

Friday, 18 September 2020

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(10.00 am)

LADY SMITH: Stephen, good morning.

A Good morning.

LADY SMITH: I'm sorry about the delay.

A That's fine.

LADY SMITH: We had a problem with the connection as we were about to start, but it seems to have reconnected successfully now. I hope you are ready for us to pick up where we left off last night. Would that be all right?

A Yes. That's fine.

LADY SMITH: Excellent. I will hand back to Mr MacAulay and he will take it from. Mr MacAulay?

STEPHEN CONSTANTINE

Questioned by MR MACAULAY (Continued)

MR MACAULAY: My Lady. Good morning Stephen.

A Good morning.

Q Yesterday we finished the evidence having looked at the Clyde Report. I now want to look at the Curtis Report which, of course, focused on England and Wales. You begin to address this on paragraph 7.8 of the main report, that's on page 35. Do you have that available to you at the moment?

A Yes. That looks like, erm, yes.

1 Q Now, this was a committee chaired by Myra Curtis who was
2 a retired civil --

3 A What's on -- yeah, the Curtis Report is just coming up
4 on screen. It's the top. I have got 7.8 I can see at
5 the moment.

6 Q Well, 7.8 is where you begin the discussion.

7 A That's right.

8 Q And as you point out, the focus of the report was on
9 England and Wales?

10 A Yes.

11 Q But it ran a parallel course to the Clyde Report?

12 A It did, yes. There is the obvious distinction which
13 I think is said in the report that the Clyde Committee
14 does not refer to child migration at all, the Curtis
15 Report does, to a limited but rather important extent.

16 Q Yes, and I think what you said yesterday is that you
17 thought it was a puzzle that Clyde did not refer to
18 child migration, but the reason for that may be that it
19 wasn't anticipated that child migration would be an
20 issue post the 1948 Act.

21 A Oh, I think that is the case, and I think that also
22 accounts for why even the Curtis Report only deals with
23 it to a lesser extent. There is only, really -- there
24 is one big paragraph on it and then a couple of brief
25 references, and I think possibly that did -- they were

1 alert to it because there were members of the Curtis
2 panel and people who they consulted who were, or had
3 been engaged in child migration pre war, so I think
4 there was a sort of sensitivity aspect to that but
5 clearly the great bulk of the Curtis Report is concerned
6 with domestic children's care.

7 Q If we look at 7.9 of your report, what you do say there
8 is that the assumption is likely to have been that child
9 migration, if it did subsequently take place, would only
10 be on a small scale?

11 A Yes.

12 Q That's what you said, and you go on to say that they
13 were no doubt influenced by evidence received from many
14 organisations, including the Catholic Child Welfare
15 Council, the Church of England Children's Society and
16 National Children's Homes. All had engaged in child
17 migration pre war but they had given no indication that
18 they might resume the practice post war. Have you had
19 access to the representations made by these different
20 organisations?

21 A I haven't seen the documents themselves but I think the
22 footnote to that provides those references. I suspect
23 that since Professor Lynch had written about the Curtis
24 Report that might well be derived from his own research.

25 Q Then you go on to say in this report that Barnardo's did

1 refer to that possibility, but only to Canada?

2 A Yes.

3 Q And only small scale. Is that your understanding?

4 A Yes indeed. I think it's also important to indicate
5 there in 7.10 that Sir Charles Hambro, the chair of
6 Fairbridge had written to the Home Office and the
7 Dominions Office at this time indicating his concern
8 about pre war child migration.

9 Q I will perhaps look at this letter which might be quite
10 important in this context, but you do go on to say that
11 in relation to Barnardo's, having mentioned the fact
12 that only to Canada and on a small scale, even though
13 pre war that Barnardo's had received funding from the
14 Dominions Office to buy land at Picton for its farm
15 school?

16 A Yes. It seems quite extraordinary that Barnardo's
17 didn't contribute by making a reference to that. It
18 seems to be -- it is difficult to explain why they had
19 omitted to mention it, but it is well worth noting that
20 Barnardo's, this Picton land, I think it is a curious
21 omission for which there is no very obvious explanation.

22 Q This is where you go on to make reference to Charles
23 Hambro, because you go on to say that, more immediately,
24 the Curtis Committee in its approach to child migration
25 was influenced by the Fairbridge Society whose

1 operations, of course, only concerned child migration
2 and you go on to tell us that in September 1945 the
3 chair of Fairbridge, Sir Charles Hambro, had written to
4 the Home Office in this connection, and can I perhaps
5 put this letter on the screen for us to look at? The
6 initial reference I want to give is LEG-001.002.0979?

7 A Yes. That's on-screen for me.

8 Q We are looking first of all at the front piece of a
9 Government file. Is that correct?

10 A I have got the top of the letter itself on-screen.

11 Q Oh, you are looking at the letter. I like to put these
12 things in context. Can we just go back to -- it is
13 LEG-001.002.0979. Okay. Well, never mind. The letter
14 we are going to look at is contained on a Government
15 file --

16 A Yes.

17 Q -- folder, quite a large folder, and it is generally
18 about Fairbridge Farm Schools?

19 LADY SMITH: Is it the letter dated 7 September 1945 that
20 you wanted to look?

21 MR MACAULAY: That's what I wanted to look at.

22 LADY SMITH: That's what's on the screen at the moment.

23 MR MACAULAY: Indeed. It's just that I can't get the folder
24 itself but never mind about that. Let's look at the
25 letter then Stephen.

1 So it is a letter dated 7 September 1945. I think
2 this is the letter you referred to in your report?

3 A That's right. Yes.

4 Q And it is addressed to the Secretary of State for
5 Dominion Affairs, and I think yesterday when we looked
6 at the schematic you indicated that this particular body
7 would be within the UK side of the equation.

8 A Oh yes. This is what would become the -- well, it is
9 the Dominions Office and it would become the
10 Commonwealth Relations Office, so this is really the
11 central UK Government department responsible for Empire
12 affairs, putting it broadly.

13 Q And they were based in London?

14 A Yes.

15 Q So if we look at the letter, then, it says:

16 "My council and Executive Committee have reached the
17 decision that the time has come when the constitution of
18 this Society should be reviewed and, if need be, revised
19 with the purpose of bringing the work of this Society
20 level with the new standards of child welfare,
21 education, placing and protection of children. Such
22 revision will, of course, have a bearing on our contacts
23 with Australia and Canada and will affect the present
24 arrangements whereby we entrust children from this
25 country to Fairbridge Farm School Societies in those

1 Dominions".

2 Then he goes on to say:

3 "To ensure that children who come into the care of
4 the Society may have all the safeguards which will cover
5 children in the United Kingdom who are without the
6 protection of their own family, I have written to the
7 Home Secretary asking for the co-operation of an expert
8 from the Children's Department of the Home Office, in
9 the framing of our new Charter and Articles of
10 Association. May I beg that you, too, will nominate
11 a representative who will confer with the Home
12 Secretary's Officer and with our General Secretary and
13 our legal adviser so that your views may guide us in
14 those clauses of the legal instruments which relate to
15 our contacts with the Dominions".

16 Why do you see that as relevant to the Curtis
17 approach?

18 A I think the most important aspect here is that you have
19 got a major child migration society with a long history
20 that has been increasingly concerned about the amount of
21 authority that it can exercise over the institutions in
22 Australia for which it is responsible. There is a kind
23 of tension between the centre in London, as it were, and
24 the organisation's actual practice in Australia.
25 I think what this is concerned about is the -- seemingly

1 the frustration which the Fairbridge Society in London
2 is experiencing, and has in the past, with managing
3 those homes to maintain the standards that it thinks are
4 appropriate for the children that it has sent overseas,
5 and I think what is important here is that the -- this
6 is a voluntary society that is consulting major UK
7 government departments seeking advice about how they may
8 proceed to tighten up their controls and exercise the
9 kind of influence they want in order to ensure that
10 children sent overseas by Fairbridge will be properly
11 cared for.

12 I think what's important about this letter is that
13 it goes to those Government departments and I think, if
14 memory serves, this is also referred to the Curtis
15 Committee as well. The Fairbridge Society is involved
16 in the Curtis Inquiry. This may probably account for
17 why Curtis has something serious to say about child
18 migration.

19 Q And if we look to that, and if we turn to paragraph
20 7.11, although, as you point out, there are only brief
21 references in the Curtis Report, they do set out quite
22 an important provision in the report, I think at
23 paragraph 515. Is that right? I'm looking at paragraph
24 7.11 on page 37.

25 A I don't think we are there yet. We are on paragraph

1 7.9, is the one I'm seeing.

2 Q 7.11?

3 A 7.9. We want 7.11. Yes. If we look at 7.10, just
4 pause it at 7.10, let's go back a bit --

5 Q You want to look at something at 7.9 do you?

6 A 7.10.

7 LADY SMITH: 7.10.

8 MR MACAULAY: Yes, 7.10, if we go back to 7.10.

9 A Yes please. It needs to go down a bit. We've got 7.9
10 at the moment.

11 LADY SMITH: Stephen, just while we are getting 7.10, I was
12 reflecting on this plea from Fairbridge to have the UK
13 Government take steps to see to it that standards were
14 maintained at a higher level in, for example, Australia.
15 Isn't that a bit odd, since these were their farms,
16 their places, their organisation that was running them?
17 They were calling on the Governments to say, "Make us do
18 our job better"? Doesn't it sound a bit like that?

19 A It sounds like that, but I think it is education,
20 frustration which Fairbridge in London had experienced
21 in trying to get local committees in Australia to carry
22 out the instructions, effectively, about good practice.
23 It's this dichotomy, really, this tension between what
24 was said to one and what can locally be applied by
25 people who are effectively Australians, putting it very

1 bluntly, who have their own view about what is
2 appropriate in those circumstances.

3 It is a child migration society experiencing very
4 much the same kind of frustrations that Central
5 Government in the UK, and indeed in Scotland, have over
6 exercising control over Governments overseas. There is
7 a limited authority that they can exercise when it comes
8 down to the actual nitty-gritty of childcare, so that
9 tension is always there, that the UK Government does not
10 have authority over Australian governments, and
11 similarly it is very difficult, it seems, for even the
12 best intentioned of child migration societies based in
13 the UK to ensure that what happens on the ground
14 overseas is exactly what they wish it to be.

15 LADY SMITH: Just thinking about that in a little more
16 detail, is that telling me that if you take a society
17 like Fairbridge, without unlimited resources to keep
18 sending their people from the UK who were well-trained
19 in standards here, they couldn't keep it up at the other
20 end because they would have to employ local people, they
21 couldn't staff the places with people from the UK,
22 revolving from the UK to keep them refreshed in our
23 teaching and so on and all they could see was that they
24 might get help from Local Governments to see to it that
25 things were done properly.

1 A I think that is right. The only alternative is to
2 ensure that all the staff employed at those institutions
3 overseas have been properly trained to the standards
4 that are increasingly being expected -- I stress,
5 'expected' -- to operate within the UK. This is an
6 attempt to kind of ensure that standards are equivalent
7 to the UK and overseas. That's where a lot of the
8 tension lies. Some of it simply comes down to basic
9 things, like whether there are sufficient number of
10 people in those vast territories of Australia and Canada
11 who can provide the numbers of staff that would be
12 needed to be trained up in order to ensure there are
13 these equivalences of practice.

14 LADY SMITH: Of course.

15 A What you see in Sir Charles Hambro's letter is the
16 degree of frustration that he has been experiencing.
17 You would think that since the home of somewhere like
18 Fairbridge, that their offices are responsible for
19 appointing the person who directs their affairs
20 overseas, that that would be sufficient, but it's very
21 difficult for even a person selected by Fairbridge in
22 the UK to ensure that all his staff adhere to the
23 standards that are expected. The circumstances are --
24 it just becomes diluted from getting what is needed, as
25 seen in the UK, applied so many thousand miles away.

1 LADY SMITH: Thank you. I think we've now got 7.10
2 on-screen.

3 A Yes we have.

4 LADY SMITH: Mr MacAulay?

5 MR MACAULAY: You wanted to go back to 7.10, Stephen. Was
6 there a point you wanted to pick up?

7 A I think it is. Let me just double-check on this. It is
8 the writing of the letter to the Home Office and the
9 Dominions Office, and then there is the report
10 following -- this is a Fairbridge factfinding mission to
11 Australia. In other words they did send out Gordon
12 Green, the General Secretary, and he comes back with
13 information that is then forwarded on, and I think that
14 this is made known to the Curtis Committee, if I'm
15 reading this correctly. So they are stressing the
16 difficulties --

17 Q You do mention Gordon Green's --

18 A This is the General Secretary. So he, Gordon Green, is
19 informing the Dominions Office as well.

20 Q Just to come back to this issue of tension, this
21 manifests itself, I think, in other circumstances in
22 relation, in particular, to Fairbridge, when problems
23 arise. Did Fairbridge, in Australia, consider that it
24 had a degree autonomy, quite apart from London?

