

1 Wednesday, 11 March 2020

2 (8.00 am)

3 LADY SMITH: Good morning and thank you to everybody who's
4 come along early today for the next witness.

5 Ms MacLeod, I think we have the next witness on the
6 video link.

7 MS MACLEOD: Good morning, my Lady, yes, we do. The next
8 witness is Philippa White and she's joining us by video
9 link.

10 LADY SMITH: Thank you.

11 Philippa, is it all right if I call you Philippa?

12 THE WITNESS: Yes, it is, Lady Smith.

13 LADY SMITH: Let me introduce myself: I'm Lady Smith and
14 I chair the Scottish Child Abuse Inquiry here in
15 Edinburgh. Thank you very much for joining us over the
16 link this morning.

17 Could I begin, please, by putting you on oath?

18 DR PHILIPPA ANNE REYNOLDS WHITE (affirmed) (via video link)

19 LADY SMITH: Philippa, just before I hand you back to
20 Ms MacLeod, can I just assure you, it really matters to
21 us that the link is working for you, so if there's
22 anything at all that you're not comfortable with or
23 you're anxious about, please let us know, would you?

24 A. I will do.

25 LADY SMITH: One other thing: if you are still giving

1 evidence at 9 o'clock our time, just about an hour from
2 now, this building's regular fire alarm test takes place
3 then, so please don't worry if a bell goes off. We'll
4 just pause until it finishes, because it's quite loud,
5 but it's nothing you've done. All right?

6 Questions from MS MacLEOD

7 MS MACLEOD: Good afternoon, Philippa.

8 A. Good afternoon, Ms MacLeod.

9 Q. Are you Dr Philippa Anne Reynolds White?

10 A. I am.

11 Q. Were you born on [REDACTED] 1959?

12 A. I was.

13 Q. And are you now 60 years old?

14 A. I am.

15 Q. You've provided two documents to the inquiry, Philippa,
16 and I'll just give the references for those now. The
17 first one is a CV, which is at TUA-1, and the second is
18 a report which is at TUA.001.001.0072.

19 We'll come on to look at the report in a little
20 while.

21 First of all, Philippa, I just want to ask you a bit
22 about your own background and your qualifications.
23 I think you hold a Bachelor of Arts from
24 Curtin University and you obtained that in 1995; is that
25 right?

1 A. That's correct.

2 Q. And do you also have a Bachelor of Social work from the
3 University of Western Australia, awarded in 2001?

4 A. That's correct.

5 Q. Were you in 2008 awarded Doctor of Philosophy in social
6 work and social policy at the University of
7 Western Australia?

8 A. I was.

9 Q. Your background, career wise, I think is in social work;
10 is that correct?

11 A. It is, yes.

12 Q. You've provided the inquiry with some information about
13 your work history prior to your current position at
14 Tuart Place. You tell us that in 2005 you were a social
15 worker with the Christian Brothers Ex-residents and
16 Student Services in Subiaco?

17 A. That's correct.

18 Q. Is that organisation known as CBERS?

19 A. Yes.

20 Q. Was that a role in which you provided a range of support
21 services to ex-residents of Catholic homes and
22 orphanages in Western Australia?

23 A. Yes, it was. It was basically a counselling and
24 advocacy service.

25 Q. From there, did you move to be the coordinator of an

1 organisation known as CBERS Consultancy in Fremantle?

2 A. That's correct.

3 Q. And were you in that role from 2006 to 2010?

4 A. That's right.

5 Q. Could you just provide some information as to what that
6 role entailed and how it differed to your original role
7 with CBERS?

8 A. That particular role was very much the same: it was
9 counselling, advocacy and support with historic abuse
10 complaints for people who'd been in Catholic
11 institutions in Western Australia.

12 Q. And I think in particular, were you dealing with former
13 residents of orphanages which had been operated by the
14 Christian Brothers, the Sisters of Mercy and the Sisters
15 of Nazareth?

16 A. That's correct.

17 Q. From there, I think you moved in 2009 to a post where
18 you were the manager of CBERS Redress Service in
19 Fremantle.

20 A. That's correct. The redress service, the redress
21 scheme, was introduced -- it was a state government
22 scheme addressing abuse and neglect of people in
23 Western Australia homes.

24 Q. And from there I think you have been, since 2010,
25 a director at Tuart Place?

1 A. Yes, in 2010 I joined with the group of mainly former
2 child migrants to form a resource service, which was
3 formally incorporated and commenced in 2012, and that's
4 Tuart Place as we currently know it.

5 Q. So were you involved then in the establishment of
6 Tuart Place?

7 A. Yes.

8 Q. I think you tell us that that was in collaboration with
9 Forgotten Australians Coming Together, which is known as
10 FACT.

11 A. Yes.

12 Q. Could you explain to me what that organisation, FACT,
13 is?

14 A. Okay. FACT was started by a former child migrant called
15 [REDACTED] who had a dream of providing
16 a resource service and drop-in centre for anyone who'd
17 been out of home care. I met with [REDACTED] and his group
18 from 2010 onwards and discussed the idea of formally
19 incorporating and getting state government funding for
20 a service which then became known as Tuart Place.

21 So FACT is now the entity that governs Tuart Place,
22 it's the board of governors, and half of that board are
23 people with lived experience of out-of-home care and the
24 other people are selected for expertise in areas like
25 law and accounting and service management. So they

1 currently govern Tuart Place.

2 Q. How would you describe Tuart Place, what it is and what
3 services it offers to users?

4 A. Tuart Place is what we call a "no wrong door" resource
5 service for care leavers. So that's former
6 child migrants from the UK, Malta, that's Australian
7 born non-Aboriginal people who are in any type of
8 out-of-home care, and also members of our stolen
9 generations, so Aboriginal people and their descendants
10 who were placed in missions in Western Australia.

11 Tuart Place provides free services to any care
12 leavers and those services are in two parts. One part
13 is counselling, therapeutic support groups, family
14 tracing, assistance with to access records, support with
15 abuse complaints. We have a computer lab where people
16 can access help from volunteers to enhance their
17 computer skills. We have a range of visiting health and
18 legal services and also assist people to access
19 mainstream services. So they're the professional and
20 clinical services offered by Tuart Place.

21 The other half is peer-led services, so they're
22 services organised by care leavers for the purpose of
23 breaking down social isolation that's so common among
24 older care leavers. So those activities involve social
25 connection, reunions and also opportunities for

1 developing public speaking skills and, for some,
2 opportunities to be in leadership roles like on the
3 board. So they're the two parts of Tuart Place.

4 Q. What is your own role as director?

5 A. As director, I'm responsible for overseeing the
6 day-to-day operations of the service and I have six
7 staff who carry out that range of services I described
8 before.

9 They also oversee a team of volunteers who help with
10 IT and the general operation of the services, things
11 like family tracing. Also we have quite a strong focus
12 on systemic advocacy and are quite active in preparing
13 submissions and reports such as the one I prepared for
14 your inquiry.

15 We've developed that response in recognition that
16 quite often the redress processes we end up with aren't
17 all that helpful to survivors, so it's sort of -- it's
18 developed in response to the problematic redress we've
19 had here in Western Australia.

20 Q. Focusing now on child migrants, former child migrants,
21 Philippa, what's Tuart Place's role in relation to
22 child migrants and how has that evolved over time?

23 A. We have a large proportion of child migrants among our
24 client group; it's currently at about 35%.
25 Child migrants are eligible for the same services as any

1 other care leaver. As it's transpired, we've been
2 involved in assisting former child migrants to access
3 international inquiries such as the Northern Ireland
4 inquiry or to give evidence to the IICSA inquiry, and
5 of course the Scottish inquiry. So that's the
6 difference in the services that former child migrants
7 receive from Tuart Place.

8 Q. In terms of numbers of child migrants, am I right in
9 saying that of the 1,305 clients receiving direct
10 clinical services from Tuart Place, that 460 of those
11 are child migrants?

12 A. That's correct.

13 Q. And I think those figures relate to the last 6 years?

14 A. That's correct.

15 Q. Is it correct that the fairly high proportion there of
16 child migrants is in part due to the continuation of
17 client activity from the forerunner services that you've
18 been telling me about today?

19 A. That's correct, yes. Western Australia received far
20 more post-war child migrants than any other state in
21 Australia. The vast majority, something between 70% and
22 80% were sent to Western Australia. So we've got
23 a large proportion of child migrants anyway. But it's
24 correct to say that our particularly large cohort of
25 child migrants is a carry-through from the early

1 services because CBERS itself was set up in response to
2 the recognition of the horrific abuse in
3 Christian Brothers institutions in WA, and many of the
4 victims of that abuse were child migrants. So that's
5 the reason why there was such a large proportion in the
6 former service.

7 Q. And in terms of the transition of those people you deal
8 with, including child migrants, how has that worked from
9 the forerunner services? Have people just naturally
10 progressed through to Tuart Place or how has that
11 happened?

12 A. Yes. People have just continued to access. What many
13 people probably don't even realise is a different
14 service, because it's been in the same location since
15 2006 or 2007. So it's been in the same place for a long
16 time and the same clientele has continued to come here.

17 Q. In terms of files that are held for child migrants in
18 particular, are these files which would have come
19 through from each of these services?

20 A. They are, yes. They're files that were held, that have
21 been extremely useful to people. Child migrants in
22 particular have suffered greatly from the destruction of
23 documents and loss of personal identity and records. So
24 particularly as new things have been introduced like the
25 Redress WA scheme, then the Royal Commission, now the

1 Australian National Redress Scheme and the international
2 inquiries, it has been a great asset to people to be
3 able to come and access records that have been held,
4 some for 20 years.

5 Q. And is that a service that Tuart Place provides? Do you
6 hold on to records for people including child migrants?

7 A. We hold on to records that were developed by any agency
8 that we've operated. We don't hold any past provider
9 records or external government records. We assist
10 people to access those records, but we don't -- we're
11 not an archive ourselves.

12 Q. So Tuart Place would hold records, for example, from
13 CBERS Consultancy and the CBERS Redress Service?

14 A. That's correct, yes. Those files have been kept under
15 the same conditions as they were from the original
16 service, which was an independent model that received
17 funding from past provider agencies, both government and
18 non-government, but always held in strict confidence and
19 with very clear privacy guidelines, that information
20 provided to us by clients would never be disclosed to
21 a past provider or any other entity without the client's
22 express consent.

23 Q. But it gives the former child migrant the ability to
24 access those files, should they wish to?

25 A. That's correct, yes.

1 Q. Moving on now, Philippa, to Tuart Place's role
2 in relation to this inquiry, the Scottish Child Abuse
3 Inquiry, could you give me a feel for what involvement
4 Tuart Place has had with the inquiry to date?

5 A. Yes. We've been very keen to support the work of the
6 inquiry and make sure that as many Scottish former
7 child migrants have known about it as possible so that
8 they can take part if they choose to. When the inquiry
9 was announced, we publicised it through our newsletter,
10 which has quite a large distribution, and through word
11 of mouth and also, in some cases, by a phone call.

12 Later on, we hosted meetings here at Tuart Place
13 between inquiry staff who came to Australia and former
14 child migrants wishing to give evidence. Other
15 child migrants we supported through video link when they
16 gave evidence to the inquiry. There was the report that
17 we prepared at the request of the inquiry, which was in
18 September last year.

19 We've also been assisting people to access the
20 Future Pathways programme and the advance payment
21 redress scheme, which I realise is separate to the
22 inquiry, but there's been a flow-through effect with
23 that for Scottish child migrants. And throughout the
24 process we've continued to provide counselling and
25 psychosocial support to Scottish child migrants.

1 Q. Thank you for that.

2 Turning now to the report that was prepared.

3 I think that's dated, as you've just mentioned,
4 September 2019. I'll just give the reference of that
5 again for the transcript here. It's at
6 TUA.001.001.0072.

7 Is this a report that you prepared yourself,
8 Philippa?

9 A. It is.

10 Q. I think we will see the title of the report is:

11 "Impacts and outcomes of child migration experienced
12 by Scottish child migrants sent to Australia: a report
13 by Tuart Place."

14 Could I just ask you, first of all, what's the
15 purpose of the report?

16 A. I was asked by the inquiry to prepare a report. I had
17 written a similar report for the Northern Ireland
18 Historic Institutional Abuse Inquiry, and the purpose of
19 the report was to convey to the Scottish inquiry the
20 background of the experience of child migration and the
21 implications and outcomes for child migrants who were
22 sent here.

23 Q. I think you tell us at the beginning of the report that
24 the information was gathered from a series of reports
25 and publications that you're familiar with, but also

1 from individual observations by former child migrants
2 who you're in contact with.

3 A. That's right.

4 Q. We have the report, Philippa, and I don't intend to go
5 through everything that you've laid out for us; it's
6 a very helpful report, but I will pick out some points
7 and have a discussion about those with you.

8 I think the first part of the report deals with the
9 legislative basis for child migration and you start by
10 setting out that:

11 "The legislative basis for child migration was
12 provided by the Empire Settlement Act 1922."

13 And you go on to say that:

14 "The British Government, in partnership with the
15 Australian Government, entered into agreements with the
16 sending agencies."

17 In relation to Scotland in particular, you note:

18 "Sending agencies such as the Sisters of Nazareth
19 and the Church of Scotland were responsible for the
20 administration of the schemes."

21 Is that something that you've taken from reports or
22 something that you've learned from child migrants that
23 you're in touch with?

24 A. That is from reports. The report that is drawn from is
25 from the Senate Community Affairs References Committee's

1 "Lost Innocents" report on child migration.

2 Q. And I think you tell us in relation to the senate report
3 that it stated that the British Government effectively
4 outsourced the task of child migration to the charities
5 and religious organisations.

6 A. Yes, that was the findings of that committee.

7 Q. In terms of statistical data, you give us some
8 information about numbers of children that were
9 migrated, and I think you tell us that those statistics
10 can be inconsistent from source to source and vary
11 greatly. Is that something that you understand to be
12 the case?

13 A. Yes. It's been almost impossible to find data that can
14 be said to be true over another source because there's
15 such a wide variation in authoritative sources.

16 Q. You give us two examples in your report, Philippa. You
17 say that:

18 "The 1998 UK Select Committee on Health was told
19 that between 7,000 and 10,000 child migrants were sent
20 to Australia between the years 1947 and 1967, whereas in
21 2001 the Australian Senate inquiry found that only 3,170
22 children were sent from the UK to Australia under child
23 migration schemes during that period."

24 So we see quite a substantial difference there
25 between those figures?

1 A. Yes, a considerable difference.

2 Q. In terms of the Australian Child Migrant Project -- and
3 I think that was between 2001 and 2005 -- you note that
4 the final report there focused on 1,109 Catholic
5 children being sent from the UK to Australia between
6 1938 and 1956. I think you go on to give us some more
7 information about that figure in relation to the child
8 migrants that Tuart Place deals with directly.

9 In particular, I think you say that you know that at
10 least 96 of those children came from Scotland, with the
11 great majority being sent from Nazareth Houses. Is that
12 something that you've learned directly from
13 child migrants?

14 A. No, that comes from Joan Kerry's research and does only
15 include Catholic child migrants. Joan Kerry's research
16 was focused on Catholic children.

17 Q. Yes, and we know of course that some children were sent
18 by other institutions such as the Church of Scotland.

19 A. That's correct.

20 Q. In terms of the numbers that Tuart Place has been in
21 touch with, I think you note that a total of 52 of the
22 96 child migrants sent from Scotland have had direct
23 contact with Tuart Place or its forerunner services.

24 A. That's right.

25 Q. So do I take from that that the total of child migrants

1 from Scotland who Tuart Place have been in contact with
2 is 52?

3 A. That's right, and that's over the last 20 years, so it
4 includes the forerunner services as well.

5 Q. I think you tell us also, Philippa, that of those 21 of
6 those 52 are known to have died in the last 20 years.

7 A. Yes, that's correct. Actually, the number is slightly
8 larger than 52. One of our staff calculated recently
9 how many Scottish child migrants we had informed about
10 the advance payment scheme and that number was --
11 33 Scottish child migrants had been contacted directly.
12 So there were 33 living former child migrants from
13 Scotland that we are currently in contact with.

14 Q. Does that mean that the original number of 52 was maybe
15 slightly higher than 52?

16 A. That's right, yes.

17 Q. Another thing you tell us is that of that number of 52,
18 only seven are women.

19 A. That's right, yes.

20 Q. You give some details about the ages of the Scottish
21 child migrants you've been in touch with. I think you
22 tell us the youngest Scottish former child migrant known
23 to Tuart Place is 73.

24 A. That's right.

25 Q. You also tell us that:

1 "Six children, all boys, were sent to Australia
2 before the Second World War and that only one of those
3 men is still alive, aged 91."

4 A. That's correct.

5 Q. You provide a table for the inquiry, Philippa, on page 3
6 of your report, setting out the years of arrival and the
7 number of those children who arrived in each of those
8 years. Do you also provide a table relating to the ages
9 of the children, their ages when they arrived?

10 A. Yes, that's correct.

11 Q. You go in your report to look at the motivations
12 underpinning child migration and you provide some
13 observations in relation to that. I think you tell us
14 that the motivations were mixed but that you're able to
15 focus on a number of things. Could you just summarise
16 for me your understanding of the motivation for child
17 migration to Australia?

18 A. Yes. So again, this is drawn from reports and findings
19 of the Senate inquiry, but what those entities found
20 is that there was a genuine philanthropic desire to get
21 children out of pretty dire post-war circumstances,
22 certainly for the post-war child migrants, and to get
23 them to a better life in Australia and other countries.

24 There was certainly an economic benefit for those
25 responsible for sending children and also Australia had

1 a policy, had a White Australia policy, where they
2 wanted good white stock, basically, and so the child
3 migration schemes had an underpinning of that as well.

4 So I think it's very fair to say that there were
5 definitely mixed motives.

6 Q. You go on to look at a number of reports, the
7 Curtis Report, the Moss Report, and the Ross Report.
8 I'll just look at these with you briefly, Philippa.

9 First of all, you deal with the Curtis Report and
10 you explain that:

11 "In 1945 the United Kingdom Government appointed the
12 Care of Children Committee, known as the Curtis
13 Committee, to report on the care of children."

14 In particular, you tell us that:

15 "The committee identified the conventional natural
16 family as the unit most conducive to the well-being of
17 children and they placed emphasis on the psychological
18 and not just the physical needs of children. In its
19 conclusions, that committee emphasised that those
20 looking after children in care, eg local authorities,
21 voluntary societies, should attempt to replicate the
22 natural family as much as possible."

23 And I think in relation to the emigration of
24 children, you note that:

25 "The committee concluded that [that] should remain

1 open to those with an unfortunate background and who
2 express a desire for it."

3 But you clarify the important caveat to that, namely
4 that:

5 "The treatment of children sent overseas should not
6 be less satisfactory than the care which they should
7 receive in the United Kingdom."

8 A. That's correct, yes. So it was clear that they wanted
9 children to go to a better life and that they felt that
10 only children who were from very disadvantaged
11 backgrounds should be sent to Australia.

12 But I think, even at that time, it was not envisaged
13 that those children would be sent to barracks-like
14 single-sex institutions, that they would be sent to
15 family homes and have the opportunity for adoption into
16 ordinary family life.

17 Q. And we've just seen there was that important caveat
18 about how the children should be treated once migrated.

19 A. Yes, the care shouldn't be worse than the care they
20 would receive in the UK, that they should be coming to
21 a better life.

22 Q. You then tell us about the Moss Report in 1953, which
23 followed on from a visit to Australia by John Moss in
24 1951 and 1952. I think what you tell us is that
25 in relation to assessing some institutions that Moss was

1 critical of their accommodation and facilities and of
2 their isolation and expressed concern about single-sex
3 establishments and also focused on the lack of trained
4 staff.

5 A. Yes, that's right. He discovered quite some
6 inadequacies with the conditions in which children were
7 housed in Australia.

8 Q. And do you also go on to tell us about the Ross Report
9 from 1956 and that that also criticised the nature of
10 institutional care in Australia?

11 A. That's right, and the lack of education and employment
12 opportunities for children and, again, the fact that
13 children were housed in large orphanages without the
14 opportunity to mix with siblings and have a normal
15 family dynamic.

16 Q. I think in conclusion to that section, Philippa, you
17 tell us that the findings of the Curtis Committee and
18 the Moss and Ross Reports were not in line with the
19 standards, were not in agreement with the standards and
20 arrangements for the care, the institutional care, of
21 child migrants sent to Australia in the 1940s and 1950s.

22 A. Yes, that's right. It was very clear that it wasn't
23 acceptable, that the standard of care here and in homes
24 in general was not acceptable.

25 Q. You make the point on page 5 that despite the

1 UK Government's acceptance of the Curtis Report
2 recommendations in March 1947, you tell us that child
3 migration to Australia continued until 1965.

4 A. Yes. I think that's quite damning to discover that,
5 that the practice went on for a long time, for 2 decades
6 after it was known that the standard of care here was
7 unacceptable.

8 Q. And indeed, you note that children were sent to
9 conditions that constituted the opposite of the best
10 practice model specified in the 1945
11 Curtis Committee Report.

12 A. That's right, yes.

13 Q. Moving on to the second part of your report halfway down
14 on page 5, you outline for us information about the
15 treatment of child migrants in Australia and you begin
16 by telling us that history has revealed that a large
17 proportion of child migrants were not well cared for.

18 A. Yes. There's been a series of inquiries that have
19 uncovered horrific abuse and neglect, in every possible
20 form, of children who were -- of child migrants who were
21 sent to institutions in Western Australia primarily.

22 Q. Do you draw here, Philippa, on the Western Australia
23 Select Committee's investigation in 1996 and
24 Dr Barry Coldrey's work, who is a Christian Brother and
25 historian, and also the 1998 UK House of Commons Select

1 Committee report?

2 A. Yes, both those publications were very clear and
3 unequivocal in their findings of a range of abuses and
4 harms experienced by children.

5 Q. And over the page, Philippa, you set out for us the
6 types of abuse that were experienced by child migrants.
7 You say that:

8 "In addition to the more well-known forms of abuse
9 that are mentioned in the Senate inquiry, [you] found
10 the following forms of abuse were also widespread."

11 Could you just run through that list for us, please?

12 A. Yes. That's a particularly poignant list, I think, and
13 the findings of the Lost Innocents inquiry are certainly
14 consistent with what we've been told by child migrants
15 personally and that is that -- and the Lost Innocents
16 report summarises it really well. It talks about
17 depersonalisation, where former child migrants made
18 reference to being totally depersonalised in their
19 childhood with no personal possessions.

20 Psychological abuse and cruelty. Punishment for
21 bed-wetting. Public humiliation. Isolating children.

22 Work practices. There were children who were put to
23 work in many instances instead of being sent to school,
24 so they were in charge or were assisting with the
25 construction of many of the larger homes that were

1 built, orphanages and institutions, and from a young
2 age. All children in orphanages had to work hard and
3 some were also denied an education.

4 The lack of education has been something that's been
5 particularly devastating for many child migrants and
6 other care leavers in terms of the impact on self-esteem
7 and opportunities in life.

8 Food and clothing was inadequate. Children were
9 inappropriately clothed, people talk both about feeling
10 cold a lot of the time -- and people don't think of
11 Australia as a cold place, but it is in winter -- and
12 children were often not given underwear or a jumper or
13 shoes to wear.

14 The absence of shoes seems to have been particularly
15 upsetting for UK child migrants because the social
16 stigma, I think, of not wearing shoes had a different
17 meaning for people in the UK, whereas here children
18 would kind of run around barefoot and it didn't mean
19 very much. But a lot of child migrants talk about being
20 very upset about not having shoes to wear. Of course,
21 when children are put to work on building sites, shoes
22 are an essential item. So people talk about the stone
23 bruises and injuries they incurred on their feet.

24 And aftercare appears to have been lacking in many
25 every case. Children weren't prepared for the

1 experience of leaving care. They went from being in
2 a large institution where they were surrounded by
3 a bunch of other children in a sort of noisy, close
4 environment, and while that might have also been abusive
5 and harsh, many describe leaving care as the worst time
6 of all because suddenly they were on their own and that
7 was very disorientating and isolating for children to be
8 sent out to a range of different settings, some a lot
9 worse than others, where they were suddenly alone and
10 they hadn't been prepared for that. They didn't know
11 how to use a public phone or open a bank account or
12 catch a bus, you know, the things that we take for
13 granted and that our parents (inaudible: distorted).

14 Q. You go on from there, Philippa, to comment on the
15 outcomes for child migrants and you tell us that:

16 "A series of investigations and reports published
17 over the last 30 years identify a range of negative
18 outcomes for people sent to Australia on the child
19 migration schemes."

20 I think you note that that -- you feel that that is
21 a sequelae of the abuse and neglect suffered by many
22 child migrants.

23 A. Yes, and that's fairly well-accepted in the literature
24 now that the early harsh treatment led to people leading
25 lives of disadvantage.

1 Q. Something you identify as one of the key problems
2 encountered by child migrants, I think, is the lack of
3 adequate documentation and personal records that they're
4 able to access.

5 A. Yes, that's been a particular problem for child migrants
6 in that a lot of documentation was destroyed. There
7 wasn't a lot to start off with, children were sent out
8 certainly without a passport. There were only two
9 identity documents. Some people didn't realise that
10 they hadn't been given citizenship and lived most of
11 their lives not realising that they weren't citizens of
12 Australia and then it was quite a rude awakening to
13 discover that they weren't. They all talk about feeling
14 humiliated and embarrassed to be told by a government
15 entity that they weren't actually Australian.

16 The impact on identity can't be underestimated.
17 That has been, from what I've seen, hugely damaging to
18 people, particularly people whose names were changed or
19 who grew up thinking that they had a different name to
20 that that they were later informed was their true name.
21 That seems to have a very deep impact on people's
22 psyches and sense of self, our names are very
23 fundamental.

24 And also to not know about how family history -- you
25 know, even a mother's or father's name and anything

1 about where they came from. It's very damaging to
2 people, obviously.

3 Q. You mentioned there two documents, I think you said, and
4 I think you may be referring there to the two documents
5 that child migrants tended to be sent over with, the
6 consent form and the medical examination form. Are
7 those forms that you've had access to, been able to see
8 in relation to child migrants that you deal with
9 yourself?

10 A. Yes. Our National Archives here in Australia have
11 copies of those for every child migrant who came out
12 under the scheme. We're yet to come across anyone who
13 hasn't been able to access those, and they're quite
14 readily available. They often have very minimal
15 information on them. Sometimes they will have a bit of
16 information about vaccinations or if there's been an
17 accident or an operation that the child has had.
18 Sometimes it will give educational level, but in many
19 other cases not.

20 It's basic demographic information and also the
21 consent form is significant because the sending
22 authority or the person with authority to approve the
23 child's migration's signature is on that form.

24 Q. I think in that regard, Philippa, you say that the
25 consent form was supposed to include signed consent from

1 the child's parent or guardian, but have you found that
2 that's not always the case?

3 A. No, there's quite a controversy in many cases about the
4 signatures on those forms. We often hear people say,
5 "Well, that's not my mother's signature", or, "My mother
6 told me she didn't sign that." In other cases it would
7 be the superior of the sending institution who would
8 sign that form and so not the child's parent. So then
9 that raises the question of: was consent sought from the
10 parents?

11 Q. You mentioned a few moments ago the lack of information
12 about families, for example even in some cases parents'
13 names and information like that. You tell us in your
14 report that a lack of information about family medical
15 history is something that has also been of concern to
16 child migrants. Could you tell me a little bit about
17 that?

18 A. Yes. It's something that most of us take for granted
19 when you develop a medical condition and your medical
20 practitioner asks you, "Do you have a family history of
21 this?" Many child migrants have talked about feeling
22 embarrassed and foolish when they've had to said, "Well,
23 I don't know, I don't know who my family is."

24 There's been more serious implications of that too
25 when there have been later discovered family illnesses

1 that the person wasn't aware that they had
2 a susceptibility to and then developed that condition.
3 Had they known early on that there was a susceptibility
4 to it, they could have received more effective
5 treatment.

6 Q. You say that:

7 "The false and/or misleading information provided to
8 child migrants who were often told they were orphans has
9 had a devastating impact on those people."

10 Is that something that you've seen for yourself?

11 A. Yes, very much so. People didn't look for family if
12 they believed that they were an orphan because they
13 believed that there was no point. So their search may
14 have been delayed for many years, and in some cases
15 parents died in the interim, so people missed out on
16 meeting mothers in particular. Yes, that has certainly
17 been a really serious impact of the lack of information
18 and misinformation.

19 This goes two ways as well: people say that when
20 their family members approached the orphanage in
21 Scotland, they were told by the nuns that the child had
22 been adopted and not to interfere with that, that they'd
23 gone to a good family. So the information didn't get
24 through at that end that the child had been sent to
25 Australia, so there wasn't an opportunity to search from

1 that side either.

2 Q. Another issue which I think you tell us you have seen
3 arise is the loss of national identity and cultural
4 heritage. Is that something that you've seen or learned
5 from reports and had first-hand experience of directly
6 with child migrants?

7 A. Yes, both of those. People commonly describe not
8 feeling like they belong to either country. Again, it
9 comes back to a sense of, "Who am I? What's my personal
10 identity?" It's all wrapped up in our national
11 identity, not really feeling Scottish and not feeling
12 Australian.

