

## The Marist Brothers: Organisation

### Parts A and Part B

#### Part A – Background

##### 1. Characteristics

##### 1.1 History of the Organisation and Establishment

###### Past

- i. When, how and why was the organisation founded? :  
*The Institute of Marist Brothers was founded on 2<sup>nd</sup> January 1817 in south eastern France, to provide education for poor children and young people. The first Marist Brothers in Great Britain came to London in December 1852. The first community in Scotland was opened in Glasgow in July 1858.*
- ii. What part did the provision in Scotland of residential care (including foster care) for children play in the organisation's purpose, operation and activities?:  
*Boarding school education (but not residential or foster care) was an element of the educational work of the Marist Brothers in Scotland from 1875.*
- iii. When and how did the organisation become involved in the provision of residential care (including foster care) for children in Scotland? :  
*See 1.1.ii.*
- iv. Why did the organisation consider that it had the competence to be responsible for, and manage the care of, children in establishments?:  
*The first Marist Brothers involved in St Joseph's College were experienced teachers, some of whom also had experience in our boarding schools in France.*
- v. How many establishments did the organisation run, where were they located, over what period were they in operation, and what were their names?:  
*Dumfries: St Joseph's College: 1875 – 1981*  
*The Juniorate (latterly known as Hetland House): 1888 – 1977*  
*Largs: St Columba's College 1920 – 1982*
- vi. When, how and why was each of these establishments founded?  
*St Joseph's College, Dumfries, was opened in 1875 to provide a boarding school education in Great Britain for British boys being educated in the Marist Brothers' boarding school in Beaucamps, France, and for boys whose parents/guardians wanted an education focused more on commercial subjects rather than highly academic subjects.*  
  
*The Juniorate was founded in order to provide secondary education specifically for boys intending to become Marist Brothers. Initially situated on the edge of the town of Dumfries, it moved, during the Second World War, to Carrutherstown in the County of Dumfries.*

*St Columba's College was opened in 1920 as a small boarding preparatory school. Although not specifically a preparatory school for St Joseph's College, many of the St Columba's pupils would have gone on to St Joseph's for their secondary education.*

- vii. In the case of any establishment which is no longer in operation, when and why did it cease operating?

*St Joseph's College had provided day and boarding education for Catholic boys and was handed over to the local education authority in 1981 to become a co-educational day school for Catholic pupils from the Region.*

*St Columba's College ceased operations in 1982 due to a lack of pupils and manpower to staff the school.*

*The Juniorate closed in 1977 because of a change of views on the training of future Brothers throughout the Institute.*

- viii. If the organisation itself is no longer involved in the provision of residential care for children in Scotland, when and why did it cease to be so involved?

*For many years, boarders at the schools had been heavily subsidised by the Marist Brothers of Great Britain. The running of these schools had become a severe financial strain on the Brothers, contrary to the intentions of the school's founders, and, by 1980, it was clear that the Brothers would no longer be able to subsidise them.*

- ix. If the organisation was founded as a religious order by members of a particular faith or church, what was the precise relationship between the order and the religious hierarchy within that faith or church?:

*Under Canon Law the Institute of Marist Brothers is an "exempt" Religious Congregation – i.e. it is not subject to the bishop as ordinary of the place in which communities and/or works are situated. However, permission is required from the bishop to set up a community or work in a specific diocese and he must be notified if a community is closed. All the boarding schools were in the same diocese (Diocese of Galloway) and the Brothers worked in the diocese with the approval of the bishop.*

- x. Within the faith or church to which the religious order belonged, what degree of autonomy was enjoyed by the order in relation to the provision of residential care for children in Scotland?:

*With regard to the provision of boarding education, the Marist Brothers were subject to Scots law and educational policies current in the country.*

- xi. In the case of establishments that were run by members of a religious order, what degree of autonomy within the order itself was enjoyed by such members?:

*Marist Brothers working in the boarding establishments were subject to the Superior of the community with regard to their religious life and to the school Principal with regard to educational policies and practices. For most of the time of existence of the boarding schools these two posts were held by a single individual. External inspection and supervision was also provided on, at a minimum, an annual basis by the Provincial Superior. In the case of St Joseph's College, the Provincial Superior in office was also a member of the Board of Governors.*

## Present

- xii. With reference to the present position, are the answers to any of the above questions different?:

*At the present time the Marist Brothers have no boarding establishments in Scotland.*

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

## 1.2 Funding of Establishment (See separate submissions for St. Joseph's College, Dumfries and St. Columba's College, Largs.