25 A I think what they see is that on the ground in Australia

1 it looks different, that they are, for one thing -- I
2 mean, you are moving towards the view that --
3 increasingly moving towards the view that institutions
4 caring for children should be small in scale. This is
5 what is going to come out of the Curtis Report,
6 remember, that there shouldn't be large institutions,
7 they should be small institutions, if institutions are
8 needed at all, and they should be located proximate to
9 where ordinary Australian citizens in this case are
10 living. They should be integrated into the communities
11 and not in isolated places outside, and so many of these
12 farm schools are, because of their very nature of being
13 farm schools, are not proximate to where other
14 Australians are living, and that does lead to certain
15 difficulties about recruiting adequate staff overseas to
16 man the places like Pinjarra and Molong and so on, so
17 you see that tension there.

18 The point I was also going to make, if we can just
19 pick it up before we lose it, it is this Fairbridge
20 report which is submitted to the Curtis Committee, so
21 I think this helps account for why Curtis does have
22 references to child migration, because they have got the
23 Fairbridge report in front of them and Hambro, I think,
24 is consulted about that by the Curtis Committee.

25 Q So that if we move on to paragraph 7.11 on the next page

1 of the document, although you, as we've touched upon,
2 say there are only brief references in the Curtis Report
3 to child migration, they do set out, in paragraph 515,
4 a particular benchmark against which post war child
5 migration could be judged.

6 A Yes.

7 Q Is that correct?

8 A That's right, and the large quoted paragraph that's
9 coming up is very firm on this point, that if migration
10 is -- child migration is going to take place, then they
11 should be, and they describe the qualities, children of
12 fine physique and good mental equivalent, but then it
13 goes on to say, "These are precisely the children for
14 whom satisfactory openings could be found in this
15 country", and therefore it's not clear why you would
16 want to send such children overseas rather than to
17 retain them within the UK, or within England and Wales
18 since this is Curtis, but it is the UK, so it's also
19 this strongly-worded statement, "We should, however,
20 strongly deprecate their setting out in life under less
21 thorough care and supervision than they would have at
22 home", and it goes on, "We commend that it should be
23 a condition of consenting to the emigration of deprived
24 children that the arrangements made by the Government of
25 the receiving country for their welfare and aftercare

1 should be comparable to those proposed in this report
2 for deprived children remaining in this country". In
3 other words I think what -- something that we mentioned
4 yesterday, that what Curtis is trying to do is to raise
5 standards in the UK and then ensure that anything that
6 is going to be a matter of concern to children sent
7 overseas should be treated as well as those that
8 children in the UK will be treated, if what is
9 recommended (Inaudible) is actually applied. I think it
10 was referred to yesterday, I think, by Lady Smith, that
11 in fact not everything was wonderful in the UK, in
12 Scotland, as it was intended to do, but you can see what
13 is being attempted here; raise standards in England and
14 Wales and ensure that what happens overseas is as good
15 as that, as those conditions overseas as they would be
16 in England and Wales. So amazingly Wales and everything
17 else should rise with it.

18 LADY SMITH: Stephen, it strikes me that, of course much of
19 the work of the Curtis Committee was highly commendable
20 and their recommendations were a breath of fresh air in
21 this area, but in recommending that the principles
22 should be the child should only be migrated if the
23 standards will be as good as at home, didn't they fail
24 to ask themselves, but what about the fact that you are
25 up rooting a child from their home country, up rooting

1 them from family and ties that they have here, and that
2 there must be a risk of damaging a child just by doing
3 that, even if the standards in the receiving country for
4 childcare are going to be as high as we have them here?
5 Isn't there room for saying, actually, it is a shame
6 they didn't go further and say, "The question you have
7 to ask is; will it be better for that child to go abroad
8 than to stay here?"

9 A Oh, I think it is a perfectly legitimate question now to
10 be asking, and it may well be, of course, that since Sir
11 Charles Hambro is a really distinguished figure and the
12 Fairbridge Society is so generally well-respected does
13 have, remember, very seriously prestigious people on its
14 committee that the representations made by Sir Charles
15 Hambro persuade them that maybe this might be an
16 appropriate way of dealing with some children's needs,
17 but only if the standards are raised. It would be much
18 neater, clearly, if there had been no reference to child
19 migration at all, in other words it was similar to the
20 Clyde Report.

21 Whether in either of those circumstances children
22 would still -- would not be sent is, of course, another
23 matter.

24 LADY SMITH: Yes.

25 MR MACAULAY: The Curtis Report, then, was accepted by the

1 Labour Government of 1947.

2 A Yes.

3 Q And it -- the Curtis Report -- and the Clyde Report fed
4 into the 1948 Act?

5 A Yes. Yes.

6 Q And we know that in the 1948 Act there are provisions
7 dealing with emigration.

8 A Yes.

9 Q And although Clyde didn't make reference to emigration,
10 nevertheless the combined reports resulted in an Act of
11 Parliament that applied across-the-board that addresses
12 emigration?

13 A Indeed. Yes, and I think you can see where that goes
14 further is that what is bedded into the Children Act is
15 the expectation that regulations would be introduced by
16 the UK Government in order to govern how these places
17 would be operating, and as we know, there is a complete
18 failure to come up with the regulations which would be
19 required to enforce best practice.

20 Q But -- we will come to that in a moment, but if we look
21 at the 1948 Act, I don't think I can put it on the
22 screen at the moment, but section 17 you are fully aware
23 of what section 17 says, and section 17.1 says that
24 a local authority may, with the consent of the Secretary
25 of State, procure or assist in procuring the emigration

1 of any child in their care, and the important point
2 about that is the focus is on a local authority --

3 A Yes.

4 Q -- seeking consent. And the subsection 2 goes on to
5 say:

6 "The Secretary of State shall not give his consent
7 under this section unless he is satisfied that
8 emigration would benefit the child and that suitable
9 arrangements have been or will be made for the child's
10 reception and welfare in the country to which he is
11 going", and then it talks about consent, but is that
12 seeking to reflect the recommendation made by Curtis in
13 the Curtis Report?

14 A I think it's partly that, but I had always -- we heard
15 it earlier, there not being expectations that the
16 Secretaries of State would be responsible for approving
17 the emigration of children from local authority homes.
18 We discussed this yesterday, the distinction between the
19 local authority homes and the voluntary homes.

20 Q Yes.

21 A And so we went through this on all those occasions when
22 Secretaries of State did or did not give consent.
23 I think there is a history of that, but I think the
24 important thing here is what regulations should be
25 applied to those that are not local authority homes but

1 voluntary homes.

2 LADY SMITH: Yes. Interestingly, Stephen, picking up what
3 I was saying earlier, section 17.1 perhaps does ask the
4 question that I was wanting to be asked, namely; is
5 there some benefit to the child in going abroad? Not
6 just; will the child be no worse off than the child
7 would be here, but tell me, what is it that's good for
8 this child to migrate?

9 A Yes. I don't think that is ever clearly spelled out at
10 all.

11 LADY SMITH: No.

12 A It is spelled out by some of the voluntary societies,
13 and, indeed, occasionally we've seen references even in
14 local authorities saying that the child will benefit
15 really by being able to get away from the adverse
16 conditions in which they have been living in inner
17 cities, as it were, but that doesn't make a proper
18 comparison with the conditions they would be
19 experiencing if they were in a rural area in parts of
20 Australia. They are simply not comparable situations.
21 Children really do not know how to cope with the new
22 conditions. It's probably better, in some respects, to
23 be in the familiar place well cared for than in an
24 unfamiliar place not well cared for.

25 MR MACAULAY: Both Clyde and Curtis focused in particular on

1 seeking to move children out of large institutional type
2 of care into foster care and adoption, and smaller types
3 of establishment. Is that right?

4 A That's absolutely correct. This is clearly the way in
5 which Curtis and Clyde are really advancing, that what
6 is -- what you need to do is to replicate the natural
7 family as much as possible. Fostering will be one way
8 of doing it, or having children in small institutions
9 that can be kind of surrogate family structures, whereas
10 when you look at large institutions, there is no way in
11 which a large institution is anything like a natural
12 family structure, and nor is it even the case in the
13 farm schools that are established overseas when you have
14 not a single cottage with 12 children in it and a couple
15 of surrogate parents, but you have a whole sequence of
16 those places -- Pinjarra and Molong and the others have
17 many cottages, and with many children in aggregate
18 together, and are not -- rarely are adjacent to any of
19 the natural communities in Australia. They cannot mix
20 with Australian children very easily since they are
21 separated. They remain in a kind of bubble of their
22 own, and some of the difficulties which these children
23 experience when they depart from that bubble into work
24 places. They are then English or Scottish or Welsh
25 children now trying to encounter life alongside natural

1 born Australian boys, girls, adults.

2 Q If I could take you to paragraph 7.13, and I just want
3 to get your views on the very first sentence of that
4 paragraph. It will come on our screen in a moment. The
5 previous paragraph you have been talking about what
6 Curtis and Clyde had recommended in relation to how
7 children should be in care, and you begin discussion
8 here as:

9 "What it did not prevent ..."

10 And I think you are going back to that discussion.

11 "... because the UK Government did not step in to
12 prevent it, was the resumption from 1947 and indeed
13 a post-war increase in volume of child migration from
14 the UK ... to Australia".

15 Now it is the point you make when you say, "Because
16 the UK Government did not step in to prevent it", that
17 I'm interested in. Why do you make that comment?

18 A The UK Government could have stepped in to prevent it by
19 simply prohibiting it, which would be a very strong way
20 of taking action to -- if there are doubts about the
21 practice of child migration overseas then one way in
22 which the UK Government could have acted would be to
23 simply say, "No child shall be migrated". I think that
24 would be the bolder step and might be implied in Clyde
25 since it doesn't refer to child migration, but the

1 alternative would be to ensure precisely the right
2 conditions for those children to be sent overseas, which
3 would, in effect, have inhibited the practice because
4 that's not how voluntary societies had been operating or
5 would be likely to operate, so I think there are ways in
6 which that UK government could have acted, that they are
7 not addressed at all, and I think the problem about the
8 Children Act is it does leave that opportunity open and
9 as I have already said, had proper regulations been
10 brought in, the regulations might have been sufficiently
11 robust and tight to discourage the practice from
12 continuing.

13 Q Even at the time were there concerns being expressed
14 about the way in which migration was being managed?

15 A Oh yes, and I think that comes clear in this same
16 paragraph. We've got the British Federation of Social
17 Workers and its views on these -- and I think what it is
18 asking for is a thorough investigation of the whole
19 practice of child migration. The Curtis and Clyde
20 Reports deal with many, many other aspects of child
21 migration, but this would be a quite precise
22 investigation of the merits of child migration, and
23 perhaps --

24 Q Perhaps I can put that article from The Times on the
25 screen. It is at CMT.001.001.0442.

1 A Yes.

2 Q It is The Times of 24 March 1948, I think, just before
3 the Act became law?

4 A Yes.

5 Q And they make reference to paragraph -- the letter makes
6 reference to paragraph 515 of the Curtis Report, and
7 we've looked at that, and we then read:

8 "The undersigned have reason to think that the
9 practices of the various agencies for the migration of
10 children overseas vary and that their methods of
11 selection of children, their welfare, education,
12 training and after-care in the receiving countries are
13 not always of a sufficiently high standard. We would
14 urge, therefore, that in conjunction with the
15 Commonwealth Relations Department, an inter-Governmental
16 Commission of Inquiry be set up to examine the whole
17 system of care of deprived children of British origin to
18 the Commonwealth with special attention to after-care
19 and employment".

20 As you mentioned, the signatories to this letter are
21 associated with the British Federation of Social
22 Workers?

23 A Yes, that's right, and I think that is very important
24 because clearly what you have in the UK and Britain is
25 a cohort now of fully trained and professional social

1 workers, and they have a view about what is appropriate
2 for child care which they are trying to ensure is
3 accepted, recognised by the UK Government, and, thereby,
4 would be enforced anywhere elsewhere children might be
5 sent, but the real implication of this letter is that --
6 is in that line about receiving countries not always of
7 a sufficiently high standard. Either you are going to
8 have to raise those standards very, very high or you
9 don't send the children. In other words, I think the
10 British Federation of Social Workers, we see this
11 elsewhere, there is a strong feeling in several reports
12 that social workers, people with training in social work
13 in the UK should be involved in the whole practice, in
14 the kind of review of child migration and, if need be,
15 that they should be involved in any selection procedure
16 for sending children overseas. If this is going to
17 happen you need to have social workers who can judge
18 whether or not the children being brought forward for
19 migration will be able to manage, and that, I think, was
20 more likely to reduce the numbers that would be
21 selected.

22 Q And the request for an Intergovernmental Commission of
23 Inquiry to be set up. What came of that?

24 A Absolutely nothing. The Government decided -- civil
25 servants within the Government departments decided that

1 it really was not necessary.

2 Q Do you consider that was an opportunity missed?

3 A Oh it's -- there are several opportunities missed, and
4 I think it's -- this seems one of the least likely ones.
5 It's not very clear what actually is meant by an,
6 "inter-Governmental Commission of Inquiry", for one
7 thing. This is me rather than any minute that I have
8 read. When I first read this I didn't know whether this
9 meant within the UK Government Departments or whether it
10 was more broadly concerned with involving
11 representatives from the countries overseas, the
12 Commonwealth countries overseas that had been receiving
13 children, which would make more sense in some ways, but
14 it seems unlikely you would get Australian, Canadian and
15 other representatives of other countries that received
16 child migrants coming to an Inter-Governmental
17 Commission. I think it is an aspiration but I don't
18 think it would be taken seriously by UK Government
19 Departments perhaps regretfully.