13 Having said that, I have noticed with the Scottish
14 child migrants there is a slight difference in the
15 degree of pride they seem to feel in their Scottish
16 connection as against English child migrants, for
17 example. There seems to be a Scottish national pride
18 that comes through.

19 Q. How do you see that coming through, Philippa?

20 A. Oh, you know, Scottish child migrants who will wear
21 tartan or just speak with pride about their connection
22 to Scotland, their national heritage.

23 Q. On page 8 of your report you discuss the issue of
24 consent and whether children were asked, for example, if
25 they wanted to go to Australia and, if they were asked,

1 given their age and the circumstances, what that consent
2 meant if they gave it.

3 I think in terms of numbers, you say that:

4 "Research on child migration selection forms
5 conducted by the Catholic Child Welfare Council in the
6 UK in the 1990s found that of 1,149 child migrants,
7 consent by birth parents was given to the migration of
8 children in only 229 instances."

9 So 20%. You say that:

10 "In 920 cases [that's 80% of instances] it was
11 unknown whether or not parental consent was given."

12 I just wanted to ask you, in relation to the child
13 migrants that Tuart Place is in contact with, does
14 consent and whether, first of all, their parents were
15 asked for consent and whether the child themselves
16 at the time had a view on consent -- are these things
17 which come up in discussions and which are important to
18 child migrants?

19 A. Yes, that issue certainly has come up repeatedly over
20 the years and consent is a heated issue and an emotive
21 issue, particularly if there's a question of whether or
22 not the mother gave up the child. So people would
23 prefer to believe that their mother didn't know and
24 didn't give them up, that they were taken away. So
25 that's been very disheartening for people who have

1 sometimes discovered that their mothers did give
2 consent.

3 I mean, in the context of the times, it's very
4 understandable how mothers may have been pressured to
5 give consent or actually not really had much of
6 a choice. But the other part of consent in terms of
7 children being asked if they wanted to go is also
8 problematic because when a child is told that they're
9 going to go to Australia and they've got no idea what
10 that means, you know, in children's imagination that was
11 not a reversible decision often, so when children
12 consented, in inverted commas, to their own migration,
13 sometimes as adults they bear a sense of grievance or
14 guilt about that: well, I said I wanted to go but
15 I didn't know what I was getting myself into.

16 Q. Another issue you focus on is the loss of connection to
17 family, Philippa. That's just at the foot of page 8.
18 You say:

19 "Perhaps one of the most devastating outcomes for
20 many former child migrants has been the loss of
21 connection with their families of origin."

22 A. Yes, yes, absolutely correct. It's been very, very
23 difficult for people to establish a connection where
24 they have found living relatives. It's extraordinarily
25 difficult to then form a connection with people on the

1 other side of the world who -- you have different
2 cultures, different backgrounds, different educational
3 levels perhaps, and, sadly, many people haven't been
4 able to form a successful and happy connection with
5 family that they've discovered.

6 There are, of course, many exceptions to that but
7 that has been also a common theme.

8 Q. Something you mention on page 9 is that:

9 "Countless former child migrants began to search for
10 family in the late 1980s after watching a television
11 programme, 'The Leaving of Liverpool', about the work of
12 the Child Migrants Trust and thereafter went on to try
13 and see whether they were able to find their own
14 families."

15 A. Yes, that was a pivotal turning point for many
16 child migrants who have talked about this often over the
17 years, that seeing that documentary was life-changing
18 for them to suddenly discover the work of the Child
19 Migrants Trust and to find out that people were
20 routinely lied to and told that they were orphans. So
21 they wondered then, does that apply to me? So a very
22 pivotal moment in the history of this whole chapter.

23 Q. Something you tell us about on page 9 of your report
24 is -- you provide information in relation to the failure
25 to implement a proper duty of care. I think you are

1 there referring to the sending agencies and you say:

2 "The lack of follow-up care by sending agencies
3 across the UK and their failure to monitor the
4 well-being of children sent to Australia is a prominent
5 theme in published literature."

6 You go on to provide a quote from the House of
7 Commons Health Committee's report in 1998. You provide
8 the footnote there at 25. I just wonder if you could
9 read that quote, Philippa.

10 A. Yes, it says:

11 "A current feature of child migration schemes seems
12 to have been lack of effective monitoring of children's
13 welfare by either the British Government or the sending
14 agencies. The post-war schemes, particularly to
15 Australia, were excessively permissive. British
16 Government supervision appears to have been
17 non-existent."

18 Q. And indeed, two paragraphs further on, you tell us that:

19 "Following their visit to Australia in 1997, members
20 of the Health Committee described being appalled at the
21 apparent lack of proper monitoring and inspection in the
22 large Australian institutions."

23 And I think that also comes from the same report.

24 A. That's correct, yes. Yes, they were very critical of
25 the lack of duty of care and proper monitoring and

1 inspection.

2 Q. I think you provide a conclusion in that regard. You
3 say:

4 "The reports and research on child migration are
5 consistent in their findings in this area [this is on
6 page 10], ie that abuse and neglect of the
7 child migrants was primarily the responsibility of
8 Australian authorities. However, the agencies and
9 statutory authorities complicit in sending children to
10 Australia failed to implement a proper duty of care in
11 regard to their welfare."

12 A. Yes, indeed. And Coldrey observes:

13 "Over the 30 years that child migration was planned
14 and operated by Catholic agencies in Britain and
15 Australia, no British childcare leader ever visited
16 Australia to inspect those institutions."

17 Q. In the third part of your report, starting on page 10,
18 Philippa, you look at "Response and reparations". You
19 set out that:

20 "The harm and abuse experienced by former
21 child migrants has been formally acknowledged by various
22 Commonwealth and state governments and religious
23 congregations involved in child migration."

24 And you set out a number of these for us.

25 First of all, I think you tell us that:

1 "In 1997, the British House of Commons Health
2 Committee accepted that responsibility for matters
3 relating to the welfare of former British child migrants
4 rested with the British Department of Health and started
5 an inquiry into child migration."

6 A. Yes. It was followed by the House of Commons Health
7 Committee, which looked at the well-being of former
8 British child migrants in July 1998.

9 Q. In that regard do you tell us that:

10 "The Health Secretary at the time, Frank Dobson,
11 accepted the report's main recommendations and that the
12 policy of child migration had been misguided and
13 promised assistance to former child migrants by setting
14 up a database of information for child migrants to be
15 able to trace their records and a support fund to assist
16 with family reunions"?

17 A. Yes, that was the real start of the organised
18 assistance.

19 Q. Do you then go on to tell us that:

20 "In January 2000, the Australian Government agreed
21 to cooperate with the British Government in establishing
22 a central database to help former child migrants trace
23 their family"?

24 A. Yes, that's correct.

25 Q. I think you then go on to tell us, and you've referred

1 to the report already, that in 2001, the Senate report
2 was published and noted, I think you say, two main
3 concerns in relation to migrants and that that was the
4 loss of identity and the need to have the opportunity to
5 tell their stories, to be believed and to be heard, and
6 you set out some of the report's 33 recommendations.

7 A. Yes. That's correct.

8 Q. You then mention in 2009 that the Australian Government
9 delivered a formal apology; could you just tell me
10 a little bit about that?

11 A. That apology was by our Federal Government and it was to
12 the Forgotten Australians, as they're known, and to
13 former child migrants. It was a formal ceremony and
14 apology, and out of that there were several schemes
15 announced, like the Find and Connect Service and
16 memorials around Australia.

17 Q. You note also that:

18 "The Australian Royal Commission, 2012 to 2018,
19 reiterated the findings of previous inquiries
20 in relation to the sexual abuse of child migrants within
21 institutions in Australia and recommended various
22 measures to assist, including former child migrants."

23 A. That's right, and that resulted in the Australian
24 national apology to victims of institutional child
25 sexual abuse, which was delivered in October 2018.

1 So in that apology, child migrants were included
2 among the group of people who had been sexually abused.
3 That's problematic because not all child migrants were
4 sexually abused, so this is where the apologies and
5 reparations really are problematic for people when
6 they're targeted at such a specific group.

7 Q. You mention the Redress Western Australia Scheme.

8 I think you tell us that 13% of applicants were former
9 child migrants.

10 A. That's correct. So that includes child migrants from
11 the UK and Malta. Our estimate is that there were
12 probably about 150 Maltese applicants and so that leaves
13 about 600 former child migrants from the UK.

14 Q. I think you tell us that all of the Scottish former
15 child migrants in contact with Tuart Place and its
16 forerunner services submitted applications to the
17 redress scheme.

18 A. That's correct.

19 Q. You tell us also about the British Government's apology
20 in 2010, followed by its Family Restoration Fund. Could
21 you tell me about that and the response to that of
22 child migrants that you're aware of?

23 A. Yes. A number of child migrants went over for the
24 British Government apology delivered by Gordon Brown and
25 many came back with positive reports of that experience.

1 The implementation of a Family Restoration Fund as
2 sort of the form of redress or outcome of that apology
3 was viewed by many as insufficient or -- well,
4 particularly those who were unable to make use of it
5 because they either hadn't found family or hadn't formed
6 a happy connection with family, so the restoration fund
7 was not going to help them. It could only help those
8 former child migrants who had the capacity and who were
9 in good enough health to travel back to the UK if they
10 had family there with whom they could connect.

11 Q. You tell us that the UK Government's ex gratia payment
12 scheme announced in December 2018 is something which has
13 been well-received by former child migrants.

14 A. Yes, yes, very well received, and with a quick and easy
15 application process. A common experience of child
16 migration is an easy thing to provide redress for
17 because you either are or you aren't a child migrant.
18 So everyone who was a child migrant is eligible for it,
19 and people have been pleased in general with that
20 result.

21 Q. You mention that the Australian National Redress Scheme
22 is something which hasn't always been so well received
23 by child migrants.

24 A. No, unfortunately it's now only focused on sexual abuse
25 and so it leaves out a whole -- you know, up to 50% of

1 the survivors we come in contact with haven't disclosed
2 sexual abuse and so it's not available to them.

3 However, they may have experienced all the other kinds
4 of abuse and neglect and led terribly disadvantaged
5 lives as a result of it. So for them to be left out of
6 our national scheme has been extremely disappointing.

7 The scheme itself is widely recognised as a poor
8 model. Our Royal Commission recommended an excellent
9 model of redress, but unfortunately its translation into
10 a redress scheme was compromised by the need to
11 negotiate with past provider entities. The Federal
12 Government didn't have the power to make the states pay,
13 make institutions pay, so it was an opt-in model. Some
14 institutions still haven't opted into the scheme, so for
15 survivors who were abused in an institution that hasn't
16 opted in, there's no redress.

17 It's also been beset by a range of other problems.
18 It's a very bureaucratic model. People feel like they
19 are an insignificant number in a large machine, and
20 that's not a good thing for people who were treated like
21 a number in institutions in childhood. There are long
22 delays, there's a whole lot of problems with it, which
23 are actually causing a whole lot of trauma and distress
24 to applicants, including former child migrants.

25 Q. You commend, Philippa, on page 12 of your report, the

1 Scottish Government for implementing the advance payment
2 scheme in April of last year.

3 A. Yes. It's commendable to announce redress payment
4 availability prior to the conclusion of the inquiry and
5 that often doesn't happen. The slow machinery of an
6 inquiry will grind on until the bitter end. There are
7 often extensions and delays in inquiries and
8 commissions, resulting in long delays if a redress
9 scheme isn't set up until after an inquiry finishes.

10 So in recognition of the age and infirmity of many
11 survivors, and certainly the child migrant group, it is
12 commendable that a process has been put in place
13 promptly. It's a good, easy process for people to
14 participate in. People have found it very -- it's
15 always a bit traumatic, but as far as application
16 processes go, it's been well-received by former
17 child migrants who have found it easy to do and the
18 payments have been prompt.

19 Q. Indeed, you tell us that many former Scottish
20 child migrants, all of whom are aged over 70, have
21 applied for advance payments and that you understand
22 from their reports that it has been a straightforward
23 process for them in the main.

24 A. Yes, that's correct, yes. We haven't had any
25 (inaudible: distorted) reports -- sorry, go on.

1 Q. You also tell us that:

2 "Scottish former child migrants have accessed
3 a variety of benefits and spoken highly of the
4 assistance received from Future Pathways."

5 A. Yes, there have been very positive reports of the
6 support provided by Future Pathways. Again, that is
7 a process implemented in a friendly, professional way,
8 you know, not delays in the response or payment, and
9 a whole lot of very survivor-focused forms of assistance
10 offered. So people basically let Future Pathways know
11 what they need and Future Pathways will try to assist
12 them with that. It's a really commendable model.

13 LADY SMITH: Philippa, can you tell me of any examples of
14 the types of assistance Future Pathways have been able
15 to afford to people that you're in touch with?

16 A. Yes, certainly. We know of people who have received
17 a bed, a hospital-style bed which had an electric back.
18 Railings for bathrooms; travel assistance to go and
19 visit family interstate; assistance with vet bills for
20 a beloved pet; help to buy iPads and laptop computers;
21 and even some golfing equipment.

22 LADY SMITH: That sounds excellent. Thank you very much.

23 MS MACLEOD: I would like to conclude your evidence
24 in relation to your report, Philippa, by turning to the
25 final page, that's page 13. And I wonder if I could ask

1 you just to read out the final three short paragraphs in
2 conclusion.

3 A. Certainly:

4 "It is clear that the abuse and neglect experienced
5 by child migrants in Australia was primarily the
6 responsibility of local authorities and individuals.
7 However, the agencies and statutory authorities
8 complicit in sending children to Australia failed to
9 implement a proper duty of care in regard to their
10 welfare, and there were clear breaches of guardianship
11 obligations.

12 "Had these children remained in Scotland they may
13 well have suffered the types of abuse reported by
14 ex-residents of Scottish orphanages. However, they
15 would not have experienced the additional range of harms
16 specific to child migration.

17 "The evidence cited in this report indicates that
18 there was a long-standing and persuasive failure in the
19 duty of care exercised by authorities in Scotland and
20 other parts of the UK to ensure that the children in
21 their care were protected. Conditions in Scotland's
22 orphanages may not have been ideal, but the solution was
23 not to send vulnerable children to the other side of the
24 world."

25 Q. Thank you for that.

1 Philippa, I would like to conclude by asking you
2 what your hopes are for this inquiry.

3 A. Yes. In thinking about that, I've realised I've got two
4 hopes for your inquiry and that is that it continues to
5 operate in a trauma-informed and survivor-focused way.
6 As I said, we've been very impressed with the work of
7 inquiry staff and the way they've interacted with former
8 child migrants. I hope that the inquiry concludes in
9 a timely manner.

10 Secondly, I hope that your inquiry results in
11 systems of redress and commemoration that are also
12 survivor-focused and trauma-informed. I think that's
13 the really hard part, when survivors' interests start to
14 compete with political and financial imperatives, where
15 so often survivors miss out and that's certainly what
16 we've seen happen here in Australia.

17 My hope is that your inquiry can achieve what
18 we haven't been able to do here.

19 MS MACLEOD: Thank you for that, Philippa.

20 That concludes the questions that I have for you
21 today. My Lady, I'm not aware of any questions having
22 been submitted for Philippa.

23 LADY SMITH: Thank you.

24 Could I check whether there are any outstanding
25 applications for questions? No.

1 Philippa, that does complete the questions we have
2 for you. Can I renew my thanks to you for engaging with
3 us today over the video link. Thank you also for your
4 very helpful, clear and readable report. It's an
5 excellent piece of work, if I may say, and it will be
6 valuable to me in the longer term as I take this
7 forward.

8 Thank you also for talking to us today over the
9 link. Hearing you in person about the highlights of
10 your report and the main issues that you want us to
11 focus on is really, really helpful. So thank you for
12 that.

13 I'm now able to let you go and we can switch off the
14 link, if that's all right with you.

15 A. Yes. Thank you, Lady Smith.

16 LADY SMITH: Thank you.

17 (The video link was terminated)

18 MS MACLEOD: My Lady, I wonder if we might have a short
19 break -- actually, the next witness is not scheduled
20 until 10 o'clock.

21 LADY SMITH: Oh well, we will have a short break then!

22 Thank you.

23 (9.18 am)

24 (A short break)

25 (10.00 am)

1 LADY SMITH: Mr MacAulay.

2 MR MacAULAY: My Lady, the next witness is

3 Dr Margaret Humphreys.

4 DR MARGARET HUMPHREYS (sworn)

5 LADY SMITH: How would you like me to address you:

6 Dr Humphreys, Margaret?

7 A. I don't mind.

8 LADY SMITH: A lot of people are very comfortable with first
9 names here; shall I use your first name?

10 A. Yes.

11 LADY SMITH: Well, Margaret, please sit down and make
12 yourself comfortable.

13 It looks like you're ready to begin. If I'm right
14 about that, can I just hand over to Mr MacAulay now and
15 he'll take it from there?

16 A. Yes, thank you.

17 Questions from MR MacAULAY

18 MR MacAULAY: Good morning, Margaret.

19 A. Good morning.

20 Q. Can I confirm that you are Dr Margaret Humphreys?

21 A. I am.

22 Q. And can you confirm for me that your date of birth is
23 [REDACTED] 1944?

24 A. It is, yes.

25 Q. Can you also confirm that at the moment the position you

1 hold is that of international director of the Child
2 Migrants Trust?

3 A. That's correct.

4 Q. I'll be asking you about your role with the trust over
5 many years in a moment or two, but can I begin by
6 putting on the screen the report that you prepared for
7 this inquiry. The reference is CMT.001.001.0001.

8 You will find a hard copy of the report in the red
9 folder and, Margaret, you can also look at the report on
10 the screen in front of you, whichever you prefer.

11 A. Okay, thank you.

12 Q. Can you confirm for me that on the final page -- it's
13 not actually the final page, it's page 0069 -- you have
14 signed this report?

15 A. I have signed the report, yes.

16 Q. I'll come back to how the report was constructed in
17 a moment or two.

18 First of all, can I just ask you a little bit about
19 your own background. Is it the case that you began
20 life, as it were, as a social worker?

21 A. Yes, I'm a qualified social worker.

22 Q. What you tell us in your CV is that you were involved at
23 a time in your life of developing what is described as
24 "a pioneering approach to post-adoption work"; is that
25 right?

1 A. That's correct, yes.

2 Q. What did that involve?

3 A. Well, I was a social worker in a city area dealing with
4 child protection issues and lots of children at that
5 time were placed into permanent adoption care. So
6 looking at post-adoption issues, that was people who had
7 been adopted years ago and were now adults, learning
8 about issues to do with identity, the whole issue of
9 post-adoption. Who are the biological parents? Can
10 I meet them? What are all those things about? And
11 supporting people through that post-adoption period of
12 looking at their biological parents, perhaps meeting
13 them. Also, the adoptive parents and the biological
14 parents, so there's three -- there's a triangle there,
15 if you like.

16 Q. You tell us that in the 1980s, you became involved with
17 child migrants. Can you just give me the background to
18 how that happened?

19 A. Well, I think that I published a small article about
20 adoption and identity, those issues, and I think that
21 was seen, picked up by a lady living in Australia at the
22 time who wrote to me and said, "It's all right looking
23 at people who have been adopted and have got permanency
24 in their life, but what about me? I was brought on
25 a boat with lots of children from Nottingham", where

1 I was working, "I don't know my name, I don't have
2 a birth certificate. There were lots of people on this
3 boat, lots of children I was with, no adults. What's
4 happened to me?"

5 So that was the first letter from Australia from
6 a middle-aged lady who was saying: well, what about me?
7 And of course, that was incredible. Children of 4 years
8 of age don't get on boats on their own and be taken to
9 the other side of the world, do they? As I thought
10 then.

11 She said, "Would you help me? Can you help me find
12 out who I am?" She was born in Nottingham. So there
13 was a link, she was born in Nottingham. It was from
14 that one letter, one enquiry, that in a sense lifted the
15 lid off the lives and families of 130,000 children in
16 total that Britain migrated in this way.

17 Q. To follow that through, did you go to Australia?

18 A. Yes, I did.

19 Q. And in Australia, what did you discover?

20 A. I put a small piece in I think the Sydney Morning Herald
21 and said: is there anyone out there that came on the
22 boat with this lady? Of course, the rest is history.

23 I had lots of phone calls, letters, people queueing
24 up outside. So in a sense we started to listen and
25 learn what had happened to thousands of our children.

1 But in those early days, of course, I didn't know
2 anything about child migration. No one in my profession
3 did either. So it was a case of listening carefully and
4 learning.

5 Q. I think you also wrote a book, "Empty Cradles", that
6 focused on this particular issue; is that correct?

7 A. That's correct.

8 Q. When was that?

9 A. I think that was 1989/1990; I'd have to have a look.

10 Q. And that book has been very popular and indeed resulted
11 in a film as well.

12 A. Yes, "Oranges and Sunshine".

13 Q. We'll look at your work in a bit more detail in
14 a moment, but just looking to awards that you've
15 received, in 1993 were you awarded the Order of
16 Australia medal for your services to humanity and in
17 particular in relation to child migrants?

18 A. I was, yes.

19 Q. Have you also been awarded honorary degrees of Master of
20 Arts from the Nottingham Trent University, that was in
21 1996; is that correct?

22 A. That's correct.

23 Q. And also by the Open University in 1998?

24 A. Correct.

25 Q. Were you also made a Paul Harris Fellow of

1 Rotary International and also in 2011 were you awarded
2 another honorary degree of Doctor of Laws by the
3 University of Nottingham?

4 A. I was, yes.

5 Q. We've heard about the First International Congress On
6 Child Migration in New Orleans already. Were you
7 heavily engaged in setting that congress up?

8 A. Most certainly. It was a relationship between the Child
9 Migrants Trust and Nottinghamshire County Council. Yes,
10 we actually called that conference for reasons I've
11 discussed in my submission.

12 Q. And just looking to the nature of your work, has that
13 work taken you to places like the United States,
14 New Zealand, Zimbabwe and Canada in addition to
15 Australia, of course?

16 A. Yes.

17 Q. Were you awarded a CBE in 2011?

18 A. I was, yes.

19 Q. What was the basis of that award?

20 A. That followed the nation's apology in 2010 and it was in
21 recognition of work for former child migrants and their
22 families.

23 Q. Have you also been called as an expert witness to give
24 evidence in other inquiries, and in particular the
25 Northern Ireland inquiry, and also the England and Wales

1 inquiry?

2 A. Yes.

3 Q. Were you called to give evidence to the Australian Royal
4 Commission?

5 A. Yes.

6 Q. Can I then just look at your report itself, Margaret.

7 You begin the report on page 3 by mentioning the
8 lady who wrote to you in 1986. Following upon that, did
9 you engage the press in trying to promote what had
10 happened to children?

11 A. Well, I did at that point, because I was a member of the
12 British Association of Social Workers. As I've already
13 said, my peers had never heard of child migration and so
14 this seemed, in a way, to really try and get this
15 message out to people, particularly -- what it was
16 really saying is: did Britain really do this? What is
17 the enormity of this? Is there a lot of children? Who
18 was involved in sending them?

19 But just as importantly, very importantly, it was
20 also an opportunity for families, particularly mothers
21 and fathers, in this country if they had missing
22 children.

23 Q. I think you've produced for us on the page we have on
24 the screen copies of the articles in The Guardian -- or
25 The Observer, rather -- one called "Lost Children of the

1 Empire" and the other "In Search of a Missing Past".

2 A. Yes.

3 Q. Did you find out, indeed as had been your own position,
4 that there was really ignorance in relation to this
5 whole issue of child migration?

6 A. Yes, I think there was ignorance. I hadn't met anybody
7 professionally that knew about it at all, particularly
8 in relation to the post-war years. Things had been
9 written before about Canada and children that were sent
10 to Canada, but not the post-war years. There was very
11 little literature available on that.

12 Q. You founded the Child Migrants Trust, CMT, in 1987; is
13 that right?

14 A. That's correct.

15 Q. Is that now a registered charity?

16 A. Yes.

17 Q. You tell us it's really the only specialist independent
18 social work agency providing professional services for
19 this particular group of people.

20 A. Yes.

21 Q. Where are you based?

22 A. We're based in Nottingham, in the United Kingdom.
23 We have an office in Perth, Western Australia and an
24 office in Melbourne, Victoria. So three offices.

25 Q. Throughout the history of your existence, have you and

1 your colleagues who work for the trust had contact with
2 many, many child migrants?

3 A. Thousands.

4 Q. Just looking to the nature of your staff, what sort of
5 staff do you employ in the places you've mentioned?

6 A. Well, this is a professional social work agency. So
7 people delivering those specialist services,
8 psychological services, family reunification services,
9 disclosure of sexual and physical abuse of course need
10 to be highly specialist in those areas. So qualified,
11 experienced social workers.

12 Q. Both here in the United Kingdom and in Australia?

13 A. Yes.

14 Q. Insofar as the report itself is concerned, you tell us
15 that in the preparation of this report you've been
16 assisted by two assistant directors. That's
17 Ian Thwaites --

18 A. Yes.

19 Q. -- in particular?

20 A. Yes.

21 Q. And also Mervyn Humphreys; is that right?

22 A. Yes.

23 Q. So although the report is your report, there's been
24 significant input by your co-directors?

25 A. Yes, absolutely.

1 Q. If we turn to page 5 of the introduction to the report,
2 you focus on the national apology that we had from
3 Prime Minister Gordon Brown in 2010. You draw out for
4 us an exchange between him and Sir Menzies Campbell, who
5 was the member for North-east Fife. Can you just
6 summarise for us what came out of that exchange?

7 A. I think that we drew attention to this because of its
8 link to Scotland and your Member of Parliament
9 obviously. I think I've listed really here very clearly
10 what the Prime Minister said. Gordon Brown was saying
11 this was a cruel, unnatural practice and this was not so
12 much transportation as deportation, and the deportation
13 was from their mother country and as nations we need to
14 know this uncomfortable fact.

15 So just for that piece alone, there we had the
16 Prime Minister at that time changing the description.
17 I would often say these children were sent and it's very
18 difficult to find a word that's acceptable to
19 child migrants that's not rejecting and not abandoning,
20 but Mr Brown moved into saying this was deportation, so
21 that was quite a change of language.

22 You see here in my report Sir Menzies Campbell was
23 saying is it not clear -- well, I think I could read the
24 last bit, that the Prime Minister responded, didn't he,
25 when he talked about how "the deception was

1 unacceptable".

2 Q. I think the point that Sir Menzies Campbell was making
3 was that the policy was one of "the systemic deception
4 of children and their parents", and I think the
5 Prime Minister agreed with that?

6 A. Yes.

7 Q. Just then looking at the focus of the report, and you
8 cover quite a number of different areas in the report,
9 but essentially the focus of your report is in
10 particular on the consequences of child migration on the
11 children and their families; is that a fair summary?

12 A. I think that's a fair summary.

13 Q. If we go to the contents page on page 2 of the report,
14 you set out here the different sections and if we look
15 down to section 15, you begin by looking at the role of
16 the CMT. The sections preceding that, for example "The
17 Reporting of Abuse", "Post-war Child Migration", "Early
18 Warnings", "Missed Opportunities", are these sections by
19 way of background to what you have to say about the role
20 of the CMT?

21 A. I think they are. It's giving, as you say, the
22 background to our work.

23 Q. Let's take the sections as they come and move on to
24 section 2 of your report on page 6.

25 Here you provide us with a brief historical

1 background to child migration and begin by pointing out
2 that the origins of child migration go back centuries.
3 You also point out that the last child migrants arrived
4 in Australia in fairly recent times in 1970. You give
5 us some figures for the numbers that would have been
6 migrated from the UK, mainly to Canada, New Zealand,
7 Zimbabwe and also Australia. The point you make at 2.2
8 is that you say:

9 "Britain is the only country in the world with
10 a sustained history of [this form of migration]."

11 Is that correct?

12 A. I think it's the only country that we know of that
13 migrated its children in this way. Often people ask:
14 well, why? But I suppose as well one of the things we
15 could say is that we had places to send them to, the
16 Commonwealth, for example.

17 Q. Looking to the motives then that lay behind the policy,
18 can you just give me your understanding from your work
19 what --

20 A. The motivation for child migration in the post-war
21 period? Because I think motivation changes.

22 Q. Right.

23 A. So for the post-war period --

24 Q. Let's look at the pre-war period first of all, the
25 pre-1939 period.

1 A. Yes. Well, I think motivation was all about giving
2 people, and children particularly, a better life. That
3 runs throughout all of the time period, actually, to
4 give children a better life, and there was this view,
5 I think, where you could -- a child's life began from
6 the point of migration rather than, as we would say,
7 a child's life begins at the moment it is born. So
8 there was an emphasis on a new start.

9 Q. And post-war, were the motives --

10 A. In some ways that's when it changes a little, and
11 of course if you look at Fairbridge, if you look at the
12 Fairbridge scheme, they're quite clear about good, white
13 British stock for the Empire. That's the language
14 that's used. So it changed a little during the post-war
15 years. As I say, Fairbridge in particular, good, white
16 British stock.

17 Q. If we move to paragraph 2.16 on page 8 of this section
18 of the report, you point there to the fact that there
19 were lessons that could have been learned, looking way
20 back to the Canadian experience, and in particular you
21 draw attention to the Doyle Report, which was published
22 in 1875, which cited evidence of ill-treatment,
23 overwork, physical abuse, inadequate inspection regimes;
24 is that right?

