

## APPENDIX

**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 foundation in Scotland was made 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?:  
*The provision of boarding school education was an element of the educational work of the Marist Brothers in Scotland.*
- iii. When and how did the organisation become involved in the provision of residential care (including foster care) for children in Scotland? :  
*Since their arrival in Scotland the Marist Brothers had concentrated on the provision of primary and secondary day education in inner cities. A number of English-speaking pupils were being educated at the Brothers' boarding school in Beaucamps, France and it was felt that provision should be made for their education in Great Britain. Additionally, there was some demand from French parents for an English-language education for their children.*
- 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. The Marist Brothers who ran St. Columba's College in Largs, were mostly experienced and qualified teachers, many of whom were retired.*
- 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: 1888 – 1978  
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 from the Dumfries and Galloway Region since 1970 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 due to a lack of manpower to staff the school.*

*The Juniorate closed in 1978 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, the boarding 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 the laws of the Roman Catholic Church ("Canon Law") the Institute of Marist Brothers is an "exempt" Religious Congregation – i.e. it is not subject to the bishop 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 close collaboration with 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 only to Scottish laws 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 establishments in Scotland.*

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

#### 1.2 Funding of Establishment

##### Past

- i. How were the establishment's operations and activities, so far as relating to the provision of residential care for children, funded? *Funding of St. Columba's College was by fees, and fund raising by staff and parents. The province also provided some financial support.*
- ii. Was the funding adequate to properly care for the children? *Financial shortfalls were made up by the Marist Brothers. The children lived in small dormitories, and received good or adequate food. There were also educational activities and opportunities for pastoral care.*
- iii. If not, why not?
- iv. What state support did it receive? *St. Columba's College did not receive any state support.*

##### Present

- v. If the establishment continues to provide residential care for children, how is that funded? *Not applicable.*
- vi. What state support does it receive? *Not applicable.*

#### 1.3 Legal Status

##### (b) Establishment

##### Past

- i. Did the establishment have a special legal, statutory or other status? *No.*
- ii. If not, how was the establishment described? *It was a private school for boys.*

- 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? *The parents or guardians of the children contracted with the Marist Brothers to provide boarding school services.*
- 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. *Other than those applicable under the law of Scotland there were no specific regulations known to the Marist Brothers.*
- v. Did the establishment have a legal duty of care to each child in its care? *The Marist Brothers were **in loco parentis**.*

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. *Not applicable*

#### 1.4 Legal Responsibility

##### (b) Establishment

Past

- i. Did the establishment, or those in charge of the establishment, have any separate legal responsibility (separate from the organisation) for children in its care? *No.*
- ii. If so, what was the nature of that responsibility? *Not applicable.*

Present

- iii. With reference to the present position, are the answers to any of the above questions different? *Not applicable.*
- iv. If so, please give details. *No applicable.*

#### 1.5 Ethos

##### (b) Establishment

Past

- i. What services were provided at the establishment, in terms of care for children? *The children received the appropriate education (teaching) required by law. They also received full boarding services, including accommodation, food, sports, activities. They also received spiritual and pastoral support with opportunities to fulfil the requirements of the Catholic faith.*

- ii. Did the establishment care for children of both sexes? *St Columba's college was a single – sex school for boys until 1982. Girls were never accepted as boarding or day students.*
- iii. If the establishment cared for children of one sex only, what was the thinking behind that policy? *Up until comparatively recently The Canon Law of the Catholic Church only allowed members of religious orders to teach children in mixed schools up to the age of seven. Single sex education was also the practice in society at that time, particularly in boarding establishments.*
- iv. Were any special child care, or child protection measures, taken in the light of that policy? If so, please provide details. *St. Columba's College did not have a Safeguarding or Child Protection Policy. However, the Common Rule of the Marist Brothers (1960) stipulates a number of practices that constitute good child protection practice, for example (421), pupils were not allowed "to enter those parts of the house reserved for the community." "The brothers must not take the pupils as companions when they are travelling, or out walking, or visiting." (437). "We do well to try and establish an atmosphere of home and the family in our boarding schools without, of course, disregarding the rules of common prudence that safeguard virtue." (440). "Supervision, without being anxious or uneasy, should continue all the time. Rooms where it cannot be exercised should be considered out of bounds, or, if necessary, locked." (442). "Supervision should be more exact and careful in the dormitories and during the walks. For this purpose there will be two brothers for each of the boys' dormitories and at least as many for each school group out for the walks." (443). "The brothers must never give lessons in their pupils' homes, nor will they allow the pupils to remain for study after school hours or for tutorial classes except with the permission of Brother Provincial." (462).*
- v. What was the daily routine for boys cared for at the establishment?

