

1 Tuesday, 6 October 2020

2 (10.02 am)

3 LADY SMITH: Good morning. Could I begin by saying I am
4 very glad I don't have to start today with an apology,
5 but I know those of you who are not physically in the
6 room will have been concerned about whether the day was
7 going to proceed without you seeing anything of what was
8 going on here or whether you would have been able to
9 hear it. I gather it is now working, and I very much
10 hope that that continues to be the case all day.

11 Ms MacLeod, I think we have a witness ready, is that
12 right?

13 MS MACLEOD: Good morning, my Lady. That is right. The
14 first witness today is Karen Firmin-Cooper.

15 LADY SMITH: Good morning. Could I ask you to begin by
16 raising your right hand and repeating after me ...

17 MS KAREN FIRMIN-COOPER (affirmed)

18 LADY SMITH: Please sit down and make yourself comfortable.

19 Is it all right if I call you Karen?

20 THE WITNESS: Please do.

21 LADY SMITH: Karen, if you have any questions or concerns at
22 all during your evidence, please don't hesitate to raise
23 them. It is important that you are as comfortable as
24 you can be when giving your evidence, so that we can
25 find out properly everything that you have to help us

1 with.

2 THE WITNESS: Okay.

3 LADY SMITH: If you are ready, I will hand over to

4 Ms MacLeod and she will explain what happens next.

5 Questions from MS MACLEOD

6 MS MACLEOD: My Lady.

7 Good morning, Karen.

8 A. Good morning.

9 Q. Is the screen on now?

10 A. It is. Yes, it is.

11 Q. Are you the archive and legal manager for the Sisters of
12 Nazareth in the United Kingdom?

13 A. I am.

14 Q. Are you based in London in that role?

15 A. I am.

16 Q. You have provided a CV to the Inquiry, I am going to put
17 that on the screen. Karen, the documents that go on the
18 screen, some of them are also in a folder in front of
19 you, and you will see in fact that the CV is the first
20 document in that folder. So it is really a matter for
21 you whether you look at the document in the folder or on
22 the screen.

23 The CV is NAZ.001.007.8900.

24 Do we see from your CV, Karen, that you obtained
25 a degree in geography in Cambridge College of Arts and

1 Technology?

2 A. I did.

3 Q. Did you spend the first part of your career working in
4 geophysics?

5 A. I did.

6 Q. And then I think you tell us in your CV that in the late
7 1980s you moved into library and information services?

8 A. Yes, I did.

9 Q. And you worked in that role in places like the Barbican
10 Library, The Planning Exchange and Intersec Research
11 Corporation?

12 A. That is correct.

13 Q. Did you then take a career break for a number of years?

14 A. I did, when I had my two children.

15 Q. Then did you move into a slightly different area of
16 work, that being archive and record management?

17 A. Yes, I did.

18 Q. Within that, have you worked for a number of
19 organisations based in London?

20 A. I did, starting with the Children's Society.

21 Q. From there, do you tell us that you moved on to the
22 National Audit Office, the Independent Television
23 Commission, Ofcom, the Science Museum, the Tate and
24 Rogers Stirk Harbour + Partners?

25 A. Yes, that is correct.

1 Q. Did you take up your current role with the Sisters of
2 Nazareth last year?

3 A. I did, in September last year.

4 Q. Can you tell the Inquiry first of all, Karen, what your
5 role with the order of the Sisters of Nazareth entails?

6 A. My role is to head up the archive service and provision
7 and now the heritage centre. It's twofold; partly it is
8 initially to move the archive into a new purpose-built
9 archive facility in what was the old school house on the
10 grounds, so we are now able to properly store and look
11 after the collection. Following on from that, it is now
12 my job to try and facilitate better access to that
13 archive by introducing a database.

14 The other side is that we have -- it is also doing
15 conservation and preservation of that collection, and
16 a very large part is also Inquiry work which takes up --
17 actually it's quite a large proportion of the call on
18 our time.

19 So I initially had to facilitate the move of the
20 archive into the new building which happened in January
21 this year. Then once in, I then started doing
22 curatorial and preservation work to set up the heritage
23 centre which it was part of, which is now two museum
24 areas, a picture gallery and insuring the archive and
25 starting a preservation programme for that.

1 Now I am currently, on top of the Inquiry work,
2 looking at -- the next big project is a database to
3 better facilitate the cataloguing and access to that
4 collection, which has understandably been neglected for
5 a while because of the calls on Christine and Kevin's
6 time for Inquiry work over the last seven years.