25 A. Yes.

1 Q. So way back then there were issues being raised
2 in relation to the policy?

3 A. These were the warnings, weren't they, that weren't
4 heeded? We were learning about young children dying of
5 exposure and exploitation. So there was really quite
6 a substantial report by Doyle that really flagged up all
7 the dangers of treating children like this and sending
8 them away from home.

9 Q. You provide us with an extract from a newspaper,
10 a Canadian newspaper, and I'll put that on the screen in
11 front of you. Can I say that any documents that I want
12 you to look at will come up on the screen. This is at
13 CMT.001.001.0073.

14 This is an extract you've taken from the Evening
15 Telegraph, Newfoundland, of [REDACTED] 1924. Does this
16 focus upon an immigrant British boy who had been
17 maltreated by a farmer, I think, that he had been sent
18 to? Is that right?

19 A. Mm-hm, yes.

20 Q. And the farmer had been charged with manslaughter?

21 A. Yes.

22 Q. And although I think the farmer was censured for his
23 harsh and cowardly treatment, I think he was acquitted
24 of the charge of manslaughter?

25 A. Yes.

1 Q. Is that just an example of the maltreatment that
2 children --

3 A. Yes, I think that's an example. It's fairly clear
4 reporting of what happened to, again, you know, a young
5 British child.

6 Q. We've talked about the Doyle Report. I think there was
7 also a subsequent report, the Bondfield Report, is that
8 right, in 1924?

9 A. Mm.

10 Q. Again, that looked at migration and was the essential
11 recommendation made in that report, and this was still
12 dealing with Canada, that children under school age
13 should not be migrated?

14 A. Yes.

15 Q. The next section then of your report, section 3 at
16 page 8, if we go back to the report itself, you have
17 a section dealing with "Timescales and Institutions for
18 Scottish Child Migration". At paragraph 3.1, you say:

19 "Child migration from Scotland was at its peak
20 in the late 19th to the early 20th century."

21 And you give us some figures in particular in
22 relation to Quarriers and its role, is that right?

23 A. Yes.

24 Q. At 3.2 what you say is:

25 "CMT has knowledge of 260 children sent from

1 Scotland between 1932 and 1963."

2 Were these to Australia or to different places?

3 A. Sorry, I'm just reading this. To Australia.

4 Q. But you do make the point that there could be
5 considerably more because of this practice of children
6 being sent from Scotland to England in transit, so to
7 speak, to being migrated?

8 A. Well, I think at this -- the point that we were making
9 here is to say: these are the numbers that we have,
10 these are the people that have contacted us from
11 Australia and Canada, post-war Canada, so there could be
12 more, but we can't say definitely that there aren't more
13 people out there.

14 Q. And again, I think I can say to you that we will be
15 leading expert evidence from Professors Constantine and
16 Lynch, who will be looking at this aspect of it. But
17 these figures are your figures?

18 A. Yes.

19 Q. And perhaps I should ask you this: over the years,
20 during which the trust has operated, have you ingathered
21 a lot of material in connection with child migrants?

22 A. Yes.

23 Q. How is that stored? How do you store the material?

24 A. It's stored in two ways. Some of it is digitalised, not
25 all of course, but mainly in hard copy, hard copies of

1 things. And where is it stored? In our offices in
2 Nottingham.

3 Q. What sort of materials are we talking about? Letters,
4 reports?

5 A. Yes.

6 Q. Statements?

7 A. Yes.

8 Q. That sort of material?

9 A. Yes. Things that relate to policy, things that relate
10 to individuals' personal lives, their families. A whole
11 range of material relating to child migration.

12 Q. And as I've said, including statements such as, for
13 example, redress statements that --

14 A. Oh yes, yes.

15 Q. And just looking at redress statements, is that an area
16 where you as the trust provide assistance to
17 child migrants in preparing these statements?

18 A. Yes. If requested to do so, of course.

19 Q. Yes.

20 On page 9 of the report, if we go there, you provide
21 a list of the institutions that you say were involved
22 in the migration of children from Scotland; is that
23 right?

24 A. Yes.

25 Q. Is this from the information from your own sources that

1 this is provided?

2 A. Yes.

3 Q. If we look at page 10 of the report, you have provided
4 here quite a useful diagram of the children's ages,
5 which ranged, I think you say, from 3 to 15. Again,
6 this material, and we can look at this for ourselves, is
7 this based on your own sources?

8 A. Yes. And external sources as well, I imagine, but this
9 is primarily taken from our own sources.

10 Q. So for example, if we look at the two bars towards the
11 middle for ages 10 and 11, can we see that they dominate
12 in relation to the number of children of that age that
13 were sent?

14 A. Yes.

15 Q. Is that right?

16 A. Yes.

17 Q. But we still see children aged 6, 7, 8, 9 and so on also
18 involved in this process?

19 A. We do indeed, and we also see children aged 3 and 4
20 at the top, two aged 3 and two children aged 4.

21 Q. Do you tell us towards the bottom of this page that, to
22 your knowledge, there was only one child from a local
23 authority care known to have been sent to Australia?

24 A. Yes, that's to our knowledge.

25 LADY SMITH: So that's Scottish local authority care? This

1 is still dealing with your understanding of the Scottish
2 position?

3 A. Yes, it is.

4 MR MacAULAY: In section 4 of the report, Margaret, you
5 touch upon the children's institutional experiences in
6 Scotland, and as you point out, the inquiry has already
7 heard evidence in relation to the Daughters of Charity
8 and Sisters of Nazareth, for example.

9 The point I think you're making here is that
10 children in Scottish institutions who might have been
11 going to be migrated could already have been vulnerable
12 children; is that right?

13 A. Yes.

14 Q. How does that feed into the problem of migration?

15 A. Well, we're already looking at children in institutions,
16 which we are told were very harsh at that time. These
17 were children who weren't living at home with families.
18 There was a huge vulnerability there of being in an
19 institution, not within a family, not with parents. So
20 already we're looking, as we aptly say, I think, at the
21 most vulnerable in our community.

22 Q. And if we look at paragraph 4.18 on page 13, what you
23 say there is:

24 "Institutions enforced obedience and conformity."

25 You go on to say:

1 "For children later sent to predatory regimes,
2 particularly in Western Australia, such lessons in total
3 obedience ensured a heightened level of vulnerability
4 for the ordeal that awaited."

5 A. Yes.

6 Q. And that's I think the point you make in this section?

7 A. Yes.

8 Q. You also look at the process of selection and that's
9 still on page 13. You begin by saying, first of all:

10 "There are few records available in relation to the
11 question of selection"; is that correct?

12 A. Mm.

13 Q. But there are some records?

14 A. There are some, yes.

15 Q. What you begin by saying is that:

16 "The trust has rarely seen an agency file for
17 a child sent from Scotland that documented the reasons
18 for a decision, let alone considered the potential risks
19 or alternatives"; is that right?

20 A. That's correct.

21 Q. But is there some variation in relation to what records
22 are available?

23 A. There are some -- a variation as you say, about the
24 availability, there's not always -- I mean, there's
25 a paucity of records. There's a history of that.

1 They're important, of course. Any record of that
2 time to a child migrant is very important. Whatever is
3 on it, it's important, and they need to have that
4 of course.

5 But reasons. You're raising the issue: is there
6 a reason, a rationale for why this child would be sent
7 and why that child wouldn't be sent? I haven't seen
8 that.

9 The other issue, of course, around files and
10 selection is the involvement of parents. It's quite
11 clear on many of these files, not all, but it is quite
12 clear that parents weren't consulted generally. There
13 are exceptions, of course.

14 But yes, so why was a child selected to go and one
15 stay here? We don't fully know the answer to that
16 one -- or, should I say, that's not documented.

17 Q. And page 14, paragraph 5.6, you mention the separation
18 of brothers and sisters through child migration being
19 common practice. Is that what you have found from your
20 experience looking into this?

21 A. Yes. We started off looking at the early days of the
22 trust and how we became aware of child migration and all
23 the appalling things that happened to children and
24 families at that time. I remember clearly on one of
25 those first visits a child migrant saying to me -- and

1 he has said this publicly since as well in terms of his
2 own trauma -- that the screams of hearing the children,
3 brothers and sisters, being separated at the docks at
4 Fremantle lived with him for many, many years. So when
5 talking of his own trauma -- and he has said this
6 publicly -- for him, hearing the screams of brothers and
7 sisters screaming on the dockside, being separated,
8 lived with him for years.

9 Of course, for myself and my colleagues, we're often
10 talking with people now in their 60s, 70s and 80s who
11 indeed were separated on the docks in Fremantle. So
12 yes, it was a common practice.

13 Q. And you give the example at paragraph 5.7 of a sibling
14 group of nine children who were sent to Fairbridge
15 institutions in Australia and Canada.

16 A. Yes.

17 Q. So there was a separation --

18 A. Yes. I've had people say to me, "I was due to go to
19 Australia, but I got chickenpox and couldn't go and so
20 3 weeks after that they sent me to Canada."

21 Q. In the final part of this section you provide some
22 quotes from former child migrants and their experience
23 of selection. If we turn on to page 15, paragraph 5.10,
24 what you say here is that:

25 "At Nazareth House Kilmarnock, Sister LFL came

1 and got me from the playroom and took me to her office.
2 She had a picture of a ship and she asked me if I would
3 like to go for a ride on it. What 8-year-old wouldn't?"

4 A. Yes, that's a quote.

5 Q. From a Scottish child migrant?

6 A. Yes.

7 Q. Can I just ask you about the next section in your report
8 which you have headed "Child Trafficking". Can I just
9 understand what message you're seeking to convey in this
10 particular section?

11 A. Language is very important, isn't it? We have said so
12 many times. Do we have the language, really, to
13 describe child migration in all its many forms and its
14 consequences? So if you're looking right now, "What
15 would we think of child migration now?" we would think
16 of it as child trafficking. And one would then go on to
17 say, trafficked for what purpose, for what purpose were
18 these children being trafficked? And that kind of
19 changes over time.

20 So if we look particularly at the post-war period,
21 and we look at -- and you've already had evidence around
22 the four institutions in Perth, Western Australia -- we
23 could be forgiven for thinking these children were being
24 trafficked for the purpose of sexual abuse. So we are
25 looking more at what is the modern day -- what in

1 modern-day language would we use to describe what
2 happened to these children? We recently heard evidence
3 of what happened when the children arrived there.

4 LADY SMITH: Margaret, can I just understand what you're
5 saying here when you use the term "child trafficking"?
6 It's one thing to note, as we know, children were
7 sexually abused in Australia, for example; some of them
8 quite horrifically.

9 A. Yes.

10 LADY SMITH: But in normal parlance if you talk about
11 children being trafficked for a purpose, the implication
12 is that the people who decide that a child will be sent
13 and arrange for them to be sent intend that they will
14 receive the harmful treatment of the sort we've
15 described at the other end. Are you saying that?

16 A. Well, Lady Smith, I think that's right. We're very
17 cautious around language and how we use it to describe
18 things. But recently, and I think when we look at the
19 recommendations of IICSA, one of their final
20 recommendations or their interim report was saying that
21 -- I think they conveyed that fairly clearly, that the
22 Government put the children in harm's way.

23 LADY SMITH: Oh, I get that, but that's different.

24 A. Well --

25 LADY SMITH: Just a minute, Margaret: that doesn't tell me

1 that a conclusion has been drawn that the people who
2 were deciding to send the children intended that they
3 would, for example, be sexually abused at the other end.
4 That is going quite far.

5 A. Well, I think --

6 LADY SMITH: Is that what you're saying?

7 A. I don't think so. No, I'm not saying --

8 LADY SMITH: Right, thank you.

9 A. Thank you for that clarification. I'm not saying that,
10 that people absolutely ... and it goes back to selection
11 as well, that this child was selected and we are
12 selecting this child deliberately for that purpose, I'm
13 not saying that.

14 LADY SMITH: Thank you.

15 MR MacAULAY: I think what you do say here is that
16 representatives in particular of the Christian Brothers
17 were involved in what you describe as a sort of
18 recruitment type of programme.

19 A. Yes.

20 Q. It does appear to be the case, and indeed the Australian
21 Royal Commission has concluded in one of its case
22 studies, that children at Christian Brothers
23 institutions were in fact sexually abused --

24 A. Yes.

25 Q. -- but whether or not those who were doing the

1 recruiting would have any knowledge of that is a matter
2 you can't give any view on.

3 A. We wouldn't know that.

4 Q. What you do say, however, at paragraph 5.13 is that
5 there is evidence that Brother Conlon, who was acting on
6 behalf of the Christian Brothers, and also
7 Father Stinson, who was the director of Catholic Child
8 Welfare in Western Australia, there is evidence that
9 they did sign migration forms themselves --

10 A. Yes.

11 Q. -- authorising the migration of children?

12 A. Yes.

13 Q. And you've seen these forms?

14 A. Yes.

15 Q. If we then look at page 16, and this is section 6 in
16 your report -- and you head this section "Parental
17 Knowledge and Consent for Migration" -- you begin by
18 saying:

19 "Child migration largely operated within a culture
20 of deception."

21 You go on to tell us about the experience of the
22 trust and what information it has received over the
23 years from interviews that it's carried out. Can you
24 just develop that for me?

25 A. Yes, I can. I think that our experience, of course, is

1 did -- we're talking about child migrants and their
2 remembrance, and often child migrants will of course
3 remember the time that they were called into the office
4 and said that they were -- would they like to go to
5 Australia or they were going to be sent to Australia.
6 I think that's been well documented there.

7 Of course, one of the -- the work that the trust is
8 very involved in as well, of course, is with families.

9 Q. Yes.

10 A. So when we talk about deception -- I mean, imagine how
11 painful and difficult it is, for a mother in particular,
12 when I or my colleagues go to visit and to talk it
13 through and they say, "But my child is dead." And so
14 that is a deception itself that they've been told
15 previously, years before, when perhaps they've gone to
16 collect their child and they were told that the child
17 had died.

18 Of course, initially for us in our work, I mean,
19 a child can be dead to somebody psychologically, it
20 doesn't mean physically that that's happened, so we have
21 to pursue that: who told you your child had died and
22 when?

23 You have to kind of remember that we're there having
24 met their adult child who's looking for his mother or
25 father or her mother or father. So when we talk about

1 deception, in a sense that comes out of our work with
2 families and their recollections and their memories of
3 what they were told years ago and how they've lived with
4 that.

5 Q. The other point I think you make is that in addition to
6 parents being told their child may have been dead,
7 there's also this notion of parents being told that
8 a child may have been adopted.

9 A. Yes.

10 Q. Then looking at section 7 on page 16, you look at
11 post-war placements in Australia, Canada, Rhodesia and
12 New Zealand, and you make the point that the lack of
13 detailed records means that precise figures are
14 difficult to establish.

15 A. Yes.

16 Q. But on the next page, page 17, at 7.2, do you set out
17 some information, some figures that you have been able
18 to extract from your own materials? Is that right?

19 A. Yes. Our own or external material, yes.

20 Q. So for example, for New Zealand, you say that:

21 "A total of 549 children were sent to New Zealand
22 ..."

23 And I think that's probably an external source for
24 that:

25 "... but few are known to CMT to have come from

1 Scotland."

2 Do I take it from that -- do you have any children
3 from Scotland in CMT or not who went to New Zealand?

4 A. Who went to New Zealand? I'm not really sure about
5 that. Would you know that, Ian? (Pause). We do, yes,
6 I think, because right at the moment --

7 LADY SMITH: I think the corporate knowledge is saying yes!

8 A. For New Zealand -- a lot of the children in New Zealand
9 went to foster parents and went to homes and not big
10 institutions, but only recently, because of the
11 government redress payment scheme, of course we're
12 hearing a lot more from people that went to New Zealand.
13 Ian is more likely to know if we're getting enquiries
14 from people from Scotland. And we are? (Pause).
15 That's correct.

16 MR MacAULAY: Again, the experts will look at this and give
17 us some information on that.

18 A. Yes.

19 Q. But as far as Australia is concerned then, in any event,
20 I think what you do say is that, certainly post-war, the
21 great majority of migrants went to Australia from
22 Scotland?

23 A. Yes.

24 Q. And you provide us with a number of institutions in
25 Scotland, you mention Quarriers, for example, and so far

1 as Quarriers were concerned, were the destinations for
2 children from Quarriers Burnside in Sydney and
3 Dhurringile in rural Victoria?

4 A. Yes.

5 Q. So far as Quarriers were concerned, are you able to say
6 from your sources whether the Church of Scotland also
7 had a role to play in that process?

8 A. Yes.

9 Q. And you also mentioned the Catholic organisations such
10 as the Sisters of Nazareth, for example. Then you
11 provide a list of institutions in Australia that
12 received Scottish children.

13 A. Yes, correct.

14 Q. Is that from your own sources?

15 A. Yes. Well, probably external as well.

16 Q. You've mentioned towards the bottom that some of these
17 institutions were seen by the Home Office as potential
18 blacklist candidates, following upon the Ross mission in
19 1956.

20 LADY SMITH: I think it's not the Home Office saw them as
21 that, they were potential candidates for the blacklist;
22 is that not right? The Home Office were told by the
23 author of the report about them.

24 MR MacAULAY: Yes.

25 That was essentially because it was considered that

1 children should not be sent to these places.

2 A. Yes.

3 Q. Was that following upon the Ross recommendations?

4 A. Well, it was, yes.

5 Q. If we look then at section 8, at page 18. You provide
6 us with an example to highlight the point you're making
7 that child migration essentially worked across borders;
8 is that right? So if a Scottish child ended up in
9 Australia, that Scottish child might have ended up by
10 going somewhere in England before going to Australia?

11 A. They could have done, yes.

12 Q. And the example you give here in fact is in relation to
13 a child who was born in Southern Ireland; is that right?

14 A. Yes.

15 Q. And was admitted at a point in time to Nazareth House in
16 Sligo, but the authorisation for his migration material
17 in 1947, the documents were signed in Edinburgh --

18 A. Yes.

19 Q. -- by Brother Conlon for and on behalf of the Scottish
20 Migration Society.

21 A. Yes.

22 Q. So that's an example of how migration really operated
23 across borders within the United Kingdom?

24 A. Yes. I gave that as a fairly clear example of an Irish
25 child in an Irish family where the consent for migrating

1 this child without parents' consent was signed in
2 Edinburgh, a place where this gentleman has never been
3 in his life.

4 Q. You then go on at page 19, section 9, to talk about the
5 experience of child migrants. The first point you
6 mention -- and this has been mentioned by other
7 witnesses -- is that of identity. Can you just
8 summarise for me how this is such an important issue for
9 child migrants?

10 A. Well, I think one of the things that I first experienced
11 when I was working with child migrants years ago -- and
12 we've touched upon that -- was the stripping of their
13 identity. We've come to appreciate and understand and
14 learn more about this stripping of identity: what does
15 it mean, what does it do, why do people do it? And
16 if we look at young Scottish, British, Irish children
17 arriving in Australia, particularly where their heads
18 were shorn, the girls -- some girls, as a way of
19 punishment, their hair was cut off completely. When
20 I was first hearing this in the early 1990s, you kind of
21 took a gasp. Why would someone do that?

22 Likewise, the singing of nursery rhymes, for
23 example. I can think of the person that told me this:
24 one day she I was singing "Dr Foster Went to Gloucester
25 in a Shower of Rain", the sort of thing that people of

1 my age remember well, and she was punished unmercifully
2 for that and her hair absolutely taken off. It was done
3 with rose cutters and she said for weeks after her head
4 was bleeding, it was infected.

5 All of those things are dehumanising, to say the
6 least. But what does it do to a child? It strips the
7 child of everything, the very heart of that child is
8 taken away, and I'm sure you've heard that as evidence.

9 We see it a lot in terms of post-traumatic stress
10 disorder. What does it actually do? It's something
11 that we learn about, talk about and explore a lot.

12 Again, I want to be careful about language, but how
13 do we describe that? What is that all about? This is
14 somebody else's child, this is another country's child,
15 and that terrible, terrifying, dehumanising process to
16 somebody else's child -- well, it doesn't matter whose
17 child.

18 It leaves scars and consequences for life. Now, we
19 talk a lot about the painful and understandable
20 consequences of all sorts of abuse, and particularly the
21 violations of sexual abuse. But this too is a violation
22 and we need to find a word to describe it.

23 Q. In paragraph 9.5 you draw attention to a quote from the
24 inspection report by Mr Ross in relation to Castledare.
25 Perhaps I can see if I can get that report on the

1 screen. I think you're aware of this, that some of the
2 quality of the copying is not ideal, but if I can give
3 the reference and see if we can get it. The reference
4 is CMT.001.001.0289.

5 I don't know if we can make that a bit clearer.
6 I can certainly read from my hard copy that it's "Child
7 Migration Fact-finding Mission", which we know is the
8 Ross mission:

9 "Note on St Vincent's Orphanage, Castledare."

10 Can you read that?

11 A. Yes, I can.

12 Q. It was visited on 14 March 1956. Can we see that the
13 total accommodation is 120 boys and accommodation for
14 migrants is 89?

15 A. Yes.

16 Q. And the number of migrants in residence out of 117 is
17 70. So there are 70 migrants at this point in time in
18 residence at Castledare.

19 We're given a description of the establishment and
20 how it came to be that children are transferred to
21 Clontarf at the age of 11. The dormitories are
22 described and we may have seen photographs of this
23 earlier on in the evidence. We're told further down
24 that the WCs have no doors and no seats:

25 "Furnishing and equipment: dormitories contain

1 nothing but beds."

2 Then staff:

3 "The staff consists of four Christian Brothers who
4 are teachers and run the school."

5 And there's to be a woman teacher added shortly.

6 I think the point you have focused upon in your
7 report at page 0290, it's the heading "Recruitment and
8 selection". Can we get that --

9 A. Do you have a page number?

10 Q. It's page 0290.

11 A. Page 20?

12 Q. We're looking at your report, paragraph 9.5?

13 A. I have it.

14 Q. I think you've taken that quote from what we see on
15 page 0290 just below halfway, because we can read:

16 "The migrant boys come from Roman Catholic
17 children's schools in England [although I think also
18 some were from Scotland]. No information is available
19 about their history or background. The principal said
20 he thought none of them had any relatives."

21 And I think that is the point that you pick up in
22 your report.

23 A. Yes.

24 Q. Then perhaps while we have this on the screen, towards
25 the bottom can we see that the Ross conclusion,

1 three lines from the bottom, is:

2 "It is doubtful whether provision for even their
3 physical welfare can be regarded as adequate. Anything
4 in the nature of individual treatment is clearly out of
5 the question."

6 So this is quite a critical report --

7 A. Yes.

8 Q. -- of Castledare?

9 A. Yes.

10 Q. Again, in connection with identity --

11 A. Can I just -- do you mind if I just comment on what
12 you've just said? In this they says:

13 "They doubt whether any of the children have
14 families."

15 Well, that's just incorrect, isn't it? I mean, here
16 we have somebody who's taken on the care of, as we have
17 already said, very vulnerable children and they "doubt
18 they have families". Well, I would imagine that they
19 all had families.

20 Q. It's in the context also, of course, of it being
21 reported here in the report that no information is
22 available --

23 A. Yes.

24 Q. -- about their history or background.

25 A. Yes.

1 Q. So the suggestion there is that when they were migrated,
2 they were migrated without any other information.

3 A. Yes, I agree.

4 Q. But I was going to go on to paragraph 9.7 of the report,
5 if we go back to the report at page 19.

6 Again, within this context of identity, the
7 incorrect spelling of names is something you've come
8 across; is that correct?

9 A. Yes.

10 Q. And that does have an impact on children's identities?

11 A. Yes, of course it has an impact on their identity and
12 who they are. People often say to me, "They couldn't
13 even get my name spelt right." Of course the
14 consequences of that are, if you're looking for family
15 members, it complicates that process as well.

16 LADY SMITH: I can see it can hamper your search if you're
17 trying to trace people. We've also come across the
18 first name and last name being correct, but a child's
19 middle name being changed for no apparent reason --

20 A. Yes.

21 LADY SMITH: -- or a baptismal name being wrongly inserted
22 as the middle name, ignoring what the original middle
23 name was.

24 I can think of one individual who's really been
25 quite upset about that and to this day is insisting that

1 everybody remembers what his middle name is.

2 A. Yes.

3 MR MacAULAY: You have a section also in this section of the
4 report at page 20, beginning at 9.12, headed "Slavery
5 and torture". You provide some examples of what
6 happened to children, particularly children being
7 stripped and beaten, for example. You give that as an
8 example.

9 A. Yes.

10 Q. Again, has that come from your own sources?

11 A. Yes.

12 Q. You draw attention to a letter to the Minister of Lands
13 and Immigration from the undersecretary, and that's
14 dated, I think you say, 1948. Again, if I can perhaps
15 try and get that on the screen. It's at
16 CMT.001.001.0292.

17 Can you just help me with this? This is a letter,
18 I think it's to the Minister for Lands and Immigration,
19 and it's from the Undersecretary for Lands and
20 Immigration. The date at the top is 1948. If we go on
21 to the second page at 0293, I think we can see the date
22 is 5 July 1949. That doesn't matter hugely, but I think
23 you're drawing attention to the comments in paragraphs 2
24 and 3. If we can read that:

25 "I am of the opinion that if the Imperial Government

1 [that will be the British Government] becomes aware of
2 the existing conditions at Bindoon, the state will be
3 called upon for more drastic control at that centre."

4 A. Yes.

5 Q. Then we read:

6 "On file [and the number is given] attached there
7 are reports from ..."

8 Can you read that next part?

9 A. Yes, it is:

10 "... there are reports from Messrs Maither,
11 Immigration Department, and Fogarty, the child welfare
12 department ..."

13 Is that the section?

14 "... showing that all the boys over 14 years of age
15 are out working at Bindoon and not receiving school
16 tuition. The reports indicate that no payment is being
17 made for the work done. It might possibly be claimed
18 that they were only worth their keep, but this is open
19 to question in regard to the older boys and is a matter
20 that shall have to be decided quickly to be put on
21 a proper basis."

22 Q. And that's the quote I think you provide at
23 paragraph 9.14 of the report.

24 A. Yes. I think, in a sense, this is just confirmation
25 also of what many child migrants were telling us, that

1 they were, in their words, used as slave labour. This
2 is a supporting document.

3 LADY SMITH: I suppose, Margaret, looking at that particular
4 quote and the reference to it being boys over 14 years
5 old, we need to remember that that was certainly the
6 school leaving age in Britain at that time.

7 A. Yes.

8 LADY SMITH: I think it may also have been the school
9 leaving age in Australia. But the major point is
10 they're being exploited.

11 A. Yes.

12 LADY SMITH: You've got to decide what you're doing. You're
13 not paying these boys and certainly you don't have an
14 excuse of saying it's equal to their keep and no doubt
15 there were no records of anybody doing an assessment and
16 deciding that the two matched, and with the older boys
17 they were even more worthwhile than the younger ones.

18 A. I think so, and that in a sense is why we put that
19 document in here because there is confirmation of the
20 experience, the remembrance of child migrants. There's
21 confirmation of that in some surviving documents. In
22 a sense, we're saying that they already knew.

23 MR MacAULAY: And although this document focuses on the age
24 of 14, have you had information given to you that
25 children younger than that were made to work at Bindoon?

1 A. Oh yes, yes, regularly.

2 Q. And I think the inquiry saw some film footage yesterday
3 of children on the roof of a building --

4 A. Yes.

5 Q. -- I think at Bindoon. I think you participated in that
6 Frontline Scotland programme yourself.

7 A. Yes. I think there are photographs and images of that,
8 of children working on scaffolding, working with
9 concrete. Child migrants have often told us how they
10 were burnt by the concrete. These are quite young
11 children we're talking about, 7 and 8.

12 LADY SMITH: They were slating a roof.

13 A. Yes.

14 MR MacAULAY: If we move on to page 21, at 9.16 you provide
15 an extract from the Australian Senate report of the Lost
16 Innocents report in 2001 about deaths at institutions.
17 Can you take me through that extract?

18 A. Is this the extract in relation to [REDACTED] or 9.16?

19 Q. It's the general --

20 A. Right. The bit which starts, "The committee received
21 evidence"?

22 Q. Yes.

23 A. Of course, yes. Well:

24 "The committee received evidence that a number of
25 child migrants had died while in the care of

1 institutions. While these included serious vehicular
2 accidents occasioning death and lifelong injury and
3 drowning in a farm dam, the cases of six boys who died
4 at Tardun, Bindoon or Clontarf between 1943 and 1958
5 were specifically raised with the committee."

6 Q. Carry on, if you finish the extract.

7 A. "Concern was expressed that although the death
8 certificate for each case contained a statement by the
9 coroner as to the cause of death, it appears that not
10 all of the deaths were further investigated by
11 a coronial inquest."

12 Q. And finally, just to finish off.

13 A. "Four of these boys died from fractured skulls. In one
14 instance the fractured skull was alleged to have been
15 sustained after a fall from a balcony at night."

16 Q. And in the next paragraph do you note that:

17 "Correspondence from the Western Australian
18 Attorney General's chief of staff in November 2000 that
19 was cited in evidence indicated that the records
20 relating to those deaths had been destroyed"?

21 Is that right?

22 A. Yes.

23 Q. The example you give then of the boy who is named
24 [REDACTED] at Bindoon, can you just, first of all,
25 provide me -- what is the source of the information that

1 you've provided in that section?

