outcome? *Not known.*
- vii. Were recommendations made following the inspection? *Not known.*
- viii. If so, what were the recommendations and were they implemented? *Not known.*
- ix. If recommendations were not implemented, why not? *Not known.*

5.5 External Investigations

- i. What external investigations have been conducted relating to children cared for at the establishment which have considered issues relating to abuse and/or alleged abuse of children? *In all cases we have co-*

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operated fully with the police in their investigations. The Police visited St. Joseph's College when an investigation into sexual abuse took place in 1973. There was a Police investigation by Dumfries and Galloway Police following the allegation of abuse in 1994. The Police have asked for records for St. Columba's College, Largs, in order to contact former pupils. We are not aware of any progress related to this investigation.

- ii. For each such external investigation please answer the following:
 - i. Who conducted the investigation? Investigations 1 & 2: *Dumfries and Galloway Police.*
 - ii. Why was the investigation conducted? *The Police visited St. Joseph's College when an investigation into sexual abuse took place in 1973.*
 - iii. When was the investigation conducted? *1973, and from 1994 onwards.*
 - iv. What was the outcome of the investigation in respect of any issues relating to abuse or alleged abuse of children? *There is no recorded outcome after the investigation that took place in 1973. As a result of the investigation that took place in 1994 the Marist Brothers reviewed their safeguarding procedures. The Provincial spoke to all of the brothers in the Province to inform them about their duty to report allegations, reminding them that abuse was a criminal activity and they had no right to confidentiality. If anyone had information, they were instructed to inform the Provincial. They were told to take care in their work with young people regarding professional conduct and any behaviours that could be misinterpreted.*
 - v. What was the organisation/establishment's response to the investigation and its outcome? *There is no recorded response to the allegations that led to an investigation in 1973. As a result of the investigation that took place in 1994, more allegations surface that resulted in the conviction of one of the Brothers. The Police are currently pursuing inquires as result of information that has surfed in the accounts of Emails and witness statements on the part of victims of sexual and physical abuse.*
 - vi. Were recommendations made following the investigation? *There is no evidence of any outcome from the Investigation that took place in 1973. The investigation that took place in 1994 and afterwards led to implementation of clear policies and procedures regarding responding to and recording allegations of abuse and responding to those making allegations.*
 - vii. If so, what were the recommendations and were they implemented? *To our knowledge no inspections were conducted other than standard school inspections. Due to the historic nature of the allegations, and the fact that the Marist Brothers had withdrawn from both establishments, there was no need to state recommendations or ensure implementation. The Marist Brothers began a process of preparing a Safeguarding Policy document for the Province. The result of the process for Scotland led to a decision to adopt the Safeguarding policies and protocols of the Catholic Church in Scotland.*
 - viii. If recommendations were not implemented, why not? *St. Columba's College, Largs, closed in 1982. The Boarding section of St. Joseph's College closed in 1982.*

5.6 Response to External Inspections/Investigations

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- i. What was the organisation's procedure/process for dealing with external inspections and/or investigations relating to abuse, and/or alleged abuse, of children cared for at the establishment? *The investigations were undertaken by the Police. Due to the fact that St. Columba's was no longer in existence and St. Joseph's was no longer under our control we were not in a position to have any role in investigations other than from supplying all relevant documentation and assisting the police by providing background explanations about Marist educational establishments and communities..*
- ii. What was the organisation's procedure/process for responding to the outcomes of such external inspections and/or investigations? *There were no external inspections and the Police did not share information from their investigations. The Marist Brothers co-operated fully with all investigations conducted by the police however in at least one instance failures in our internal way of dealing with allegations led to a one-year delay in informing the police about an allegation of abuse.*
- iii. What was the organisation's procedure/process for implementing recommendations which followed from such external inspections and/or investigations? *There were no recommendations as a result of the police investigation.*

5.7 Impact

- i. What is known about the impact of abuse on those children cared for at the establishment who were abused, or alleged to have been abused? *The impact of abuse has varied from those who need reassurance that the perpetrator was dead and that the Marist Brothers now had procedures for responding to abuse. Victims reported distress and that their lives were negatively impacted as a result of the abuse.*
- ii. Where does the organisation/establishment's knowledge/assessment of that impact come from? *This knowledge comes from the police, from the reports of those making allegations and from our meetings with victims. Records of these allegations and meetings can be found in the Marist Safeguarding archive.*
- iii. What is known about the impact of abuse on the families of those children cared for at the establishment who were abused, or alleged to have been abused? *A number of people who made allegations of abuse have informed us of the negative impact on their families as a result of the abuse and how it affected their own behaviour and life choices.*
- iv. Where does the organisation/establishment's knowledge/assessment of that impact come from? *Marist Safeguarding archive, and training in psychology and counselling, and awareness of these issues in society and the Catholic Church.*

5.8 Known Abusers at Establishment

- i. Does the organisation/establishment know of specific abusers, or alleged abusers, of children cared for at the establishment? *The Marist*