7 Q. You mentioned Christine there. Is that Christine
8 Hughes, your predecessor?

9 A. Yes, Christine is my colleague. She's still there,
10 she's the archivist.

11 Q. Today, Karen, you are here to talk about the role of the
12 Sisters of Nazareth in child migration. Is that your
13 understanding?

14 A. Yes, it is.

15 Q. If we can begin first of all by just looking at the
16 archive, and if you could just tell me a little bit of
17 the history of that archive. Is it correct that
18 the archive was established in around 1994?

19 A. It was, it was. I think prior to that time, what was
20 kept was kept in the houses themselves. And I think
21 when the children's homes closed, if the whole house
22 closed those records eventually were brought together
23 and brought to the General at the Hammersmith site.
24 I think it was at that time that Peter Hughes was
25 approached and asked if he could help the Sisters create

1 an archive, find out what was out there, what had
2 survived, and start putting together a centralised
3 archive for those kind of records, central records.

4 Q. I think the Inquiry has previously heard evidence that
5 Peter Hughes was the archivist from around 1994 up until
6 around 2011, is that right?

7 A. Yes, as I understand it.

8 Q. And then Christine Hughes, his daughter, took over that
9 role?

10 A. Yes. I think they worked alongside for a little while,
11 and then I think Christine took up the permanent
12 position and I understand Peter was more of a consultant
13 from that point onwards.

14 Q. Was that until the time of his death in about 2017?

15 A. Yes.

16 Q. Looking at the archive and thinking about the documents
17 that you have looked at, particularly in relation to
18 child migration, could you give a broad overview at this
19 stage of what is contained in the archive that is
20 relevant to the issue of child migration?

21 A. Well, as you know, I have only been there a year.
22 I know the children's home records quite well because
23 I have had to access them a lot to do the Inquiry,
24 a lot of the Inquiry work. They would be the primary
25 source, the initial source, I think, that was accessed

1 to try to put together the information for this Inquiry.

2 They vary slightly from house to house, but there is
3 always a children's register in which its primary
4 administrative purpose was to document each child and
5 the date that they were admitted and the date they were
6 discharged from the organisation, their date of birth,
7 their parentage and who -- the reference, who referred
8 them to the Sisters in the first place.

9 There is an observations column in those books which
10 sometimes has something in it and sometimes doesn't, and
11 that is usually where I think any clues have been found
12 as to whether a particular child was migrated or not.

13 Q. So the registers for each of the houses in Scotland,
14 for example, have been a helpful source --

15 A. Yes.

16 Q. -- in identifying some of the children that were
17 migrated?

18 A. Yes. They were also accompanied by other records.

19 There would be a discharge book, there are sometimes
20 observations books. There are a number of other
21 different books that all perform an administrative
22 function and sometimes they will have some notes or
23 observations written in them. So it was routine, having
24 established a particular person was a child in one of
25 the homes, then we would follow them through and see if

1 they had any entries into any of the other registers of
2 that time, in that time period for that house.

3 Q. The histories of the foundation for the houses, have
4 they been helpful sources in terms of information
5 relating to migration?

6 A. Yes. I haven't seen all of them. Obviously I have seen
7 the Hammersmith one quite a lot, which is the main
8 central one, which often documents not only what has
9 happened in Hammersmith but often will incorporate some
10 news from some of the other houses that have been sent
11 to them, on a top level, a general level, without too
12 much detail.

13 Some of the houses I have seen, and we have seen the
14 Glasgow one and the Edinburgh one, I'm not sure if
15 I have seen the Kilmarnock and the Aberdeen, but, yes,
16 they are. They are literally diary events and you trawl
17 all the way through them.

18 Q. Could entries in there be along the lines of noting if
19 a party of children had left for Australia? That kind
20 of thing?

21 A. Yes, I have seen quite a few, which I know we have
22 submitted, and they would be along the lines of: X
23 number of children departed today. Sometimes it will
24 say the gender split, sometimes it will say what homes
25 they came from. Very often the Hammersmith one it will

1 be, if they have all been brought together at
2 Hammersmith prior to departure. So there are varying
3 degrees of information but there is very rarely ever
4 children's names. It is usually not much, as it were.

5 Q. Since you started in the role, Karen, what has your
6 involvement been in terms of the Inquiry? Has it been
7 in the main responding to requests and Section 21
8 notices or is it broader than that?