2 A. The section that relates to [REDACTED]?

3 Q. Yes, if we scroll up the page a little bit so we can see
4 that. I think his name has been redacted and it will
5 not appear in the transcript, but the source of this
6 material that you set out in this box, what is the
7 source?

8 A. The source of this entirely is by other -- may I just
9 refer to Ian so I can give you absolutely the correct
10 answer to this?

11 Was this given to us by a child migrant?

12 (Pause)

13 Q. You're pointing, I think, to another child migrant.

14 A. Yes.

15 Q. Another child migrant?

16 A. Yes. I wanted to be absolutely clear about that.

17 Q. What you've set out here is that that child migrant has
18 provided information about what happened to this boy --

19 A. Yes.

20 Q. -- who was killed at Bindoon at the age of 12 in an
21 accident.

22 A. Yes.

23 Q. In short, what account were you given?

24 A. I think this is an account of another child migrant --
25 do you want me to read this?

1 Q. If you could, yes.

2 A. This is about [REDACTED] and we've given his name. As
3 it says here:

4 "We have taken a statement from another
5 child migrant who was present when [REDACTED] from
6 Aberdeen was killed at Bindoon in 1957 aged 12 in an
7 accident that points to criminal negligence on the part
8 of the Christian Brothers.

9 "Four boys were given the task of loading a cart
10 with heavy bags of fertiliser, which they were told to
11 take to the dam and wash before it could be used. The
12 cart should have been pulled by a horse, but instead
13 four boys, aged from 12 to 14, were given that task.
14 The cart was very heavy when loaded. Coming down the
15 hill to the dam, they lost control of the cart and it
16 flipped over. [REDACTED] was killed instantly. The
17 14-year-old boy whose job it was to take the role of
18 a horse and pull the cart was held responsible by the
19 Christian Brothers and made to dig the grave and bury
20 his friend. The death certificate lacks any information
21 about [REDACTED] family. His parents' details are
22 recorded as 'unknown'."

23 LADY SMITH: Margaret, can I just ask you about one aspect
24 of that narrative? In the first paragraph, it's stated
25 that the accident pointed to criminal negligence on the

1 part of the Christian Brothers. On what basis does the
2 narrative say that it was criminal negligence? I can
3 understand why that description amounts to an allegation
4 of negligence, but criminal negligence?

5 A. Well, I think this is absolutely written from the memory
6 of a child migrant that was there.

7 LADY SMITH: So should that be --

8 A. It's not our construction of that.

9 LADY SMITH: I see. So should that be in quotation marks?

10 A. I think probably, yes.

11 LADY SMITH: And that's what the child migrant said?

12 A. Yes.

13 LADY SMITH: Thank you. Because it doesn't sound as though
14 there was a prosecution, was there, that you know of?

15 A. I'm not sure.

16 MR MacAULAY: I think we know from other sources that there
17 wasn't.

18 A. One of the things also that I'd raise about this is: who
19 has informed the parents, and are we going to?

20 Q. In the remainder of this section of the report,
21 section 9, at page 22, you provide some more information
22 about the abuse that certain children suffered and
23 I assume this is information that's been provided to
24 you, to the trust.

25 A. Yes.

1 Q. For example, you make mention of sexual abuse and what
2 happened and you also make mention, towards the bottom
3 at 9.24, about a Scottish child migrant who spoke to the
4 CMT about her experience of what happened to her when
5 she was seen talking to boys in a local park; is that
6 right?

7 A. Yes.

8 Q. I think the inquiry may have heard about this.

9 Essentially, as you tell us towards the bottom, the
10 girls were taken into a room, one by one, to have their
11 virginity tested by the doctor, with both the priest and
12 the nun, Sister LSV watching. That involved
13 a vaginal examination and the migrant goes on to say:

14 "I was sexually assaulted by the doctor aided by the
15 Sisters of Nazareth and the local priest."

16 That was her view of what happened?

17 A. Yes.

18 LADY SMITH: Mr MacAulay is right: we heard about that from
19 a witness and there's no question of the girls having
20 been asked for their consent before they were examined;
21 it was something they had to submit to.

22 A. Yes.

23 MR MacAULAY: The next section of the report then, Margaret,
24 at page 23, section 10, is headed "The Dehumanisation of
25 the Child". You've already touched upon this in your

1 evidence.

2 A. Yes.

3 Q. Can you just elaborate on that? One point you make, for
4 example, is the deplorable conditions, you say, that
5 they were living in, some of the children; is that
6 right?

7 A. Some of the children, yes.

8 Q. What sort of conditions do you have in mind from what
9 you've been told?

10 A. I think we've seen that, haven't we? We have heard it
11 in evidence, we've already seen some government reports
12 about the deplorable conditions. These were
13 institutions. A lot of them were institutions where,
14 of course, children should never have gone to.

15 When we look and we hear about the testimony of
16 children, particularly that went to the four
17 institutions in Western Australia, Bindoon especially,
18 where the children say -- there's absolute external
19 evidence of that where they built the institution
20 themselves as well.

21 So for those children who were already
22 psychologically upset and were bed-wetting and all the
23 things that we would understand of children that were
24 deeply, deeply upset, there weren't any facilities for
25 that, sleeping out on the veranda, sleeping out when it

1 was raining.

2 These are children from the United Kingdom who
3 aren't used to weather like that and were certainly not
4 living in those kinds of conditions here before they
5 went. So I think that we've got lots of evidence that
6 would demonstrate that these weren't places that
7 children should be in for those reasons as well.

8 Q. And you mentioned, I think, already, or we had evidence,
9 rather, about children not wearing shoes --

10 A. Yes.

11 Q. -- as being an issue.

12 A. Well, shoes and underwear. Not wearing shoes in
13 Australia, and particularly given a whole range of
14 things to do with climate and to do with the ground and
15 to do with a whole range of things, that in a sense is
16 a message to a child: you are not important, you are not
17 cared about.

18 LADY SMITH: I suppose, Margaret, that even although there
19 might have been children all over Australia who went
20 about outdoors barefoot, these children had no
21 background of having done that, their feet weren't
22 hardened up --

23 A. That's right.

24 LADY SMITH: -- when they arrived, and I've heard no
25 evidence of anybody explaining to them: this is what

1 children do here, you will get used to it, but let us
2 know if your feet are sore, we can deal with it.
3 Nothing. It was just something they had to do, no
4 choice.

5 A. That's right, yes. I've never heard anything over all
6 these years of there being anything that was about
7 helping the child adjust --

8 LADY SMITH: No.

9 A. -- to a whole range of environmental factors, anything
10 ever.

11 MR MacAULAY: Again, if I can try and see if this document
12 will appear on the screen. It's at CMT.001.001.0294.

13 This is a report on Bindoon you mentioned a moment
14 ago. I think, as we read this report, it's a report
15 that followed upon the Ross Report, because in the third
16 paragraph it begins by saying:

17 "I fully endorse the mission's report."

18 And the mission, I think, is the fact-finding
19 mission.

20 The report begins if we look at the top -- it is not
21 very clear, but I think it says:

22 "Mr Wheeler and I visited this institution on
23 19 July."

24 And some other names are mentioned.

25 They are met on arrival by the principal, we see

1 that at paragraph 2.

2 LADY SMITH: Sorry, which year are we at now?

3 MR MacAULAY: I think it's 1956.

4 LADY SMITH: That would fit, yes.

5 MR MacAULAY: In the next main paragraph, as I've just
6 pointed out, it begins:

7 "I fully endorse the mission's report under this
8 heading [that's the premises]. The dormitories are, to
9 say the least of it, dreary. They contain no furniture
10 apart from the beds, which have poor horsehair
11 mattresses. Only some of the beds have sheets, which
12 are dirty and in poor condition. On the veranda with
13 a concrete floor and no protection against the weather,
14 there are 12 beds with no sheets. These are said to be
15 for the bed-wetters. There is one lavatory without
16 a seat for night use, which is in a disgusting state.
17 The ablutions, showers and changing room are
18 indescribably filthy and have, as the mission states, no
19 facilities for hanging towels or clothes. The towels
20 in the changing room looked as though they had never
21 been renewed for weeks. They were black, worn and
22 soaking wet. We were told they were changed twice
23 a week, but I can hardly believe this."

24 So that's a fairly depressing picture of the
25 premises.

1 A. Yes. Fairly consistent with the child migrants'
2 recollections.

3 Q. And if we move on to the second page of the document,
4 0295, and the heading "Staff", just above halfway.

5 I think we read there:

6 "The principal certainly appeared to think that
7 there was nothing wrong with the establishment."

8 And then the report goes on to say:

9 "He struck me as being utterly callous and lacking
10 in all understanding of child welfare."

11 I think Senator Cook was one of the other people
12 present:

13 "[He] admitted to me he thought the staff was
14 inadequate but said they could not afford more."

15 And finally, just under the heading "General
16 comments", towards the bottom, can we read:

17 "I entirely agree with the mission's conclusion that
18 it is difficult to find anything good about this place."

19 And we had some evidence about this:

20 "The boys had been specially 'spruced up' for our
21 visit and were wearing their best clothes. It was
22 obvious, however, from the footmarks about the place
23 that they normally go about with bare feet. The boys
24 also told me in that they cleaned the place up
25 specifically for our visit. On the other hand, I admit

1 that the boys appear healthy, although some of them
2 seemed rather pathetic."

3 Again, it's a critical report of the conditions that
4 these boys had to endure at Bindoon.

5 A. Mm.

6 Q. And this was an official report that would have been
7 available to the authorities?

8 A. Yes.

9 Q. If we go back to the section that you've headed "The
10 Dehumanisation of the Child", you actually provide an
11 example at 10.6, again taken from a Scottish
12 child migrant, talking about window cleaning practices
13 at Nazareth House, Camberwell. I think again we heard
14 some evidence about such practices.

15 On the face of it, and indeed looking to what you've
16 quoted, it was a rather dangerous practice; is that
17 right?

18 A. Yes, this is a direct quote from a child migrant, so
19 we can see all the dangers implicit in this. There was
20 no safety equipment. She was saying if a child let go
21 or sneezed at the wrong time, it's unlikely they would
22 have survived a fall from that height.

23 Q. You have a section at section 11 dealing with "Child
24 Sexual Abuse and Former Child Migrants". Is it the
25 case, looking to your own work, that you have had

1 accounts of sexual abuse from child migrants?

2 A. Yes.

3 Q. And can you give me some understanding as to the range
4 of these accounts? By that I mean the numbers, boys,
5 girls and so on.

6 A. I think going back to the late 1980s, early 1990s, when
7 I was first working in Australia, the disclosures of
8 sexual abuse, they were largely from boys, from men,
9 of course, and girls too, but predominantly males at
10 that point. The context of that, of course, was this
11 group of people were just learning that they weren't
12 orphans. So they would be seeing me or my colleagues
13 around those issues to do with family, to do with roots,
14 to how they got there, how they understood that. That
15 was very, very important at that time to them.

16 And also to talk then, 30 years ago, about these
17 horrific violations was just such a risk for them.
18 I mean, when you're abused like this, there's no trust,
19 you don't trust anybody.

20 I remember a gentleman coming to see me and
21 disclosing sexual abuse at a young age in these
22 institutions, and saying to me, "Promise me", "I'm
23 a social worker, this is confidential, I will promise
24 you, but you should expect that of me", and he said,
25 "Because I will never work again here in this place if

1 it gets out."

2 I was thinking, what do you mean you would never
3 work again here? And that was something about all the
4 forces that were against them and that this practice,
5 these terrible things that happened to all these
6 children was a secret within themselves as a group too.
7 So it took time, it took trust, a big step on their part
8 to trust and to disclose the abuse. So this has been
9 over time.

10 Q. Is it your experience that those who were children who
11 were sexually abused remained silent for many years
12 before disclosing the abuse?

13 A. Oh, many years, many years, and I imagine that you're
14 going to hear that in evidence. It takes great courage
15 and great trust, as we will all know here, to talk about
16 those things. It crushes a child. We know that. It's
17 a terrible violation. These children had no one,
18 absolutely no one at all. They were the most vulnerable
19 in every aspect, and occasionally these children would
20 run away. Run to where? They didn't know where they
21 were running to. They would go to the police, they'd be
22 taken back and flogged. And the other children would
23 see that and that would be a warning to them.

24 So when I met this group of people later on, it was
25 very gentle, the disclosures were few, and then people

1 began to trust, and that was huge on their part. So
2 they trust us and we must respect that trust, even
3 today.

4 Q. Do you find from your work, focussing on children for
5 a moment who have been sexually abused, that it does
6 have an impact on their own personal lives later on in
7 life?

8 A. The question is, and I understand the question, and
9 of course it does, and there are long-term consequences
10 for the rest of their lives. That's what they tell us,
11 that's how they feel. The consequences are for life.
12 I remember a child migrant saying to me, "It changed me
13 forever".

14 Q. But you do tell us in the report, at paragraph 11.11 on
15 page 25, that:

16 "For some former child migrants, for some, despite
17 appalling histories of severe and repeated sexual
18 assault by multiple perpetrators over several years, the
19 impact of sexual abuse is not presented as the most
20 damaging element of their childhood."

21 Do you find that with some migrants?

22 A. Yes, I do. It's all about recovery. What is recovery
23 from child abuse, child sexual abuse particularly? How
24 do people recover from that? Well, of course, we know
25 that justice is a large strand of that and being

1 believed and that being acknowledged.

2 But for this particular group of our citizens, the
3 violation of sexual abuse and physical abuse is seen
4 alongside of the stripping of their identity and of
5 their belonging. So within all of that, what is the
6 most important strand to recovery from all of that? And
7 one of the things that we're finding, my colleagues too,
8 is the sense of belonging, the sense of identity,
9 knowing who you are, and knowing that you are believed.
10 Above all things, that you are believed.

11 All of those strands take place with child migrants.
12 They had no parents, they had no one there.

13 Q. Looking on then to section 12 of the report, which is
14 headed "Reporting Abuse", did you find generally that
15 the children who were abused did not at the time of the
16 abuse report the abuse to anyone in authority?

17 A. Yes, I think that's fair and you frequently hear that
18 from their evidence: they didn't report it and there was
19 nobody to report it to.

20 Of course, also we have to imagine how frightened
21 they were. Just imagine the fear of the telling: who do
22 I tell, what will happen to me?

23 For some children, I think the consequences of
24 seeing their friends taken out of the bed at night and
25 taken to a dormitory and taken somewhere where they knew

1 that that child would come back crying -- and I remember
2 one gentleman saying to me, "How awful I was as a child
3 because I just prayed it wasn't me and I was glad it was
4 him."

5 We kind of have to imagine living with that and
6 living with that, not just as a child but as an adult
7 and as a father and now as a grandfather.

8 LADY SMITH: Well, it reinforces for the child who is not
9 chosen that night that they live in a culture of fear
10 that they can't get away from.

11 A. Yes.

12 MR MacAULAY: In section 13 you address the issue of the
13 impact of separation and trauma. You've already,
14 I think, covered some of this, but again, loss of family
15 and personal identity has an impact on these children --

16 A. Mm.

17 Q. -- and it's a lifelong impact.

18 A. It is. If you're going to meet your mother for the
19 first time and you're 50 and she's 80, and people say to
20 me, "I just wonder, why couldn't this have happened
21 years ago? Why couldn't I have met her years ago?"
22 Of course, that's a question we ask ourselves now: what
23 was it that stopped that? And there are many factors.

24 But in terms of your question, Mr MacAulay, you
25 say: has it consequences and significance for the rest

1 of your life? Yes and are there consequences for your
2 family, for your children, for your grandchildren?
3 These are generational issues and they won't end for
4 this generation of child migrants. That is, we would
5 say, the long-term consequence as well.

6 Q. On pages 29 through, I think, to 31 you provide some
7 examples of what you've been told by Scottish
8 child migrants in relation to what happened to them.
9 Again, we can read this for ourselves, but for example,
10 at paragraph 13.9 the third paragraph down, when this
11 child migrant is talking about, I think, Tardun, which
12 was a Christian Brothers establishment, he says:

13 "It was a place of violence and fear, always
14 shaking, looking over my shoulder."

15 Is that what you were told?

16 A. Yes.

17 Q. Then there is a part of this, what you were told,
18 talking about brothers coming to Tardun on retreat and
19 that boys would be chosen who would be sexually
20 assaulted by the brothers; is that right?

21 A. That's right. I'm trying to find it on here, yes.

22 Q. It's on the screen now.

23 A. Yes, "It was a place of violence and fear."

24 Q. And then moving beyond that, you've given information
25 about when brothers went to Tardun on retreat --

1 A. Yes.

2 Q. -- and that boys would be sexually abused by brothers
3 who are named by this individual.

4 A. Yes. Yes, he goes on to say, doesn't he, that they
5 renewed their spiritual vows on retreat at Tardun?

6 MR MacAULAY: In the unredacted version of this, the
7 brothers are named and these are names that I think the
8 inquiry has already heard.

9 My Lady, it's coming up to half past and that might
10 be a good time to have a break.

11 LADY SMITH: We normally break at this time, Margaret, for
12 about 15 minutes; would that work for you?

13 A. Yes, thank you so much.

14 (11.30 am)

15 (A short break)

16 (11.50 am)

17 LADY SMITH: Margaret, are you ready for us to carry on?

18 A. Yes.

19 LADY SMITH: Thank you.

20 Mr MacAulay.

21 MR MacAULAY: Can I now turn to section 14 of the report,
22 page 31. This is a section of your report that you've
23 devoted to post-war child migration and, in particular,
24 early warnings and missed opportunities. In a sense,
25 we've touched upon some aspects of this already under

1 reference to certain reports.

2 You begin by telling us that at 14.1 that:

3 "There is now clear documentary evidence from the
4 Australian Royal Commission Inquiry into institutional
5 responses to child sexual abuse that at least one of the
6 major institutions involved in child migration was aware
7 of serious abuse over several decades."

8 Is that a reference to the Christian Brothers?

9 A. Yes.

10 Q. Was there a finding made to that effect, that there was
11 knowledge within the order itself that there were
12 brothers who were abusers?

13 A. Yes. I think that was in case study 11, isn't it?

14 Q. Yes. You go on to say in the next paragraph:

15 "It is also clear that government authorities in
16 Canada, Australia and the UK had knowledge of concerns
17 about the conditions in many institutions from at least
18 the 1940s onwards."

19 Is that correct?

20 A. Yes.

21 Q. And again we've seen some reports already from the
22 1950s.

23 Looking to the standards that were expected to be in
24 place post-war, at paragraph 14.14, page 33, you draw
25 attention to the Curtis Committee's report and what that

1 report said about standards.

2 We've heard already about this, but can I just put
3 the extract from the report on the screen. That's
4 CMT.001.001.0421. This is taken from the report and
5 that short part of the report that deals with child
6 migration, it begins with the report saying:

7 "We understand that organisations sending deprived
8 children to the dominions may resume their work in the
9 near future. We have heard evidence as to the
10 arrangements for selecting children for migration and
11 it is clear to us that their effect is that this
12 opportunity is given only to children of fine physique
13 and good mental equipment."

14 The report goes on to say:

15 "These are precisely the children for who
16 satisfactory openings could be found in this country and
17 in present day conditions, this particular method of
18 providing for the deprived child is not one that we
19 specially wish to see extended."

20 They go on to say:

21 "On the other hand, a fresh start in a new country
22 may, for children with an unfortunate background, be the
23 foundation of a happy life and the opportunity should
24 therefore, in our view, remain open to suitable children
25 who express a desire for it."

1 And then we read:

2 "We should, however, strongly deprecate their
3 setting out in life under less thorough care and
4 supervision than they would have at home. We recommend
5 that it should be a condition to the consenting of the
6 emigration of deprived children that the arrangements
7 made by the government of the receiving country for
8 their welfare and aftercare should be comparable to
9 those we have proposed in this report for deprived
10 children remaining in this country."

11 So that was the recommendation that the conditions
12 should be comparable to the conditions in the
13 United Kingdom?

14 A. That's correct.

15 Q. I think you draw attention in your report at 14.16 to
16 a Home Office memorandum that was issued to the
17 Australian authorities. Again if I could perhaps have
18 that on the screen. It's at CMT.001.001.0422, if we
19 could perhaps begin there.

20 We're looking at the moment at a letter dated
21 18 October 1947 from the Secretary to the Office of the
22 High Commissioner for the United Kingdom. Can we see
23 the first paragraph makes reference to paragraph 515 and
24 I think that's what we've just read of the Curtis Report
25 in relation to what the conditions for migration should

1 be. Reading on it says:

2 "It was made a condition of their migration that the
3 arrangements made by the government of the receiving
4 country for their welfare and aftercare should be
5 comparable to those proposed in the Curtis Report for
6 similar children remaining in the United Kingdom."

7 The next paragraph goes on to deal with:

8 "The Home Office in response provided a memorandum
9 of which I now enclose a copy."

10 Do you see that what's the letter says?

11 A. Yes.

12 Q. If we move on to the next page, to the memorandum itself
13 at page 0423, can we look at the introduction and just
14 dwell on this for a moment or two because it sets out
15 what would give a child a good family type of home:

16 "(i) affection and personal interest. (ii),
17 stability. (iii), opportunity for making the best of
18 his ability. (iv), a share in the common life of
19 a small group of people in a homely environment."

20 So these were the aspirations, is that right?

21 A. Yes.

22 Q. Then under the heading "Standards of care", that section
23 essentially repeats the quote that I've taken from the
24 Curtis Report. So can we see that it was clearly
25 recognised that there were standards that had to be met

1 for children to be migrated to places, in particular in
2 Australia?

3 A. Yes. This sets out clearly the expectations.

4 Q. You then go on in your report to draw attention to
5 a number of reports calling into question the standards
6 in Australia. The first document that you mention --
7 and I think this is at paragraph 14.17 -- is at
8 CMT.001.001.0427.

9 Can you just help me with this? It bears to be
10 a telegram dated 30 April 1947. I think you call it
11 a confidential --

12 A. Yes, a confidential report.

13 Q. What do you understand this to be?

14 A. Well, I think this comes obviously, this telegram, from
15 the deputy, the British Deputy High Commissioner based
16 in Australia. He sends a confidential report to the
17 UK Government, describing conditions that fell much
18 below standard:

19 "... with every indication of poverty, including
20 poor linen, inadequate beds, concerns that ordinary
21 children were mixing with 'defectives', and a lack of
22 female staff to care for very young children."

23 These issues were raised with the Archbishop of
24 Perth and the Catholic authorities.

25 So how I would interpret this is that this is the

1 Deputy High Commissioner, who's based in Australia,
2 informing his own government that things aren't as good
3 as they expected.

4 Q. And is it directed towards the Christian Brothers?

5 A. Yes, because I'm assuming that these issues were raised
6 with the Archbishop of Perth and the Catholic
7 authorities.

8 Q. If I could take you to another document, if you could
9 look at -- and this is under reference to what you say
10 at paragraph 14.18. If you could look at
11 CMT.001.001.0428.

12 This is a letter dated, again it's June 1947, and
13 it's from the Office of the High Commissioner, I think
14 the secretary, Mr Garrett, and it's addressed to
15 a Mr Wheeler, who was in the Department of Immigration
16 in Canberra. I think Mr Wheeler was also involved in
17 inspecting places.

18 The second paragraph says:

19 "I am still, however, doubtful about Castledare.
20 Conditions appear to have improved somewhat, but this
21 place cannot possibly accommodate 100 children without
22 overcrowding. Much still remains to be done here and
23 I am recommending the United Kingdom authorities not to
24 sanction the despatch of any children to Castledare
25 pending a further report in about 6 months' time."

1 So again, there are words of caution being expressed
2 there?

3 A. Yes, there's the alerts going out here, aren't there, to
4 the British Government, to say all is not well here?

5 LADY SMITH: Margaret, I'm also interested in the first
6 paragraph of that letter. It indicates that it seems
7 very clear that state authorities approved the first
8 nominations without adequate inspection of the
9 institutions. That sounds as though children were sent
10 out in circumstances where, by 1947, it was recognised
11 that nobody had checked about the quality of the
12 institution to which they were being sent. Is there any
13 other way of reading that?

14 A. Well, I don't think so, because I think what we've kind
15 of got here is a High Commissioner, in a diplomatic
16 role, trying to manage these tensions, but to take out
17 the response -- to really say, look, this isn't working.

18 LADY SMITH: The paragraph is talking about "various
19 institutions in Western Australia", so which do you
20 think in 1947 that would have been referring to?

21 A. I think it would be referring to Clontarf, Castledare,
22 Bindoon certainly, and possibly Tardun. Possibly.
23 I think so.

24 LADY SMITH: Thank you.

25 A. So I think you're saying, Mr MacAulay, really, the

1 evidence is here that people knew in 1947 that this was
2 not without considerable risk to our children and yet
3 evidence shows us that we kept sending them.

4 MR MacAULAY: If I can take you then to another document.
5 It's at CMT.001.001.0431. Do we see it's a visitation
6 report of Bindoon? Can we see the date now is
7 6 November 1947?

8 A. Yes.

9 Q. And does it begin by saying:

10 "On the 29th, I accompanied yourself and
11 Mr Turnbull, dental officer, to St Joseph's Farm and
12 Trades School, Bindoon and made an inspection of the
13 premises and migrant boys in residence"?

14 And does it go on to say:

15 "I saw each of the 20 migrant boys personally and it
16 seems obvious that they have been specially selected in
17 one group as they appear to be of poorer average
18 mentality than other migrants who arrived in the same
19 party"?

20 That seems to have been the impression. Then
21 if we move on to the next page, 0432, towards the bottom
22 at number 7, can we read:

23 "Generally, I was not many impressed in any way with
24 the appearance of these boys. Personal cleanliness was
25 not good and their hair was unruly. Clothing was very

1 poor, and in most instances, dirty"?

2 So that's the description there. Then on the next
3 page, 0433, at number 8:

4 "In view of these conditions I cannot recommend that
5 any more boys be admitted to this institution until such
6 time as an improvement is made in the general standard
7 of clothing and cleanliness and better facilities for
8 education provided."

9 Then there's a covering letter attached to the
10 report and can we read in the second paragraph:

11 "I may say that I am in full accord with the report
12 submitted to me by Mr Marriott. The conditions at
13 Bindoon are not good. As a matter of fact, the
14 educational facilities provided for the boys are most
15 inadequate and I fail to see how they can receive proper
16 schooling. Furthermore, the conditions generally do in
17 no way conform to those at other institutions or, for
18 that matter, the provisions of the Child Welfare Act."

19 Again, it's a critical report on Bindoon --

20 A. Yes.

21 Q. -- at a time in 1947 before quite a number of
22 child migrants were sent there, again, from Scotland?

23 A. Mm.

24 Q. That's the position, isn't it?

25 A. Yes, that's the position. I think when we look back and

1 the things we're seeing, there were clear warnings.
2 There was enough evidence here to stop child migration
3 at that point to Western Australia, particularly to
4 these four institutions.

5 It's very clear here: this is not right, they should
6 not be coming. It stops short of saying, "This should
7 be stopped", and it's really more about, well, it's not
8 good, could we improve? And as we hear testimony from
9 many others, other child migrants, I think we will hear
10 that conditions indeed did not improve.

11 Q. You also draw attention in this section of the report to
12 a letter to The Times. You mention it, I think, in
13 paragraph 21 on page 34. I'll get the letter up on the
14 screen. It's at CMT.001.001.0442.

15 You tell us that this is a letter from the British
16 Federation of Social Workers and it's dated March 1948;
17 is that right? We don't see the date.

18 A. I can't see it.

19 Q. That's the date you give us.

20 A. Yes, in March 1948.

21 Q. And the letter begins by drawing attention to the
22 Children bill, which I think at this time was making its
23 way through Parliament, and then paragraph 515 of the
24 Curtis Report that we've already looked at.

25 Then we can read:

1 "The undersigned have reason to think that the
2 practices of the various agencies for the migration of
3 children overseas vary and that their methods of
4 selection of children, their welfare, education,
5 training, and aftercare in the receiving countries are
6 not always of a sufficiently high standard."

7 We go on to read:

8 "We would urge therefore that, in conjunction with
9 the Commonwealth Relations Department, an
10 intergovernmental commission of inquiry be set up to
11 examine the whole system of care of deprived children of
12 British origin in the Commonwealth with special
13 attention to aftercare and employment."

14 And it's signed by a number of signatories.

15 So again, you've drawn attention to this just to
16 show that there were -- it wasn't just the reports that
17 were coming from Australia, but there was also concern
18 in the United Kingdom about the whole policy?

19 A. Yes. I think it's quite something when the social work
20 profession in those days, particularly, write to
21 The Times and say, we are very concerned about the
22 childcare policy of the UK Government, really drawing
23 attention to some of the things that social workers were
24 and should be concerned about.

25 Q. You also have drawn attention to an exchange in the

1 House of Lords, I think it was, in connection with the
2 Children bill. I'll put that on the screen as well.
3 It's at CMT.001.001.0443.

4 A. Yes.

5 Q. This is in the Hansard report for 13 April 1948. Just
6 reading into what's being asked by Lord Llewellyn, they
7 would like to be assured that:

8 "... the Home Secretary will make regulations which
9 will go some way towards carrying 37 out of the
10 recommendations of the Curtis Report. There were
11 recommendations that children should not be emigrated
12 willy-nilly without much enquiry as to their physical
13 condition or the kind of conditions to which they were
14 going in the dominions or perhaps somewhere else."