### Past

- i. How were the establishment's operations and activities, so far as relating to the provision of residential care for children, funded?
- ii. Was the funding adequate to properly care for the children?
- iii. If not, why not?
- iv. What state support did it receive?

### Present

- v. If the establishment continues to provide residential care for children, how is that funded?
- vi. What state support does it receive?

## 1.3 Legal Status

### (a) Organisation

#### Past

- i. What was the legal status of the organisation since it was founded?  
*The organisation has been constituted as a charitable trust conform to (FIRST) DEED OF DECLARATION OF TRUST by Patrick McTernan and Others dated sixth November, Nineteen hundred and thirty six and subsequent dates and registered in the Books of Council and Session on Nineteenth December, Nineteen hundred and thirty six; (SECOND) DECLARATION OF TRUST by Patrick McTernan and Others dated Nineteenth July Nineteen hundred and thirty seven; (THIRD) DEED OF DECLARATION OF TRUST by ALEXANDER RONALD MCEWAN and Others dated First day of December Nineteen hundred and Ninety six; and (FOURTH) DEED of SUPPLEMENT by Alexander Ronald McEwan and Others dated the Twenty fifth day of May, Two thousand and one.*
- ii. Were there any changes in the legal status of the organisation since it was founded? *See i. above.*
- iii. What, if any, material changes were there to the legal status of the organisation? *See i. above.*
- iv. What was the legal basis which authorised or enabled the organisation to become responsible for the provision of residential care (including foster care) for children in Scotland? *Parents enrolled their children for*

boarding school education. *No statutory residential care or foster care provision existed at any time.*

- v. Did that legal basis require the organisation to meet, or fulfil, any legal and/or regulatory requirements in respect of children in its care? If so, please give details. *St Joseph's College was also inspected annually by Dr. Morrison of the Free Church Training College in Glasgow from 1884 until his death<sup>1</sup>, and then by Dumfriesshire and Galloway H.M.I. at least until 1954. Written reports were provided but no records of these reports appear to have survived. The level of any regulation against which the inspections took place is not known.*
- vi. Did the organisation have a legal duty of care to each child in its care? *In the boarding schools the Marist Brothers were **in loco parentis**.*

#### Present

- vii. With reference to the present position, are the answers to any of the above questions different? *No.*
- viii. If so, please give details. *N/A*
- ix. If the organisation is a Scottish local authority, please provide details of the predecessor authorities for the local authority area for which the authority is now responsible, and the time periods during which these authorities were the responsible authority for the area, or any part thereof. *N/A*

#### (b) Establishment

##### Past

- i. Did the establishment have a special legal, statutory or other status? *Only in its capacity as a boarding school.*
- ii. If not, how was the establishment described? *N/A*
- iii. What was the legal basis which authorised, or enabled, the establishment to become responsible for managing the care of children in a residential setting? *Only in its capacity as a boarding school, the pupils being enrolled by their parents or guardians or on occasion by a local authority.*
- iv. Did that legal basis require the establishment, or its management, to meet, or fulfil, any legal and/or regulatory requirements in respect of children in its care? If so, please give details. *Only in its capacity as a boarding school.*
- v. Did the establishment have a legal duty of care to each child in its care? *See 1.3(a) vi. above.*

##### Present

- vi. With reference to the present position, are the answers to any of the above questions different? *No.*
- vii. If so, please give details.

<sup>1</sup> Handley, James Edmund (Brother Clare) (1968, 2011 Edition). *History of the Province of the British Isles*, pp. 117 – 118. Marist Brothers: Private Publication.

#### 1.4 Legal Responsibility

##### (a) Organisation

###### Past

- i. Did the organisation have any legal responsibility for the children in its care? *See 1.3(a) vi. above.*
- ii. If so, what was the nature and extent of that legal responsibility? *See 1.3(a) vi. above*
- iii. Did any other person or organisation have any legal responsibility for the children while they were in the organisation's care? *See answer 1.3 (a) v above.*
- iv. If so, what was the nature and extent of that responsibility?
- v. If the organisation had no legal responsibility for children in its care, where or with whom did legal responsibility lie? *N/A*

###### Present

- vi. With reference to the present position, are the answers to any of the above questions different? *No*
- vii. If so, please give details.

(b) Establishment *See separate submissions for St. Joseph's College, Dumfries, and St. Columba's College, Largs.*

###### Past

- viii. Did the establishment, or those in charge of the establishment, have any separate legal responsibility (separate from the organisation) for children in its care?
  - i. If so, what was the nature of that responsibility?