20 Q And you have already mentioned the fact that the 1948
21 Act envisaged that under section 33 that there would be
22 regulations also to strengthen the position in relation
23 to child migration. Is that correct?

24 A That's correct. There is a very strong statement during
25 the debate on the Bill by the Lord Chancellor, I think

1 it is, who says to members of the House of Commons, it
2 may have been the House of Lords, be assured that there
3 will be regulations.

4 Q And I will put an extract from Hansard on the screen.
5 It is at CMT.001.001.0443. We are looking at the
6 Hansard debate for 13 April 1948. It is the House of
7 Lords and Lord LLeuwellin poses a question in relation to
8 clause 32 which I think became section 33 of the Act,
9 and if we move down -- we can read that, but he goes on
10 to say:

11 "There were recommendations that children should not
12 be emigrated willy-nilly without much inquiry as to the
13 physical condition or the kind of conditions to which
14 they were going in the Dominions, or perhaps somewhere
15 else".

16 That was one of the recommendations made by the
17 Curtis Report.

18 A Yes.

19 Q And it would be of great satisfaction to the societies
20 who do this work best if they knew that some of the
21 bodies who do not do it so well could be brought up to
22 the mark, so that children are not sent out without any
23 regard to whether they are likely to go to decent homes
24 when they go overseas, and whether they themselves --
25 whether they are themselves in a fit condition and are

1 the kind of children who ought to be sent abroad. So
2 that was the point that was raised.

3 A Yes indeed. That point is, of course, still assuming
4 that child migration could be made a satisfactory way of
5 dealing with children in need, and I think the important
6 bit that follows is actually the Lord Chancellor's
7 response which is --

8 Q And what the Lord Chancellor, who I think was Lord
9 Jowitt says that:

10 "My Lords, I am able to give the noble Lord the
11 assurance for which he asks. I can give an assurance
12 that the Home Office intended to secure that children
13 shall not be emigrated unless there is absolute
14 satisfaction that proper arrangements have been made for
15 the care and upbringing of each child".

16 That's quite an important assurance?

17 A It is. It is important in two respects. One is that it
18 still assumes that child migration might take place, but
19 the other is that the proper arrangements for the care
20 and upbringing, that sounds as if it is something which
21 is going to be enforced on the sending institutions in
22 the UK and the receiving institutions overseas, and
23 neither of those things happened.

24 Q Can we then move on to the position of -- in reports
25 that were produced in the 1950s in connection with what

1 certain people reported on in relation to institutions
2 in Australia in particular, and the first report that
3 you mention in your -- in the report is in connection
4 with a Miss Welsford. Is that right?

5 A Yes.

6 Q Can you tell us about that report?

7 A It is actually not terribly strong in my memory, I have
8 to admit. My mention of it was quite brief.

9 Q If we look, again, at paragraph 7.14 of your report.

10 A Yes. It is the one that precedes Harrison. She is up
11 on the screen.

12 Q So I will just take you to the paragraph where you deal
13 with it in 7.14.

14 A Yes. It is down that page.

15 Q Just further down.

16 A Yes.

17 Q And you say that Miss Welsford, representing, in an
18 uncertain capacity --

19 A Yes. It comes back to me. She simply belongs to the
20 Women's Voluntary Society and she says that she will be
21 going on an unofficial tour and she will provide
22 a report to the Home Office, and that's what she does.
23 It's really a kind of a description of what she said she
24 found, but it's not terribly strongly worded. She
25 doesn't seem to me to be a trained social worker in that

1 respect, she is a member of the WVS, and with all due
2 respect to the WVS I don't think that would qualify her
3 as being a trained social worker. It is rather kind of
4 a description mostly of the kind of physical conditions
5 that she finds in the places that she goes to.

6 There is a very interesting line towards the bottom:

7 "Generally positive assessment of staff and
8 facilities was also her judgment on Pinjarra, and at the
9 Northcote Farm School ... where she was also told that
10 psychologists from Melbourne University provided 'a good
11 deal of help'".

12 But it's typical that there is no indication that
13 I'm aware of as to what that help might be, and again,
14 you see the lack of a religious atmosphere which
15 troubled. As far as I'm aware there is no UK Government
16 response to that.

17 Q And it is a report that wasn't published in any event?

18 A No. It simply goes to the Home Office. It seems to be
19 just filed away.

20 Q Can we look, then, at Miss Harrison's visit to
21 Australia? You begin looking at that at paragraph 7.15.

22 A Yes.

23 Q The visit seems to have taken place between April 8 to
24 27 June 1950. What was the background to Miss Harrison
25 going there?

1 A She was interested in saying that she had been in the
2 Scottish Home Department. She had been one of the
3 Inspectors of Children's Homes so she has certain
4 experience of childcare in Scotland. What you see in
5 7.15 is -- even though this is 1950, so we are some
6 years after the ending of the war, the Home Office still
7 does not think that it has got enough information about
8 what is actually -- had been and is happening overseas
9 in terms of the reception and welfare of child migrants,
10 and since Miss Harrison has volunteered to go out and
11 check up on these things, that initiative is welcomed by
12 them. The last sentence there I think derives from the
13 report, the minutes from Miss Harrison's visit, that it
14 might help the Home Office solve the difficulties they
15 were having relating to regulating the practice of
16 voluntary societies.

17 The report is disappointing in that it is really
18 rather a description basis with really rather
19 generalised observations about care within them. She
20 talks -- sorry?

21 Q I will put it on the screen. Shall I put the report
22 itself on the screen?

23 A If that ...

24 Q If that may be -- it is at LEG-162 and on following
25 pages.

1 LADY SMITH: Just while we are waiting for that Stephen, so
2 far as the Miss Welsford Report was concerned, I see she
3 sent it to the Home Office.

4 A Yes.

5 LADY SMITH: And you tell us in your report that they wrote
6 back to her thanking her, saying it would be very
7 valuable for future reference, as, "We are now getting
8 down to the problems of what regulations should be made
9 for the emigration of children -- to control the
10 arrangements for the emigration of children by Voluntary
11 Societies".

12 A Yes.

13 LADY SMITH: So that was in 1950 she sent her report in, was
14 it?

15 A I think that's right, yes.

16 LADY SMITH: Yes.

17 A That strikes me, and since we haven't had anything much
18 followed from it, as a rather polite response to an
19 initiative by a member of the WVS. I don't get the
20 feeling that it actually led to any further serious
21 discussions.

22 LADY SMITH: I see that, but it is an interesting snippet
23 that tells us that the Home Office were at least saying
24 in 1950, "Well, we are drafting regulations at the
25 moment, we are thinking about the drafting of the

1 regulations".

2 A Oh, absolutely. The Home Office had been focusing upon
3 trying to introduce these regulations as soon as the
4 Children Act had been passed. That was their brief that
5 they needed to introduce regulations.

6 LADY SMITH: And here we are two years down the line, more
7 children have gone, they know that Voluntary Societies
8 are unregulated, and nothing is being done.

9 A Exactly, and many more years are going to go past and
10 nothing will be done.

11 LADY SMITH: Mr MacAulay?

12 MR MACAULAY: I think we now have the actual report on the
13 screen. It is not a particularly lengthy report, so far
14 as the text goes.

15 A Yes.

16 Q The text itself extends to some three pages, and then
17 there is a form of appendix which lists the different
18 voluntary homes and the numbers accommodated at the
19 time. That's the way it's set out.

20 A That's right. It is descriptive to a large extent as to
21 what she had encountered.

22 Q And she confirms the time of the visit at the top of the
23 page, and if we look at paragraph 2, for example, "The
24 Grouping of Children on Arrival", she says in the second
25 paragraph in particular, that:

1 "Some Homes take brothers and sisters into their
2 Home but Roman Catholics take only little boys with
3 their sisters. I heard of cases where children were
4 moved to be near a friend or a brother.

5 "That, I think, at least implies that there is
6 separation of siblings on arrival?

7 A Yes. One element in that sentence is also, "But Roman
8 Catholics take only little boys with their sisters".

9 Q Yes. But the older boys do not.

10 A Yes.

11 Q And then in the heading, "Homes in Australia", she says:

12 "In the Roman Catholic girls' homes the standard is
13 very high as far as equipment and salubrious
14 surroundings go. They are beautiful institutions --
15 stainless steel sinks, beautiful refectories, et cetera,
16 but in no Home did I see any effort towards 50 sq ft per
17 bed".

18 I think that's a provision that has been raised in
19 this country:

20 "There are private swimming pools and in one at
21 least a good nursery school. The Roman Catholic boys'
22 homes are not as fine buildings. Generally most are
23 older".

24 She goes on to say:

25 "In the Protestant Homes, many are waiting to

1 rebuild on the cottage style, and many are shabby
2 awaiting permits, but there are far fewer institutions
3 and the children are being handled in a very intelligent
4 manner generally".

5 And then:

6 "Practically all Roman Catholic homes are
7 institutions", and I think that clearly was the point
8 that's being made by Curtis and Clyde, that that was not
9 the type of place in which children should be cared for.

10 A Just on that paragraph, I think it's worth noticing
11 there is a mark in the margin, a cross against it, and
12 that is relating to the child welfare inspectors are
13 bringing in modern methods quite quickly. I think that
14 is what alerted the recipients, the readers of this
15 report. They marked that up as something of interest.
16 It seems to be saying that in Australia things are
17 improving along the lines that you would wish them to
18 be, and it goes on, doesn't it:

19 "Fully live to the necessity of bringing their home
20 up to modern standards if they wish more children and
21 the state grants".

22 Q Also reference to --

23 A If you could just go down, right at the bottom of what
24 I can see on screen, there is another cross which is:

25 "Inspection is carried out regularly".

1 I think they are the items which, when this report
2 is received, do alert the recipients -- I think this
3 goes to -- this will go to the Scottish Home Department.

4 Q Yes. I think the point you are making is that the
5 recipient of the report has highlighted certain points
6 in the report with a cross --

7 A That's right.

8 Q -- that were of particular interest?

9 A Yes.

10 Q And the sentence you mentioned, "Inspection is carried
11 out regularly -- in Western Australia quarterly and
12 energetically".

13 A Yes.

14 Q Now that sort of information, have you any idea as to
15 what the source of that would have been?

16 A Sorry, I missed --

17 Q Where would she -- where would Miss Harrison have
18 learned that inspections were carried out regularly and
19 energetically?

20 A Yeah, because she has visited these places and has
21 clearly talked to the people who have been running such
22 institutions, and this is what she has been told.
23 I think she is reporting on what she had been informed
24 about. I don't get the impression, it may be unfair to
25 put it in these terms, that she had actually seen, for

1 example, any reports. She is told that there were
2 reports.

3 Q So the information we have here is based, essentially,
4 on what she was being told by those around the
5 establishments?

6 A Yes. Yes.

7 LADY SMITH: You can see she -- sorry -- she likes the word,
8 "Energetic", or, "Energetically". Two paragraphs below
9 we have an energetic effort being made to link the
10 children. She must be getting the impressions that
11 people are telling her lots of activity is going on in
12 these areas.

13 A I think that's right, and I doubt whether she has
14 actually talked to any of the children. It seems to be
15 very rare for that ever to occur.

16 MR MACAULAY: If we go back up to the paragraph we had been
17 at previously, she goes on to say that:

18 "I'm sure that our children's opportunities are
19 quite as good or better than at home as it would appear
20 that both officially and otherwise they are the fashion
21 at present"?

22 A Yes. I think she clearly has been persuaded by her
23 enquiries that this is still a good practice, because
24 standards are being raised overseas.

25 Q And I think as you say in your report, in the main it is

1 a relatively positive report but there are a number of
2 points that are -- and that is your overall impression
3 of this report. Broadly, it is a positive report.

4 A Yes indeed. Right, and I think --

5 Q If we move on --

6 A -- it is read with some interest, I'm sure. It is
7 partly because we are still talking about this very
8 early date. I think a late document which I couldn't
9 incorporate in the report because it came afterwards,
10 was that there was even a recommendation that Miss
11 Harrison might, indeed, become a member of, I think, the
12 Ross Committee Inquiry, so when Ross goes off with his
13 colleagues, one of them could have been Miss Harrison.

14 Q I think the documentation in relation to that has been
15 made available to us, and she was clearly turned down
16 for that particular role?

17 A Yeah. I think that was the Home Office decision.

18 Q If we turn to the fourth page of the report there are
19 a number of negative points being raised here. It is at
20 section 8 which is headed, "General". We are there now.

21 A Yes.

22 Q And it is headed, "Complaints from Australia":

23 "There is general dissatisfaction about the want of
24 adequate family history".

25 There is also at 2:

1 "Dissatisfaction about the children's educational
2 standard".

3 So these are points which are being put to her by
4 the institutions themselves?

5 A That's right. Yes.

6 Q And --

7 A So these are effectively relayed back to the Scottish
8 Home Department. These are matters that need to be
9 addressed by the sending societies, so it's not an
10 unreasonable report in some respects, it is very
11 positive about what children may encounter when they are
12 overseas, but there is also criticism of the actual
13 selection of the children before they are sent.

14 Q Then in the next paragraph in the second paragraph there
15 is -- talks about dissatisfaction about the medical
16 reports. One child died of rheumatic heart. This had
17 not been reported, et cetera, and then we are told:

18 "They are not going to send back the mentally
19 defective children".