15 And the Lord Chancellor of the day responds by
16 saying:

17 "My Lords, I am able to give the noble lord the
18 assurance for which he asks. I can give an assurance
19 that the Home Office intended to secure that children
20 shall not be emigrated unless there is absolute
21 satisfaction that proper arrangements have been made for
22 the care and upbringing of each child."

23 So that was the assurance given at that time
24 in relation to how children would be dealt with.

25 A. Mm-hm. That's correct.

1 Q. I think we do know, and you touch upon this in your
2 report, that although the intention was that there be
3 regulations, particularly to regulate the role played by
4 voluntary organisations, the regulations drafted did not
5 in fact at this time come into effect.

6 A. Yes, that's correct.

7 Q. In the rest of this section, you provide us with other
8 instances where there were warning lights, if you like,
9 including some of the material we've looked at under
10 reference to the Ross mission.

11 A. Yes.

12 Q. And that was in 1956?

13 A. Yes.

14 Q. Do we see that over a period of time, spanning a number
15 of years, there are concerns being expressed by
16 institutions in Australia?

17 A. It's all the way through, isn't it? You can see how
18 this moves from 1947, we are now well into the 1950s,
19 and a lot of children were being sent to Australia
20 during that period. So we're now looking at the 1950s,
21 and it's the same issues yet again about standards, very
22 poor standards, regulations, what regulations there were
23 not being adhered to, not being respected.

24 Q. You come to a conclusion, if we turn to page 38 of this
25 section, at 1451 where you say:

1 "It would seem that a succession of appalling
2 individual incidents, reports of seriously substandard
3 conditions at specific institutions, and an accumulation
4 of concerns over several years were not seen as
5 sufficient reason to trigger the measures required to
6 safeguard these vulnerable children."

7 That is your conclusion having looked at the
8 material?

9 A. Yes.

10 Q. Going on from that, you tell us about what in fact the
11 accounts from the former child migrants have told you as
12 to what in fact was happening on the ground.

13 A. Yes.

14 Q. Can you summarise that for me?

15 A. I think they've spoken over all this time around the
16 issues that are raised in some of the reports, the very
17 poor standards of care, well, a lack of care, the
18 cruelty around contact with home and with parents. You
19 know, child migrants have said very publicly, and to
20 myself and colleagues, that particularly the boys in
21 Bindoon were told many, many times, "You are the sons of
22 whores, you are the sons of Irish and Scottish whores,
23 all of you."

24 Well, what can we say? I mean, that was the
25 culture. That's what it was about. We've talked about

1 identity and people talk about those things to us now
2 regularly. They are still hurting at 70 and 80 years of
3 age.

4 What do we say to their mothers and fathers and
5 their brothers and sisters about that? If these
6 regulations had been taken seriously, some of these
7 children wouldn't have gone out there, wouldn't have had
8 that experience, and their parents, their mothers, their
9 fathers, their families might have found them even
10 sooner.

11 So I'm sorry, I've digressed, but it lends itself to
12 that: if you don't carry out these regulations, if the
13 government already know of these conditions that we've
14 heard about, what do we really expect to happen and the
15 consequences to be? So all of the above in terms of the
16 conditions, the complete failure to support the
17 individual child, a group of children, and of course, as
18 we've heard, the most appalling degradations.

19 Q. Having then looked at what I described at the beginning
20 as the background aspects of your report, can I now look
21 to see what the Child Migrants Trust does? That's
22 section 15 onwards in the report.

23 A. Yes.

24 Q. You begin the section here by telling us what the role
25 of the Child Migrants Trust is. Can you just summarise

1 that for me, please?

2 A. I think I've already said that this is a professional
3 social work service. The critical elements of that is
4 that it's a specialist service that we only work with
5 former child migrants and their families. That is,
6 wherever they were sent to and wherever they live now,
7 if they were British child migrants.

8 Our core work is with individuals, of course, and
9 their families. The core work is about identity and
10 belonging, about family, about the right to family life,
11 and providing a service that is geared and sensitive to
12 all of those complexities of a child that's gone missing
13 for 40 or 50 years.

14 Q. What you say at paragraph 15.6 is:

15 "CMT observes the fundamental principle that direct
16 client work with adult survivors of childhood abuse
17 requires both trust and safety."

18 Is that fundamental?

19 A. Yes, correct. It's fundamental.

20 Q. How do you build the trust?

21 A. Well, that's a complex issue with this particular group
22 of children -- adults, I should say. But of course,
23 always respecting their truth, listening and doing.
24 What is it that needs to be done here and can we do it
25 and how do we do it?

1 Q. The safety aspect of the exercise?

2 A. Well, yes. The safety aspect is all around, isn't it?
3 Providing an environment and a relationship that's based
4 on trust and using trauma-informed services that we are
5 sensitive to triggers, that use of language is
6 appropriate, how we describe things and how we listen.
7 So those are some -- not all, but some -- of the key
8 strands.

9 Q. Then when we move on in the report to section 16 on
10 page 41, you talk about the CMT service principles,
11 independence and safety, and we've mentioned safety.
12 Independence, can you just help me with what you mean by
13 that?

14 A. I think we go back to trust as well, don't we, and the
15 key principal values that underline social work are
16 independence. I think to help people feel safe and to
17 recover in a place of safety that your services need to
18 be, of course, distant from the perpetrators of that
19 abuse, whatever it is, whether it be church, charities,
20 state or whatever. If they are the -- the pain of the
21 abuse, the services need to be independent from that,
22 completely independent to aid recovery, and for all the
23 things that we've talked about, about trust, about
24 safety, and about that other thing that we're all aiming
25 for: recovery. How do we help people recover?

1 Q. You mention in the following section examples of flawed
2 practice and I think one of the points you seek to make
3 is that:

4 "It's a fundamental and persistent flaw in the
5 reasoning of the migrating agencies that have
6 a responsibility to address poor practices in how they
7 deal with migrants."

8 A. I think there's an ethical issue here, isn't there? If
9 you're a migrating agency and you're learning about your
10 past through inquiries like this and a whole range of
11 other things, sometimes the immediate thing is: well, we
12 want to provide the services, we want to put it right.

13 And I would just pose this: one of the most
14 difficult things for myself and my colleagues has been
15 working with -- I think I've already spoken about
16 mothers and fathers who have been told their children
17 were dead. I'll give you another example of that and
18 this was from a child migrant who was sent from
19 Scotland, so it's particularly relevant to this inquiry.
20 I think we can weave independence into this.

21 Just imagine this. This was a child migrant coming
22 home here to meet his mother for the first time. She
23 was in her 80s and prior to him meeting his mother,
24 I'd known him for a long time, and I'd met his mother
25 several times in her own home. She wanted to meet her

1 son and her son wanted to meet her.

2 Prior to that he had said to me, "You will not and
3 you have not told my mother about my sexual abuse, have
4 you" -- and of course, the answer to that is, "Of course
5 not, of course I haven't" -- "because I don't want her
6 to know and I'm not going to tell her."

7 He went to meet his mother at her own home and I was
8 there for the first few minutes. The first thing that
9 happened was that he walked in the door and she was
10 sitting and he ran to her and he sat on her knee. He
11 just sat on her knee like a small child, put his arms
12 around her, and the first thing he said was, "They raped
13 me, they raped me, they raped me."

14 I can't imagine how that would have felt if I'd
15 worked for that agency at that moment in time and
16 I can't imagine what that mother would have thought, who
17 trusted me -- her look at me at that moment was:
18 thank you for bringing my son home, but why didn't you
19 tell me? I knew that she was thinking that.

20 Days later I was in my office in Nottingham and
21 I had a phone call from the police here. The desk
22 sergeant rang me and he said, "I've got this lady here
23 shouting", I could hear her, and he tried to tell me who
24 it was. I said, "I can hear her, you needn't tell me
25 her name, I can hear her." And she was screaming out,

1 "They raped my wee boy! You get on to those Australian
2 authorities!" She was screaming out in this police
3 station. Well, her voice is not heard here. She would
4 have a view about independence.

5 Q. I think that rather poignant example that you've told us
6 about, you have set that out in your report as well.

7 Do you contrast that then to what you tell us in
8 paragraph 17.14 of the report on page 43? You give the
9 example of a former child migrant who had asked
10 a Catholic agency to help him find and be united with
11 his mother and what happened in that context.

12 A. Sorry, I'm just reading it.

13 Q. I think what you tell us is that his mother was found
14 and that his mother was visited by two nuns, and that
15 then the child migrant was taken to see his mother with
16 the nuns present.

17 A. Yes.

18 Q. I think you contrast that to the way things happened in
19 Aberdeen with the child migrant you mentioned in that --

20 A. I think when we talk about independence, it's around all
21 of these things, isn't it? And we don't know what's
22 happened to mothers when they were younger and their
23 experience with church, agencies, charities, or
24 whatever. We can't take any risks. Look at what's
25 happened to these children as children and as adults.

1 We have to strive all the time to get it as right as
2 possible and that's a risk. I believe and my colleagues
3 believe that that is a risk that we shouldn't take.

4 Q. Could I ask you this: when you're seeing former
5 child migrants, do you visit them or do they visit you?
6 What are the practicalities?

7 A. Mainly they visit any of our offices, of course. We
8 don't usually do home visits. But we will of course if
9 we're asked to. But most people prefer to come into our
10 offices, which are homes, houses, as some of your
11 colleagues have seen.

12 They're not a traditional office, of course not.
13 A lot of child migrants actually tell us that, "This is
14 a place of safety, this is a place where I come and
15 I can just sit here and I feel all right." That's about
16 a whole range of things, but mainly to be saying, "This
17 is your place, not ours, we just work here."

18 Q. If I can take you to paragraph 17.5 in the report,
19 I just want to ask you what you mean by this. It's on
20 page 42 and it's when you're looking at this issue of
21 independence and you say:

22 "Whilst some voluntary organisations do recognise
23 the importance of independence in matters of historical
24 abuse, the trust's view is that legislation is necessary
25 to enshrine the unarguable right of individuals to

1 choose independently provided services."

2 Could you elaborate on what you envisage there by
3 the use of legislation?

4 A. Well, I think it's about historical abuse, isn't it?
5 We're all still struggling, by and large, with some of
6 the ethical issues of abuse that we term historical, but
7 people are still living with the consequences of it.

8 We would say it's quite unethical -- we have talked
9 about trust, we have talked about the lack of trust, and
10 you have asked me what is needed to develop trust.
11 Well, how would someone develop trust with an agency who
12 has potentially told them, as children, that their
13 parents were dead when they weren't, that they've been
14 subjected to some of the horrific abuse that we've all
15 heard? Should that agency be providing services now?

16 That's a question we all have to ask each other.
17 It's a complex issue. The various agencies, churches,
18 may well say, "Well, we have a right to put it right, to
19 have a chance to put this right." I think our view
20 would be, no, no, no, this requires independence, this
21 requires people right out there to look at this
22 independently.

23 And of course, that's what many child migrants say,
24 "Do you want me to go back to my abusers for
25 counselling?" That's what's often said and I've heard

1 that said in inquiries too. So that's kind of the value
2 of independence. It's around safety, it's around trust.

3 Q. I understand that. I just want to press you on what you
4 see the role of legislation to be. If I can look at it
5 in this way: are you envisaging that something along the
6 lines, as you point out in the next paragraph, of what
7 was recommended by the Northern Ireland inquiry, that
8 there be a post created called the commissioner for
9 survivors? Is that the sort of --

10 A. Well, it's independent, isn't it? I think when we talk
11 about legislation, it's about standards, it's about
12 regulations, it's about good practice. If we can't
13 secure good practice in this area by a voluntary
14 agreement, this is a good standard. This is a good
15 standard as to how we would do it.

16 LADY SMITH: Margaret, am I to understand from what you have
17 just been explaining that you believe that survivors
18 should be entitled to go for services that they require
19 to somebody other than the organisation that either
20 provided their care when they were a child migrant or
21 put them into that form of care?

22 A. Yes.

23 LADY SMITH: Help me with this: why do you think they don't
24 have that right at the moment?

25 A. Well, firstly it's about choice. They do have a choice

1 at the moment. There is a choice because the trust is
2 independent and so it's not part of that. So there is
3 a choice there. There is an agency there that provides
4 a choice --

5 LADY SMITH: If you took this country, for example, there
6 are choices as well.

7 A. Yes.

8 LADY SMITH: You'll be signposted but you don't have to go
9 to any one of the places and I haven't heard it being
10 suggested, take the Christian Brothers for example that
11 we've been talking about, you have to go back to the
12 Christian Brothers to get help from them.

13 A. Yes.

14 LADY SMITH: Do you see what I mean?

15 A. Yes, I do see what you mean. I think there isn't anyone
16 that says, "You must go there." There's a choice and
17 I think we're putting something out there that's more
18 about there is a need for independence where there has
19 been -- particularly where there's been deception in the
20 past or criminality.

21 LADY SMITH: Yes.

22 Mr MacAulay.

23 MR MacAULAY: Can I then move on to section 18, headed
24 "Secondary Abuse". That's on page 44. Can you just
25 explain how this term has been developed by CMT and what

1 it means?

2 A. I think in some ways that links as well into the
3 independence argument.

4 The secondary abuse -- I mean, primarily -- we've
5 looked at, and you've explored with me, what we would
6 say the primary abuse is, what has occurred,
7 particularly where there's been criminality of this
8 nature going on for a long time with a lot of people as
9 well.

10 So an example of secondary abuse, I think we've just
11 looked at one really, where a professional organisation
12 might want to be -- well, should we say the church or
13 the charitable institutions, all of those that have been
14 involved in the practice of child migration, is not able
15 to stand back necessarily and to be able to say, "What
16 is it we need here? We need to be able to give this
17 mother and this family a service."

18 If we go there, the agency, and its name and its
19 history, will that in any way damage the possibility of
20 this mother and son or daughter reuniting? And I think
21 our work would say, well, of course, of course. So we
22 must always put the child migrant first. Is it in any
23 way going to damage that hope and that opportunity?
24 Mothers and fathers have their stories too. They have
25 their accounts of what happened. So for us not to

1 consider that, it is a form of secondary abuse. We know
2 the primary and we're walking straight into a secondary
3 one.

4 Q. And one point you make is that:

5 "For many, the institutional perpetrators remain
6 a potential trigger for continuing distress."

7 A. Exactly, exactly. So when you're looking at
8 trauma-informed services you'd very much take that into
9 account, the trigger factor as you talk about, and we
10 see that a lot and we hear about it a lot.

11 So that would also say, look, this is really --
12 we have seen the primary abuse, this is another form of
13 abuse, we must be aware of it and, wherever we can, we
14 must prevent it.

15 Q. You then have a section dealing with access to records
16 and that's at page 0047. Is it the case that records of
17 personal and family identity are critical to a range of
18 issues for child migrants?

19 A. Yes.

20 Q. What has been your experience then in looking for
21 records and managing that aspect of your work with
22 child migrants?

23 A. There are several aspects to records and I would say
24 that if anything has moved on considerably and to be
25 beneficial it's the whole issue of access to records and

1 the cooperation between the migrating agencies in
2 sharing those records. It could be better, but it's
3 a huge improvement, a huge improvement.

4 Q. Are you comparing today with some time in the past?

5 A. Yes, I am. If I was to look at what's happened in the
6 last 30 years, and it all sounds a bit depressing from
7 here, but there has been lots of positive movements.
8 Records is one, because in the early days I couldn't get
9 any access to records and the child migrants themselves
10 couldn't, so that's been a huge change and there's been
11 progress made there.

12 LADY SMITH: In those early days what sort of responses were
13 you getting?

14 A. Well, there was no sharing of records. We were often
15 told there weren't any records or records had been
16 burned, they didn't exist. Very much so. The
17 child migrants themselves, of course, who had been
18 asking for years, like when they were 18 or wanted to
19 get married or 21 and needed a birth certificate, they'd
20 been told nothing.

21 It was a very difficult issue. It was about,
22 I imagine, a range of things. It put the agencies and
23 the governments in powerful positions still, so we were
24 trying to -- are there ways that we can neutralise this
25 power, give it back to the child migrant, so they can

1 have some control over their past and understand it
2 better?

3 But eventually, through the Health Select Committee,
4 the inquiry, they really took up the issue of records
5 and the importance of records and who do these records
6 belong to and who are they for. So there's been quite
7 a lot of positive movement on that.

8 LADY SMITH: So initially you were getting the sort of
9 responses that we've heard about here domestically?

10 A. Yes, it was pretty awful at that time. Because at that
11 time, you know, sort of it was every day I was kind of
12 saying, everywhere I could, with anybody that would
13 listen to me, to say, "Every day counts, please just --
14 whatever it is, stop it, whatever you're defending, stop
15 it, every day counts now if child migrants are going to
16 meet their mothers and fathers, so let's do that." It's
17 the most positive things we can do, so we as the trust,
18 and I think we still do now, stay focused. Really,
19 we've had to stay focused on what are the issues that
20 can help us with their identity and family. That is
21 a good thing to do, so it is much better.

22 MR MacAULAY: But looking to the time when it wasn't as good
23 as it is now, and you had sought to get records without
24 success, did some child migrants then lose the
25 opportunity of reconnecting with or rediscovering their

1 families?

2 A. Mr MacAulay, to answer that question, there are two
3 answers to that. Firstly, of course. Secondly, the
4 most inadequate funding by the government --

5 Q. I'm coming to look at funding in a moment, but just
6 looking at the general picture --

7 A. Well, of course, yes, absolutely, because the records --
8 there's a paucity of records, the recording isn't as
9 full always as could have been. However, mostly, enough
10 information is there for us to start our research work.
11 So yes, it was critical, and very critical then.

12 Q. Have you found looking for records that there are some
13 organisations that did keep better records than others?

14 A. Yes.

15 Q. I think you certainly mention some of the Catholic
16 organisations -- this is in paragraph 19.13 on page 48.
17 Do you say that -- you put this in bold:

18 "In relation to former child migrants from Scotland,
19 few, if any, of the children known to CMT from Catholic
20 agencies maintained records with detailed information
21 regarding their family background or the circumstances
22 of their separation from parents."

23 A. Yes.

24 Q. And you go on to tell us about the fact that the Sisters
25 of Nazareth have sought to improve the position by

1 employing an archivist to assist.

2 A. Yes.

3 Q. It's an obvious point, I think, but the lack of records
4 or inadequate records clearly make your job more
5 difficult in tracing --

6 A. Yes.

7 Q. -- but not impossible.

8 A. Not impossible but more difficult of course, yes. It
9 depends as well, of course, if the information is
10 correct on the birth certificate too.

11 Q. The next section then covers very much the nub of your
12 work and that's family tracing experiences. That's at
13 section 20 at page 49.

14 A. Yes.

15 Q. Without the basic information we've been talking about,
16 you say it's like looking for a needle in a haystack; is
17 that right?

18 A. That's correct.

19 Q. Can you give me just some understanding as to how you
20 set about your work? Let's assume you've recovered some
21 records that give you some names and so on. From
22 a practical perspective, what do you then do?

23 A. Well, we use public records as much as we possibly can,
24 things that are in the public domain, because also we're
25 looking for families, but we're also mindful of

1 intrusiveness as well. We also have to be very mindful
2 that we're finding the right families too. So it's
3 quite a complex piece of work, but basically, if
4 you have some -- if your basic information is correct,
5 where the child was born and its name, parents' name, if
6 that is correct, then that's a very good basis for
7 finding people.

8 But there are always situations -- we've got two or
9 three where we would say -- we never close a case, ever.
10 We don't do that. Things change a lot and information
11 changes and what have you, but there's two or three
12 cases now where the search has been 20 years, so we are
13 continually reviewing it, looking at it, what have we
14 missed?

15 We will often, when we get to that point, bring in
16 an external consultant, have we done everything?
17 Because we are looking worldwide for the family.

18 Finding people for us has generally improved
19 considerably, but if your basic information is
20 incorrect -- well, that's really difficult.

21 Q. So I think from what you're saying, there are a number
22 of stages. There's the searching?

23 A. Yes.

24 Q. Then there's the finding?

25 A. That's a different -- yes.

1 Q. But then after that, there's the reunion aspect of it?

2 A. Yes, they are different aspects as you say. There's the
3 search and the integrity of that search, how you do it,
4 when you meet people and they ask you, how did you find
5 us, you want to be able to say how you found them as
6 well. So that's the first part.

7 The second part of that is, of course, engaging the
8 found people, the family. Is it the right family? What
9 is their understanding of the past? It's a difficult
10 piece of work. And then the next stage is of course
11 hopefully a well-informed, a well-planned family
12 reunion, which -- for most people they remain private.

13 Q. What you tell us on paragraph 20.12 on page 50 is that:

14 "Family restoration work requires specialist
15 professional skills and knowledge to conduct meaningful,
16 healing reunions with the potential for sustainable,
17 accepting relationships."

18 A. Yes.

19 Q. And does your trust have the capacity, manpower,
20 womanpower, to carry out that work?

21 A. Well, the skill and expertise, yes. Do we need to
22 develop and have developed more skilled workers? Does
23 this situation require more resources? The answer to
24 that, of course, is yes.

25 Q. The next section I want to take you to briefly is

1 section 22 and that's at page 52. You head this
2 "Generational Needs and Legacy Issues". I think you're
3 touching here on the impact being a child migrant has
4 had on child migrants and the legacy of that and on
5 their families, is that correct?

6 A. Yes.

7 Q. What have you found?

8 A. Look, if a family has a missing person for many, many
9 years, there are a whole range of complexities,
10 of course, around that, not least of course for the
11 child migrant who, I'm sure -- you may have had evidence
12 that if you've not been brought up in a family and you
13 have been brought up in an institution, and the child
14 would experience that -- we're all sensitive to and
15 I have listened to -- that hardly prepares you for
16 family life and to be somebody's son and somebody's
17 brother and somebody's sister. That's not there.
18 That's not been part of growing up. It's a new
19 experience. All the issues that we've talked about
20 recently around trust is a big part of that.

21 Q. But in this section are you looking in particular to the
22 fact that those who were child migrants have not and
23 do not or necessarily do not discuss their experiences
24 with their children?

25 A. Well, absolutely not. That is a common theme

1 throughout, that both mother and father have not and
2 do not necessarily want to discuss their childhood with
3 their adult children, or indeed, as we are moving on in
4 terms of ages, with their grandchildren. Because it's
5 still experienced as hugely painful, hugely painful.

6 Q. Are you finding that the children of former
7 child migrants do want to learn about their parents?

8 A. Most certainly. They most certainly do want to learn
9 about their parents, and their grandparents too, and
10 we're finding of late that they carry the anger most
11 certainly of what had happened to their parents.

12 Q. Let's take an example of parents or a parent who was
13 a child migrants and who's deceased. Do you still find
14 in that situation that descendants of that person may
15 come to the trust and ask for information?

16 A. Even more so. Even more so. There's a huge increase of
17 the adult children of child migrants coming to the trust
18 for services to learn more about their fathers, to learn
19 more about their family history.

20 They carry huge -- and this is one of the things
21 that we're noticing -- huge anger around the injustice
22 of these issues. So yes. You're asking me: does it
23 affect the next generation? Most certainly.

24 Q. In section 23 at page 54 you set out, I think, the
25 example that you've already given us of the

1 child migrant who was reunited with his mother in
2 Aberdeen and how that developed.

3 A. Mm-hm.

4 Q. I now want to move on to section 24 on page 56.

5 You have a section here that deals with the response of
6 government and institutions.

7 I think, as we've already discussed, before the
8 trust was established in 1987, public knowledge or
9 awareness of Britain's child migrants was limited;
10 is that right?

11 A. Yes.

12 Q. "Even today [you say] people react with shock when they
13 learn that so many children were migrated."

14 A. Mm-hm, that's correct.

15 Q. You set out here some responses that were made by
16 government or government representatives when you were
17 seeking to liaise with government about child migration;
18 is that what you're setting out here?

19 A. Yes. I think I'm talking about the resistance,
20 aren't I?

21 Q. Can you tell us a bit about that? How did you find the
22 response of ministers or politicians, particularly
23 in the earlier days of your existence?

24 A. I think that we describe it as denial. There was a huge
25 denial that this had taken place. There was an absolute

1 resistance to fund services. There was blaming. "Go to
2 the people that caused this mess", was often said to me,
3 "don't come to us." I think I would characterise it as
4 denial, of blame, but most certainly, "Don't turn to the
5 government for funding your services."

6 That was the backdrop and I'll just say this because
7 when you go through all this history again, as we are
8 doing here, that was at a time when there was just so
9 much hope that families could be found.

10 So we would say -- and going back to another
11 point -- would we see that as secondary abuse, that here
12 we have identified the problem, we've identified a group
13 of citizens that are suffering, that had all of this,
14 and there was a denial, and at best, a disinterest.
15 Given all the history and given that we've seen that
16 people were saying -- people in authority were saying,
17 "This isn't right, we've seen it, don't send the
18 children here, it's not right", and it continued. And
19 then much later on when we're saying, "It did happen,
20 but there's still hope, let's do everything we can right
21 now", there was resistance, there was reluctance, there
22 was denial.

23 That is secondary abuse because the evidence was
24 there and the historic evidence was there, as we have
25 seen this morning. So that defines it for us, how we

1 see it.

2 Q. Again, you set out in the report, at page 57, some of
3 the responses that you received from various ministers,
4 politicians.

5 A. Yes.

6 Q. For example, at 24.10 you quote:

7 "Any concern about the treatment of children in
8 another country is a matter for the authorities in that
9 other country."

10 A. Yes, it was the past Prime Minister, Mr Major.

11 Q. 24.12:

12 "Child migration was a policy formulated in a social
13 climate very different from that of today."

14 A. Yes.

15 Q. That's another response?

16 A. Yes. That's the "standards of the day" argument too.

17 I used to get that a lot. "That was the standards of
18 the day at that time." Well, I don't remember it being
19 the standards of the day at that time to criminally
20 abuse your children in the way that evidence has been
21 given here.

22 Q. Margaret, can I now take you on to the issue of funding.
23 You address that in the next section, section 24, on
24 page 57. Can you just give me a thumbnail sketch of the
25 history of the funding of the CMT?

1 A. Inadequate, unreliable, year fundings. This is
2 a project with a long life, as you can see. I set out
3 fairly clearly the level of funding, particularly
4 in relation to the Department of Health. It has been
5 a continuous struggle and still is today.

6 Q. You begin this section by saying:

7 "The full potential of the trust to reunite families
8 has been frustrated by decades of struggle for funds."

9 A. Yes.

10 Q. I'll come up to the present day in a moment. You
11 describe the UK Government's, at least at the first
12 stage, involvement as being minimalistic; is that right?

13 A. Yes.

14 Q. And you provide us with some information about what
15 funds you sought and what funds you were given.

16 A. Yes.

17 Q. The funds that you were given, did that impact upon the
18 full extent of your work?

19 A. Absolutely. There were many people -- and I expect if
20 you ask me I could probably name them and give you
21 numbers -- who didn't meet their families because of the
22 inadequate funding. That's a fact. It's a reality.
23 During that period of time, the funding was so low that
24 that was the impact.

25 Q. You draw attention to the role played by Nottinghamshire

1 County Council. Can you elaborate upon what role
2 the county council was playing in assisting the trust?

3 A. Yes. In a sense at that time -- my history was that
4 I worked for Nottinghamshire County Council as a social
5 worker in those early days that we've already spoken
6 about.

7 Following the article in The Observer, I was asked
8 by the then chair: how long do you need to do this work?
9 I can see that you're doing this in your annual leave
10 and that's not right and what can we -- and I asked for,
11 I think, just give me a year so that we can kind of get
12 a measure of what's happened here and what's needed.

13 History tells you the rest: they were still funding
14 me 15 years later, seconding me. I think it must be the
15 longest secondment for record, mainly because for them
16 they thought -- the leader of the then county council
17 thought, all we have to do is to alert the British
18 Government and to show what the need is and they will
19 take responsibility. It was 15 years before that
20 happened.

21 So Nottinghamshire County Council for
22 child migrants, particularly in Australia, mostly when
23 they're home to meet families now, will always come to
24 the Nottingham office and sometimes they go to the
25 county council. They often say this was the conscience

1 of the world at that time for these reasons.

2 So yes, were they a great help in the early days?

3 Yes, of course.

4 Q. And I think you do tell us in your report that other
5 local authorities were approached --

6 A. Yes.

7 Q. -- for assistance. What was the response there?

8 A. It was 92 local authorities then and I think the chair
9 of the county council wrote to each local authority and
10 said, "Can you help? If you could just help to see us
11 through this time." I think most local authorities
12 declined and said that this was the responsibility of
13 the government. I think I may have put it in the
14 report, that there were two local authorities that made
15 a grant to us. I think Liverpool was one. I think
16 Lincolnshire was the other, I'm not sure. I can write
17 to you about that.

18 Q. Okay. Then if we go up to the time of the apology, had
19 the support from Central Government improved before the
20 apology?

21 A. Well, it was improving slowly but not enough. The
22 apology in a sense was a turning point. Most certainly
23 it was a turning point where there was -- within the
24 apology there was an acknowledgement that the nation is
25 saying sorry. And of course, as part of that apology,

1 for the first time I heard a minister, the
2 Secretary of State, ask: what is needed right now to go
3 along with this apology, what is needed right now?