9 A. Initially it was to do a lot of the individual enquiries
10 that we received, a mixture of legal enquiries from
11 solicitors, others from yourselves, others from family
12 histories, so that I would familiarise myself with the
13 type of documents that we have in the archive that would
14 facilitate answering those questions, which also then
15 allowed me to ask additional, you know: can we find out
16 this? Or is that possible? And where else should
17 I look? So Christine could help, basically train me up.

18 I have been the interface for -- the sole interface
19 for this section of the Inquiry and helping solicitors
20 to put together especially the spreadsheet to try and
21 determine exactly the numbers and who -- the names and
22 dates and times and try and verify those.

23 Q. I now want to go on to look at specifically this Inquiry
24 and specifically this child migration case study, and
25 the requests for information that have been made of the

1 order and some of the responses that have been received.

2 Karen, I know that some of these pre-date the time
3 you started with the order and I will take you to some
4 of these. If I ask you questions and you don't know, if
5 it was before your time, please let me know, but if you
6 do know or you have been updated, it would be helpful to
7 have your evidence on some of these matters.

8 A. Okay.

9 Q. So the first document I would like to look at is at
10 NAZ.001.001.0263. This will come on the screen and it
11 is also in your folder.

12 This is a statement of Sister Anna-Maria Doolan,
13 dated October 2016, which was in response to an early
14 notice at this Inquiry issued to the Sisters. There is
15 a paragraph in that which deals with child migration.
16 Have you seen this statement before?

17 A. Yes, I have.

18 Q. In particular, could you have a look at paragraph 9 of
19 this statement? Paragraph 8, my apologies.

20 A. Okay, yes.

21 Q. Do you see here it says:

22 "We have also checked our records to establish how
23 many children were sent to be cared for outside
24 Scotland."

25 And then an outline is given of those children who

1 were sent to be cared for outside Scotland from each of
2 the four Nazareth Houses in Scotland.

3 A. Yes.

4 Q. Do you see it notes that 33 were sent from Aberdeen,
5 four from Kilmarnock, four from Cardonald and 30 from
6 Lasswade?

7 A. Yes.

8 Q. That totals 71. It is noted in paragraph 9 each of
9 these children was sent to be cared for in Australia?

10 A. Yes.

11 Q. Is your understanding, Karen, that those numbers came
12 from the registers of the houses? Is that the source of
13 that information?

14 A. Yes, but it covers only a specific time period which was
15 originally requested.

16 Q. I see. Is that 1930 to 2014, I think the original --

17 A. No, this is 1900 to 1938, I think it is, the 71.

18 I believe I am right but I'm not sure.

19 Q. There is a later notice that covers the period 1900 to
20 1930.

21 A. I understood these numbers were from 1900 to 1930.

22 Q. Okay. Okay, we will come on to look at that.

23 A. Okay.

24 Q. Early the following year in 2017, you may be aware there
25 was a longer Section 21 notice issued which had parts A,

1 B, C and D to it, and that within that there was
2 a section dealing with child migration. I am going
3 to --

4 LADY SMITH: We will need to sort this out. I thought the
5 information we had from you was that it was a total
6 of -- is it seven children between 1900 and 1930?

7 MS MACLEOD: I think that is right.

8 LADY SMITH: A much smaller number. And the larger cohort,
9 according to your records, was the post-1930 period?

10 A. Yes, which is --

11 LADY SMITH: After 1930?

12 A. Yes. I think that is where the number 99 comes from.

13 MS MACLEOD: I will take you --

14 LADY SMITH: Can we go through these periods separately?

15 MS MACLEOD: Yes.

16 If we look at -- there is a later notice, which
17 I was going to come to but we can take that from you
18 now, that deals with the period 1900 to 1930. That is
19 at NAZ.001.006.2833. If we turn to page 5 of the
20 response to that notice, which is at 2837 at (g),
21 halfway down that page, I think the question was asked:

22 "How many children were sent as child migrants from
23 the organisation's establishments and where were they
24 sent?"

25 A. Okay.

1 Q. Do you see there the response is:

2 "The records indicate that between 1900 and 1930,
3 a total of seven children were sent as child migrants
4 from Nazareth Houses in Scotland ..."

5 And from Aberdeen, it is noted there that two
6 children were sent to Canada. And in relation
7 to Cardonald in Glasgow, it is noted that five children
8 were sent to Brisbane, Australia?

9 A. My mistake.

10 LADY SMITH: Don't worry, I don't expect you to carry all
11 these numbers in your head. You must have many, many
12 statistics to deal with on a daily basis.