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- Brothers Safeguarding archive contains the names of brothers against whom allegations of abuse have been made.*
- ii. If so, what are the names of the abusers, and/or alleged abusers?
Please see Appendix A
 - iii. For each of these persons, please provide as much as possible of the following information: *Please see Appendix A*
 - the period (dates) during which they are known or alleged to have abused children cared for at the establishment
 - the role they had in the organisation/establishment during the period of abuse and/or alleged abuse
 - where they worked prior to, and following, their time at the organisation/establishment
 - the knowledge sought or received about them by the organisation/establishment at the point of recruitment, and while they were at the establishment. *Not known.*
 - any information sought by, or provided to, future employers or third parties after they left the establishment, including regarding abuse or alleged abuse. *Not known.*
 - iv. Were known abusers, or alleged abusers, of children cared for at the establishment moved from one establishment run by the organisation, to another establishment run by the organisation? *It was policy to routinely arrange for the brothers to move between the different Marist establishments, as can be seen from the data provided above. We have knowledge of one allegation from St. Joseph's College, Dumfries, from 1956 where a brother who had been accused of abuse was then moved to another community.*
 - v. If so, why was this considered to be appropriate? *The policy of moving brothers to different establishments was part of the policy of Marist religious life related to the need to provide leadership in different schools and communities, and to ensure vitality in community life and ministry.*
 - vi. If so, what process of monitoring/supervision followed at the new establishment? *We have no knowledge of any supervision that was put in place when the Brother in Dumfries against whom an allegation was made moved to a community and school in England. The brothers had an interview with the Provincial at least once a year. The local superior was expected to ensure compliance with correct Marist behaviour and the Head Teacher was responsible for professional conduct.*

5.9 Specific Complaints

- i. How many specific complaints of abuse of children cared for at the establishment have been made to the establishment/organisation?
- ii. *There have been allegations against a minimum of eleven and maximum of 16 members of staff at St. Joseph's College, depending on the identity of the brother or brothers whose names are unknown to us. There have been allegations against a minimum of three and a maximum of four Marist Brothers at St. Columba's College, Largs, depending on the identity of the brother whose name is unknown to us.*

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For each specific complaint, please answer the following: *See Appendix B*

- iii. Who made the complaint?
- iv. When was the complaint made?
- v. Against whom was the complaint made?
- vi. What was the nature of the complaint?
- vii. When/over what period was the abuse alleged to have taken place?
- viii. What was the organisation/establishment's process and approach in dealing with the complaint?
- ix. What was the organisation/establishment's process and approach for investigating the complaint?
- x. What was the outcome of the complaint following that investigation?
- xi. Did the organisation/establishment provide a specific response to the complaint?
- xii. If so, what was the form of response e.g. apology, redress, pastoral response or any other type of response?
- xiii. If there was no response, why not?
- xiv. Was the information/content of the complaint passed to police?
- xv. If not, why not?

5.10 Civil Actions

- i. How many civil actions have been brought against the organisation and/or establishment relating to abuse, or alleged abuse, of children cared for at the establishment? *There have been two civil actions brought against The Marist Brothers.*

For each such civil action, please answer the following: *Please see Appendix C*

- ii. Who brought the action?
- iii. When was the action brought?
- iv. Against whom was the action brought?
- v. What was the nature of the abuse, or alleged abuse, to which the action related?
- vi. What were the names of the persons said to have, or alleged to have, committed abuse?
- vii. When/over what period was the abuse said, or alleged, to have taken place?
- viii. How did the action progress?
- ix. What was the outcome?
- x. Was the action settled on a conditional basis of confidentiality?
- xi. Who was/were the organisation/establishment's legal representative(s) in relation to the civil action?
- xii. Did the organisation/establishment carry insurance for meeting civil claims at the time the action was live?
- xiii. How/where can copies of the court papers relating to the civil action be made available to the Inquiry?

31st. October 20195.11 Criminal Injuries Compensation Awards

- i. Has any criminal injuries compensation been awarded in respect of abuse, or alleged abuse, of children cared for at the establishment? *Not known.*
- ii. If so, please provide details if known. *As above.*

5.12 Police

- i. How many complaints of abuse of children cared for at the establishment have been made to the police? *See Appendix D*

In relation to each known complaint to the police, please answer the following questions: *See Appendix D*

- ii. Who was the alleged abuser?
- iii. Did the police conduct an investigation in relation to the complaint?
- iv. If so, who conducted the investigation and when?
- v. What was the outcome of the police investigation?
- vi. What was the organisation/establishment's response?

5.13 Crown

- i. To what extent has the Crown raised proceedings in respect of allegations of abuse of children cared for at the establishment? *The Crown raised proceedings in respect of allegations against former Brother Norman Bulloch in 1998, and against former Brother Peter Toner while he was a member of staff at St. Columba's College Largs (1980 – 82).*

In relation to each time the Crown has raised proceedings, please answer the following questions:

- ii. What is the name of the person(s) against whom the proceedings were raised? *Norman Bulloch and Peter Toner.*
- iii. What was the nature of the charges? *Bulloch: Sexual abuse and rape. Peter Toner: Sexual Abuse, physical abuse, coercion to perform sexually inappropriate acts for the gratification of Mr Toner.*
- iv. What was the outcome of the proceedings, including disposal/sentence if there was a conviction? *There were convictions in both cases. Norman Bulloch received a prison sentence of eight years. Peter Toner received a sentence of ten years.*
- v. What was the organisation/establishment's response to the proceedings and outcome? *The Marist Brothers co-operated with the investigations that took place before the trials at Kilmarnock and Glasgow High Courts through delivery of documents and by providing testimony.*