4 The need then was for people to be able to come home
5 and see and be with their families. So an immediate
6 response of the apology was to establish the Family
7 Restoration Fund.

8 Q. And I'll look at that in a moment or two. Before the
9 establishment of that fund did you have funds that would
10 assist?

11 A. They weren't adequate. They weren't adequate. That was
12 the only time in 30 years that a government minister or
13 indeed a civil servant has said, "What is needed?"

14 Q. Then --

15 A. And I think I must say that because that is really
16 important: can somebody actually be able to say, "Tell
17 us what is needed right now"?

18 Q. You set out in paragraph 25.10 the funds that have been
19 made available by the UK Government, namely to cover
20 your expenditure, you've been provided with sums of
21 money, which you say is a realistic level of grant;
22 is that correct?

23 A. Yes.

24 Q. Then let's look at the Family Restoration Fund. You
25 mention this at 25.11. That was a sum of £6 million.

1 A. Yes.

2 Q. And was that in 2010?

3 A. Yes.

4 Q. I think that was increased subsequently; is that right?

5 A. Yes, it's been increased, yes, subsequently, by
6 £2 million.

7 Q. What is the up-to-date position in relation to the fund?
8 Because we've had some evidence that there was to be
9 a review at about this time. Can you bring us up to
10 date?

11 A. Well, I'd like to. We're still kind of lobbying heavily
12 for the Family Restoration Fund to continue whilst there
13 is a need. It was due to come to an end in March, but
14 it is under review. So I cannot tell you it's going to
15 continue, but as of today I can say that it's being
16 considered, it's being looked at, but I don't know the
17 outcome of that. So if we don't know the outcome of
18 that, then neither do child migrants and their families.
19 There are, I think, 70 people wanting to travel through
20 the summer months. So that's the up to date.

21 Q. Do I take it then that you will learn fairly soon as to
22 what the position is to be?

23 A. Well, one would hope so.

24 Q. Are you looking for a particular sum of money or --

25 A. Look, the Family Restoration Fund has been really very

1 successful, I think, as part of the apology, and the
2 need was expressed, the resources were put there, and
3 it's very successful. So we think that if we look at
4 need -- and it's a diminishing need by the age of
5 people, you can see that -- that it probably needs
6 £3 million to say that this fund is here for while ever
7 it's needed.

8 Q. In relation to the management of the fund and how it
9 operates in practice, do you have applications from
10 former child migrants for funds to allow them to travel
11 back to the United Kingdom to see family? Is that how
12 it works?

13 A. Yes, it funds the travel. We organise the travel.
14 We're responsible for the fund itself and we operate to
15 a criterion that has been agreed by the government, by
16 the trust and the child migrants. It's a fairly clear
17 criterion about that. We have to make sure, of course,
18 that child migrants are going to see their families and
19 their families want them to visit.

20 I think people would say it's fairly well-managed,
21 I'm satisfied it's well-managed.

22 Q. And I think you say that it has been a success.

23 A. Yes. I think so. I think it has been a success for two
24 reasons. Firstly, that was the need, the compelling
25 need, and secondly, that it's been very sensitively

1 managed within the areas that we've talked about, about
2 trust, about respect, and also a trauma-informed
3 service.

4 Sometimes this is elderly people -- look, we had
5 a lady of 90 who wanted to travel from Australia to meet
6 her family. And so you can imagine the comments about
7 age and health on that one, and risk. Risk. What if
8 she dies on the plane? What if? What if? What if she
9 dies and has never met her family? Can we put that
10 in the equation too? There are complexities, there are
11 ethical issues all the time, but the focus is on
12 families and reunifying families, so it's very been
13 successful and needs to continue in our view.

14 Q. The 70 you mentioned that are waiting in the wings, are
15 these former child migrants who have never been back to
16 the United Kingdom or are some of them people who are
17 coming on a second or third visit?

18 A. It varies. One of the things, of course, that
19 Prime Minister Brown at the time said, and that we
20 endorse, and most importantly the child migrants
21 endorse, you can't build family relationships on one
22 visit. Being deprived of family for 50 or 60 years, we
23 can't do that in one visit. So Mr Brown was really
24 clear: we want you to be able to do the very things that
25 we all take for granted. That's the essence of this

1 fund.

2 Q. Does the fund operate in reverse, so to speak? By that
3 I mean can family members from this country go to
4 Australia to visit?

5 A. Yes, if the child migrant themselves is unable to
6 travel, not well, if there are reasons for that, yes,
7 most certainly.

8 MR MacAULAY: My Lady, that's 1 o'clock. I have not far to
9 go, but perhaps we should break.

10 LADY SMITH: I think we should stop now for the lunch break.

11 Margaret, I normally stop at 1 o'clock for lunch, if
12 that would work for you. We'll resume again at
13 2 o'clock.

14 (1.00 pm)

15 (The lunch adjournment)

16 (2.00 pm)

17 LADY SMITH: Margaret, are you ready for us to carry on?

18 A. Yes.

19 LADY SMITH: Thank you.

20 Mr MacAulay.

21 MR MacAULAY: Can I then take you to section 26 of your
22 report on page 59. It's a section where you deal with,
23 in particular, inquiries and also national apologies.

24 I think it is the case, as you set out in the
25 ensuing paragraphs, that you did participate in a number

1 of the inquiries that have taken place into child
2 migration; is that right?

3 A. Yes.

4 Q. Did you give evidence to the UK Health Select Committee?

5 A. Yes, I did.

6 Q. And I think you also gave evidence to the Australian
7 Senate Committee?

8 A. Yes.

9 Q. And to the England and Wales Child Abuse Inquiry?

10 A. Yes.

11 Q. I think you also gave evidence to the Northern Ireland
12 inquiry; is that right?

13 A. That's correct, yes.

14 Q. One proposal you mention in connection with the
15 Australian Senate committee report, I think, is that
16 there was a proposal for memorials to be erected in
17 Australia; is that right?

18 A. Mm-hm.

19 Q. Was that carried through?

20 A. Yes, I believe so.

21 Q. It wasn't just in one state, were the memorials to be in
22 different states?

23 A. That's correct. I'm more familiar with the memorial in
24 Perth in Western Australia and in Melbourne at the
25 Immigration Museum.

1 Q. Then if we move on to redress, section 27 of the report,
2 if we turn to page 62, the focus of this part of your
3 report is on individual redress or redress to
4 child migrants. In particular, you focus on the UK
5 scheme that came into play after the England and Wales
6 Child Abuse Inquiry's recommendations.

7 A. Yes.

8 Q. What was the response of the child migrants to that
9 redress scheme?

10 A. Well, that, as you say, was a recommendation of the
11 English and Wales inquiry, which was for 20,000 for each
12 child migrant -- look, you asked me for the response.

13 I think it's been a very positive response indeed.
14 Not necessarily focusing on the amount, so people could
15 have said -- of course, had a view about the amount, it
16 was low, it was high, or whatever.

17 So there wasn't a huge outcry about that, as we
18 partly expected. I think that is because -- well, two
19 things. Firstly, it was for everybody. I think that
20 was really significant. It was for everybody and the
21 same amount. So for those things, the child migrant
22 community, as far as our feedback is concerned -- that
23 was very positive indeed.

24 What it kind of revealed as well to us in some cases
25 was the shocking degree of poverty and deprivation with

1 child migrants that live alone, especially women. So
2 this £20,000 meant an awful lot.

3 But then were people ringing us, saying to us and to
4 my colleagues, really, they especially all rang in when
5 they received it and said, "Now I can go and pay for my
6 funeral, I will not die a pauper here." That was very
7 strong and moving testimony about now. And ... yes.

8 Q. Was any issue taken with the fact that the scheme for
9 those who had died would only cover those who had died
10 on or after 1 March 2018?

11 A. Yes, that's right. So I think that was the restriction.
12 It was extended to those that had died during that year.
13 So that was very appreciated by the family members, most
14 certainly.

15 Q. So far as Scotland is concerned, as you point out in
16 paragraph 27.24, Scotland has introduced the advance
17 payment scheme.

18 A. Yes.

19 Q. Has that been well received?

20 A. Yes. Our only involvement there is to send out
21 application forms for that, and I think that's around
22 35, 36 that we've sent out already. Would you confirm
23 that, Ian? Yes. It's in the 30s. We're sending out
24 the application forms.

25 Q. One thing you mention, and it's in this section of the

1 report, is at 27.28. It may be slightly out of context,
2 but you do tell us there that you yourself have
3 experienced considerable, as you put it, intimidation
4 and harassment. Is this historical? Is this going back
5 in time?

6 A. Well, it relates very much to the early days within this
7 30 period (sic) we're talking about. I think certainly
8 within the first 10 years, the first 2 or 3 years were
9 extremely difficult.

10 Q. Who was responsible, if you're able to say?

11 A. I don't think that would be very helpful.

12 Q. No, okay.

13 Then can I take you finally, Margaret, to the last
14 section of your report, section 28 on page 68. This is
15 headed "What is needed now?" Some of this, I think,
16 you have already covered in your evidence. For example,
17 that:

18 "Former child migrants continue to require
19 specialist, independent professional help."

20 And that's the message you've got across today.

21 A. Yes.

22 Q. You also say in the next paragraph:

23 "The majority of former child migrants have now been
24 reunited with their families."

25 And that's inevitably the case because, as time goes

1 on --

2 A. We'd hope so, otherwise we'd have failed miserably. And
3 there's the age factor, isn't there, of course.

4 Q. Can I just ask you about what you have in mind at 28.6
5 where you say:

6 "The present management of record lacks the
7 organisation and urgency which is vital to the welfare
8 of former child migrants and their families. Removal of
9 historical records from agencies that abused their power
10 in the past and centralisation within a government
11 department with a clear access protocol would alleviate
12 much fear and distress."

13 Are you envisaging there that the providers who have
14 records, that these records should somehow go to
15 a central body?

16 A. I think so. I think that would be -- (a) they would be
17 more accessible, there would be a protocol in place.
18 Records are sometimes all that -- they can be used about
19 power. Information is power and it can be used in that
20 way. I'm not suggesting it is being -- that's the case
21 at the moment, but I think that they should be all in
22 a central location.

23 LADY SMITH: Have you had any thoughts as to which location?
24 Who should be responsible for it?

25 A. Well, I think I would apply the independence argument,

1 clearly, and say there needs to be independence.

2 One of the things that we've spoken about since the
3 New Orleans congress is that this is a very specialised
4 area of work and it's a unique group of people, but
5 of course we're learning so much about a range of things
6 to do with children, families, and so we think that
7 there should be a specialist wider -- we should have
8 a wider brief around child migration where you've got
9 a range of skills and expertise all under one roof.

10 That doesn't exclude other people providing
11 services, but it brings it all in, so that you've got
12 all this data in one place.

13 MR MacAULAY: The point you make in the next paragraph
14 about:

15 "... better, more streamlined access to Scottish
16 birth, death and marriage records for government-funded
17 independent professional agencies to assist former
18 child migrants searching for their families would be
19 helpful."

20 Are you having difficulties at present accessing
21 that material?

22 A. I don't think so. Ian, could you comment on that?

23 Q. It's okay.

24 LADY SMITH: Margaret, could I just have your evidence?

25 I really shouldn't allow you to draw on anybody else who

1 hasn't come in formally as a witness, who hasn't been
2 put on oath. I'm sorry to be strict about it.

3 A. I'm sorry. I understand, Lady Smith.

4 LADY SMITH: Tell me what you know.

5 A. I'm not really sure about that in great detail, but I
6 only would say that the access to public records, that's
7 births, marriages and deaths, I think is slightly
8 different in Scotland to the rest of the United Kingdom.
9 It's slightly different.

10 MR MacAULAY: Can I say that if you do want to elaborate on
11 that point, you can communicate with us.

12 A. I apologise for that, I'm so sorry.

13 LADY SMITH: You may not be aware, but we've moved into an
14 era of what I understand to be very efficient online
15 access to records in Scotland, which I've heard of
16 a number of people using very successfully in terms of
17 all the usual certification they may be looking for that
18 would be in a national record.

19 A. Yes.

20 LADY SMITH: That may be helpful to people.

21 A. Yes, thank you.

22 MR MacAULAY: Moving on to page 69 and looking first at
23 paragraph 28.11, you make the point, and this point has
24 been made in other evidence, that:

25 "Scottish child migrants have a strong sense of

1 cultural identity and feel connected and bound to their
2 homeland."

3 You go on to say that:

4 "A memorial to child migrants and their families in
5 Scotland would have lasting significance and be seen as
6 a meaningful gesture that follows the spirit of
7 Gordon Brown's apology."

8 So you're envisaging there some form of memorial;
9 is that something akin to what has been done in
10 Australia?

11 A. I think this is really feedback from former
12 child migrants themselves. They do have a strong sense
13 of cultural identity and identity with their homeland,
14 which of course is Scotland. They often raise this
15 issue, so they would and have said clearly that they
16 would like something in Scotland, which is a remembrance
17 of what has happened to them.

18 LADY SMITH: Have they indicated what type of thing they
19 have in mind as a memorial?

20 A. No.

21 LADY SMITH: What's going through my head is it could range
22 from a plaque to the sort of thing, you'll have been at
23 Liverpool Street station in London, I take it, and seen
24 the very moving figures to comment rate the
25 Kindertransport children, curiously enough children

1 coming in rather than children going out. I just
2 wondered whether it was that type of thing that would be
3 what they would be looking for or whether it would be
4 something in writing or something else, I don't know.

5 A. Well, I think that, as we heard from Mr Johnston
6 yesterday, he was talking about how significant the
7 memorial was in Perth, Western Australia, which is quite
8 simple. Generally in conversations with myself and
9 colleagues, it's really about the symbolism of not being
10 forgotten, to be always remembered.

11 MR MacAULAY: I think how you describe it in the report is
12 you would see that as the cultural component of the
13 national apology.

14 A. Yes.

15 Q. At 28.14, you say that:

16 "There are still vital lessons to be learned from
17 this policy disaster about the measures required to
18 enforce minimum standards of care and the need to
19 nurture personal identity and family relationships."

20 Do you still see there are lessons to be learned?

21 A. Oh, I think so. I think we're learning all the time,
22 both in our practice, we're learning at a policy level
23 what's missing and where there isn't learning going on
24 that informs policy today, and of course by inquiries
25 like this, which is all about truth. So this is the

1 post-apology truth, if I may say so. So yes, I think
2 there is.

3 Q. Paragraph 28.13 then. I think you're really setting out
4 there your hope for this inquiry. Could I ask you to
5 read that for me?

6 A. "This inquiry in Scotland can throw a spotlight on one
7 of the darkest episodes in the childcare history of
8 several nations."

9 There is, as we've heard, and as our work shows,
10 a toxic cocktail of deceit, racism, outdated ideologies,
11 abuse and a weak regulation, which created a living hell
12 for many children and damaged many families.

13 So I think there is still much to be learned from
14 the experience of the child migrants, and of course
15 their families too, and of course the failure to
16 regulate and then enforce those regulations.

17 MR MacAULAY: Margaret, thank you for these thoughts and
18 indeed thank you for the comprehensive report that you
19 and your team have provided to the inquiry.

20 My Lady, I have completed my questions and no
21 questions have been submitted to me to be put to
22 Margaret.

23 LADY SMITH: Are there any outstanding applications for
24 questions? No.

25 Margaret, that does complete the questions we have

1 for you today. Thank you so much for engaging with us.
2 I should probably also give a thanks to Ian Thwaites,
3 who's not really here! He has plainly played a part in
4 preparing your very helpful report with all its
5 references as well. That's an enormous amount of work,
6 I know, to achieve that and it's of great assistance to
7 us, as is the effort you've made to look particularly
8 at the Scottish end of child migration, which of course
9 is what I'm here for. So thank you very much for that.

10 I'm now able to let you go.

11 A. Thank you very much. Thank you.

12 (The witness withdrew)

13 LADY SMITH: Mr MacAulay.

14 MR MacAULAY: The next witness is ready, my Lady, and
15 that is Joan Taylor.

16 LADY SMITH: Thank you.

17 JOAN TAYLOR (affirmed)

18 LADY SMITH: Please do sit down and make yourself
19 comfortable. Do you mind if I call you Joan?

20 A. I'd prefer Joan.

21 LADY SMITH: Thank you very much.

22 Mr MacAulay will explain to you what happens next.
23 I suspect he'll be wanting you to look at the red file
24 that's there. If that's your statement in front of you,
25 that will be coming up in due course on the screen, but

1 I'll hand over to him and he'll explain.

2 Mr MacAulay.

3 Questions from MR MacAULAY

4 MR MacAULAY: Yes, my Lady.

5 Good afternoon, Joan.

6 A. Hello.

7 Q. Could I just confirm with you that you are the
8 Honourable Joan Evelyn Taylor?

9 A. I am, yes.

10 Q. And can you confirm your date of birth is [REDACTED] 1944?

11 A. Yes, it is.

12 Q. You have provided a statement to the inquiry and I'll
13 provide the reference for that for the transcript:
14 CMT.001.001.0736. As has just been mentioned, the
15 statement will come on the screen in front of you, it's
16 also in the red folder that you have before you.

17 If you just turn quickly to the red folder and
18 page 3 of the statement, that's page 0738, can you
19 confirm that you have signed the statement?

20 A. I did, yes.

21 Q. You are providing the statement in particular in your
22 capacity as the chair of the trustees of the Child
23 Migrants Trust; is that right?

24 A. That's correct, yes.

25 Q. Before I ask you about what you say in your statement,

1 can I just confirm a number of points about your
2 background? I think it is the case that you've held
3 a variety of elected and appointed positions in local
4 and regional government and in the Health Service?

5 A. Yes.

6 Q. In addition to those particular roles, you've also
7 carried some responsibilities in national and European
8 forums?

9 A. That's right, yes.

10 Q. It's essentially a life of public service, either at
11 local, regional or indeed national level; is that
12 correct?

13 A. Yes.

14 Q. So far as county-wide is concerned, were you, when you
15 were first elected as a county councillor, was that with
16 the Nottinghamshire County Council?

17 A. The very first election I was a Nottingham
18 city councillor, and then went on to be
19 a Nottinghamshire county councillor.

20 Q. And I think you chaired committees. For example, did
21 you chair the further education subcommittee of
22 the council?

23 A. I did, yes.

24 Q. Did you spend 9 years as chair of the social services
25 committee?

1 A. Yes.

2 Q. With a budget, I think, of £180 million. You've
3 provided the inquiry with information about other posts
4 that you held, and in particular, at regional level, did
5 you become leader of the Labour group of the
6 organisation?

7 A. Yes, I did.

8 Q. Perhaps at an even broader level, did you represent the
9 United Kingdom on a woman's committee covering Europe?

10 A. Yes.

11 Q. Did you have a period of being the chair of that
12 European committee?

13 A. That's right, yes.

14 Q. Were you also a member of the Council of Europe on
15 behalf of the United Kingdom?

16 A. I was.

17 Q. Did you, in 2009, receive an MBE, particularly for work
18 undertaken at regional level?

19 A. Yes.

20 Q. Against that background, can I then turn to your
21 position as chair of the trustees. You begin in this
22 statement to tell us that:

23 "For well over a decade [as you put it], it was
24 the council, the Nottinghamshire Council, that had to
25 shoulder much of the financial burden for the existence

1 of the Child Migrants Trust."

2 Is that right?

3 A. Yes.

4 Q. Can you just explain that to me how did that happen?

5 A. As you've already heard from Dr Humphreys, she was
6 a social worker for Nottinghamshire County Council, she
7 had done her research, found out about this lady who
8 wrote to her, and she had had the two articles in The
9 Observer, I think it was, and she came to me as a social
10 worker to say, "I would like some time off so that I can
11 look into this more fully."

12 When I said, how much, and she said, well, I think
13 a year would do, so I said, well, take 3 years. But as
14 Margaret said, it ended up as 15 years. I have to say
15 that was taken by all parties, all three parties on
16 the council supported that line of action, and we have
17 never been political. The trust has never been
18 political and, as I say, the three parties supported
19 Margaret's secondment and all the activities that I have
20 listed was the help that they gave and, I think,
21 probably over £1 million in all.

22 Q. Over the period?

23 A. Yes, over a period.

24 Q. You have provided in one of the annexes to your
25 statement -- I think is it annex 1, isn't it?

1 A. Yes.

2 Q. And we can perhaps put that on the screen since it has
3 been raised. This is examples you're setting forward of
4 the support provided by the council to the trust?

5 A. Yes.

6 Q. Part of that, of course, is correspondence with Central
7 Government, seeking assistance; is that correct?

8 A. Absolutely, yes.

9 Q. For example, you draw attention to a letter in 1987 to
10 the Home Secretary requesting financial assistance, but
11 none was forthcoming until about 1990; is that right?

12 A. That's right, yes.

13 Q. You provide some details about covering the costs of
14 helplines and volunteers, you covering costs of an
15 all-party parliamentary group on child migration
16 investigation, hosting launches of the book Empty
17 Cradles, contributing to the travel and other costs of
18 former child migrants, and so on --

19 A. Yes.

20 Q. -- including writing to other councils to see if they
21 could provide support?

22 A. Yes. I wrote to all councils and a couple of years
23 later, the leader of the council wrote as well and, as
24 Dr Humphreys has already told you, we got some lovely
25 letters of support but no money, and everybody who

1 replied say, "This is a role for Central Government, not
2 local government."

3 Q. One thing that the council also supported financially in
4 2007 was the funding of a memorial plaque and tree by
5 the River Trent.

6 A. Yes.

7 Q. That is the only memorial thus far in the United Kingdom
8 for migrants?

9 A. Absolutely, yes.

10 LADY SMITH: What type of tree is it?

11 A. I think it's an Australian fir tree of some sort and
12 there's a little plaque underneath to say why it's there
13 and a bench. We put a bench there as well because we
14 felt it is a place where former child migrants do want
15 to go and look at and they can sit there and reflect.

16 MR MacAULAY: Then going back to the body of the statement,
17 Joan, in paragraph 2 you pose what you describe as
18 critical questions that this inquiry must answer.

19 A. Yes.

20 Q. Can you take me through what these questions are?

21 A. Well, first of all, we'd like to know why Her Majesty's
22 Government denied any responsibility for child migration
23 for so long. It took them so long to accept any
24 responsibility whatsoever, and therefore why a single
25 county council was left to support providing critical

1 assistance to thousands of people across the world who'd
2 been subject to international child -- we call it child
3 trafficking -- and abuse in schemes that were legislated
4 for and funded for and facilitated by the British
5 Government.

6 Then why have they still failed to deliver
7 a comprehensive post-apology strategy for justice and
8 support for former child migrants and their families,
9 despite all the inquiries that have been held that have
10 found them to bear primary responsibility for the abuse
11 of child migrants abroad? And also what lessons have
12 the governments of Great Britain and Northern Ireland
13 learned, which would enable them to act with far greater
14 urgency and humanity in the event of any future social
15 policy disasters? We think there's a lot of learning
16 that they could get from what's happened with
17 child migrants.

18 Q. You go on then to develop those themes and you begin by
19 pointing out in paragraph 3 that:

20 "For over 32 years, the CMT has repeatedly brought
21 to the attention of successive governments the plight of
22 child migrants"; is that correct?

23 A. Absolutely, yes.

24 Q. Was this in particular through Margaret Humphreys'
25 efforts?

1 A. Through Margaret Humphreys and the support of the
2 trustees, yes.

3 Q. You've described the reaction of successive governments
4 there as "the path of denial"; can you just elaborate
5 upon that?

6 A. Well, when you sit and talk to ministers and you tell
7 them and explain what's happened, and even on occasions
8 take a child migrant with you, they still don't get it,
9 to be honest, they don't appreciate or they don't want
10 to know, they don't want to fund the trust -- I mean, in
11 earlier years, they didn't fund the trust at all, yet
12 they knew what had happened in the past and they refused
13 to acknowledge it.

14 Q. But did there come a point in time when Central
15 Government did provide funds to the trust?

16 A. Well, yes, but in the first 7 years of the trust they
17 only gave some money for two of those years. So there's
18 5 years when the trust was new, when we could have found
19 families, could have given former child migrants the
20 opportunity to become part of a family, years and years
21 earlier than they eventually did.

22 The amounts of money I've shown you in annex 2,
23 actually --

24 Q. And you have done, and I'll take you to that now in
25 fact. That's at page 0740, page 5 of the statement.

1 A. Yes.

2 Q. We have the trust coming into existence in 1987/1988.

3 Then we have, on an annual basis, the funds that have

4 been obtained. Those are from Central Government;

5 is that correct?

6 A. It is, yes.

7 Q. So for example, in 1990/1991, there was an application

8 for £111,000, but £20,000 was received.

9 A. Absolutely, yes. We thought we were lucky then to get

10 that.

11 Q. But nothing for the next 2 years?

12 A. That's right, yes. Then for 6 or 7 years after that, we

13 got anything from a whole £30,000 or £20,000, which is

14 absolutely impossible to run an international

15 organisation on a grant of that level.

16 Q. Do we see that from 2000 onwards, the figures are larger

17 than that, and moving into the latter part of 2000, the

18 sums have gone up to 220, 250, 250, until we come up to

19 the date of the apology?

20 A. Yes.

21 Q. So these were better figures, better sums?

22 A. They're better sums, but you can't employ many staff on

23 that amount of money, and the running costs of dealing

24 abroad, travel abroad to Australia isn't a cheap trip to

25 take. It was totally inadequate and, to be honest, the

1 money we have now is totally inadequate to run as
2 we would like to.

3 Q. Looking at the position now, have you provided the
4 figures from post-apology onwards for the running of the
5 trust?

6 A. They've gone up quite considerably, but that's only
7 because we have to have staff to deal with the FRF, the
8 Family Restoration Fund, and as you note, that amount
9 seems to be going down year by year. But never once
10 have the government, except Gordon Brown, said, "What
11 does the trust need?" Never once have they shown any
12 interest in actually the outcomes of the money they've
13 been giving us, only on the FRF when it comes to the
14 core work for child migrants. They haven't shown any
15 interest whatsoever.

16 Q. You've mentioned the Family Restoration Fund, which was
17 set in motion after the apology, is that right, and that
18 was £6 million?

19 A. Yes.

20 Q. The point you make at paragraph 9 of your statement
21 is that there's still uncertainty as to whether the
22 Family Restoration Fund will be renewed when the current
23 fund expires this month; is that correct?

24 A. That's right, except we have been given permission --
25 there is some money left in the fund and we have been

1 given permission by the government to use that up for
2 the next quarter.

3 Q. I see. Is that in order to allow families to come and
4 go from Australia to this country?

5 A. It is, yes. They said we can use it up, but as we say,
6 though, we don't know whether we'll get any more money
7 after that's gone.

8 Q. You tell us, as you put it in paragraph 11, that:

9 "We continue to be challenged as to why we cannot
10 source funding from elsewhere."

11 I'd like you to explain that. Who does the
12 challenging and where are you expected to raise the
13 funds from?

14 A. The representative of the department -- it's not the
15 Department of Health now, but that department, who we
16 meet on a quarterly basis, has said to us constantly we
17 should be looking elsewhere to find resources, we
18 shouldn't be relying on government resources because you
19 can't guarantee we'll have it every year. On one
20 occasion he actually told us we ought to be going out
21 rattling yellow buckets for the public.

22 Q. If we move on to the third page of your statement at
23 738, what you say at paragraph 13 is:

24 "There therefore needs to be a calling to account of
25 Prime Ministers and other leading figures for why they

1 took the decisions that they did over this protracted
2 period of denial."

3 That's your view?

4 A. Well, that's the view of the trustees, yes. I think
5 Dr Humphreys mentioned John Major, who said he was aware
6 of the allegations of physical and sexual abuse of some
7 child migrants, some years ago, but any such allegations
8 would be a matter for the Australian authorities, and he
9 said that in Parliament in reply to a parliamentary
10 question. So there he knew it.

11 I link that, actually, when I read that, and I think
12 of what's happened with the Westminster report of IICSA,
13 when David Steel, who was a former leader of the
14 Lib Dems, acknowledged that he knew what was going on
15 and stated it was an abdication of his responsibilities
16 and therefore he resigned. I just wonder whether other
17 politicians should look at themselves.

18 Q. You do make the point at paragraph 16 that you consider
19 it's symbolic that no government minister has ever
20 visited the CMT office.

21 A. Yes.

22 Q. That is the fact, is it?

23 A. That is a fact.

24 Q. Why do you think that is symbolic? Symbolic of what?

25 A. I think it would show that they, I suppose, believe in

1 the work we do, that they're supporting former
2 child migrants. It would mean so much to former
3 child migrants if someone of that stature actually came
4 to our offices and it's never happened. Even the local
5 Member of Parliament never came to the offices.

6 Q. Towards the end of your statement, you come back to one
7 of the points you raised as a question at the beginning
8 of the statement and that is, as you put it at the
9 beginning:

10 "Why have the governments of Great Britain and
11 Northern Ireland still failed to deliver a comprehensive
12 post-apology strategy of justice and support for former
13 child migrants?"

14 Can you elaborate for me what you have in mind
15 there?

16 A. What I have in mind? First of all, they should ask:
17 what do the child migrants want, what would they see as
18 necessary? And you've heard the one thing they do want
19 is a permanent memorial in this country, preferably in
20 Nottingham because they call Nottinghamshire home, they
21 always want to come there, a permanent memorial.