13 A. I apologise.

14 MS MACLEOD: Just to complete the exercise of the numbers,
15 I will then take you to the response to the early 2017
16 notice and the question dealing with child migration.
17 And in relation to that notice, that is the A to D
18 notice, the order submitted five different responses,
19 one on behalf of the organisation and one on behalf of
20 each of the Scottish houses. But the question on child
21 migration is answered in the same terms in each of these
22 responses, so I will simply take you to the
23 organisational response which is at NAZ.001.001.0465.
24 And the page dealing with question 4.11, which is child
25 migration, is at page 0492 of that document. That

1 should come on the screen in front of you, Karen.

2 So there we have question 4.11 which deals with
3 child migration, and I will just take the numbers from
4 you at the moment and that is on page 0496.

5 This Section 21 notice covered the period 1930 to
6 2014, and at (x) on that page you see the question
7 posed:

8 "Over what time period were children migrated from
9 the organisation's establishments?"

10 And do you see it is noted that:

11 "Children were sent to Australia from 1938-1963."

12 A. Yes.

13 Q. In the box just above that, some more detail is provided
14 in relation to the numbers sent from each of the
15 Scottish houses. For example, from Aberdeen it is noted
16 that 25 boys were sent and eight girls?

17 A. Yes.

18 Q. And that the age range of those children was between 6
19 and 13?

20 A. Yes.

21 Q. In relation to Kilmarnock, it is noted that four girls
22 were sent during that period, and that their age range
23 was 9 to 12?

24 A. Yes.

25 Q. From Cardonald in Glasgow, it is noted that four girls

1 were also sent with the age range of 6 to 10?

2 A. Yes.

3 Q. And from Lasswade in Edinburgh, do you see it is noted
4 that 30 boys were sent between the ages of 4 and 14?

5 A. Yes.

6 Q. Again I think those numbers, when added together, come
7 to 71, which is the same as what was in the very initial
8 response received in 2016?

9 A. Yes.

10 Q. Thank you.

11 I'm not sure, Karen, if you are familiar with the
12 evidence that was provided to this Inquiry by Mary Gandy
13 on behalf of the Catholic Child Welfare Council?

14 A. I believe it is one of the documents I have read this
15 week.

16 Q. In her evidence and in her statement to the Inquiry,
17 Mary Gandy suggested that the figure might be slightly
18 higher than 71 in relation to the children who were sent
19 from the Sisters of Nazareth houses in Scotland?

20 A. Okay.

21 Q. Are you able to comment on that, whether it may have
22 been slightly higher than 71? I think she had counted
23 it as 73.

24 A. I wouldn't know. I know we have been back through our
25 records as best we can and I know that they have been

1 compared with the CCWC's and come together. We have 71.

2 I'm not sure where the extra two may have come from.

3 Q. Is it the case, and I think this has been explored
4 previously with the order, that the registers,
5 for example, are sometimes not complete, or there might
6 be things missing from the registers?

7 A. That is correct, there is not always an indication of
8 what happens to a child upon discharge. So I think we
9 have found -- we have found by other means that a child
10 has been migrated that hasn't been noted in the
11 registers, usually maybe from one of the other books
12 I spoke of earlier, or by coming back from the
13 Australian end and their records coming back through, as
14 they came through.

15 Q. So the numbers you provided are the result of your best
16 efforts to pull the information you have together?

17 A. That is correct.

18 Q. But they may not be entirely accurate?

19 A. No.

20 LADY SMITH: Am I right in thinking that the 71 figure is
21 stated to be for -- yes, the period 1938 to 1963. The
22 seven figure is from 1900 to 1930. Is it possible there
23 was any migration between 1930 and 1938?

24 A. I don't believe so. I gather that is what the -- I'm
25 not aware of any. I think those two time periods

1 capture everything as far as I am aware.

2 LADY SMITH: Thank you.

3 MS MACLEOD: Indeed I think the 1938 figure -- the 1938 date
4 comes in response to a notice which asked for details
5 between 1930 and 2014?

6 A. Yes.

7 Q. You mentioned there, Karen, the Catholic Child Welfare
8 Council register.

9 A. Uh-huh.

10 Q. Is that something that the Sisters of Nazareth have had
11 involvement with? Have they helped --

12 A. Yes, they have.

13 Q. Could you tell the Inquiry just a little bit about the
14 register and what the Sisters -- what their involvement
15 has been in that?