20 Which tells us that children with learning
21 difficulties were being sent at this point?

22 A Yes. You can see why there was some interest in Miss
23 Harrison being a member of the Ross Committee when it
24 carried out its fact finding mission, because she does
25 pick up some of these criticisms quite strongly.

1 Q She goes on to say:

2 "I feel very strongly that Australia is
3 a magnificent country for the fit but no place for those
4 requiring permanent spoon-feeding. Care should be taken
5 to see that no really defective child is sent out, for
6 the sake of the child and the honour of Britain."

7 A I'm a bit disturbed by the, "No really defective child",
8 not in that sentence.

9 Q And then she goes on to say:

10 "On the other hand, I was surprised to see how
11 immensely two Scots had improved who had always seemed
12 to me to be very subnormal".

13 Clearly she had some knowledge of these children
14 from the past?

15 A It is a very extraordinary statement in some ways, if
16 there has been a recognition by Miss Harrison that those
17 two Scots children in Scotland were very subnormal. It
18 seems very surprising if that was a judgment in Scotland
19 that they were ever selected and sent.

20 Q And the next -- two paragraphs down she goes on to say:

21 "On the whole, life in Australia is very pleasant
22 for the young. For the greater part of the year the sun
23 shines, there are masses of flowers and fruit and plenty
24 of good food -- prices are rising".

25 That sounds like a promotional statement.

1 A It does. But it's followed by some anxieties about
2 conditions in Australia.

3 Q Yes. Drawbacks.

4 A There are floods, droughts, housing shortage.

5 Q But then in the penultimate paragraph she -- or the last
6 two paragraphs she says:

7 "The Immigration Societies are very keen for larger
8 numbers of children and the Presbyterian Homes
9 throughout Australia are especially keen to get
10 immigrants -- Scottish children if possible. The
11 Immigration Officer for Victoria said they wanted
12 a steady flow of children and they wanted to know how
13 many they could count on":

14 And I think that is how she ends her report.

15 A Indeed. You can see why there was some scepticism in the
16 Home Office by Miss Harrison being a member of the Ross
17 Committee to go on its factfinding mission since she
18 here is reporting on her, I think, appreciation that the
19 Immigration Societies are very keen to increase the
20 numbers, but the Home Office is sceptical about the
21 merits of child migration, and is -- even as this letter
22 is being written -- struggling to come up with the
23 regulations that would control it.

24 Q Just on that particular point about the Home Office's
25 general scepticism, does that come out firmly in the

1 documentation that they, throughout, have real
2 scepticism about the merits of emigration or
3 immigration?

4 A I think that comes out most clearly when you come to the
5 Ross Committee Inquiry. I mean, it may be a reflection
6 of the three people who were on that team, but I think
7 what you would see in terms of the Home Office's
8 struggle to come up with regulations, they are very,
9 very keen on having regulations and their frustration at
10 not being able to get them legally robust enough leads
11 them eventually, as we may well go on to notice this, to
12 the 1957 and onwards agreements between funding
13 arrangements and the sending societies. I think we can
14 see here that it becomes exceedingly difficult for the
15 Home Office to ensure that what they want to obtain for
16 the child's care, if it is going to be sent overseas, is
17 acceptable, and that can only be done by regulations, it
18 seems, but regulations cannot be applied in an overseas
19 jurisdiction where there are no regulations.

20 Q And we will look later at the whole issue of
21 regulations, but notwithstanding the fact that there
22 were these difficulties in drafting the -- in drafting
23 and passing regulations, that did not really interfere,
24 did it, with the stream of immigration.

25 A Oh exactly. This is the frustration, I think, of the

1 Home Office, that they are trying to get regulations
2 that would make it possibly limited, or at least ensure
3 that selections were appropriate, that trained staff
4 didn't help with the selections of it, but what I find
5 very difficult to understand is why the Home Office did
6 not introduce regulations binding on the operations of
7 the sending societies. That's within UK jurisdiction.
8 We don't find those regulations being introduced. What
9 you get is the 1957 agreement which set out what is
10 expected of the sending societies, what their standards
11 should be, but those are part of the funding
12 arrangements. Basically it is saying, "We will provide
13 you with the money if you can demonstrate that you are
14 adhering to these standards". But that's not by
15 regulations.

16 Q Indeed, and the point, I think, you are making is
17 that -- and I think we see this is what happens, is that
18 at least part of the reason why regulations -- failed to
19 pass regulations is the fact that they could not pass
20 regulations that would be binding on another
21 jurisdiction --

22 A Yes.

23 Q -- but they could, as you have just said, pass
24 regulations that would be binding on this jurisdiction?

25 A Yes. I find it completely incomprehensible as to why

1 that was not done. It seems to be a serious lapse in
2 Home Office responsibilities. They had been determined,
3 as far as I can understand it, to regulate these
4 practices as soon as they became responsible following
5 the Children Act. They become the Government department
6 that has responsibilities for childcare. They know that
7 there are problems with sending children overseas and
8 they do not regulate even the practice of selection in
9 the UK. I find that quite extraordinary. There comes
10 a point, and it is one of the things -- it is very rare
11 that I have ever got angry in an archive but I do
12 remember this very vividly. There is a note in one of
13 the Commonwealth Relations Office files which says,
14 basically, what it says, I can't quote it exactly, it
15 says that the Commonwealth -- that the Home Office
16 doesn't really want to know now is what we are doing.
17 They have washed their hands of it. I found that,
18 having read chronologically the attempts by the Home
19 Office to deal with this problem, they have simply
20 shrugged their shoulders and said, "We can't cope with
21 this", and the Commonwealth Relations Office is left to
22 get on with it, and they say, "Do not trouble us".
23 That's quite extraordinary, and my rage.

24 Q Well, we will let you calm down because I suspect it is
25 time to have a short break?

1 LADY SMITH: I think you need a cup of coffee, Stephen.

2 Let's have a break at this point and we will carry on
3 again in fifteen minutes or so.

4 A Okay. Thank you.

5 (11.09 am)

6 (A short break)

7 (11.28 am)

8 LADY SMITH: Stephen, hello again.

9 A Hello.

10 LADY SMITH: I hope you have had the chance to draw breath
11 and return refreshed.

12 A Oh indeed, yes. I'm being well looked after.

13 LADY SMITH: Good. Now, I will return to Mr MacAulay and he
14 will resume his questioning.

15 Mr MacAulay?

16 MR MACAULAY: My Lady.

17 We had been looking at Miss Harrison's report before
18 the break, Stephen, and if I could take you to paragraph
19 7.17 of your report, it's on page 40 of the actual
20 report, there you set out what the Home Office reaction
21 was to Miss Harrison's report. Can you summarise from
22 what you have read what that reaction was?

23 A I think the word, "Unenthusiastic", is very prominent
24 there. The general picture with few details, some
25 useful information. That's the initial one, but I think

1 what you can see later on -- I'm not sure this is
2 absolutely fair on what Miss Harrison actually wrote,
3 but it is the quotation, "My feeling is that Miss
4 Harrison's outlook may be much the same as Mr Moss's --
5 not whole a recommendation". Remember the Moss Report
6 had been broadly supportive of the continuation of child
7 migration, and it goes on:

8 "Has she kept up with the rapid advances of the last
9 six years?"

10 Well, I think one might be sceptical about what
11 those rapid advances had been over the last six years.
12 Their general impression seems to be -- where it says:

13 "My own impression of the 'energetic inspection' ...
14 is that it is still in the tap-turning stage and says
15 little about the emotional needs and growth of the
16 children".

17 In other words, frequently you do see these
18 observations that the reports that come back really are
19 concerned with the buildings and the substance of
20 material of these places rather than the quality of care
21 that the children are receiving in them.

22 Q The reference to Moss there, is that a reference to the
23 Moss Report from Canada rather than the Australian
24 report?

25 A I took it to be the Moss Report of 1953 but that can't

1 be the case, can it?

2 Q That can't be the case because that's later, and I think
3 Moss also had some sort of report from Canada?

4 A Yes.

5 Q Anyway, let's move on then to the Women's Group on
6 Public Welfare and what they had to say.

7 A Before we go, can I just make an observation about the
8 regulation before we lose track of it? One of the
9 things that I was astonished to discover was that the
10 regulations were actually drafted. There is a reference
11 to this in paragraph 4.20 -- 3.20 of the report. These
12 are the regulations which were drawn up in 1982 after
13 all child migration was ceased, and there they are very
14 clear as to what these regulations will require of any
15 such child migration that may resume, and it's just
16 extraordinary to me that that was done in 1982, after
17 child migration stopped, but couldn't be introduced when
18 child migration was acting. It is a very strange
19 disjunction. Very extraordinary to read the
20 regulations.

21 Q Yes. I think you have been sent a copy of the 1983,
22 I think, regulations, or '82 regulations.

23 A Yes, and they say what you would have expected them to
24 say had they been introduced when they were needed.
25 Anyway, that's just a kind of passing observation on

1 a strange kind of captain. The Women's Group. Yes.

2 Q The Women's Group, then, you draw attention to a report
3 that they produced, and I will put that report on the
4 screen. It's an extremely long report, and I don't
5 propose to spend a lot of time looking at it. I will
6 pick up some points. It is at LIT-5, and while we are
7 waiting for the report -- well, it's on the screen --
8 can you just give me a little bit of background as to
9 who this group was?

10 A The easy thing is if you can kind of scroll down that
11 page because you actually find the list, I think, of the
12 people who were participating in it.

13 Q I think, well, perhaps, then, we should move into the
14 body of the report and turn to page 6 of the actual
15 report, and if -- I think we are further ahead than --
16 page 6? That's page 9. Yes. Yes. If we move up the
17 page, can we read that this is a study made in 1948-50
18 by a Committee of the Women's Group on Public Welfare in
19 association with the National Council of Social Service,
20 and clearly this was a group that had some standing?

21 A Indeed.

22 Q I was just wondering who would be involved. I'm looking
23 to -- I don't think it actually -- the report actually
24 tells us who these people were.

25 A Well, it is related to, as you can see, the National

1 Council of Social Service. That's a kind of broader
2 body, and I think it is people from that operation, that
3 organisation. I don't have a copy of the report to
4 hand.

5 Q Did they have influence, if I could put it that way?

6 A Oh, I think what this report does do is draw serious
7 attention to the whole child emigration experience, and
8 is a critique of it. It doesn't actually sort of say,
9 "It shall not happen", but it is another one of those
10 reports which says, "If it is happening these are the
11 measures that need to be addressed".

12 Q I actually see that you say in your report that the
13 group had actually been founded by Margaret Bondfield --

14 A Yes.

15 Q -- in 1938.

16 A That's right.

17 Q Then if we just look at the introduction on page 10 of
18 the actual report and in the second paragraph there they
19 say that:

20 "Some two years ago the Women's Group on Public
21 Welfare, which is associated with the National Council
22 of Social Service, formed a committee to enquire into
23 the question of child emigration to the Dominions,
24 expecting that six months of bi-weekly meetings would
25 cover this field".

1 They go on to say they found that it took two years
2 of meeting almost equally to receive the evidence and
3 discuss principles, so this was a fairly lengthy
4 project.

5 A Indeed. That's right.

6 Q And if we move down below halfway on this particular
7 page, can we read what they say:

8 "Child emigration has had great achievements but has
9 also been accompanied by serious disasters".

10 The point they make in the next little bit is the
11 lessons learned from the war years, when children were
12 evacuated from their homes and the experience they had
13 in relation to the nature of home times and their
14 importance in the life of a child, and I think this was
15 something you have already alluded to.

16 A Yes. I think the paragraph below that is also important
17 in that you can see that they were -- and consulted --
18 some of the major organisations involved in child
19 migration -- Barnardo's, Fairbridge, Northcote.

20 Q Yes. They mention Barnardo's, Fairbridge and Northcote.

21 A And the Rhodesia Fairbridge Society.

22 Q And the Rhodesia Fairbridge Society, which is
23 a different Fairbridge to the...

24 A Yes. It's called, "Rhodesia Fairbridge" only because
25 Fairbridge was a Rhodesian.

1 Q Then perhaps what I can do, cutting through this, is to
2 turn to what they say in their recommendations which
3 begin at page 68 of the report. If we look to the top,
4 the first point that you make is in relation to
5 selection.

6 A Yes.

7 Q And they say:

8 "The main consideration in selection is not only
9 whether the child is suited for emigration but whether
10 emigration is best suited to his particular needs".

11 We've heard that before.

12 A Indeed. It seems to be very much a kind of -- either
13 the repeated repetitions of that statement or variations
14 on it. The emphasis is being placed upon the needs of
15 the child, and that's crucially important.

16 Q And point 2 is that:

17 "Personal and family histories of the child to be
18 emigrated should be collected in every case by
19 a qualified social worker, preferably a psychiatric
20 social worker with special understanding of the
21 emotional needs of the child".

22 Again that's as featured before, but this is a clear
23 indication of where that should go?

24 A Yes. It is using people who are professionally
25 qualified to make the right judgments on those children

1 who may be selected to be sent. This clearly is not
2 a sort of, "There shall be no child migration", but if
3 there is child migration it needs to be conducted by
4 professionals who are trained for these purposes, hence
5 the paragraph about Selection Committee.