###### Present

- ii. With reference to the present position, are the answers to any of the above questions different? *No.*
- iii. If so, please give details.

#### 1.5 Ethos

##### (a) Organisation

###### Past

- i. What did the organisation see as its function, ethos and/or mission in terms of the residential care service it provided for children? *The function of the Order was the Christian education and instruction of*

youth. *The Marist Brothers aimed to live a spirit of humility, simplicity and modesty.*<sup>2</sup>

- ii. If the establishment was run by a Catholic religious order, what vows were taken by members of the order and at which point in their training? *Poverty, Chastity and Obedience. These vows were taken after a 2-year novitiate, normally at 18 years of age. All the Brothers who had completed ten years of perpetual profession had the right to be admitted to a vow of stability. Until 1968, this vow was required to be eligible for most posts of responsibility in the Institute.*<sup>3</sup>
- iii. What did the organisation see as the establishment's function, ethos and/or mission in terms of the service that the establishment provided to children accommodated there? *To offer families an essentially Christian education and the advantages of solid instruction.*<sup>4</sup>
- iv. Were there changes over time in terms of what the organisation saw as its function, ethos and/or mission in terms of the residential care service it provided for children? Yes
- v. If so, what were the changes and when and why did they come into effect? *In the light of changes in educational thinking in the 1960s and changes in the Catholic Church and Religious Life as a result of the Second Vatican Council (1962 – 1965) there was an increase in innovation, flexibility and openness and increased collaboration with parents, lay staff and others. These changes are reflected in the Constitutions of the Institute of November 1968.*
- vi. Were there changes over time in terms of what the organisation saw as the establishment's function, ethos and/or mission in terms of the service that the establishment provided to children accommodated there? *See above.*
- vii. If so, what were the changes and when and why did they come into effect? *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. *As above*

(b) Establishment: *See separate submissions for St. Joseph's College, Dumfries, and St. Columba's College, Largs.*

#### Past

- i. What services were provided at the establishment, in terms of care for children?
- ii. Did the establishment care for children of both sexes?
- iii. If the establishment cared for children of one sex only, what was the thinking behind that policy?

<sup>2</sup> Constitutions of the Congregation of Marist Brothers of the Schools, 1923.

<sup>3</sup> As above

<sup>4</sup> Prospectus for St. Joseph's College c 1880.

- iv. Were any special child care, or child protection measures, taken in the light of that policy? If so, please provide details.
- v. What was the daily routine for boys/girls cared for at the establishment?
- vi. What were the on-site activities for children cared for at the establishment?
- vii. What were the off-site activities for them?
- viii. Did children work manually, either at the establishment, or externally (e.g. farming work or other labour), or both?
- ix. If the establishment was run by a Catholic religious order, were any prospective members of the order who were in training permitted to care for children?

#### Present

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

### 1.6 Numbers

#### (a) Organisation

##### Past

- i. How many children did the organisation accommodate at a time and in how many establishments? *3 establishments. Between 300 – 375 children.*
- ii. Please provide details of any material changes in numbers of children, or numbers of establishments, and the reasons for those changes? *1. Hetland House Juniorate closed in 1977. St Columba's College, Largs closed in 1982. In the last year of boarding at St Joseph's College, 1981 – 1982, there were 30 boarding students.*
- iii. How many children in total were accommodated by the organisation? *In the period between 1930 and 1978 there were an average of 350 students accommodated in the three establishments. This number reduced in 1978, with closure of Hetland House, in 1982, with the closure of St. Columba's College, Largs, and in 1981, with the significant reduction in borders at St. Joseph's College, Dumfries, for the reasons given above.*
- iv. What numbers (if any) were placed in foster care by the organisation? *None*
- v. In general terms, was the main service provided by the organisation the provision of residential care for children in establishments, or was it the provision of foster care? *The main service provided by the Marist Brothers in Scotland was primary and secondary education in Catholic state schools. Boarding was an additional provision alongside school leadership, classroom teaching and associated school activities.*

##### Present

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

(b) Establishment: *See separate submissions for St. Joseph's College, Dumfries, and St. Columba's College, Largs.*

#### Past

- i. How many children did the establishment accommodate at a time?
- ii. Did this change, and if so, what were the reasons?
- iii. How many children in total were cared for at the establishment?
- iv. What accommodation was provided for the children?
- v. How many children occupied a bedroom/dormitory/house?