22 Proper funding for the Child Migrants Trust so
23 we can have an archivist, so that we can have the staff
24 that we really require and should have for the size of
25 the operation, although we don't have a lot of staff.

1 A permanent home. We haven't got a permanent home
2 in this country. We rent property and it's essential,
3 I believe, and the trustees believe, we should have
4 a permanent home, large enough to deal with the work
5 with the clients, to work from, but also where education
6 could be done, where people could come and research.
7 We'd very much like that as well.

8 Q. And for that, clearly you would need significant
9 funding?

10 A. Absolutely. But to me, in the story of everything,
11 in the amount of money, it is not a great deal. It's
12 insignificant, really, for the good it would do.

13 Q. Do you envisage not only this would be a base for the
14 Child Migrants Trust, but this would be a base where
15 those interested in this whole area could come and
16 research it?

17 A. Absolutely, yes.

18 Q. You mentioned the memorial issue and the fact that
19 child migrants have focused on Nottingham as a preferred
20 location.

21 A. Yes.

22 Q. I don't want to sound nationalistic, but what about the
23 Scottish child migrants? Have they expressed any view
24 as to where they might want to see such a memorial?

25 A. I'll be honest and say we haven't asked them, but I do

1 think it would be appropriate to have one. I think
2 it would be appropriate to have one in each of the
3 nation countries, to be honest, because they all sent
4 children abroad.

5 Q. Then going back to your statement, Joan, your final
6 comments and your conclusion. Can you just take me to
7 that? What are you asking us there?

8 A. Well, as I say, we'd like the inquiry, if they could, to
9 address directly what is needed to finally deliver
10 justice. They haven't had proper justice yet at all,
11 the former child migrants and their families, and how
12 they're not forgotten. Well, that would be a memorial,
13 they wouldn't be forgotten.

14 How the learning -- the Child Migrants Trust has
15 learnt so much, yet it hasn't been used by anybody.
16 That knowledge, that specialist knowledge we've got, you
17 would have thought government could have said, "Can you
18 give us some advice on how we should perhaps deal with
19 the lone children that are coming from abroad now as
20 migrants? Could you give us information on adoption
21 policies?" There's so much knowledge there that isn't
22 being used, hasn't even been used by Nottinghamshire,
23 which disappointed me.

24 Q. Is that where research then could come into play if
25 there was a research facility?

1 A. Well, I think it's just like the Holocaust. People want
2 to research that, it's a part of social history, a bad
3 part of social history, and child migration is a part of
4 social history of this country. I think it's something
5 that people should know about. They should be aware of,
6 make sure it doesn't happen again and, as I say, the
7 learning being used for today's situations.

8 Q. Very well, Joan. Is there anything else you'd wish to
9 say to the inquiry at this stage, particularly in your
10 role as the chair of the trust?

11 A. What I didn't say on talking about funding is, not only
12 do we get inadequate funding, we don't even get it on
13 time. Now, when you're a charity as we are and you're
14 going from year to year, first of all you can't employ
15 quality people because you can only employ them for
16 a year, so good quality people aren't going to put their
17 future at risk.

18 We end up -- and I can tell you, last year we didn't
19 get our grant, which should be paid by 1 April, until
20 July.

21 Q. Was any reason given for that?

22 A. Well, they don't get round to doing it, do they?
23 I mean, this year we have been told -- last week we were
24 told that we have permission to apply for a form to
25 apply for a grant for this coming year. Should we, with

1 the work we're doing, which is correcting social policy
2 of all governments -- not a political thing, under all
3 governments -- should we be having to apply year by year
4 for a grant? We really think we should be having
5 a rolling grant of a decent amount to get on with this
6 work to be able to employ the best people. We've got
7 some marvellous staff, but we can't always fill the
8 posts because we can't get the right staff because
9 people won't come.

10 If you know you're going to get a grant, we don't
11 know yet, we assume we'll get a grant next year -- I
12 hope so, because I haven't issues any notices of
13 redundancy -- but we're on a knife edge like that and
14 I think it's totally wrong and unfair of the government
15 to do that.

16 In 2016/2017, we didn't get a grant until 21 June
17 and we didn't have the money, actually, at that time to
18 pay staff. It is just not satisfactory at all.

19 LADY SMITH: Had you had an assurance that the money was on
20 its way?

21 A. We were told on that occasion on 19 May that we'd be
22 getting the grant.

23 LADY SMITH: When are you usually told?

24 A. Well, we haven't been told this year we're going to get
25 a grant. We're just completing our application form.

1 We should be told -- I believe we should be told at the
2 beginning of each year, but that's if we have it yearly.
3 But I think an annual grant is totally not right for the
4 work we're doing. We are doing work to put right
5 government.

6 LADY SMITH: Joan, I fear you are in the same position as
7 a number of organisations of your type.

8 A. Absolutely, yes.

9 LADY SMITH: You'll be aware of that and it happens north of
10 the border as well as south of the border. The old days
11 of three-year budgets and three-year promises, or
12 longer, as I think you're looking for, seem to be long
13 since past.

14 A. I do think, Lady Smith, that a government is a bit
15 different from local government and I can appreciate
16 what's happening with grants with local government, but
17 I do think a national government, where we are
18 correcting their errors, should put us slightly
19 different.

20 MR MacAULAY: How would you like it to be managed? Are you
21 looking for a year-on-year grant undertaking? What is
22 it you're looking for?

23 A. A minimum of a three-year grant, but I would prefer
24 a year-on-year because this problem -- this situation
25 should I say -- needs to be dealt with and we'll have

1 difficulties that need dealing with for quite a few
2 years to come yet.

3 Q. So a three-year commitment, for example, would dispel
4 perhaps the sort of uncertainty you might have if you're
5 living hand-to-mouth, so to speak?

6 A. Absolutely. There's no certainty at all. There's no
7 security.

8 LADY SMITH: Joan, do you have any other regular funders?

9 A. No, no other regular funders at all, my Lady.

10 LADY SMITH: Do you pick up donors at random, if I can put
11 it that way?

12 A. Occasionally people send -- yes. Occasionally, people
13 send us money. Dr Humphreys, the royalties from her
14 book and film, she gives those straight to the trust,
15 but that is the only money.

16 LADY SMITH: Thank you. How many trustees are there?

17 I don't think you told me that.

18 A. Five.

19 LADY SMITH: Five trustees including you?

20 A. Yes.

21 LADY SMITH: Thank you.

22 MR MacAULAY: Anything else, Joan, you'd like to say as the
23 chair?

24 A. Only that I look forward to the day when someone from
25 Government comes and says, "What is the need? What is

1 your need?" and I'll put the flags out.

2 MR MacAULAY: Well, many thanks for your thoughtful
3 contribution to the evidence of this inquiry and for
4 having engaged with the inquiry and produced your
5 statement.

6 My Lady, I've asked all my questions and no other
7 questions have been submitted to me.

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

10 Joan, that completes the questions we have for you
11 this afternoon. Thank you very much for taking the
12 trouble to come along and help us as you have done.
13 Your report and those two annexes are really useful and
14 I do appreciate you having gone to the trouble of doing
15 that. So I'm now able to let you go with my thanks.

16 A. Thank you for the opportunity to give you the
17 information.

18 LADY SMITH: Not at all.

19 (The witness withdrew)

20 MR MacAULAY: My Lady, we're moving into read-in mode.

21 LADY SMITH: Should we take a five-minute break just now and
22 then we can do read-ins after that?

23 (2.50 pm)

24 (A short break)

25 (3.10 pm)

1 LADY SMITH: Ms Rattray, where do we go now?

2 Witness statement of "STUART" (read)

3 MS RATTRAY: This is a statement of an applicant who wishes
4 to remain anonymous and has chosen the pseudonym
5 "Stuart". His statement can be found at
6 WIT.001.002.4268:

7 "My name is Stuart. I was born in 1939. My contact
8 details are known to the inquiry.

9 "I was born in the Elsie Inglis Hospital in
10 Edinburgh. We lived with my grandparents in Edinburgh
11 for a little while and then they died.

12 "My dad was with the tramways and we got a house
13 through the housing society in Bingham. I remember it
14 vividly. We were in a prefab with a flat roof. These
15 were only meant to last about 10 years, but they lasted
16 double that and bit more. The years there were
17 fantastic.

18 "My dad died of cancer at the age of 37. I started
19 staying out late and my mum worried about me. I wasn't
20 getting into trouble, but I was worrying her. She spoke
21 to the parish priest, who seemed to be a really nice
22 bloke. He told my mum to put me in Nazareth House.

23 "I was going into the orphanage but I was to go in
24 with my younger brother; she couldn't put me in there
25 without him. He was two and a half years younger than

1 me. He ran away from Nazareth House. They brought him
2 back and he ran away again and then they wouldn't have
3 him back."

4 My Lady, the Sisters of Nazareth register states
5 that Stuart was admitted to Nazareth House in Edinburgh
6 in Lasswade, in [REDACTED] 1948. He was discharged the
7 same year in [REDACTED] 1948, but then readmitted in
8 [REDACTED] 1948. He was finally discharged in [REDACTED] 1950
9 when he migrated to Australia. That information is at
10 NAZ.001.002.9723.

11 LADY SMITH: So into Nazareth House Lasswade when he was
12 about 9 years old?

13 MS RATTRAY: Yes.

14 LADY SMITH: And eventually migrated when he was 11; is that
15 right?

16 MS RATTRAY: Yes, my Lady. He sailed on the SS Otranto on
17 [REDACTED] 1950, which arrived in Australia on [REDACTED] 1950.
18 His name is on the passenger manifest, which is at
19 NAA.001.001.0437.

20 When in Australia, he was admitted to Bindoon in
21 [REDACTED] 1950 and discharged from there in [REDACTED] 1955:

22 "I can't really remember anyone's name in
23 Nazareth House. I'm sure one of the nuns was called
24 Sister [REDACTED] LPY. I don't remember who was in charge. I'm
25 lucky I came to Australia when I was 11 and a half.

1 I remember everything clearly. I only remember being in
2 Nazareth House and being very lonely. As a kid, you
3 wonder why you're there. You want your mum and dad.

4 "It was a dreary looking building. It was a big
5 place. I went back in 2011, knocked on the door and
6 a nun answered it. She was from Ballarat, 50 miles from
7 Melbourne. She was really nice. I can't remember her
8 name. It's an old people's home now.

9 "My cousin, who lives in Derby, was one of
10 11 siblings and came from a hard part of Edinburgh, but
11 when I told him where I was he said Lasswade didn't have
12 a good name. He used to play football and he played
13 against Lasswade kids, but you can't say too much to him
14 as he still goes to church. He knows all about it but
15 he can't accept it.

16 "I slept in a big dormitory. There were 15 to
17 20 kids in it of different ages. I don't know who got
18 us up. I can't remember doing chores. I remember
19 sitting at a window looking at the gates hoping someone
20 was coming to get me. It was terrible. That was
21 probably the loneliness, pining for your mum.

22 "At least we got something to eat there. We didn't
23 in Bindoon. It went from one extreme to another. It
24 was meant to be the land of milk and honey. We used to
25 go from Bonnyrigg to Dalkeith for school. Our bus would

1 pick us up and take us back at lunchtime. I can't
2 remember the food, but it was all right.

3 "I don't know if it was once a week but there were
4 these tin baths that they used to wash your hair. The
5 stuff they used smelled like sheep dip. It was this
6 milky white stuff. They would dip your head in it. It
7 was called something like Jeyes.

8 "I don't remember a church as Lasswade, but we were
9 in a big room and you had to say the words. If you said
10 something wrong, you got whacked with a cane, not
11 a strap, although they had straps as well. You tried
12 not to do anything wrong but as a kid I got it
13 regularly.

14 "The nuns in Scotland at [REDACTED] were cruel
15 too. [REDACTED]. I went there
16 before I went in Nazareth House, but they claimed they
17 were doing it to make sure you got grades. The school
18 is still there. That's the first school I went to.

19 "It's a big shock to go there, Nazareth House.
20 I remember doing a lot of praying.

21 "One of the good bits about it was I remember them
22 taking us over the Forth Bridge to Rossyth at
23 Christmastime and Santa came down in a helicopter. That
24 would have been Christmas 1948 or 1949. They took you
25 there, but the rest of the year you got hammered.

1 "I can't remember my mum visiting me. I can't
2 remember welfare visiting me. My brother wasn't there
3 long as he ran away.

4 "I reckon I was 9 when I went to Nazareth House. My
5 brother went in with me, but he ran away twice and they
6 wouldn't have him back. My brother would have been 7
7 when he went in. For some reason I was rooted to the
8 place.

9 "I can't remember anyone having problems with
10 bed-wetting there. I can remember there were problems
11 later on at Bindoon with other children.

12 "I got whacked with a cane pretty badly across the
13 arm. I remember it vividly but can't remember who did
14 it. I showed my mum and told her what had happened.
15 She wasn't happy at all. She knew a man in Edinburgh
16 who worked for a newspaper. I don't know what paper.
17 I think his name was [REDACTED] or [REDACTED]. He must
18 have contacted the Bishop of Edinburgh.

19 "The next thing I knew I was with my mum and the
20 friends of mum with the bishop, who wasn't happy at all.
21 It was all hushed up. When I got back to
22 Nazareth House, or the next day, the nuns were like
23 honey and treacle. It was exactly the same in Australia
24 when we got off the ship with the Christian Brothers.
25 You never met anyone as nice. Then it changed from

1 black to white.

2 "I just remember cruelty and praying a lot in
3 Nazareth House. When you prayed, the floors were wooden
4 and you had to keep your feet up while you were on your
5 knees. If did you the least little thing, got up to
6 mischief or just out of spite, they'd pull you out of
7 bed and you had to polish a corridor. Not only did
8 you have to polish it, you had to keep your feet up
9 while you did that or you'd get a whack.

10 "In Nazareth House if you looked sideways at anyone,
11 you got a whack on the ear from the nuns. Sister LPY
12 was one. She might have been the head one, I don't
13 know. Their bedroom was called a cell. Their rooms
14 were off ours.

15 "When they promised me I was going to Australia,
16 I was leaving Nazareth House, I wasn't missing out.
17 Little did I know what it would be like. I was at
18 Nazareth House between 18 months and 2 years. The
19 immigration people showed us a film and talked to us and
20 asked us who would like to go. It conjured all up kinds
21 of dreams. They painted a picture of riding horses to
22 school, oranges and big ocean liners. I don't remember
23 if they were from Australia or Britain, but I remember
24 the stories.

25 "We had to go through all sorts of tests and medical

1 examinations before we came out. I'm not sure how long
2 the process took. I pestered my mum to sign a consent
3 form. She told me years later that it was the worst
4 thing she had ever done.

5 "I went on the Flying Scotsman to King's Cross,
6 crossed the road to the next station, and went to
7 Tilbury. It was magic. It felt like a big holiday.
8 We were in one big group, there were about 30 of us.
9 There were four from Nazareth House that I can remember.
10 There were some from Aberdeen and some from Glasgow.

11 "There were carers on the ship. I am amazed nobody
12 fell over the side. Someone, an adult, fell over the
13 ship. Whether he committed suicide, I don't know.
14 We were allowed to do our own thing to an extent.

15 "I nearly drowned on the boat at the pool. I was
16 hanging on to a kid's feet. I went down and luckily
17 there was a guy sitting next to the pool who grabbed me.
18 I never went near it again.

19 "The ship was fantastic. We got badly burned. My
20 nose went green and just peeled off. They looked after
21 us on it, so I couldn't complain about that.

22 "It took almost a month to get to Fremantle. We
23 left about [REDACTED] 1950 and got there about [REDACTED] The
24 ship was called the Otranto. I was beginning to think
25 it didn't exist until I went to the museum for

1 immigrants and there it was, I saw it. I got a booklet
2 from Perth and there was a kid who died and I remember
3 him and the ship he came on was the same as me.

4 "The Christian Brothers met us at Fremantle and took
5 us to Castledare in a suburb just outside Perth.
6 I can't remember who they were. They gave us a picnic.
7 I remember the weather was great. Then they graded us
8 by age, weight and height and put us on trucks to
9 Bindoon. It was dark when we got there. When we woke
10 up, we were in hell.

11 "For the next five years, that was it in a nutshell.
12 Bindoon was 100 times worse than Nazareth House.
13 I couldn't believe where I was. You're in a strange
14 place with a lot of kids around you that you didn't
15 know. They started poking fun at you because of your
16 accent.

17 "We had the big slap-up do in Castledare, then they
18 graded us like sheep and cattle, put us on trucks and
19 I ended up in what I call Stalag 17.

20 "Bindoon Boys' Town was 50 or 60 miles in the middle
21 of nowhere. You woke up in the morning and thought,
22 where the hell am I? I was 11 and a half exactly. It
23 was [REDACTED] 1950. I remember it vividly because when
24 someone does something to you, you remember it.

25 "I was there for five years, I left at 16. I was

1 lucky to leave then because they changed the rules and
2 were trying to hang on to you. It's the same experience
3 as being let out of jail, not that I have ever been to
4 jail. People tell me it was a different era but no era
5 was good to abuse children, none whatsoever.

6 "You got allocated a job to do before you started
7 school, then another one after school. It was just
8 terrible. There were over 100 kids there when I was
9 there. There were 15 to 20 in a dormitory of similar
10 ages. It was all boys.

11 "Brother MDJ was in charge. You soon had to get
12 in the groove and learn. They would just wake the whole
13 dormitory up in the morning. We went to church first
14 after a wash. If you were late for church, they'd give
15 you a whack.

16 "Brother MIU was in charge of my dormitory when
17 we were in the new building. I don't know who was in
18 charge of us when I was little.

19 "My job was sweeping. It was a very dusty place, so
20 we were always sweeping the concrete. If they were
21 short of people to build the buildings, you got pulled
22 out of school. Not so much when you were that age, more
23 when you were about 13.

24 "We got porridge and a bit of bread for breakfast.
25 It was terrible but you had to eat it. It was all you

1 had. You did your job before school and you did it
2 after school, sweeping and cleaning.

3 "Bindoon was a self-sufficient farm, 17,000 acres,
4 and we were starved. We were absolutely starved. We
5 had bread and milk saps for dinner. The highlight of
6 the week was two sausages for lunch on a Sunday. We
7 thought we were in heaven.

8 "One day I stole half a dozen scones from the nuns'
9 dining room. Someone saw me and reported me. The
10 brothers waited until I went to bed and got me up and
11 gave me three of the best on each hand. I think it was
12 MIU but I couldn't be 100% sure. I'd been there
13 a couple of years.

14 "The brothers ate well. Chops and eggs for
15 breakfast and toast. It was unbelievable. We got
16 rubbish. I saw this when I had the job of cleaning the
17 dining room one time.

18 "When you were in the showers, Brother MYL
19 a younger brother, would turn the water on so that you
20 could lather up. He would turn the water off when you
21 were soaped up. He then used a brush you would use to
22 clean the toilet and stick it up your backside and round
23 your back. It had very hard bristles. You learned to
24 try and duck if he came along. It happened to all of
25 us.

1 "The same guy had a strap about an inch thick. If
2 you were running late, he'd whack you on the back of the
3 legs. He was one of the teachers from memory. He was
4 weird. He took great delight in doing it.

5 "The first thing they did when we got to Bindoon was
6 they took all your gear from you and gave you khaki
7 shorts and a khaki short-sleeved shirt, no socks and no
8 shoes.

9 "The school was in Bindoon and you were taught by
10 the brothers. It was terrible. If I hadn't learned to
11 read and write in Scotland I'd be illiterate today. It
12 was non-existent.

13 "One teacher was Brother MBC? or MBC?
14 I think he was off his heads. He was nuts. He would
15 walk up and down the aisle and give you a clip around
16 the ear for no reason. I thought he was local. He was
17 old.

18 "There were a couple who were reasonably all right,
19 but the others more than made up for it. Brother MDY
20 was a shocker. He would have gone done well as
21 a sheriff in a town. He wasn't a teacher, he was a lay
22 brother. He used to drive a truck. He was fat and
23 he had a bald head. He was absolutely shocking. He
24 looked the part.

25 "There was another brother who had more to do with

1 sheep farming. I didn't come into much contact with
2 him. I can't remember his name.

3 "The education was very poor. I think I was good at
4 school in Scotland according to what my mum told me.
5 I don't know what grade I have been in. I was 11 and
6 a half when I left.

7 "At 13 they'd take you out of school to work. We
8 loved it. You would put your hands up when they came
9 into class and ask for volunteers. We had to put cement
10 in the mixer by hand using a shovel. We were like
11 working ants. We worked all day, barefooted most of the
12 time. They gave us army boots sometimes but no socks,
13 so we got blisters. We seemed to be working all the
14 time.

15 "My education basically stopped at 14. I was sort
16 of learning a bit of carpentry and learning a bit of
17 painting and I picked that up.

18 "From memory, on a Sunday we were allowed to explore
19 the bush. It was a huge place but I don't remember any
20 kid getting lost and we never had a compass. Naturally,
21 the older kids knew where to go. From memory, I don't
22 recall anyone getting lost. There were good parts of
23 that which you could grow anything on and there was the
24 rough Australian bush as well.

25 "They had pigs, cows, chickens, a really good

1 vineyard and orange trees. The soil where the orange
2 trees grew was incredible. I think it was volcanic
3 soil. They had heaps of sheep. Obviously it was all
4 going to the convents in the city or they were selling
5 it.

6 "We used to go to a place in the coast called
7 Moore River. The mattress you slept on was hay in
8 a hessian sack and we would get a blanket and sleep on
9 the ground. We'd get a knife, cup and spoon. You
10 cleaned them with sand and water. We loved it. We
11 thought it was magic going there for a couple of weeks.
12 It was really hot. They gave us old army hats with
13 a wide brim on it. They didn't want us getting
14 sunstroke. We only went there from when we were 14
15 onwards.

16 "We used to get a trip to the Royal Show. Different
17 benefactors used to come up there and give us a party.
18 I reckon they were paedophiles from talking to a couple
19 of guys. I didn't have anything to do with them. The
20 so-called Mr Nice Guys, that's what they do, that's
21 their modus operandi.

22 "One guy was called [REDACTED]. That's what we
23 knew him by. Of course if you gave us kids a bag of the
24 cheapest lollies, we thought we were in heaven. They
25 would throw a barbecue for us and they would pick out

1 the most vulnerable characters. Nothing like that
2 happened to me. I was probably too ugly.

3 "This lady took me out on holiday in 1952. She was
4 over 6-foot tall and her family were over 6-foot. They
5 were fantastic people. I went there for a couple of
6 weeks at Christmas and it was great. It was like heaven
7 being treated like a normal person. It was hard to
8 swallow having to go back to Bindoon. Mum knew I was
9 going out to her place, so she gave me a little present
10 from Scotland for her.

11 "In the last couple of years mum got us for
12 holidays. By this time she stayed with a guy.

13 "The brothers were Catholics, but we were out on the
14 holiest day of the year, Good Friday, in a truck digging
15 rocks up for the buildings, which I thought was
16 hypocritical. The walls outside were very thick. They
17 had coffee stone inside, then they had blue stone
18 outside. Other kids were doing it, so you didn't want
19 to be a weakling, you just fell into line. They even
20 had a sandpit for sand. They didn't have to buy
21 anything. They had everything except cement, which was
22 in short supply, but Brother MDJ used to be in the
23 police force and he had influential friends in politics.
24 They all seemed to have Irish names.

25 "One of the good parts about it was if you kept your

1 nose clean they must have seen something in me and they
2 got me to show visitors around. Why would someone come
3 and visit an orphanage? I showed a top journalist's
4 father around when he was the youngest senator in the
5 Labour Party, Don Willesee. I nearly fell out the chair
6 a couple of months ago. There's a programme called
7 Australian Story, and Don Willesee's son was on and
8 Don Willesee said he had to get his son into Bindoon to
9 toughen him up. Anyway, his son didn't say a thing when
10 all these inquiries were going on.

11 "I showed a few people around and they gave you
12 money. If you withheld the money and got caught, the
13 brothers gave you a right bashing. They took the money
14 from you. They didn't get mine.

15 "There was this Maltese kid there and his family
16 lived in the home. I asked him if I could give him £5
17 to look after for me. One kid got caught out and the
18 brothers gave him a savage beating. They did it in
19 front on everyone. They used their fists to beat him.

20 "I showed an influential guy from Australia around,
21 a Mr Barrie. He was a senator in the parliament here.
22 I don't know what party he was in. He lived in Carlton.
23 He was so impressed with me he sent me a book called
24 Golden Year. It was about the goldfields in Ballarat
25 and Bendigo. I never got it.

1 "One day I was in the brothers' library and it was
2 there. I got it back when I left. I asked for it and
3 they gave it to me.

4 "Football teams were shown around. What would
5 league teams from here go to an orphanage for?
6 Melbourne, named after the city of Melbourne, came up.
7 Why did they come up to an orphanage? They didn't even
8 give the orphanage a couple of footballs.

9 "The Collingwood team came up there and they were
10 asking us who could swim across the creek. We didn't
11 have a swimming pool. They gave us 2 bob and some
12 lollies if we did it. I said to another kid, 'At least
13 Collingwood gave us something.' To this day I wondered
14 why they came and visited.

15 "Brother MDY drove a truck on Tuesdays and Fridays.
16 He would pick up supplies to take back. He was
17 different when he was in the truck, like Jekyll and
18 Hyde. He was Mr Nice Guy in the truck. He spoke to you
19 like you should be spoken to, but in the home he turned
20 into a monster. He would come into the dining room and
21 ask, 'Who wants to go to Perth today?' Everyone put
22 their hands up to escape from Alcatraz, but he was
23 brutal in the home.

24 "You had to show you could lift heavy weights to get
25 picked. You had to do some heavy lifting when you were

1 out. It was manual work on the truck. The Catholic
2 firms in Perth used to donate stuff to the orphanage,
3 like broken biscuits or bread that they couldn't sell,
4 and he would pick this up.

5 "Christmas and birthdays weren't celebrated.
6 I don't remember ever seeing a Christmas tree. There
7 were no presents. Your birthday was just another day.
8 It was non-existent."

9 "My mum came to visit when she could. She ended up
10 getting a job. She came out in 1952 with my brother and
11 he came into the home as she had nowhere to go. She was
12 lucky to get a job as a domestic with living quarters.
13 It cost £5 to get there in a taxi, so my mum visited
14 when she could.

15 "She got us out for holidays in my last couple of
16 years and she was working. My mum paid this English
17 woman to look after us. I remember the woman saying she
18 would have to ration the butter like they did in
19 Bindoon. We told my mum and she was really angry. She
20 said she was paying for the butter.

21 "There was no healthcare. The nuns had
22 a dispensary. That was it. If you had anything
23 seriously wrong with you, they took you to Perth. I had
24 a really bad toothache once and they took me there.
25 Brother MDY took me in the truck. The dentist said he

1 couldn't see anything wrong with it. I told him he
2 would have to take it out or they would bash me for
3 wasting their time. He said he would write me a letter.
4 What it was, the tooth was decaying on the inside and
5 I had to go back a few months later to get it out. That
6 was like getting out of jail, going to the dentist. You
7 had to keep telling them before they would let you go.

8 "One kid had a boil on his gut. They sucked it out
9 with a bottle. I was there and I couldn't believe it.

10 "One time I thought I had appendicitis but it
11 wasn't.

12 "We didn't have anything that belonged to us. When
13 you were a certain age you were given rabbit traps and
14 you would give the rabbits you caught to the brothers
15 and they would sell them. You would keep the skins for
16 a month or two and then take them to the furrier. You
17 would get a dollar or 10 bob and buy a pair of runners
18 or training shoes. Mum would give me money and I could
19 get a pair out of the tuck shop.

20 "I remember the poor kids who wet the bed had to
21 sleep on the veranda. They were freezing in the
22 morning. But they were out there because of the
23 smell -- well, that's the reason the brothers gave.
24 Then they got freezing cold showers. The showers were
25 under the dormitory I was in and you could hear them

1 screaming.

2 "Brother MDY one time gave me a punch or a fist to
3 the side of the head in the dining room for going to the
4 servery. Because I didn't get my allocation I went to
5 the servery to ask for it. I saw stars. He said if
6 I wanted anything I had to ask him, I wasn't to go to
7 the kitchen and ask. I was about 14 or 15 when this
8 happened.

9 "When they put the roofs on the buildings, I got
10 picked to help. The firm that built the roof with tiles
11 provided their own men and we were assigned to help
12 them. I didn't think they were good Catholics. They
13 were asking me about Bindoon and I told them about the
14 brothers. They went back to Perth and told someone who
15 called the home and told them some little Scottish guy
16 was complaining about the treatment and that the
17 brothers were all bastards, pigs and all that.

18 "I went back to school on Monday and was told that
19 I had to see MDJ in his office. He was about
20 6 foot 3 and 15 stone. He bashed me badly. I never
21 felt a thing I was so frightened. I didn't know what
22 he was going to do next.

23 "As a punishment, he said they were stopping my mail
24 and all my privileges until my character improved. They
25 used to read all the mail before we got it anyway.

1 I showed a Mrs Ryan from Sydney around and she used to
2 write to me and put 10 bob in the letter for me. Once
3 my character improved, I got a backlog of mail but no
4 money in it.

5 "The incident with MDJ happened in his bedroom.
6 He hit me with a belt all over, mainly on the backside
7 but he lashed out. I told my mum but she couldn't do
8 anything. I had no lasting injuries. I was just very
9 frightened.