6 Q And that's the next recommendation, that each case
7 should be considered by a Selection Committee --

8 A Yes.

9 Q -- consisting of people with relevant knowledge is what
10 is being said.

11 A Yes. I mean, I think in that paragraph 3 the strong
12 statement there is that the individual child shall be
13 interviewed, as well as the parents or guardians.
14 I think what they are requiring is, again, this --
15 that -- it's trying to screen out the sending of the
16 unsuitable. If the children are being sent then there
17 must be evidence obtained by professional people that
18 they will essentially benefit from the migration.

19 LADY SMITH: There is also a focus, Stephen, isn't there, on
20 the individual child --

21 A Yes.

22 LADY SMITH: -- and respecting each child as an individual
23 with individual characteristics and individual needs.

24 A Absolutely. Yes. So that there is no sort of -- you
25 have seen some of the sending societies, it seems as if

1 they have a kind of quota to fill in order to provide
2 enough to sail on the boat, but this is looking at each
3 child individually and there is a yes/no judgment at the
4 end of it that would be expected. The last sentence
5 there:

6 "One member of the Selection Committee should have
7 first-hand knowledge of conditions in the receiving
8 country".

9 That is not quite the same, as we know in some of
10 those occasions when recruiters go to children's homes
11 in Scotland and show attractive film footage of
12 Australian kangaroos bounding around, that's not
13 first-hand knowledge of conditions. What is required
14 here is detailed knowledge about the location of these
15 places, the climate, the connections with local schools,
16 the job prospects and so on.

17 MR MACAULAY: Nor is it independent, because Brother Conlan,
18 if you take him as a example who fitted into that sort
19 of category, he himself was a Christian Brother.

20 A Yes. Quite. Yes. There are too many people coming
21 into the -- into Scotland and elsewhere into the United
22 Kingdom who are effectively recruiting agents, and they
23 have a quota to fill, or births on boats, and demands
24 coming from the institutions that they are serving.
25 There is a good deal of evidence about the need for

1 those places to be filled. Remember that every child
2 brings with it a package of money.

3 Q And at five, if we move on to the fifth recommendation
4 under this heading:

5 "When emigration is proposed for a child who has
6 brothers and sisters, careful consideration should be
7 given to the visibility of keeping together the family
8 unit".

9 A Yes, and that, bearing in mind, again, one of the
10 stipulations in the SCAI Report that this would be
11 a form of abuse by SCAI's standards, if brothers and
12 sisters are separated, and we know that brothers were
13 separated, particularly from the Catholic agency that's
14 separated them out, more often than not.

15 Q And the next point:

16 "a central pool of information concerning the
17 activities of all the Emigration Societies should be
18 formed, so that persons interested can select the most
19 suitable society for a particular child. All the
20 Children's Welfare Officers should be fully informed
21 about the work of the Emigration Societies".

22 A Yes. The phrase "Children's welfare officers", I'm not
23 sure whether that implies Local Government only. The
24 phrase seems -- would ought to, at least, be broader to
25 include even those who are, as it were, servicing the

1 voluntary sector.

2 Q And just pressing on, then, to the next page, page 69,
3 we can read some of this -- sorry. Thank you.

4 Perhaps -- there is a section dealing with education
5 and training.

6 A Oh, can you just go back to the previous paragraph?

7 Q Certainly. Yes.

8 A "Living Arrangements in Groups":

9 "Small cottage homes with the sexes mixed should be
10 tried".

11 That's that argument that children should be in
12 something that more reasonably replicates a normal
13 family.

14 Q And it said at 16 that:

15 "British child immigrants should mix in school at
16 all stages with the advantage of the same opportunities
17 for advanced education as local children".

18 Is that right?

19 A Yes. It is absolutely essential that these children who
20 come from the UK, come from Scotland, should not be
21 isolated from the communities in which they are going to
22 live the rest of their lives, essentially. They must
23 not be segregated.

24 Q And in relation to the -- at number 19 -- that the
25 sending body should maintain ultimate responsibility for

1 the emigrant child and receive him back should need
2 arise, now looking at what happened in practice, how did
3 that manifest itself in practice?

4 A This is actually under the heading, "Foster care", of
5 course --

6 Q It is.

7 A -- but more broadly what we do not see is that all the
8 sending societies did take ultimate responsibility for
9 the emigrant child and did receive them back should need
10 arise. One of the difficulties is; how do we know when
11 the need arises? How do the people back who had sent
12 the children know what the need has been? I think what
13 there is -- too frequently there is a breakdown of
14 communication, information flows back from overseas to
15 Scotland are not providing consistently informative
16 information, and that, I think, is causing some
17 difficulties that children are going to experience.

18 Q And in relation to aftercare, when we come down to
19 number 23:

20 "Preparations for after-care should begin some time
21 before the child is due to leave school, those
22 responsible trying to find out what he wants to do, for
23 what he is best fitted and what facilities are
24 available".

25 A Yes, so I hazard a guess here you know better than I do,

1 that aftercare of children who had been catered for in
2 Scotland, there would be aftercare requirements to see
3 that children are, indeed, when they leave care, are
4 placed into appropriate locations and appropriate jobs
5 if need be, but that -- if that is what is going to --
6 should be happening in Scotland, it should also equally
7 be happening with children overseas. You can't just
8 simply say; as you didn't know from some witness
9 statements, right, you are now of an age to leave,
10 leave.

11 Q And staffing, on the following page, page 70 at number
12 25, they say:

13 "It is impossible to over-emphasise the care with
14 which resident staff should be selected. In addition to
15 the careful scrutiny of references, some means of
16 assessment of personality and temperament should be
17 employed".

18 That's a clear recommendation as to how important
19 staffing is.

20 A It is, and it's really rather kind of dismal reading to
21 think that this needs still to be emphasised in a report
22 that's coming out in the 1950s. I mean, it seems
23 fundamentally important that -- staff are crucial to
24 this whole experience. You need the appropriate
25 selection of staff to deal with children who are not

1 your own children, and that also includes getting
2 proportions right. You need sufficient number of staff
3 to deal with the number of children that you are
4 supposedly looking after. So references, personality
5 checks, temperament and so on, I can't help -- as I'm
6 sure you do -- reflect on some of those personal
7 testimonies from former child migrants who encountered
8 anything except people who were qualified in their
9 personalities to look after children. It is, I think,
10 repeatedly to be recognised that dealing with children
11 who have been disadvantaged in the first place are so
12 often in most need of succour and support and that
13 absolutely vital word that occasionally crops up because
14 it is lacking -- "Love". If you are going to look after
15 a child you need to love it, and that means being tender
16 towards it, sympathetic towards it, thinking about its
17 future needs as well as its current material
18 requirements. That, I think, is what this is about.
19 Careful scrutiny references, assessment of personality
20 and of temperament. You can go through those witness
21 testimonies that one has got so many of and simply see
22 how many of the people, the staff, do not qualify by
23 their personalities, by their temperament, by their
24 training or lack of.

25 Q When you look at the large religious institutions they

1 effectively work on the basis of a form of pre-selection
2 in that the members of the order are already there and
3 that, really, they run the institution.

4 A Yes. Quite. Yes. So the sending organisation does not
5 know enough about the staff to whom these children will
6 be sent.

7 Q Then there is a section, we can read the other
8 paragraphs on staffing for ourselves, but then there is
9 a section dealing with records:

10 "Detailed records of the child, his early school and
11 medical history, information about his family and full
12 school report should be sent to the country to which he
13 emigrates. Such reports should not be made available to
14 members of a committee but should be sent to one person,
15 for example the Principal of the Home or official
16 chiefly responsible for the child's well-being. These
17 reports should be regarded by him as confidential, the
18 information being used at his discretion".

19 A Yes.

20 Q Would you see that as important, that the place to which
21 a child is sent is fully -- made fully aware as to that
22 child's background?

23 A There had been some disagreement about this --

24 Q Yes.

25 A -- by some of the authorities, and speaking about it as

1 if somehow or other not informing anybody in the place
2 to which the child will be sent about their previous
3 life and experiences and character of the child would
4 somehow be a disadvantage, that you should simply allow
5 the child to forget his own -- his or her own past and
6 just start from new, but that's not how it works, does
7 it. The children who experienced neglect, any form of
8 disadvantage, carry that with them, and somebody in the
9 receiving home needs to know about that data in order to
10 pass proper judgments on how the child is now coping,
11 because the child may need extra support because of
12 previous experience. The child doesn't -- it is
13 improper to expect the child simply to turn up and treat
14 it as if it is a sort of empty space. You have got to
15 actually know something about anybody's background.
16 It's like applying for a job. You know, you need
17 references by qualified people to say whether you are
18 suitable, and the same really applies, I think, even to
19 child migrants in their early years.

20 Q Now you look at the report in paragraph 7.18 of your
21 report, and at 7.19 on page 41 of your report you do
22 make the point that had the report's recommendations
23 been adopted and enforced at home and overseas by
24 governments and child migration agencies the result
25 would have brought future child migration work and the

1 care of children already sent overseas more into line
2 with the standards expected by the Curtis Report.

3 That's your view, is it?

4 A Yes indeed. That's right. So in this space in which if
5 child migration is to go ahead, and as Curtis says that
6 it arguably could, then nevertheless there needed to be
7 these kind of equivalents so that care will be properly
8 provided to the child in need.

9 Q And what impact did this report have?

10 A I think beyond, as I say, Home Office discussions about
11 regulations, it leads nowhere. The Home Office could
12 well have, I think, still, and indeed I think the report
13 that we have from UK Government to this Inquiry
14 indicates that they are aware that they did not actually
15 follow up these recommendations by regulating. I mean,
16 a good deal of this would have been, I keep stressing
17 this point, could have been introduced to regulate
18 practice in the United Kingdom, in Scotland, and,
19 therefore, you have got this unfortunate sense in which
20 all these probably sound pieces of advice coming out in
21 these earlier reports, while child migration, remember,
22 is going on, seem to have little serious effect. The
23 last sentence there in that paragraph, it says:

24 "It may have contributed to Home Office discussions
25 about regulating child migration, but it led nowhere".

1 Q One of the areas you look at in your report, I think it
2 is in section 9, we will come to it later, is having
3 some consideration as to what the standards of the day
4 were?

5 A Yes.

6 Q And does this provide us with some insight into that in
7 that, as you have said, here we see this sort of
8 recommendation being made which must reflect to some
9 degree a thought process that was prevalent at the time?

10 A I think it is a very important point to add. I mean,
11 most of what I had written about, standards of the day
12 concerns -- formal organisations concerned with child
13 protection, but I think what we can see here is
14 professional thinking being identified, being expressed
15 in a report which is clearly widely circulated. You
16 would think that this would therefore start to govern
17 how UK Government offices and sending Societies would
18 have changed their practices, if not by regulation then
19 by simply recognising that these are the standards of
20 the day. There are now professional judgments as to
21 what should be done to cater for children who have been
22 disadvantaged early in life.

23 Q Now, in the next section of your report, Stephen, you
24 look at a body with the title, "Council of Voluntary
25 Organisations for Child Emigration", CVOCE.

1 A Yes.

2 Q And it seems to have been in place from about 1951 to
3 1959. As you have already pointed out, the Women's
4 Group had been in touch with places like Barnardo's and
5 Fairbridge when they were carrying out their work, and
6 I think you believe or suspect, whichever description
7 you want to choose, that that was the trigger for the
8 formation of this particular organisation?

9 A I think that is correct. I think that -- it meets the
10 kind of failed queries in Sir Charles Hambro. We've
11 discussed before in somebody who was keen to raise the
12 standards of care for children who are sent overseas in
13 order to keep child migration going, it is true, but
14 I think the Women's Group itself is not saying child
15 migration shall not occur, but if child migration does
16 occur, then it needs to be along these lines. You can
17 see why Sir Charles Hambro having, I think, obtained
18 a copy of this report is keen that CVOCE will actually
19 then be the body which will spread these values and
20 these understandings of child care amongst other members
21 that joined this particular council.

22 Q So this particular group, can you just tell me a little
23 bit about it? Who was involved?

24 A Pretty much all the major organisations, including,
25 I think importantly, some of the Catholic organisations,

1 so it's fairly wide ranging in terms of its membership,
2 and they do meet frequently, and they do commit
3 themselves and if you check in that paragraph you will
4 probably get a better sense of -- carry on down, 7.20,
5 next page.

6 Q Can I put this document on the screen? It is at
7 PRT-001.001.8285? We are looking here at a document
8 with the title, "The Council of Voluntary Organisations
9 for Child Emigration".

10 A Yes.

11 Q And if we turn over to the next page the document isn't
12 itself paginated but if we move on to the next page, can
13 we see there those bodies that formed the council?

14 A Yes, and it is an extraordinarily long list, isn't it,
15 and it does include a quite wide variety of
16 organisations. You can see it began as the Catholic
17 Representatives there, there is the Church of Scotland
18 and National Children's Homes, which is the NCH, which
19 is the Methodist organisation and then these quite
20 specific ones. Unsurprisingly you have got Barnardo's,
21 you have got Fairbridge, Middlemore and so on and so
22 forth, so it is a very broad group of people who are
23 members of the CVOCE. I think what you find in the
24 report is that they seem to have accepted many of what
25 is being recommended. I think a lot of the drive is

1 actually coming from the head of Fairbridge. A lot of
2 that is being accepted verbally, but provided
3 erratically.