#### Present

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

### 1.7 Children's Background/Experience

#### Past

- i. Did the children admitted to the establishment generally have a shared background and/or shared experiences? *The children mostly came from middle class backgrounds, mostly Catholic. Some were children of military families and some had parents working overseas.*
- ii. Were children admitted into the care of the organisation as a whole, or were they admitted into the care of a particular establishment? *Particular establishment.*
- iii. If children were admitted into the care of the organisation, did the organisation decide which establishment they would be admitted into? *Not applicable*
- iv. Who placed children with the organisation? *The majority of children were placed by their parents; in some cases by other guardians or local authorities.*
- v. From 15 April 1971 (the date on which the Children's Hearing system was introduced), did the organisation/establishment receive children mainly from the Children's Hearing system? *Not applicable.*
- vi. If not, how generally did children come to be admitted into the care of the organisation? *See iv above.*
- vii. Was there a gender or other admission policy or practice operated by the organisation or any establishment run by it? *Yes. The boarding establishments admitted boys only.*

- viii. What was the policy/procedure and practice regarding admission of siblings? *The establishments favoured the admission of siblings.*
- ix. How long did children typically remain in the care of the organisation? *Five to six years*
- x. Were children moved between different establishments run by the organisation? *No. Some parents of children at St Columba's Preparatory College, Largs, chose to place their children in St Joseph's College for their secondary education.*
- xi. If so, in what circumstances? *See above*
- xii. Generally did children typically stay in one, or more than one, establishment? *Generally, in one establishment, although see 1.7.x above.*
- xiii. What provision was made for contact between siblings while siblings were at the establishment? *There was no need to make provision for contact between siblings as they were free to make contact in the course of the school day.*
- xiv. What provision was made for contact between children and their parents and wider family while children were at the establishment? *No restrictions on visits by parents provided advance notice was given to the headmaster. St Joseph's College had an annual weekend of events for parents and family members at Whitsun.*
- xv. What provision was made for information sharing/updates about the children to their parents? *School reports on an annual basis plus informal contact where necessary or appropriate.*
- xvi. What provision was made for information sharing/updates about parents to their children? *This was left to the initiative of parents.*
- xvii. What provision was made for the celebration of children's birthdays, Christmas and other special occasions? *There was no policy. Such celebrations were left to the initiative of the person in charge of boarding.*
- xviii. What was the process for review of children's continued residence at the establishment, in terms of whether they continued to require to be there? *The decision on continued residence was the responsibility of parents. In cases where those in leadership had concerns for the wellbeing of a child there would be contact with parents or carers to decide whether the child should remain in the establishment.*
- xix. When children left the care of the establishment, what was the process for discharge? *No children were discharged. When they had completed their years of education, they moved on to the next stage of their education, employment or training.*
- xx. What support was offered to children when they left the care of the establishment? *Not applicable.*
- xxi. What information was sought by the organisation and/or establishment about what children leaving its care planned to go on to do? *There was a tradition of informal career guidance up to the 1960s when a member of staff was given responsibility for career guidance.*
- xxii. Was such information retained and updated? *No*
- xxiii. What was provided in terms of after-care for children/young people once they left the establishment? *Not applicable.*

## Present

- xxiv. With reference to the present position, are the answers to any of the above questions different? *Not relevant*
- xxv. If so, please give details. *See above*

1.8 Staff Background

## (a) Organisation

## Past

- i. How many people were employed by the organisation who had some responsibility for residential care services for children? *St Columba's College, Largs: 2. Hetland: 4. St Joseph's College: 9.*
- ii. How many people were employed by the organisation at any one time who had some responsibility for residential care services for children? *As above.*
- iii. What experience/qualifications did such staff have? *The majority of boarding staff were qualified teachers. Some had third-level education without teacher-training qualifications. In a limited number of cases individuals solely had their religious formation as Marist Brothers.*
- iv. If the organisation is a religious order, how many members of the order had a responsibility for residential care services for children provided by the organisation in Scotland? *See answer to i. above.*
- v. What experience/qualifications did such members have, to equip them to discharge their responsibilities? *See answer to iii above.*

## Present

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

(b) Establishment: *See separate submissions for St. Joseph's College, Dumfries, and St. Columba's College, Largs.*

## Past

- i. How many persons were employed in some capacity at the establishment?
- ii. How many of those persons had the opportunity of unaccompanied access to a child, or children, cared for at the establishment?
- iii. How many were involved in the provision of care to children accommodated at the establishment (child care workers)?
- iv. What experience and/or qualifications, if any, did the child care workers require to have?
- v. What was the child care worker/child numbers ratio?
- vi. What was the gender balance of the child care workers?