*The rising time varied over the years. Classes took place from Monday until Friday. There were sporting and other activities on Saturdays and Sundays. The majority of children went home during the weekend.*

#### *Daily Routine*

*Rising  
Breakfast  
9.00 a.m. School  
Lunch  
Recreation (enough time for games)  
School classes  
Evening Meal  
Recreation  
Dormitory*

- vi. What were the on-site activities for children cared for at the establishment? *There were a range of activities held on site:*

- *School classes*
  - *Games (football)*
  - *Indoor leisure activities*
- vii. What were the off-site activities for them? *Supervised walks along the coast or into town.*
- viii. Did children work manually, either at the establishment, or externally (e.g. farming work or other labour), or both? *No.*
- 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? *Members in training were permitted to care for children at different times. This was normally done before they completed their university training or to provide opportunities for apostolic work related to the work of the order.*

Present

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

1.6 Numbers

(b) Establishment

Past

- i. How many children did the establishment accommodate at a time? *There were never more than thirty - six boarding students at St. Columba's College in Largs. (The Brothers aimed to enroll sufficient students to "provide companionship, while ensuring individual attention and home-like conditions." (St. Joseph's College, Annual, 1939, p. 7.).*
- ii. Did this change, and if so, what were the reasons? *St. Columba's College, Largs, closed in June 1982.*
- iii. How many children in total were cared for at the establishment? *The organisation cared for an average of 20 - 36 students per year in the period under review.*
- iv. What accommodation was provided for the children? *The children were accommodated in three shared dormitories*
- v. How many children occupied a bedroom/dormitory/house? *It is not clear how accommodation was arranged when there were 36 boarding students. In the 1970s there were two large dormitories which accommodated up to 8 children and one smaller dormitory which accommodated four children.*

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. *Not applicable.*



## 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. Most children were Scottish, and from the local area (Glasgow, Ayrshire).*
- 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 children were placed by their parents; and possibly grandparents.*
- 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? *No*
- 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. St. Columba's College 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 (or less).*
- 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 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. St Columba's College had an annual weekend of events for parents and family members during the month of June. Parents also met members of staff when they came to the College to bring their children home for the weekend or back to the College on Sunday evenings.*

- 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? *Children's birthdays were celebrated by the provision of special treats.*
- 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.*
- xx. What support was offered to children when they left the care of the establishment? *Students returned to the care of their families when they left the school.*
- xxi. What information was sought by the organisation and/or establishment about what children leaving its care planned to go on to do? *Not applicable.*
- 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? *No need to create systems of after-care since children returned to their families.*

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

### (b) Establishment

Past

- i. How many persons were employed in some capacity at the establishment? *Approximately 4 – 6 brothers, and three lay staff.*
- ii. How many of those persons had the opportunity of unaccompanied access to a child, or children, cared for at the establishment? *All members of staff had the opportunity of unaccompanied access to children.*



- iii. How many were involved in the provision of care to children accommodated at the establishment (child care workers)? *None.*
- iv. What experience and/or qualifications, if any, did the child care workers require to have? *See above.*
- v. What was the child care worker/child numbers ratio? *See above.*
- vi. What was the gender balance of the child care workers? *Not applicable.*
- vii. Was any attempt made to employ child care workers in looking after children of the same sex as those workers? *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.*

## 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 the provision of residential care services 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 the provision of residential care services at St Columba's Preparatory College, Largs, did not receive financial remuneration. Brothers teaching in St Joseph's College were paid salaries by the College in line with the regulations of 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 to the community and were returned to the College as part of the Province support for the College.*

- 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 would discuss his visit with the Brother Provincial.*
- 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 (See section on Marist Brothers: organisation.)

### 2.3 Leadership

Past

- i. How was the establishment managed and led? *The Head Teacher was in charge of the running of the school. He was assisted by other brothers.*
- 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? *The school was run by the Head teacher who was also normally the Director of the community.*
- iv. What were the oversight arrangements by the organisation, including visits by or on behalf of the organisation? *See section 2.1. Governance.*

Present

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

### 2.4 Structure

### 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. 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? *Unknown.*
- iii. How often did this occur? *We do not have records indicating when any inspections took place.*
- iv. What did these visits involve in practice? *Unknown.*
- v. What involvement did local authorities have with the organisation and/or the establishment in respect of residential care services for children? *The local authority had no direct responsibility for care of children in St. Columba's College.*
- vi. What involvement did local authorities have with the organisation and the establishment in respect of the children at the establishment? *None.*
- 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 was a tradition of pastoral care and support which was appropriate to the age level of the children. The nature of the relations with students described in the Common Rule 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? *Not applicable.*
- x. If so, please give details. *Not applicable.*

### **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? *The Marist Brothers have received allegations of abuse against brothers and former brothers, sometimes 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 six allegations 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.*

### 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 answer 3.1.ii above.
- 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.*
- 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 arrangement 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? *The Marist Brothers have received allegations of abuse against brothers and former brothers, sometimes from more than one party.*
- ii. What is the organisation/establishment's assessment of the extent of such failures in its response? See answer 3.1.ii above.
- iii. What is the basis of that assessment? *This assessment is based on the information available in the Marist Safeguarding Archive which is held in Glasgow.*
- 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? *The British Province of*

*the Marist Brothers wrote and implemented its first Safeguarding policy in 1992. A copy of this policy was lodged in the Archives of the General Administration in Rome. This policy was updated in 2002. The Marist Brothers in Scotland have adopted the current safeguarding policies of the Catholic Church in Scotland.*