4 Q And if we look to the next page we are told:

5 "The council was established on 30 January 1951 and
6 its aims and objects are (a) to co-operate in the
7 carrying out of work for the welfare of child emigrants;
8 (b) to speak with a united voice in matters common to
9 all; and (c) to consult with Government Departments at
10 home and overseas", and then we read:

11 "Effort is always made to accept only those children
12 who would not suffer by the break of any beneficial
13 emotional relationships. The organisations represented
14 on the council have various methods available for their
15 care, every facility being given to enable the children
16 to be brought up in their own faith".

17 We can read on there, but I think then in the body
18 of the document we have reference to each of the
19 participants in the council, and if I could turn on
20 three pages --

21 A Just to comment on that which you have just read out, I
22 mean, it is very, very striking, isn't it, that -- just
23 almost that very first sentence:

24 "Effort is always made to accept only those children
25 who would not suffer by ..."

1 That's the one. Sorry... erm ...

2 LADY SMITH: " ... by the break of any beneficial emotional
3 relationships".

4 A That's it. It's gone blue and I can't read it as clear.
5 So, that's it, " ... the break of any beneficial
6 emotional relationships".

7 I think the aspirations behind the Council are very,
8 very high. If child migration is going to continue then
9 these are the qualities that all the participating
10 agencies need to adhere to, and I think that is vitally
11 important. I think there is a line in the report we
12 wrote which says it is a matter of -- for consideration
13 of how many of them actually did adhere to what they
14 seem to have been committing themselves to.

15 Q And I was moving on, each individual organisation is
16 described in the -- in this -- I think it is a form of
17 constitution of the -- of this council. If we move on,
18 I think it's three pages, if we can try and do that,
19 yes, we have here a section headed, "Church of Scotland
20 committee on social service", and we've seen at the
21 beginning the Church of Scotland committee on social
22 service was a member of this particular body.

23 A Yes.

24 Q And it provides here a pen picture of what the committee
25 has been doing in the field of child emigration.

1 A Yes.

2 Q And in particular there is a reference to Dhurringile
3 Rural Training School in Victoria.

4 A Yes.

5 Q And we read in the next paragraph:

6 "The Dhurringile School was established by the
7 Presbyterian church of Victoria in the fertile district
8 of Goulburn Valley, one hundred miles from Melbourne.
9 The home accommodates one hundred boys and there are
10 still vacancies".

11 A I think that phrase, "There are still vacancies", is
12 part of the advertising pitch, isn't it.

13 Q Well, so the next sentence:

14 "These boys are given a splendid opportunity at
15 Dhurringile under ideal conditions under trained experts
16 in social work. They receive their education at local
17 state schools".

18 Now, I think there is a document that you refer to
19 in your report, a sort of a circular letter that was
20 circulated by this committee where that general phrase
21 I think reappears, namely that the boys are given
22 a splendid opportunity.

23 A Yes. It is an advertising pitch, isn't it. I mean,
24 I think this is precisely what CVOCE intended, was that
25 there would be high standards. This clearly is written

1 by the Church of Scotland Committee on Social Service.
2 This is their sales pitch in this particular document,
3 and it is put out for any organisation who has an
4 interest in child migration to pick which of these
5 organisations would best serve the needs as they
6 understood them to be by religious persuasion, by
7 whatever else, you know, the kind of care that would be
8 received, so it is an advertising brochure in that
9 respect, but what always appears in these is just how
10 highly qualified the organisations are to best serve the
11 needs of the children.

12 Q And we will see when we come to it what Ross had to say
13 about this particular establishment.

14 A Yes.

15 Q But if you look at the end:

16 "Enquiries should be addressed to the director of
17 the Church of Scotland Committee in George Street in
18 Edinburgh", so again it also gives an address to which
19 people, if interested, can make contact?

20 A Yes, and that's true about all the statements for every
21 one of the societies involved in CVOCE.

22 Q So if we move, then, to what I think is the second-last
23 page of the document, on the right-hand side there is
24 what appears to be a summary, or it is described as
25 a summary, and sex and age range, boys and girls from

1 3-14 years of age, lads 15-18 years of age, so that's
2 the range of age.

3 A The, "Lads", is because Big Brother is involved in this
4 organisation.

5 Q And then, "Selection":

6 "The need of the child is the determining factor",
7 is what is said?

8 A That would be nice.

9 Q And then, "Education":

10 "No distinction is made between migrants and
11 children of the country".

12 And that reflects what was said by the Women's Group
13 in their report?

14 A Yes, and again is not actually practicable by those
15 organisations.

16 Q And then, "Vocation":

17 "Every profession, trade and industry is open to
18 every child according to ability".

19 How does that fit in with the farm schools type of
20 set up?

21 A It doesn't. I think this is one of the concerns which
22 Fairbridge comes to understand, is that farm schools
23 would be seen to be directing children towards farming
24 as labourers or, indeed, ideally, as farmers, but if
25 that is not actually where their talents lie, then they

1 are disadvantaged, and they have not acquired the kind
2 of training which would fit them for rewarding jobs.

3 Q And then the reference to aftercare:

4 "Each organisation undertakes to give continuous
5 after-care in accordance with its official
6 obligations -- additionally the organisations are at the
7 disposal of the new settlers indefinitely".

8 So it is quite aspirational in that sense?

9 A It is indeed, yes, and we know aftercare is
10 a problematical matter, partly because the now graduated
11 child migrants have simply moved and they lose track of
12 them, aftercare becomes a difficulty thereafter, but
13 also because many of those organisations do not have
14 proper aftercare facilities in place.

15 Partly, again, it comes down -- I keep coming back
16 to one of these important points, just how big is
17 Australia, just how big is Canada, and aftercare can
18 really only be managed, in a way, if the persons you are
19 trying to see how they are progressing are reasonably
20 local. You can't really do this by correspondence. You
21 need face-to-face meetings with the former children.

22 Q Now as you point out in your report on page 42, the
23 Women's Group recommendations were considered by this
24 particular council. That's the CVOCE. Is that correct?

25 A That's right.

1 Q And if I could put this on the screen, it is at
2 PRT-001.001.8134. I think what we have is part of the
3 document but it would be quite useful to get to the
4 front page.

5 A Yes.

6 Q I will come to this in a moment, Stephen, just a moment
7 so I can identify the -- do you have PRT-001.8134?

8 A It is -- I can vaguely see some writing on it but
9 I can't read a word of it.

10 Q Perhaps I can -- it appears to be the Minute Book of
11 this council, the CVOCE, and it consists of minutes of
12 meetings by the council from formation, March 1951, to
13 January 1955.

14 A Yes.

15 Q And I will perhaps, then, move to the page that we can
16 get on the screen.

17 A I think what you just had before is --

18 LADY SMITH: I think -- was that what you wanted Colin?
19 Because it referred to this committee in March 1951,
20 although the heading looks as though it is to do with
21 the Women's Group on Public Welfare, it may be when they
22 were considering those recommendations.

23 MR MACAULAY: Well, perhaps PRT-001.001.8148?

24 A Is this the one that -- oh.

25 Q Yes. This is the council's response to the Women's

1 Group recommendations, and I think you have seen this
2 before. So, for example, in relation to selection --

3 LADY SMITH: No. It was the previous one that you had and
4 then took off the screen. That's it.

5 A Yes. That's the one. "Recommendations of Child
6 Emigration Committee of Women's Group on Public
7 Welfare".

8 MR MACAULAY: Correct, and if you look at the
9 recommendations which they have listed down the
10 left-hand side of the page, and listed down the
11 right-hand side there are comments and recommendations.

12 A Yes.

13 Q So for example if we take, "Selection", and we saw that
14 in the Women's Group report:

15 "The main consideration in selection is not only
16 whether the child is suited for emigration but whether
17 emigration is best suited for this particular child"?

18 A Just on that, that phrase keeps being repeated. That
19 sentence keeps being repeated by many organisations like
20 this one. It traces its way all the way back, I think,
21 to the Curtis Report. The suitability for emigration of
22 the child, and then I think to the right-hand side you
23 can see on that March -- 19 March, 1951 meeting,
24 "Agree", and that -- I assume he means all the members
25 of the CVOCE agreed that that was a fundamental

1 requirement, so it goes on.

2 Q And so to be honest you say that if we look at the
3 second recommendation that we looked at previously,
4 dealing with the personal and family histories of the
5 child:

6 " ... should be collected by a qualified Social
7 Worker, preferably by a Psychiatric Social Worker with
8 a special understanding, and the comment there is:

9 "Would agree that an experienced --"

10 It's been cut off, I think:

11 "An experienced worker should collect personal and
12 family histories. Would always refer a doubtful case to
13 a Psychiatric social worker Worker or Psychologist".

14 So there is broad agreement there with the
15 recommendation?

16 A Yes.

17 Q And then in relation to the Selection Committee point:

18 "Would agree with this, subject to amendment, as
19 follows ... the Selection Committee of the society
20 concerned should give their decision only after
21 considering this material and the report of a
22 responsible person interviewing the individual child and
23 his parents or guardians", so again there is broad
24 agreement with the principle?

25 A Yes indeed, yes.

1 Q If we go to five:

2 "When emigration is proposed for a child who has
3 brothers and sisters, careful consideration should be
4 given to the advisability of keeping the family unit
5 ahead", and we are told, "This practice is already in
6 operation"?

7 A It is the, "Careful consideration should be given". The
8 careful consideration might have been given but then the
9 implication that the brothers and sisters should remain
10 together was not necessarily the result of that
11 deliberation., "This practice is already in operation",
12 seems to me little more than, "We have considered this
13 matter".

14 Q And moving on to the next page, if that's possible, and
15 scrolling up, there is a section dealing with living
16 arrangements in groups, and in particular the notion
17 that small cottage homes should be tried, and the
18 response to this is, "Already being done".

19 A Yes. Not quite sure whether that is true of all the
20 organisations that are signed up with CVOCE, but I think
21 it is sort of generally true, but you do not see the
22 large institutions suddenly being replaced by small
23 cottage homes.

24 Q No.

25 A With the sexes mixed. There is very rarely a Catholic

1 institution receiving children that are of mixed sex.

2 Q And under, "Education and Training", and the point being
3 that British child migrants should mix in school at all
4 stages with local children, and again the comment, the
5 response to that is, "Already being done". I think we
6 do know that some institutions had in-house schools.

7 A Yes indeed. Yes. I think the Christian Brothers leaps
8 to mind as quite what kind of education they were
9 getting in any case, but certainly --

10 Q And perhaps moving forward on to the next page, then,
11 under the heading, "Staff", if we can look at that, yes,
12 the comment -- the recommendation in the Women's Group
13 report was that it's impossible to over-emphasise the
14 care with which resident staff should be selected, and
15 we looked at that, and the comment there is, "Agree".

16 A Yes. They agree that it is impossible to over-emphasise
17 the care with which residents' staff should be selected.
18 Well, you could agree that it is impossible to
19 over-emphasise it, but actually whether you do it is
20 another matter. Whether they are carefully selected, we
21 know that it is impossible to over-emphasise it, but
22 we -- agreeing to that doesn't mean you are actually
23 doing it.

24 Q Indeed, and perhaps a final point I should take you to
25 is under reference to records that we looked at under

1 reference to the Women's Group report:

2 "Detailed records of the child, his early school and
3 medical history ... [and so on] ... should be sent to
4 the country to which he emigrates", and that's agreed
5 to?

6 A Yes.

7 Q So on the face of it, then, in large measure this
8 particular group --

9 A Sorry, can you just --

10 Q Sorry, yes.

11 A -- just pause on the line, if you look at 30 as well,
12 because this crops up in some of the responses made by
13 the children later in life:

14 "When a child asks about his family he should be
15 answered truthfully according to the level of his
16 comprehension".

17 Well, we know that some of the things that were told
18 to children who had been migrated was simply not true.
19 They were told things like, "Your mother didn't love
20 you, you were deserted, you were an orphan", and all
21 that kind of misinformation which was responsible for
22 lots of the psychological upsets that these children
23 suffered from.

24 Q And I was going on to say that, as I think you point out
25 in the report, that the CVOCE group in broad measure

1 agreed with the Women's Group's recommendations?

2 A Yes. Yes they agree, but actually I think the last line
3 in that section of the report is whether they actually
4 followed what they had agreed is entirely another
5 matter.

6 Q Indeed.

7 A I get the feeling that it's so much driven by Sir
8 Charles Hambro, that organisation, that they fall in
9 line with his -- and no doubt very powerful personality
10 and didn't want a row, as it were, to take place, and
11 wanted to remain in the group because, as you will have
12 noticed, it is actually an advertising brochure.

13 LADY SMITH: And then the group was wound up in 1959.

14 A Yes.

15 LADY SMITH: At which time child migration was still taking
16 place.

17 A Yeah, though it is noticeable that the numbers are
18 diminishing by that date.

19 LADY SMITH: Oh yes. Yes.

20 MR MACAULAY: Now then, can we then move on to reports that
21 were carried out on the ground, so to speak, and the
22 first of these that you consider is a report by John
23 Moss in 1953.

24 A Yes.

25 Q And that was a contemporary report. Mr Moss had gone to

1 Australia. He had been a member of the Curtis Committee
2 and he carried out an inspection of quite a number of
3 the institutions in Australia. Is that right?