- vii. Was any attempt made to employ child care workers in looking after children of the same sex as those workers?

Present

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

2. Organisational Structure and Oversight

2.1 Governance

Past

- i. What were the governance arrangements within the organisation? *The leader of the Marist Brothers was the Brother Provincial. He governed the Province with the assistance of the Provincial Council which met six or eight times each year. Each local community was led by a Brother Director appointed by the Provincial. Appointments were for three years, renewable, unless under extraordinary circumstances, once. After 1968 Provincial Chapters were elected comprising between 12 and 30 members.*
- ii. How were the members of the governing body selected? *Members of the Provincial Chapter were elected by the Brothers of the Province. Before 1968, Provincial Councillors were appointed by the Superior General; after 1968 they were elected by the members of the Provincial Chapter. Before 1968 Provincials were appointed by the Superior General; after 1968 they continued to be appointed by the Superior General, but after consultation with the Brothers of the Province.*
- iii. What qualifications and/or training, if any, did the members require to have in relation to the provision of residential care services for children? *All members involved in supervising boarders received the minimum of two years religious formation provided by the Institute. The majority had third-level education and, often, professional teaching qualifications.*
- iv. Did the members receive remuneration? *Those involved in supervising boarders at St Columba's Preparatory College, Largs, did not receive financial remuneration. Brothers teaching in St Joseph's College were paid salaries either by the College in line with the regulations of the Scottish Education Department or directly by the Scottish Education Department. Non-teaching Brothers who had responsibility for boarders also received a salary. The salaries were not paid to the Brothers personally, but paid in line with the vow of poverty to the community for the upkeep of the brothers.*
- v. What was the nature of the accountability and oversight regime between the organisation's governing body and the establishment? *The Brother Provincial had overall responsibility for the apostolic works of the Province. At least once a year the Brother Provincial*

*visited each community and residential establishment. The Provincial Council discussed questions of appointments and significant financial expenditure. Up until 1969 the Brother Provincial resided in the property adjacent to St Joseph's College. A member of the General governing body of the Institute, the Brother Assistant General, visited the houses of the Province in a similar manner once every three or four years. The Brother Assistant General would discuss his visit with the Brother Provincial and ultimately report to the Superior General.*

- vi. *What visits were made by the governing body to the establishment? As mentioned above, the Brother Provincial made an annual, canonical visit, as required by the Constitutions of the Marist Brothers. During this visit, he would have interviewed each Brother personally and discussed personal matters and issues related to their work and observance of the Marist rule.*
- vii. *What was the purpose of such visits? The purpose of the visit was to give the Brother Provincial the opportunity to better understand the needs and concerns of individual Brothers. It also provided an opportunity to encourage the Brothers to live their Marist life more faithfully. After 1968 the nature of these interviews changed from one of accountability to one of pastoral support.*
- viii. *How frequently did these happen? At least once a year and sometimes more often.*
- ix. *Were children interviewed, or spoken to, by members of the governing body during such visits? Members of the governing body did not interview pupils at either St Columba's College or St Joseph's College.*
- x. *If so, were establishment staff present while children were interviewed or spoken to? Not applicable to either St Columba's College or St Joseph's College.*
- xi. *Were reports of such visits made and discussed by the governing body? Yes. The Brother Provincial would discuss such visits with members of the Provincial Council.*
- xii. *Did visits result in changes to the organisation's policy, procedure and/or practice? If so, please give examples. It is difficult to give examples of any specific changes in the organisation's policies or procedural practice. Such visits of the Brother Provincial and members of the Provincial Council gave them a better understanding of the educational work and relations between staff and students in each establishment. During the 1960s it is possible to see a relaxation in dress-code, daily timetable and more opportunities for students to make personal choices in St Joseph's College. For example, students at St Joseph's College were allowed to wear their hair longer and attendance by students of St Joseph's College at morning Mass was no longer mandatory.*