10 "I found MDJ all right. He was a hard
11 taskmaster. We had to get the jobs done. I used to see
12 boys pulling a barrel up at the back of the building, up
13 the scaffolding. One time they went for afternoon tea
14 and I wanted a shot of the winch. I used the
15 wooden-handled barrel and winched it up and didn't know
16 how to work it. The barrel was hanging about 20 feet
17 in the air. It eventually fell and broke.

18 "I hung around to take the blame and get it over
19 with. MDJ asked who had done it and I immediately
20 told him that I had. He asked why I'd done it and
21 I told him I thought I could work it. He had
22 a shillelagh like a walking stick and he hit me with it,
23 then used it as a spear and said, 'Get out of my sight.'
24 He gave me two whacks on the backside. I deserved it
25 for what I did.

1 "Brother MIZ wasn't right in the head. He was
2 vindictive. He must have went to a school that trained
3 them to be cruel to children.

4 "If you were crowding the dining room doors the nuns
5 had a belt and they would just whack out at you. They
6 would hit new the face and everything. The nuns were
7 Spanish.

8 "If you lost a towel or an item of clothing, you
9 would miss the pictures. You got this on a Saturday and
10 Sunday night. They'd put you in the next room so that
11 you could hear it but you couldn't see the picture.
12 This was to teach you a lesson: don't do anything bad,
13 don't lose a towel, clothes, things like that.

14 "We all had numbers, 1 to 120 or whatever. We had
15 a locker and you weren't allowed to talk in the locker
16 room. If you got caught, you had to line up and you had
17 got a whack. Any excuse to belt you.

18 "Brother MDJ got a gold watch [REDACTED]
19 [REDACTED]. It got stolen and he said to
20 everyone in the dining room that the boy or boys who
21 stole the watch should come forward. He said that if
22 they didn't, all of us would be punished. I think
23 he was [REDACTED] before he became a Christian Brother.
24 He was going on the principle that someone would turn
25 the person in. Nobody came forward. We didn't see any

1 movies for 2 years. The garden was dug up at the front
2 a couple of years later and the watch turned up. So the
3 movies came back. MDJ died in [REDACTED] and
4 Brother MIY [REDACTED] took over.

5 "I saw my brother, but he was 2 years younger. You
6 didn't hang around with younger kids. It was the law of
7 the jungle. You got belted but then, as you got older
8 and someone gave you lip, you belted them.

9 "Brother MIY [REDACTED] came from a college somewhere.
10 He saw me hitting this kid, he grabbed me and shook me
11 so hard I thought my head was going to fall off. It was
12 worse than getting a belting.

13 "I reckon MDY [REDACTED] would have been the worst. The
14 others were mediocre compared to him. He used to punch
15 you. He didn't care.

16 "When I first went to Bindoon you left when you were
17 18. When I left it was 16. We knew when we were 16
18 that we would be leaving. When I was coming up to 16
19 I had a bit of three-ply wood under my mattress and for
20 the last 3 months I had marked the days off until
21 I left. The brother in charge of the dormitory,
22 MIU [REDACTED], asked me what it was. I told him I had
23 28 days left in here. He saw the funny side of it.

24 "We weren't given any preparation for life after
25 Bindoon. I was lucky that I'd went out with different

1 families to see what life was like. I was inward,
2 I didn't make friends easily, but when I did they were
3 good friends. I've still got them today. I'd say
4 Bindoon had a bit to do with that.

5 "I haven't reported it to the police. They aren't
6 going to do anything. I've told my wife. I haven't
7 told my children.

8 "They couldn't even get it right when they got you
9 a job. MDJ had influential friends and would get you
10 a job when you left the home and get 2 years knocked off
11 your 5-year training as an apprentice. Not with me.
12 I started at the bottom rung. I was placed with
13 a couple of sharks and they didn't pay me the right
14 amount. I spoke to the boarding woman, who was
15 Scottish, and told her and she told me to see the union
16 guy. Because I was just out of the orphanage for
17 12 months, I was frightened to go. I thought I'd get
18 a belting, but her son told me I should go.

19 "I went to see the Secretary of Trades Hall,
20 Jock White, a hard man. He phoned my boss, Mr Tasker,
21 who told him to get me to come down and I would get
22 paid. But Jock White told him to get my money to his
23 office right now. That's how much power the union had
24 then. They used to have to sign for the wages every
25 week. I never signed once and they could see that when

1 he brought in the wages book.

2 "After that, they made it hard for me for a while
3 because I reported them. They then moved to the country
4 full time so they transferred me to another firm.
5 Again, I went from the frying pan into the fire because
6 the employer I went to knew what I'd done to the others.

7 "I was still under the child welfare in
8 Western Australia until I was 21. Back in those days
9 you couldn't vote, you couldn't have a drink. It messed
10 my mum's life up too. She had her little house, her
11 friends and she came out to Australia and didn't know
12 anyone. There was no support for single mothers back
13 then through no choice of hers.

14 "Because the first two guys I worked with were in
15 the bush two weeks, then back a weekend, the welfare
16 were checking up to see if I was behaving. The boarding
17 house was in North Perth. I paid part of the rent.
18 That's how it came about that I was getting shortchanged
19 with my wages when I couldn't pay my rent.

20 "When I finished my apprenticeship in 1960, I went
21 to Darwin for 12 to 13 months, went back to Perth, and
22 met my wife. She came from the other side of Australia.
23 She was in Perth on a working holiday. I met her there
24 in 1962. My mum was still in Perth. I left there when
25 I was about 26.

1 "We decided to do a working holiday. We were in
2 Adelaide for 14 months. The plan was to go to Sydney,
3 Queensland, and whatever place we liked we would stay.
4 I went to Sydney. I then went to Melbourne and got
5 a good job in a cigarette company and the kids came
6 about, so I've stayed here since 1966. I have been
7 married for 52 years. I was always a painter. I have
8 three children.

9 "I took my wife up to see Bindoon and there was
10 a Christian Brother who let us walk around. You can't
11 do that now. I think I went in 2007 or 2008. They've
12 let it fall into disrepair.

13 "I could have been anything if I'd had a better
14 education. I'm probably lucky to be a tradesman. I've
15 had a bit of luck with jobs.

16 "In the early 1990s, the biggest law firm in
17 Melbourne, Slater & Gordon, took our case. They must
18 have laid down as they settled for \$2,000. We had to
19 sign forms not to sue the Catholic Church again.

20 "Then along came another law firm in Collingwood,
21 mainly females. We didn't even have to go to court and
22 we got \$40,000 from the Catholic Church. That was
23 a couple of years ago in 2016. It was maybe \$45,000,
24 because I was in their office and a Christian Brother
25 was done the hall and the lawyer asked me if I wanted to

1 meet him. I didn't really, but he came in and asked me
2 a couple of questions.

3 "I asked him why they thought we were all liars and
4 why did they treat children like they did. I told him
5 they were men of God, they were meant to look after us.
6 He wasn't one of them, he was just a spokesman. He gave
7 me an extra \$5,000.

8 "I haven't touched any of the money. It is for my
9 me and my wife when we die. At least we will be buried
10 correctly. I saw my brother buried and it made me cry.
11 My brother died about 8 or 9 years ago. Being
12 a merchant seaman he was a big drinker. He was divorced
13 a long time. He got out of Bindoon early because he was
14 bigger and heavier than me. He went to sea when he was
15 15. He didn't join the Australian merchant navy, he
16 joined the English.

17 "I'm Scottish. I've still got my British passport.
18 I'm proud of being Scottish. I get an old age pension.
19 I was advised not to apply for redress by the lawyer in
20 2016. The Child Migrants Trust advised that too. I got
21 redress from Western Australia in 2007. It wasn't what
22 it was meant to be, but at least it was something.

23 The first time I went back to Scotland was in 1995.
24 It was the best trip as it had been so long. My wife
25 came with me. I have been back seven times now and it

1 gets better every time, but the first time was the best.

2 "I didn't get any financial assistance when I first
3 went to Scotland but I got reimbursed later, I think.
4 Margaret Humphreys should be knighted and given
5 \$1 billion for what she's done. She's still there. She
6 isn't one of those that comes in and leaves. She's
7 still going. I've met her a few times.

8 "When I go over, I stay with my cousin in Derby.
9 He's Scottish but he moved there for work. He told me
10 he hasn't been able to tell me a lot about my grandad on
11 my father's side.

12 "My dad was sick a lot. He had cancer for a few
13 years. When I went to the cemetery I found out a lot
14 from the headstone. My mum's dad passed away first in
15 1945 and then his wife passed away and then my dad.
16 I remember as a kid going to funerals all the time. But
17 there was a year and maybe 6 months between them.
18 I would have been 7 or 8 when my dad died.

19 "The ABC and the BBC made a film called 'The Leaving
20 of Liverpool'. It started off great and finished
21 downhill at 100 miles an hour. I told
22 Margaret Humphreys and she said it was worse than that.
23 They both have got bucketloads of money, why couldn't
24 they get it right?

25 "They've made another show from Canada called 'The

1 Boys from St Vincent's'. I missed it and they never put
2 it on again. Apparently it was horrific because there
3 were kids sent everywhere.

4 "I call them Mickey Mouse schemes. Since Bindoon
5 was highlighted, a lot of people from other institutions
6 have come out of the woodwork. I couldn't believe it.

7 "It's been a little too late from the British and
8 Australian Governments but at least they've come to the
9 party. It's hard to put into words the impact Bindoon
10 has had on me.

11 "In the 1970s, I was watching a TV programme and it
12 was about Bindoon and I just froze. I tried to block it
13 out and to move on. Some kids can't. You never forget.
14 Some of the memories came back. It should never have
15 happened. It was so senseless. I got sick of telling
16 people when I left there. No one believed us. It's
17 affected me psychologically in a few ways for sure.

18 "I've had flashbacks and nightmares. Not a lot, but
19 I've had them. You never forget. How some kids who
20 went there could say it was a good place I don't know.

21 "I have never seen my records. I asked when I was
22 in England at the Child Migrants Trust and asked if they
23 could get them. I don't want to know anyone.

24 "I just hope they do something about it but knowing
25 human nature, I don't think they will. I just hope that

1 it puts a stop to it.

2 "I know the world's moved on and there doesn't seem
3 to be too many orphanages. The new form of child abuse
4 is in boarding schools. I watch the documentaries, the
5 news and read the papers.

6 "The latest abuse is of the elderly. I know people
7 on our street who have sold their house and moved to
8 a retirement village. Moving into a retirement village
9 to me would be like living in an orphanage. If you
10 don't like the people, you may not be getting abused,
11 but you're stuck there.

12 "The latest thing is in the nursing homes. They're
13 abusing old people in the nursing homes. Why don't they
14 punish them so they can't do it again? I'd keep telling
15 people: be very careful who you have minding your kids.
16 You can never be sure. I hope it never happens again
17 but I don't think there are orphanages now. It's
18 a different world.

19 "I have no objection to my witness statement being
20 published as part of the evidence to the inquiry.

21 "I believe the facts stated in this witness
22 statement are true."

23 The statement was signed by Stuart on
24 18 February 2019.

25 My Lady, there are two more read-ins: we can either

1 leave it there for today or we could do another one,
2 which would be about 15 to 20 minutes.

3 LADY SMITH: Perhaps we could go on and do the 15 to
4 20 minute one.

5 Ms MacLeod.

6 Witness statement of "JAMES" (read)

7 MS MACLEOD: The next read-in is from somebody who has not
8 provided an inquiry statement, but has provided some
9 documentation from which he is happy that some parts are
10 read into the evidence. This will not be appearing on
11 the screens, but I will be reading excerpts from the
12 documents.

13 LADY SMITH: Thank you.

14 MS MACLEOD: This is by an applicant who will remain
15 anonymous and use the pseudonym "James". He has
16 provided a number of documents to the inquiry, which are
17 at WIT.003.002.2834 to 2855.

18 I will read from the first of those, which is
19 a letter at WIT.003.002.2834.

20 James was born in 1941 and is now 78 years old. The
21 inquiry has recovered a record from the Sisters of
22 Nazareth, which is at NAZ.001.006.2774, which shows
23 James being admitted to Nazareth House in Lasswade on
24 [REDACTED] 1946 when he was 4 and a half, and being
25 discharged on [REDACTED] 1947 when he was 8.

1 This is what James says in part of this letter:

2 "There is not much to say about my time in
3 Nazareth House in the 1940s. The hardships there for us
4 were chiefly psychological. I told you that I cannot
5 recall any nun ever with a smile on their face, which
6 would obviously be assuring for any small children
7 experiencing uncertainty and feeling and who were
8 perpetually insecure about everything, really.

9 "It was a miserable place to be. There was never
10 any merriment in the playing fields behind the main
11 building as you would find among jumping joyous kids who
12 were living normally with their parents in their own
13 households.

14 "I could mention the strange toilet in the field.
15 We used one specific corner as the only convenience.
16 There was no structure whatsoever, totally out in the
17 open air. Of course, as time passed, the kids that had
18 to use it were bound to see the deposited waste creep
19 further and further out of the corner until it was
20 getting closer to the play area and becoming quite
21 noisesome.

22 "I guess such a reflection as that doesn't mean
23 a lot, but it's stuck in my memory since that time.
24 Just as did another strange event when one nun told an
25 older kid to strip and walk the full length of all the

1 rest of us who were kneeling in a queue in the
2 refectory, I think it was.

3 "I was in earshot of another older kid later on when
4 he mentioned that she, the nun, enjoyed it. Again, it
5 all means nothing as pertinent information of interest
6 to you, it's just that I remember it.

7 "One or two other little things I recall, but they
8 are similarly of no importance.

9 "I wasn't physically knocked around by the nuns
10 although I vaguely recall that there were others who did
11 suffer some punishment for whatever. I never witnessed
12 it."

13 I'll now read from another document, which is
14 a letter by James written on 29 September 1993. There
15 is no addressee on the letter and it is to be found at
16 WIT.003.002.2844:

17 "I learned only recently that I was placed in
18 Castledare Boys' Home in [REDACTED] 1947. I had come from
19 Nazareth House in Lasswade in Scotland.

20 "Three of the Christian Brothers in that place
21 terrified me at that time. My experience with and
22 complaint against a particular brother occurred in front
23 of the entire classroom. Whirling me by my left arm in
24 a circle around himself, he repeatedly rained blows upon
25 my legs and buttocks and caused that portion of my body

1 to swell and take on a lucid red and blue that extended
2 to just above my ankles. My walk was affected for quite
3 a number of days as welts had risen at the back of my
4 knees.

5 "Perpetrated by Brother **MDF** I became a spectacle
6 in the community shower that evening. Towards the end
7 of the following day, the welts had begun to weep and
8 that night, for fear that I would dirty the sheets as my
9 legs and calves were sticking to them, I passed the
10 night sitting on the bedside. This occurred in
11 approximately 1949.

12 "I did not know my age nor my birthday at that time,
13 neither would I for quite a few years to come. My
14 complaint against Brother **MYK** is of his propensity
15 to use the strap at the smallest infringement of the
16 rules. This strap was identical to the one that **MDH**
17 had flayed with me. The word 'strap' connotes
18 flexibility. In the case of this Christian Brother
19 style of strap it was not so.

20 "The length of this implement was approximately
21 18 inches. It consisted of two blocks of stitched rigid
22 leather, sown together to make an inch square. Each
23 block was approximately 7 inches long and divided by
24 a strip of 4 inches of leather to enable it to fold and
25 comfortably fit into their habit pockets. **MYK**

1 always carried this.

2 "I received this strap on numerous occasions from
3 MYK . I was forced to first extend my right hand,
4 palm upwards, aimed at the pit of his stomach, and then
5 he would proceed to give me six of the best. The
6 process was repeated with my left hand.

7 "One always knew, when a boy was to be seen with his
8 both arms across his chest and his both wrists wedged
9 beneath his armpits, that MYK was in a bad mood.

10 "On a winter's morning this treatment was extremely
11 painful and added more misery to our scantily clad,
12 shoeless existence.

13 "My complaint against another brother is similar to
14 that of MYK After walking to and back from
15 Clontarf to attend a special church service, a number of
16 us were selected in the ablution block to answer for our
17 lack of any evident piety at the service. We were said
18 to be stargazing, never mind that it was the first time
19 that we had seen frescos in the ceiling. We were
20 administered the strap six times on each hand in an
21 already icy room. For a child to be dealt with in this
22 manner was nothing short of an abomination, the reason
23 for it smacking of hypocrisy.

24 "Another complaint I hold as to MDF is that on
25 two occasions we were told to strip and get into one of

1 the baths of warm water and out of a tin was poured
2 kerosene. According to MDF it was to rid one of
3 lice and nits. This was an uncomfortable experience.

4 "My right eye in those times was constantly turned
5 in so that it nearly disappeared behind my nose. When
6 the kerosene entered that particular eye, the pain was
7 excruciating. I was not the only one to scream.

8 "On an educational guidance report dated
9 25 July 1949, under the question 'sight', it is typed,
10 'No apparent defect.' Clearly, I was not examined.

11 zMYK is the signatory to that.

12 "I initially went to Bindoon Boys' Town on
13 1941. I was directly from Castledare. I am
14 issuing complaints against treatment by three
15 Christian Brothers given to myself as a child: MDJ
16 MDY and MBC For myself, I was literally petrified
17 by Brother MDJ I was very small.

18 "Our size was of no consequence when bricks had to
19 be carried to build the structures of Bindoon. Our age
20 did not appear to have been even considered.

21 "Prior to school, which began at 9 am each morning,
22 excluding Sundays, we spent at labour at the current
23 building sites, whether it be to carry poles for
24 scaffolding, bricks and rocks for the intended walls,
25 wheelbarrows of sand for the concrete or picking up our

1 debris, MDJ used all hands without consideration.

2 "I developed cement burns to my still-shoeless feet,
3 chilblains between my toes and constant splinters in my
4 hands. There was also the ubiquitous doublegee that
5 enter one's feet at ease and make it impossible to walk
6 without first extracting them. In the other states,
7 there is another name for them, a plant seed with three
8 sharp thorns. In the raw it was child slave labour.
9 Precisely this same forced labour was continued after
10 school, which terminated at 3 pm. We were 9 years old.

11 "I and four or five others were dealt severe
12 lacerations on our forearms and wrists by MDJ in that
13 year of 1951. A relatively new brother, MIW
14 maybe spelled MIW, informed us once that we
15 wee kids were not required. His information was wrong.

16 "On our return from the nearby paddock, MDJ lined
17 us up with a walking stick and drove down at our
18 outstretched hands. The misdirecting of blows was
19 considered deliberate. It was well-known that MDJ
20 had taken a disliking to the new brother. Even at our
21 tender age, the possibility that he, MDJ
22 deliberately put welts on us to spite the new brother
23 had entered our minds.

24 "My complaint against Brother MDY is also of
25 a physical nature. As with MDJ, MDY terrified me.

1 Although I stated that my complaint was of a physical
2 nature in regards to MDY I was to also suffer
3 psychological trauma due to his serendipitous(?)
4 crossing of his own eyes on nearly all occasions when
5 the option of passing him when alone was not there.

6 "Taking all the hardships that we had to go through,
7 MDY was the only one to taunt me over my dislocated
8 eye. He did it openly, only once, and it was to do with
9 a movie coming. He hushed the dining room and informed
10 them that a protagonist in the film was a gangster
11 called [REDACTED]. There was universal laughter.
12 Until that movie was a memory I was forced to suffer
13 inwardly.

14 MDY physical attacks were well-known. He used
15 his open hand me on various occasions. I was sent
16 sprawling.

17 "The second time around that I was in Bindoon was
18 when he excelled himself in child abuse.

19 "Brother MBC frightened me in a different way.
20 He never worked on the building sites. He was
21 a teacher. Twice on his afternoon stroll to the piggery
22 I walked past him and on both occasions, he made bold
23 remarks such as: '[and the word is blanked out], how
24 much do you weigh without your bottom? If you were
25 divided into four parts, would your bottom left quarter

1 weigh the same as your top right?'

2 "I am not alleging sexual abuse by anyone in
3 authority in any of these institutions at all. What
4 I do say is that if anybody else should and **MB** was
5 the accused, I would remember that eerie feeling that
6 I experienced when I was near him. His remarks were
7 always to do with the body. I suppose that the very
8 fact that I mention him denotes the effect he had.

9 "My sister has been adopted and there was an attempt
10 to adopt me in 1952. It failed. I was sent to
11 Clontarf.

12 "I issue no personal complaint other than the
13 abysmal lack of self-esteem and the failure of the
14 brothers to encourage us. There would be many that
15 would hold resentment and would complain and rightly so.

16 "Adoption again failed after a year's try in 1953.
17 I was returned to Bindoon. What was left of my youth
18 was stolen from me there."

19 Finally, my Lady, I'll read from a further letter,
20 which James has provided to the inquiry and that was
21 possibly, although we're not conclusive, written in
22 connection with court proceedings raised against the
23 Christian Brothers in 1996. That's at WIT.003.002.2848.
24 This is a handwritten statement and I will read part of
25 it:

1 "My entire existence has been an effort of fighting
2 my fears and inhibitions stemming from our treatment in
3 the Catholic institutions. I was in these organisations
4 personally from 1945 to 1957.

5 "My first encounter with fear whilst in those places
6 was in Nazareth House in Scotland. One of the boys had
7 wet the bed again. We were told by the [REDACTED]
8 to kneel in a line and close our eyes. The same lad was
9 then made to walk naked past us with the wet sheet over
10 his head. The memory of this particular incident is
11 vivid to me still. I experienced a mixture of fear and
12 shame. I was no more than 5 years old.

13 "When I spoke to the others that it may happen to
14 me, I was comforted that it wouldn't happen because of
15 my eyes. I was badly cross-eyed. Somehow that would
16 save me.

17 "After losing her for 40 years, I visited my sister
18 in Perth in 1993. I learnt from the Australian archives
19 in Berwick Street that I was shipped there in 1947.
20 We were taken to Castledare. There, we were in the care
21 of [MDF], [MDH] and [MYK]. There were other
22 brothers also. These stand out.

23 "On speaking to answer any questions from either one
24 of the three now, I turn to stone. Petrified.

25 "With [MDF] one day, which I now know to

1 be August 1948, his attitude softened. I was asked
2 where I was going. I found myself in his classroom.
3 There was no school. He sat me on his knee. I was
4 suffering sheer, raw fear. I wasn't hearing what he was
5 saying. I do know he was calling me my name. It hadn't
6 happened before.

7 "I do not wish to go into details. It will have to
8 suffice that I, at 7 years old, was sexually assaulted
9 by this groping individual. I cried uncontrollably.
10 He had no compassion. Sometime before being allowed to
11 leave my mind was frozen. I do recall that his buttons
12 were still agape.

13 "On getting out, I was informed that Don Bradman was
14 bowled for a duck. It was the last test cricket innings
15 of Don Bradman. It was August 1948. All of the
16 beatings that were dealt out to me through those years,
17 the thrashings that I received from MDH stand out.
18 Using an instrument that was lightly called 'the strap',
19 he rotated me at arm's length, whaling on my legs. It
20 was an eternity before he stopped. He was out of
21 breath.

22 "From my buttocks to my ankles was a mess. In the
23 community showers I was a curiosity. The welts had
24 turned black, blue and crimson. A day or so later they
25 were weeping. On going to bed, I was forced to sit on

1 the bedside through the best part of the night as
2 I found that the affected wounds were sticking to the
3 sheets. My entire body was continually shaking.

4 "A few days passed before I was ushered to a plywood
5 room. It followed the **MDF** episode and once again was
6 filled with terror. I was made to kneel in front of him
7 with my head resting upon his knees. He told me that
8 I was no longer to be an altar boy. He was lightly
9 stroking the top of my head. I turned to jelly. I was
10 petrified to leave. In today's jargon I was stressed
11 out. At no time did I receive medical attention.

12 "On another occasion, we went to Clontarf for
13 a religious service. The pastel ceiling paintings
14 within and the tainted windows were too distracting for
15 six or seven of us. On our return to Castledare,
16 we were summoned into the washroom and dealt six of the
17 best upon each hand. These were administered by **MDF**
18 with the strap. He was in a fury. Whilst at church,
19 our minds should have been nowhere else other than the
20 altar. We had embarrassed him. It was a cold day and
21 the coldest area was chosen for punishment.

22 "Excluding **MIZ** at Bindoon later, the ritual was
23 that you pointed your hand directly at the stomach of
24 the strap wielder, palm up. This always ensured that at
25 least one welt extended up to the wrist. On a cold day,

1 it's very painful. It was in this same bathroom that at
2 least one year we were told to get into one of the
3 sunken baths with copious amounts of either kerosene or
4 turps added. **MDF** had a couple of others chosen, then
5 washed us. To me this filled me with embarrassment and
6 shame. I felt like I was a little animal being treated
7 as a nonentity.

8 "I learned also in Berwick Street that I was taken
9 to Bindoon Boys' Town initially in 1949. I think I was
10 there for a year, I'm unsure. From Bindoon, I was then
11 taken to Clontarf. I was put into the class of
12 a certain Mr **LZD** He was not a Christian Brother.
13 I had heard that teacher.

14 "On a particular day, I was to remain behind the
15 others and sharpen the classroom pencils. **LZD** and
16 myself were only in the room. He sat at his desk. He
17 called me over to him. I was at the end of the room.
18 He was sitting on his chair with his pants down. They
19 were around his ankles. His erection was evident. He
20 made me put a hand on it. As with **MDF** his own hands
21 were up my shorts. He told me to masturbate him.

22 "For some reason, I didn't experience the terror
23 that nearly made me comatose with **MDF** just a feeling
24 of being helpless and a sense of hopelessness. I was
25 told that I would be the dux of the class. I was

1 sobbing quite loudly through this. I was warned not to
2 gasbag about it.

3 "If there remain any files all to do with
4 achievements in his class the year that I was dux was
5 the year in question. It was 1951 or 1952, I think.
6 I was in Clontarf on two occasions. After a failed
7 attempt at adoption, I was returned to Bindoon.

8 "MIY [REDACTED] arrived some weeks later. He would
9 [REDACTED] MDJ. I guess that files on our treatment at
10 Bindoon are replete with descriptions of driven physical
11 labour and all-encompassing fear of the consequences of
12 disobedience. They would also, I am sure, tell of the
13 priority of building over that of education.
14 Thankfully, I had little contact with Angus, but I knew
15 a few who did.

16 "I was less fortunate with MIY [REDACTED] Two outsiders
17 were hired with equipment to dam an area between the
18 buildings of Bindoon and the new work shed about one and
19 a half metres away. It was a Saturday afternoon. For
20 some misdemeanour I was to clean the sheep dung from
21 beneath the slates of the sheep shed.

22 "The others were off to the bush somewhere.
23 MIY [REDACTED] came along. He told me to leave what I was
24 doing and walk with him, a pastime of his. He walked to
25 the new dam. He questioned me about the younger of the

1 two contractors, who had a mischievous habit of dropping
2 his shorts and acting the goat generally, the sort of
3 humorous behaviour that can be found, I'm sure, in any
4 football club dressing room.

5 MIY had heard that I had on occasion objected
6 to this behaviour. MIY was speaking as though
7 I was part guilty. Using words that at the time I had
8 never heard of, he lectured me on the weakness of the
9 flesh. He was working himself up, becoming louder. The
10 long and short of the afternoon was that just within the
11 bush, I was ordered to lay on my back and MIY laid
12 on top of me. I was 14 or 15 years old. Any Aussie boy
13 of similar age today would have run away with colourful
14 expletives. With us, it was so terribly different.
15 I was intimidated to the degree that I waited still
16 until he had finished. I went back to the wool shed.
17 I was been psychologically stronger since an eye
18 operation. Not now.

19 "Along with the harsh and twisted treatment that was
20 our lot, the almost maniacal building over the needs of
21 education had an effect on me that has lasted. They
22 instilled the thought that you had to be tough in this
23 world. Physical prowess through manual labour was the
24 best way of showing one's toughness. That certainly is
25 what I did on leaving Bindoon, picking maley roots and

1 rocks for 12 hours a day at 3.96 a week. I was told
2 that if I earnt anymore, I would pay tax.

3 "I cannot visualise that the Australian Government
4 was unaware of at least the obvious hardships that we
5 suffered. The evidence from Bindoon is there for all to
6 ponder. But I suppose they are blameless for the
7 twisted characters of such loathsome people as MDY,
8 MDJ, MIY, MDF, MDH and LZD that
9 shaped my life of soul-destroying loneliness combined by
10 harder toil, uneasiness and self-consciousness, fought
11 by just travelling, merely running away, and in the last
12 15 years on so by drinking. It helps.

13 "In my present physical condition, of course,
14 drinking and smoking have to go. I am hoping that this
15 letter for all its literary faults will at least be
16 informing of those years in these institutions."

17 My Lady, that completes the read-in of evidence
18 relating to James.

19 LADY SMITH: Thank you very much for dealing with that,
20 Ms MacLeod.

21 MS MACLEOD: I think that completes the evidence for today.
22 Tomorrow morning, we have a witness scheduled to give
23 evidence at 10 o'clock, and that will include hearing
24 some radio programmes relating to child migration.

25 LADY SMITH: Thank you very much. I'll rise now until

1 10 o'clock tomorrow morning.

2 (4.15 pm)

3 (The inquiry adjourned until 10.00 am

4 on Thursday, 12 March 2020)

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