4 A Yes. Indeed, more broadly one of the reports that he
5 produced in other countries as well, but the main one
6 that we are concerned with is his investigation of homes
7 in Australia.

8 Q Yes. So if I can put his -- make his report available
9 to you, it is at CMT-001.001.0476.

10 Now, we have it on the screen. Was this report
11 published?

12 A Yes. But interestingly it is published by HMSO, and
13 there is a very important statement made by the Home
14 Office that they distance themselves from it. There are
15 minutes to that effect, but this is the Moss Report.
16 I think they had rather expected that it would be full
17 of rather more kind of critical observations about child
18 migration to Australia, and the Moss Report comes out
19 broadly speaking with some reservations in favour of
20 child migration, and what the Home Office is anxious to
21 do is not to see this publicised as a Home Office
22 document, so it's published by the HM Stationery Office
23 instead, and that gives that space between the Home
24 Office and Moss. It's as if it is his private pamphlet
25 that has been published on his behalf rather than on

1 behalf of the Home Office.

2 LADY SMITH: And of course the Home Office hadn't
3 commissioned this report.

4 A No. It is entirely his -- it is his retirement project.

5 MR MACAULAY: Yes. If we turn to the next page, actually,
6 of the report, we perhaps get the message that what we
7 are told is that:

8 "In the course of a private visit to Australia in
9 1951-52, Mr John Moss, who was a member of the (Curtis)
10 Care of Children Committee in 1945-46, made some
11 enquiries at the request of the Home Office into
12 conditions in Homes where children emigrating from Great
13 Britain are received. This report, which is published
14 for general information, is an independent record of
15 Mr Moss's impressions, and is not to be taken as
16 expressing the views of the Home Office or of any
17 Australian authority".

18 So I think there you have it?

19 A Yes. Absolutely. I have sometimes wondered what
20 Mr Moss made of that preface.

21 Q And as you indicated, in broad terms it is a positive
22 report and, indeed, I think you tell us in the report
23 that it was good news to the Australian authorities.

24 A Yes. And, indeed, to some of those UK Government
25 committees who found that Moss was saying the kinds of

1 things that they had been urging. I don't think the
2 Migration Board was very keen on Child Migration and
3 this seemed to be the kind of report that they didn't
4 wish to read.

5 Q If we turn to page 2 of the report itself, perhaps just
6 move on two pages from where you were, yes, I think you
7 are on that, it just needs to be -- right, and if we
8 just scroll to the top, what he does tell us at five is
9 that he visited all the institutions in Australia where
10 child migrants had been received, so, so far as child
11 migration is concerned, he went to all these --
12 according to what he says -- he visited all these
13 institutions?

14 A Yes.

15 Q And for comparison purposes he also visited some state,
16 other state institutions. That's what he says.

17 A Yes. It is by, you know, his own standards, a very
18 thorough report. He does -- there is a lot of legwork
19 in travelling around in Australia to all these places.

20 Q And picking up a number of points, then, on page 4 of
21 the report -- I think you are on it, it's just not very
22 easy to read. Towards the bottom there is a heading,
23 "Case Histories".

24 A Yes.

25 Q This is a negative comment:

1 "I heard many complaints of the inadequacy of the
2 information sent to the voluntary organisations in
3 Australia as to the children who are emigrated. It is
4 essential that full information as to the history of
5 each child should be sent".

6 That reflects the -- what was being said in the
7 Women's Group recommendations.

8 A Yes, right, and indeed by the CVOCE in its minutes.

9 Q But what he finds is that the information is inadequate.

10 A Yes.

11 Q Then if we turn to page 8 he has a heading, "Inspection
12 of Institutions", at paragraph 34, and what he says is
13 this:

14 "Each voluntary institution taking migrant children
15 is inspected regularly, usually at least quarterly by or
16 on behalf of the officer of the State Department who is
17 the Minister's delegate. This is usually by the Child
18 Welfare Department".

19 I just wondered, so far as the source of that
20 comment is concerned, are you able to give us any
21 insight as to what the source of that comment may have
22 been?

23 A I assume the source of the comment are members of the
24 State Departments. My impression is that that could be
25 questioned as to whether that was being so regularly --

1 quarterly by and on behalf of the Officer of the State
2 Department? I mean this may be about problems about
3 accessing records which are still in Australia and
4 haven't been located, so what we are troubled by in a
5 lot of this Inquiry is the survival of records or access
6 to records, but I would be surprised, possibly even
7 pleased to know that there actually were quarterly
8 reports obtained by the State Departments. I think some
9 of the material I have seen suggests that that was not
10 the case.

11 Q And then moving on to page 16 at the very bottom under
12 the heading, "Staffing", what he -- the comment he makes
13 at paragraph 82 is that:

14 "In the Roman Catholic institutions most of the
15 staff comprise Sisters or Brothers of the Order
16 responsible for the institution. The ratio of staff to
17 children is generally less in Roman Catholic
18 institutions than in those provided by other
19 organisations".

20 Then he goes on to say:

21 "The type of the institution, however, usually
22 makes it easier to manage with less staff. There is the
23 further point that in their case the staff have
24 a definite vocation which cannot be said to be true of
25 the staffs in secular institutions. Also no question

1 arises as to pay or hours of duty".

2 So that's how he seeks to justify the staff/children
3 ratio?

4 A It is quite extraordinary to read it, isn't it, in the
5 light of, again, the oral testimony, the written
6 testimony we've seen in former child migrants. I don't
7 think they would quite recognise the virtues of being
8 entirely by Christian Brothers, for instance, and the
9 ratio between the numbers of staff and particularly
10 trained staff who have a definite vocation, I'm not
11 clear whether the, "Definite vocation", of the Christian
12 Brothers is a definite vocation for childcare. It may
13 be a definite vocation for Roman Catholic values.

14 LADY SMITH: I suppose it may even be a justified assumption
15 that they have a vocation for teaching, because
16 Christian Brothers was a teaching Order, but that
17 doesn't mean you have a vocation for 24/7 responsibility
18 for looking after children who are growing up.

19 A Absolutely correct. Yes. That's right, and we do know
20 that the Christian Brothers did have a reputation,
21 rather kind of brutally carried out in some of the
22 Western Australia institutions, they had a vocation for
23 teaching. They are a teaching Order, essentially, but
24 if they are the teachers, then where are the childcare
25 specialists in this organisation? There don't seem to

1 be -- very rare to find any reference to women in these
2 Catholic institutions -- a cook, for instance. Maybe if
3 you are lucky, a nurse.

4 MR MACAULAY: And at paragraph 84 on that page that we are
5 on, it says:

6 "Very little domestic staff is employed in any
7 institution".

8 He goes on to explain the expense and how it would
9 be impossible to obtain such staff, and he goes on to
10 say:

11 "It is quite clear that children in an Australian
12 family, even of affluent parents, help more with the
13 general housework including the making of beds, than is
14 done generally in an English household"?

15 A That's a curious observation about English households.

16 Q It is, but he goes on to say:

17 "It must be admitted, therefore, that children in
18 children's institutions in Australia, as in private
19 homes, do more domestic work than in present
20 circumstances they do in Britain. Migrants must
21 therefore do the same".

22 He finishes his comments by saying:

23 "I saw no evidence, however, of children being
24 over-worked and I was assured that Australian children
25 in these institutions accepted the risks which they

1 would expect to do in their own homes".

2 I think we do know that children particularly in
3 Catholic institutions had to work rather hard on
4 domestic tasks.

5 A Well, even more than domestic tasks as in some cases
6 they are actually building the buildings they are going
7 to be living in. It doesn't seem to me that that
8 qualifies as being little domestic helper.

9 Q And his final comment in the next paragraph:

10 "I am satisfied that both the Sisters and the
11 Brothers generally take a keen interest in the children
12 and are anxious to promote their welfare".

13 You have seen some of the evidence. How does that
14 fit in with the evidence that this Inquiry has heard?

15 A Not well. I mean, I think I just want to qualify that
16 comment. I don't want to kind of generalise too much,
17 but clearly there are, particularly the Brothers, people
18 who are singularly uncaring about the welfare of the
19 children, and we know that, I think, only too grimly,
20 but it is also true about some of the sisters in other
21 institutions who were notorious for the disparaging
22 remarks and the physical violence that they inflicted
23 upon their migrant intakes, and indeed Australian
24 intakes.

25 Q Can I take you, then, to his conclusion, Stephen, on

1 page 41? I think we've moved ahead of ourselves. It is
2 a couple of pages back from where we are. Yes. We have
3 it on the screen now. It is paragraph 239. He begins
4 by saying:

5 "I hope this report will give an impetus to the
6 emigration of children from the United Kingdom to
7 Australia as I have no doubt that many children who are
8 in children's homes here would have much better
9 prospects in Australia if they are carefully selected
10 and are of suitable ages".

11 So he is, in a sense -- well, he is saying that he
12 wants to promote the emigration of children?

13 A Exactly. Yes. The, "Carefully selected", bit needs to
14 be stressed, and, "Of suitable ages", needs to be
15 stressed, but there is more to it than that that was
16 required if children were being sent overseas in order
17 to be properly catered for.

18 Q And he goes on to say:

19 "I was impressed by the thoroughness with which the
20 interests of child migrants are safeguarded ... and by
21 the standards of care available".

22 He goes on:

23 "This Scheme is intended primarily for the
24 emigration of children who have been deprived of a
25 normal home life. Sometimes, however, children are

1 accepted by voluntary organisations for emigration from
2 their own homes because of some parental difficulty".

3 He says:

4 "I have referred to that".

5 A It is very difficult to kind of comment on that in a way
6 because it is aspirational, again, that there are these
7 children who have been deprived of a normal home life in
8 the UK. What the advantage is of those children being
9 sent to the care of some of the places which he seems to
10 have endorsed is problematic.

11 Now, the next sentence down on that:

12 "I attach importance to a child being sent to an
13 establishment in Australia which is as comparable as
14 possible with the establishment in which he was living
15 in Britain".

16 Now that presupposes that all the children sent were
17 in institutional care and it doesn't say anything at all
18 about the quality of the establishment in which the
19 child had been living in Britain. I mean, I think we
20 know that some of the establishments in the United
21 Kingdom, including Scotland, were not of high quality,
22 so if a child is used to living in a poor quality
23 institution in Scotland, for example, sending it out to
24 Australia to an establishment which is comparable, says
25 that they will be in an institution in Australia which

1 is also not good because the comparison is with the
2 establishment in Scotland which is not good.

3 Q As you mentioned earlier, Stephen, the report pleased
4 the Australian authorities?

5 A You bet, yes.

6 Q And you discuss that at paragraph 7.25 on page 44 of
7 your report, and you begin that particular paragraph by
8 saying that the report pleased the Australian
9 authorities and prompted the Chief Migration Officer at
10 Australia House in London to urge the Home Office and
11 the Commonwealth Relations Office to persuade local
12 authorities especially to be more co-operative.

13 A Yes.

14 Q Do you see that? Now I will go on to the next part of
15 that in a moment, but did this report have any impact on
16 the proposal to draft regulations?

17 A Not directly, as far as I'm aware. The regulations are
18 constantly not being forwarded, as it were. I think the
19 Moss Report likely simply triggers off the enthusiasm
20 for Australia that -- are practices being endorsed by
21 a reputable -- remember John Moss did have
22 a considerable reputation as an authority on child
23 welfare, and it also causes huge enthusiasm amongst
24 supporters in the UK for more child migration. It seems
25 to be endorsing that practice, and I think what that

1 then leads to is demands made on the Commonwealth
2 Relations Office and on the Home Office to follow these
3 sets of effectively instructions, "Send more children".

4 What we know is going to happen is that the
5 unwillingness of the Home Office to simply endorse that
6 and carry it through leads to demands on -- made on the
7 Home Office -- to -- and this is what it leads to -- is
8 more factfinding, and that's going to lead you to the
9 Ross Committee.

10 Q If I could ask you to look at this document, it is at
11 LEG-001.002.3034.

12 A Yes. This is the chairman of the Overseas Migration
13 Board. (Inaudible) often said.

14 Q The actual page we are now on is -- we can just stay
15 with it then, is 3036, just for the transcript. This is
16 in a Government file which is headed, "Factfinding
17 mission to report conditions in homes by the Voluntary
18 Societies in Australia", and could you tell me, then --
19 you have seen this before. What is this, I think, Home
20 Office minute that we are looking at?

21 A Yes, and clearly what it is a response to these demands
22 being made on the Home Office to ensure that the flow of
23 children to overseas destinations should be accelerated,
24 particularly to Australia, because that's what the Moss
25 Report is reporting on, largely, and the factfinding

1 mission is because there is still a view in the Home
2 Office that we don't know enough about all these places
3 and we need to send out another Committee in order to
4 see what the quality of care is like, a Committee from
5 the Home Office and representing, largely, Home Office
6 opinions.

7 LADY SMITH: And judging by the manuscript dates at the top
8 right-hand corner, this was being written a couple of
9 years or so after the Moss Report had become available.

10 A Yes.

11 LADY SMITH: So it clearly post-dates knowledge of the Moss
12 Report.

13 A Oh indeed, yes.

14 LADY SMITH: And it is as good as saying, well, Moss doesn't
15 tell us enough.

16 A Exactly, yes, and I think the phrase, "Factfinding", is
17 what Ross was supposed to come up with. The Ross
18 Committee was supposed to come with fact but in fact, as
19 we know the Ross Committee comes up with opinions,
20 judgments.