#### 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. As above*

## 2.2 Culture

### Past

- i. What was the nature of the culture within the organisation? *The culture that existed in the British Province among the Brothers was one of respectful relations among the Brothers. Hard work, strict adherence to the rule, performance of religious duties and involvement in educational activities were high values. There was great respect and obedience towards Superiors and very little spirit of questioning or challenging of decisions, practices or traditions that had built up over time. There was a strong desire to run successful schools which promoted academic, sport and cultural achievements. After 1968 there was a focus on intellectual and spiritual development, with more emphasis on the spiritual lives of the Brothers. There was openness to new ideas, and appropriate changes of rules and codes of behaviour that were seen to be outdated.*
- ii. Was that culture reflected in the organisation's policies, procedures and/or practice in relation the provision of residential care services for children? *The values that were part of the culture were reflected in the manner of organising the boarding provision in the establishments.*
- iii. How can that be demonstrated? *The history of St Joseph's College, The Blue and Gold<sup>5</sup>, written by Mr Michael G. Taylor, former Head Teacher of the College, demonstrates the high value given to academic and sporting achievements and the interest in cultural events. There are references to the pastoral concern demonstrated by a number of Brothers who were Head Teachers in the College. It also records the developments regarding new buildings and sports facilities. Change which took place in the 1960s and 1970s are also recorded. There were organised sports on Wednesdays, Saturdays and Sunday afternoons. Various Catholic devotional practices were part of all boarding establishments. The Common Rules of the Marist brothers of 1960 have a lengthy chapter entitled Relations with the Pupils. This chapter builds on the attitude to children inherited from Saint Marcellin Champagnat (1789 – 1840), the Founder of the Marist Brothers, which emphasised sound pedagogical methods, an avoidance of harsh or unjust punishments, and clear boundaries between the living areas of the Brothers and those of the students.*
- iv. Did the running of establishments reflect the organisation's culture, policies and procedures? *The Institute's regulations were very clear on how the Brothers were to relate to pupils. For the most part these regulations were faithfully followed.*
- v. If not, please provide a representative range of examples and explain, by reference to those examples, why particular establishments were not, in material ways, run in accordance with the organisation's then culture, policies and procedures and what, if anything, was done to change that state of affairs? *Sadly, there were some Brothers who*

---

<sup>5</sup> Taylor, M. G. (2000). *The Blue and Gold: St. Joseph's College, Dumfries, 1875 – 2000*. Glasgow: John. S. Burns.

*punished more severely than was recommended in our Common Rule. We know of one example where a Brother was removed from a school due to inappropriate punishment not in accordance with our Rule. The Rule stipulated that there should be two Brothers involved in supervision for each of the boys' dormitories (no 443, p 132). It is likely that this was not at times uniformly observed due to lack of numbers of Brothers and financial cost.*

- vi. When and why did any changes in the culture of the organisation come about? *As a result of the Second Vatican Council, Pope Paul VI issued the document Evangelica Testificatio mandating all Religious Orders to hold General Chapters (meetings of Delegates from the entire Institute which meets to elect Congregational leadership and set policies) to examine their regulations and ways of life. The Marist Brothers' General Chapter was held over two sessions 1967 – 1968 and led to a profound revision of the Constitutions, as well as the organisation and life style of the Brothers. These changes can be demonstrated in the documents published at that General Chapter, in particular the Constitutions.*
- vii. Were any changes in culture driven by internal influences, incidents, experiences or events within the organisation, or any of the establishments run by the organisation? *The changes which came about resulted from the reforms of the Second Vatican Council and the Brothers' renewal General Chapter of 1967 – 68.*
- viii. Were there any changes in culture that were driven by abuse, or alleged abuse, of children cared for at the establishment? *We are not aware of any changes in culture or practice driven by abuse of children boarding in the establishments.*
- ix. If so, when did they occur and how did they manifest themselves? *See viii above.*
- x. Were any changes in culture driven by any external influences or factors and if so what were those influences or factors? *During the 1960s there were changes in society and educational thinking which influenced the boarding establishments run by the Marist Brothers. In St Joseph's College there were increasing numbers of lay people among the teaching staff. There were more external visitors, giving students more opportunities for interaction with other people. The value of boarding education, especially at preparatory level, was being questioned in British society.*

#### Present

- xi. With reference to the present position, are the answers to any of the above questions different?
- xii. If so, please give details.
- xiii. To what extent, if any, has abuse or alleged abuse of children cared for at any establishments caused, or contributed to, the adoption of the current policies, procedures and/or practices of the organisation, in relation to the provision of residential care services for children including the safeguarding and child protection arrangements applying to its current establishments?

### 2.3 Leadership

#### Past

- i. How was the establishment managed and led?
- ii. What were the names and qualifications of the persons in charge of the establishment? Please include the dates for when each of the persons was in charge. *See additional papers.*
- iii. What was the oversight and supervision arrangements by senior management within the establishment?
- iv. What were the oversight arrangements by the organisation, including visits by or on behalf of the organisation?

#### Present

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

### 2.4 Structure

#### Past

- i. What was the structure of the organisation? *The Institute of Marist Brothers is led by an elected Superior General who is assisted by members of the General Council. The General Administration is currently based in Rome. The Institute is divided into administrative units known as Provinces or Districts. The number of Provinces has varied over the years. There are currently 27 administrative units (AU). Each AU is led by a Provincial or District Superior who leads the AU with the assistance of between four and eight Councillors. Since 1968, all Brothers in the AU elect a Provincial Chapter once every three years. The Provincial Chapter is responsible for setting policy and priorities for three years and for electing members of the Provincial or District Council. At local level, Brothers live in communities led by a Superior appointed by the Brother Provincial, normally in consultation with members.*
- ii. What was the structure of the establishment?

#### Present

- iii. With reference to the present position, is the answer to the above question different?
- iv. If so, please give details.

### 2.5 Hierarchy and Control

#### Past

- i. What was the hierarchy within the organisation? *See 2.4 I above.*
- ii. What was the structure of responsibility within the organisation? *Community Superiors were responsible for leadership and management at local level. There were specific responsibilities at General and Provincial level. Head Teachers were responsible to the local education authority. The Head Teacher of St Joseph's College was responsible to the College's Board of Governors. The Head Teacher in St Columba's College was directly responsible to the Brother Provincial.*
- iii. What were the lines of accountability? *Lines of responsibility were hierarchical, from local Superior to Provincial Superior to Assistant General then Superior General.*
- iv. Within the organisation, who had senior management/corporate/organisational responsibility for the managers/management teams/leadership teams who managed the establishment on a day-to-day basis? *The Head Teacher of an establishment had senior management responsibility on a day-to-day basis.*
- v. What were the reporting arrangements between the establishment and the organisation? *The Head Teachers were expected to keep the Brother Provincial informed of the school's performance and achievements. He would be expected to inform the Brother Provincial immediately and directly regarding any concerns about the behaviour of a Brother.*
- vi. Within the establishment itself, who had managerial responsibility for, or was in overall charge of, those employed there, including in particular those who were involved in the day-to-day care of children, and any other persons who had contact with the children? *The Head Teacher.*
- vii. To whom were child care workers within the establishment directly responsible? *N/A*
- viii. Who, within the organisation, took decisions on matters of policy, procedure and/or practice in relation to the establishment? *Decisions on matters of policy, procedure and/or practice were the responsibility of the Head Teacher of each establishment.*
- ix. Who, within the organisation, was responsible for the implementation of, and compliance with, the organisation's policies, procedures and/or practices at the establishment? *Normally, the Brother Provincial did not involve himself in internal matters regarding compliance with policy, procedures and/or practices within each establishment. In cases where there was concern regarding lack of implementation of compliance, the Brother Provincial could decide not to re-appoint the Brother, or, in very serious cases, to remove him from office.*

#### Present

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

## 2.6 External Oversight

### Past

- i. What were the arrangements for external oversight of the organisation and the establishment? *Part of the responsibility of members of the General Council was to visit a Province in the same way as the Brother Provincial would visit. Visits from members of the General Council normally took place every three to four years. Regarding St Joseph's College the following information is recorded in the College history for the year 1892: "Dr. T. Morrison, Rector of the Free Church Training College in Glasgow, had been inspecting the school over a number of years . . ." The school was also regularly inspected by HMI Scotland. We are not aware of any external inspection taking place in St Columba's College.*
- ii. Who visited the organisation and/or the establishment in an official or statutory capacity and for what purpose? *See above. The visits from the Rector of the Free Church Training College and HMI were undertaken to ensure that St Joseph's College fulfilled its statutory requirements regarding the education of children and to ensure the welfare of the boarders.*
- iii. How often did this occur? *Annual inspections took place from 1884 until 1954 (and possibly after this date) on an annual basis.*
- iv. What did these visits involve in practice? *We are not aware of the statutory educational practice for inspections at that time.*
- v. What involvement did local authorities have with the organisation and/or the establishment in respect of residential care services for children? *A number of local authorities from different parts of the UK sent children to St Joseph's College for boarding education.*
- vi. What involvement did local authorities have with the organisation and the establishment in respect of the children at the establishment? *We are not aware of any specific involvement by local authorities in boarding establishments. In 1970 St Joseph's College accepted responsibility for the education of all Catholic boys from the area under Dumfries & Galloway local authority. D&G took over responsibility for the College in July 1981.*
- vii. If the establishment was run by a Catholic religious order, what actual involvement and/or responsibility, whether formal or informal, did the Catholic Hierarchy/Bishops' Conference have, either directly or at diocesan level, in the creation, governance, management and/or oversight of the establishment? *A Religious Order is not allowed to operate a Catholic establishment without the written permission of the local Bishop. In 1863 the Holy See approved the Institute of Marist Brothers as an autonomous institute of pontifical right. This means that the local Bishop would not be involved in day-to-day aspects of local governance, management or oversight.*
- viii. What was the nature and extent of any pastoral care provided to the establishment, if it was run by a religious order? *There are descriptions in the history of St Joseph's College of Head Teachers who demonstrated a pastoral attitude towards the students. The*