21 MR MACAULAY: It begins by saying:

22 "As Chairman of the Overseas Migration Board I would
23 like to draw your attention to the recommendation at 1
24 on this file that a mission should be sent to Australia
25 to report on conditions in the homes run by the

1 Voluntary Societies".

2 So the focus there at that point is on places, for
3 example, like those places run by -- such as the
4 Christian Brothers or the Sisters of Mercy and
5 Barnardo's.

6 A Yes.

7 Q Then we read:

8 "The board felt that the information at present
9 available about child migrants was not sufficient on
10 which to base long-term decisions on Government
11 assistance".

12 So the eye there is on the financial cost of
13 migration. Is that right? Government assistance?

14 A Certainly Government assistance comes into it, but
15 I think there is more broadly than that, is to --
16 whatever Government assistance is, is it being spent
17 correctly on the right kind of care for the children who
18 are being sent.

19 It is this absence, seemingly, of fact.

20 Just on that word, "Fact", it is quite
21 extraordinary -- this is 1955. Child migration has been
22 ongoing for nearly ten years, post war, and so you would
23 have thought that if there had been proper
24 accountability for the practice prior to 1955 there
25 would be a lot of facts available. The Home Office

1 clearly is still in a position, I think, that it does
2 not know enough about the places to which UK children
3 are being sent, and I think the factfinding is really
4 what had been expected, there would be a list --
5 detailed bits of information about these various places
6 and judgments were to be made on those once the
7 Commission had returned. In fact that's not what the
8 Ross Committee does. It comes up with facts but
9 opinions on them.

10 Q The final paragraph goes on to say:

11 "It seems to me that the proposal to send a mission
12 has a good deal to commend it; no authoritative report
13 exists on the subject ..."

14 And then in parenthesis:

15 "That by Mr John Moss in 1953 was never accepted by
16 the Home Office, and if any progress is to be made it
17 would be most useful to have a basis for discussion with
18 the authorities concerned in this case".

19 That emphasises the fact that the John Moss Report
20 was not accepted, at least that's what it says, by the
21 Home Office.

22 A That's correct. This is a minute from within the
23 Commonwealth Relations Office to the Secretary of State,
24 so this is after consultation, clearly, with the Home
25 Office.

1 Q Just in relation to the acceptance of the Moss Report by
2 the Home Office, if I could take you to another
3 document, it is at LEG-001.003.1246. I think we've
4 moved on to the page that I would want eventually to go
5 to, but just to say that page 1246 is the frontispiece
6 of a Government file with the heading, "Child Migration
7 to Australia: Final Report by Mr John Moss", and it is
8 clearly a very lengthy file because that's at 1246 and
9 the page we are going to is at 1408.

10 A Yes.

11 Q I think you have looked at this in the past, and it
12 begins by giving the background as to Mr Moss's visit.
13 At 2. It says that Mr Moss has furnished
14 a comprehensive report, and it mentions that summary is
15 given within, and then at five, this is the point I
16 wanted to pick up with you on page 1409:

17 "If the report were to be published it would be
18 important to avoid any implication that the Home
19 Secretary was sponsoring a policy of emigration of
20 children in public care. This would call for
21 a carefully worded preparatory note making it clear that
22 the report was an independent report of Mr Moss'
23 observations, published for general information".

24 That, indeed, reflects what we have already looked
25 at in Mr Moss' report.

1 A Yes, and it goes on:

2 "It is suggested that the Stationery Office should
3 be invited to print the report", so they are putting
4 space between Moss and the Home Office.

5 Q But that, then, is the background, is it, to the
6 setting-up of the Ross factfinding mission --

7 A Yes.

8 Q -- that I think went to Australia in 1955 --

9 A Yes.

10 Q -- and reported in 1956.

11 A What is also involved in this is the need to renew the
12 Commonwealth Settlement Act, so they need to do the two
13 things at the same time, as it were, so they know that
14 they are going to have to renew the Empire Settlement
15 Act, the Commonwealth Settlement Act has become pretty
16 much at the same time, they need to prepare for that,
17 and hence what Ross may be able to do is to come up with
18 facts about places to which the children have been sent
19 in the past, and would be sent in the future.

20 Q Yes, the Commonwealth Settlement Act was due to be
21 renewed in 1957?

22 A That's right. Yes.

23 Q And it was renewed in due course.

24 A Yes, and incidentally, just as a reminder, in 1957, what
25 came in as a consequence of that renewal was supposedly

1 these tighter obligations upon the sending societies.
2 Not regulations, but, "These are what we expect you to
3 have addressed as a sending society". Those are written
4 into the new agreements in 1957.

5 Q Are you able to say why it was that the Home Office was
6 unconvinced by Mr Moss' report, notwithstanding the fact
7 and having regard to his background as a member of the
8 Curtis Committee?

9 A I think this is -- I have no documentary evidence for
10 this but I should think that the Home Office, which has
11 been clearly sceptical about the quality of child
12 migration to this point, was a bit astonished, dismayed,
13 possibly, to find it had been endorse by somebody with
14 such reputation as John Moss had, and hence all these
15 efforts which seemed to have worked to put space between
16 the UK Government and this ex-employee of the UK
17 Government. Moss is now a retired -- former member of
18 the Child Migration Board, and all this is voluntary by
19 him, so I think that really is crucially important in
20 this, distancing themselves from what Moss said leads to
21 the own -- their own Home Office investigation endorsed
22 by the UK Government generally.

23 Q But in your trawling through the various voluminous
24 files that you have trawled through in your research,
25 what is it -- is there something there that would set up

1 this scepticism that seems to be prevalent in the Home
2 Office?

3 A I think that by the time Moss comes round to report
4 there had been, clearly -- still ongoing, remember, is
5 the attempt to regulate the practices of the Child
6 Migration Societies, their concerns are already there
7 about the quality of care in some of the institutions in
8 Australia to which children had been sent, there is
9 enough reports coming back from the High Commission,
10 that's been going on for some time, raising certain
11 concerns about certain institutions. They had reports
12 from some of the operators of child migration. We know
13 that -- from CVOCE -- that Sir Charles Hambro has been
14 concerned about leading the very practice at Fairbridge
15 so there is a lot that has been building up that there
16 is -- with the terms of the Children's Act in mind, that
17 all is not as it should be, and hence what they are
18 unpersuaded by is suddenly getting this report which is
19 so -- with a little qualification here and there --
20 strongly in favour of a continuation of migration and if
21 possible even it is increasing of the despatch of
22 children overseas.

23 Q But when they get the Ross Report, and we will look at
24 the Ross Report, that is a critical report of --

25 A Indeed.

1 Q -- generally of child migration.

2 A Yes.

3 Q Very critical in some respects of some of the
4 institutions?

5 A Absolutely.

6 Q And yet child migration continues after the Ross Report
7 has become available.

8 A Yes. As I say, really, the only consequence -- well,
9 the Ross Report causes considerable difficulties in its
10 implementing the implications of it because what Ross
11 did not do, unfortunately, was it did not visit every
12 institution in Australia to which child migrants had
13 been sent. What you get is -- remember it is the
14 confidential reports which are really very damning of
15 several institutions, very damning indeed, and the
16 Commonwealth Relations Office is then stuck with this
17 problem as to whether they blacklist all the ones that
18 have been condemned by the Ross Report and allow others
19 to go through, continue to operate, including,
20 unfortunately, institutions that the Ross Committee had
21 not visited and does not have reports on, so do you --
22 are you at risk of allowing children to be sent to
23 places that Ross had not visited but which are as bad or
24 possibly even worse than the ones that they had
25 condemned. It causes a real problem for the

1 Commonwealth Relations Office that Ross didn't visit
2 absolutely all of them, in which case, if he had done
3 and they have got, you know, marks out of ten for
4 institutions, anybody who is getting the high score
5 could have been approved and anyone getting a low score
6 could have been blacklisted, but they simply find it
7 difficult to know what to do with a report that doesn't
8 cover all institutions, and hence, I think, again, you
9 come to the 1957 attempt to do this not by regulation
10 but by setting out the new terms by which child
11 migration organisations should operate. If they are
12 going to get the money, this is what they need to do.

13 That said --

14 NEW SPEAKER: Hi Professor, we've just been cut off from
15 hearings room. We will just be reconnecting.

16 A Okay. (Pause)

17 MR MACAULAY: We are back I think. Can you hear me Stephen?

18 A I can indeed, yes.

19 Q Yes. You were cut off in mid-stride there,
20 unfortunately.

21 LADY SMITH: Yes. You were telling us if they were going to
22 get the money this is what they need to do, and then you
23 started, "That said", and we lost you.

24 A That said, it is still very difficult to see -- we are
25 now talking 1957, so remember child migration is

1 actually running down anyway, but it is very difficult
2 to see how, just by putting into the agreements with
3 these sending societies matters would improve. What you
4 would still need to do is to ensure that what they were
5 promising to do they did, which would require, again,
6 reports to be brought back to the Home Office for
7 judgments to be made, reports preferably sent by the
8 sending societies and the receiving homes, but also one
9 would wish to see reports by members of the UK High
10 Commission, and lest I forget to make this point, the UK
11 High Commission always felt itself to be under-staffed.

12 LADY SMITH: Yes. Stephen, one thing I should ask you about
13 is this; of course, he is all very well to say by the
14 late 1950s numbers were diminishing. However, by that
15 time there were a lot of children already in Australia
16 who had been migrated and if you look at the various
17 recommendations, whether it was the women's public
18 group -- the Women's Group on Public Welfare or others
19 or Moss, what you were seeing were recommendations that
20 included what the ongoing practices and systems should
21 be, and do seem to raise a question of those back here
22 in the UK, the sending institutions, the Government,
23 making themselves continually aware of what's happening.

24 A I absolutely agree. This has always been one of the
25 real problems. It's partly -- one of the problems we've

1 got with the investigation, this Inquiry, is survival of
2 records. We do not know for sure whether all
3 institutions sent back records but that they have not
4 been preserved in archives, or whether some records were
5 sent only, or whether no records were sent at all, so
6 it's very fragmented, anything that came back from
7 overseas. The main reports that we have a lot of
8 detailed information about are the ones that are carried
9 out for special reasons by the UK High Commission, and
10 suddenly they recognise that, you know, late in the war
11 things are really poor in terms of the institutions
12 because of the war circumstances, and then you get Sir
13 Richard Cross, for instance, goes to visit some places,
14 and he is both pleased and actually rather alarmed by
15 some of the circumstances that the children are being
16 placed in, at a time when it is known that this is an
17 issue that might be raised, more children to be sent, so
18 you get those special investigations done by the UK High
19 Commission, but I have said it already, the UK High
20 Commission does not have the staff resources to keep
21 visiting all the institutions, and making reports back
22 to the UK Government, and therefore the pressure is upon
23 the receiving institutions to be frankly honest and
24 provide detailed reports back to their institutions --
25 the institutions from where they had drawn the children.

1 It is trying to get the private sector, as it were, to
2 communicate with each other.

3 LADY SMITH: And trying to get the private sector not to
4 wash its hands of the children once they had put them on
5 a ship.

6 A Absolutely, yes. That's critical to this, that if you
7 start sending children overseas you do not abandon
8 responsibility for those children overseas, and the
9 responsibility is both in the sending societies and in
10 the receiving homes. They have an obligation. They
11 should have recognised an obligation to communicate with
12 each other and not in -- from the receiving homes, it is
13 terribly easy for them to be tempted into saying how
14 well things are operating because they have a vested
15 interest in receiving more children. Children bring
16 money, to put it very, very crudely, and it gives them
17 a justification for their own existence. So I think it
18 is very hard to see how a receiving institution is going
19 to provide all the information which a sending society
20 at the top of its game would wish to receive, and hence
21 when you find not enough information, you only find some
22 reports -- some institutions are much better than
23 others. There are more reports from Barnardo's coming
24 back and from Fairbridge coming back than there are from
25 some of the other institutions, but that's about

1 a special relationship between the sending and the
2 receiving place.

3 The reports that you get coming back from some of
4 the other institutions are few, fragmentary, maybe had
5 been lost in the archives, but you just simply don't
6 know. One suspects the worst.

7 LADY SMITH: Yes.

8 MR MACAULAY: My Lady, that's now 1 o'clock.

9 LADY SMITH: Yes. Stephen, thank you very much for that.

10 I'm afraid I may have diverted you to prevent
11 Mr MacAulay getting on to his next short section. We are
12 going to rise now, as I explained yesterday. That's all
13 the evidence that I'm going to take this week, and I'm
14 very grateful to you, not just for joining us this week,
15 but being prepared to rejoin on Tuesday when I will be
16 sitting again at 10 o'clock, the connection permitting,
17 and maybe, by then, we will have sorted this problem
18 that cuts us off just when you are at the height of
19 fascinating flow. So have a good weekend in the
20 meantime and I look forward to hearing from you again on
21 Tuesday. Thank you.

22 A Thank you very much indeed. All the best to yourselves.

23 (12.59 pm)

24 (The hearing adjourned to 10.00 am 22 September 2020)

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I N D E X

STEPHEN CONSTANTINE1
Questioned by MR MACAULAY (Continued)1