*nature of the relations with students described in the Common Rule (1960) indicate that a high value was given to kindness and gentleness.*

Present

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

## **Part B – Current Statement**

### **3. Retrospective Acknowledgement/Admission**

#### **3.1 Acknowledgement of Abuse**

- i. Does the organisation/establishment accept that between 1930 and 17 December 2014 some children cared for at the establishment were abused? *Mr Norman Bulloch, a former Marist Brother, pleaded guilty to sexual abuse of students at St. Joseph's College between 1973 and 1976 in the High Court in Kilmarnock in May, 1998. The Marist Brothers also have allegations against brothers and former brothers, from more than one party.*
- ii. What is the organisation/establishment's assessment of the extent and scale of such abuse? *We are aware of 24 allegations from St Joseph's, Dumfries and 6 allegations from St Columba's, Largs, based on contact from the police or the person making the allegation.*
- iii. What is the basis of that assessment? *This assessment is based on the archive of allegations of abuse that we have received since 1990, with whatever records we have of abuse that took place before that date.*

#### **3.2 Acknowledgement of Systemic Failures**

- i. Does the organisation/establishment accept that its systems failed to protect children cared for at the establishment between 1930 and 17 December 2014 from abuse? *There were failures in the checks and balances in the system regarding the care of the boarding students.*
- ii. What is the organisation/establishment's assessment of the extent of such systemic failures? *See 3.1.ii. above.*
- iii. What is the basis of that assessment? *See 3.1.iii. above*
- iv. What is the organisation/establishment's explanation for such failures? *Individual brothers who abused chose to behave in the way that they did, in full knowledge that this was contrary to the policies and aims of the Marist Brothers. It was also unequivocally contrary to the requirements of their vow of chastity. The Marist Brothers acknowledge that there was a failure of supervision, even though the supervision arrangements in place were the accepted standard in use at that time.*

### 3.3 Acknowledgement of Failures/Deficiencies in Response

- i. Does the organisation/establishment accept that there were failures and/or deficiencies in its response to abuse, and allegations of abuse, of children cared for at the establishment between 1930 and 17 December 2014? *Mr Norman Bulloch, a former Marist Brother, pleaded guilty to sexual abuse of students at St. Joseph's College between 1973 and 1976 in the High Court in Kilmarnock in May, 1998. The Marist Brothers also have allegations against brothers and former brothers, from more than one party.*
- ii. What is the organisation/establishment's assessment of the extent of such failures in its response? See 3.1.ii. above.
- iii. What is the basis of that assessment? See 3.1.iii. above
- iv. What is the organisation's explanation for such failures/deficiencies? *Individual brothers who abused chose to behave in the way that they did, in full knowledge that this was contrary to the policies and aims of the Marist Brothers. It was also unequivocally contrary to the requirements of their vow of chastity. The Marist Brothers acknowledge that there was a failure of supervision, even though the supervision arrangement in place were the accepted standard in use at that time.*

### 3.4 Changes

- i. To what extent has the organisation/establishment implemented changes to its policies/procedures and practices as a result of its acknowledgment in relation to 3.1 – 3.3 above? *Brother Charles Howard, an Australian, and Superior General of the Marist Brothers from 1985 – 1993 required all Provinces of the Marist Institute to produce a Child Protection Policy. The Province of Great Britain prepared its first policy in 1992. The Province of Great Britain became part of the Province of West Central Europe in 2000 and, within two years, a draft Child protection Policy had been prepared. In 2010 each brother was given a copy of a circular on Child Protection that was written by Brother Seán Sammon, Ph.D., a clinical psychologist, who was Superior General between 2001 – 2009. The Marist Brothers in Scotland currently accept and work within the guidelines of the Scottish Catholic Church. All brothers in Scotland have been made aware of the Safeguarding Policy and were given training in procedures to be followed if they became aware of an allegation of abuse. They were also shown a copy of the McLellan report which was left in their community for the Brothers to read.*