16 A. I cannot say I know the detail, I just know, from
17 reading and talking to other Sisters, that we
18 facilitated the compiling of the information that they
19 put together for their register. I'm not sure if it was
20 us or they that went through our registers to do -- to
21 come up with the numbers. I know we have a full
22 print-out of their numbers -- it is in a paper form, it
23 is not in a database form, so it can't be interrogated
24 that easily -- and that tends to be the authoritative
25 source now I believe for the information on child

1 migration.

2 Q. The Section 21 notices for both periods, and by that
3 I mean 1900 to 1930 and 1930 onwards, they sought
4 information from the order in relation to any policies
5 and procedures that the order had had in place in
6 relation to child migration. I think at that stage it
7 hadn't been possible to identify within the archive any
8 such policies or set out procedures. Have you been able
9 to find or have you identified any policies or
10 procedures in the archive in relation to child
11 migration?

12 A. No, I am afraid I haven't.

13 Q. Have you seen any documents in the archive in relation
14 to the suitability or otherwise of the homes the
15 children were sent to once they were migrated?

16 A. No. I think the only mention I have seen, which tended
17 to be in the histories of the foundations, is literally
18 stating the destination home of the children, just the
19 name of it. That is all I have seen.

20 Q. Have you seen anything in the archive in relation to the
21 issue of consent, and by that I mean seeking the consent
22 of the child in any sort of documented way or of the
23 parents of the child that is consent to migration?

24 A. No, not in -- the only mention I can think of that
25 I have read in the histories was the reverse in terms

1 of -- I don't remember which history it was, I think it
2 might have been the Carlisle one, where it was stated
3 that certain children weren't able to go because consent
4 hadn't been given, so I have seen that. That is
5 the only mention I have personally seen in any of the
6 registers that actually talks of consent.

7 Q. Okay. Once children had been migrated, in that
8 situation have you seen anything yourself in the archive
9 in relation to the houses in Scotland seeking to see how
10 those children were getting on?

11 A. No, I haven't.

12 Q. The lack of documentation in relation to, let's say,
13 seeking consent or following up children once they had
14 been migrated, are you able to comment on whether the
15 lack of records there means that those documents never
16 existed, or whether it means they may have existed but
17 been lost? Are you able to make any comment on that?

18 A. It would only be supposition in my years of archiving
19 and there are all sorts of reasons why records don't
20 survive. We weren't there. I couldn't possibly say
21 whether they were established and they were created and
22 then they were lost, or they weren't created in the
23 first place. There are so many different variables in
24 this, I couldn't say really. There were a lot of
25 organisations involved so it is just difficult to know.

1 LADY SMITH: Am I to take it that there were no references
2 in other documents that pointed you to there once having
3 been in existence the sort of records --

4 A. No, I haven't seen any reference anywhere that there was
5 a sequence of records --

6 LADY SMITH: Because no doubt sometimes that happens. You
7 can tell what should be there --

8 A. Yes, then you know what is missing. Yes. I haven't
9 seen such reference, I am afraid.

10 MS MACLEOD: Have you seen any government guidelines in
11 relation to child migration in the archive?

12 A. No, I haven't, I am afraid.

13 Q. Have you come across any records which mention adherence
14 to government guidelines or a mention of government
15 guidelines from the time?

16 A. No, I have no recollection of seeing such words, no.

17 Q. With your background working in archives and your
18 experience, do you have any comment to make on the lack
19 of records in relation to child migration here? Did it
20 surprise you, for example, that there weren't more
21 records?

22 A. I don't think anything surprises. There is some
23 organisation -- I was initially puzzled why there was no
24 reference, nothing at all. As I got to understand the
25 sort of timeline and the history, the fragmentation of

1 the story, as it were, almost, I came to realise that
2 there were many points along the way that those records
3 could have ended up either not being made or being
4 dispersed or -- there were just so many different things
5 that could have happened. But I am -- I was puzzled,
6 I have to admit, as a professional, that there was no
7 reference whatsoever. I sort of assumed maybe there was
8 another series somewhere or something being kept
9 somewhere else, but nothing has been found at all so it
10 is a bit of a puzzle.

11 Q. Are you familiar with a document put together by
12 Peter Hughes in relation to child migration?

13 A. Yes, I am.

14 Q. I will put that on the screen for you. That is
15 NAZ.001.001.0566. This is a document headed
16 "Confidential Briefing Paper, Sisters of Nazareth and
17 Emigration", and the document is dated at the end,
18 10 December 2009?

19 A. Yes.

20 Q. Do you know the background to the production of this
21 paper? Do you know why it was produced?

22 A. No, I am afraid I don't. I always assumed the
23 Sisters -- the General had requested for Dr Hughes to do
24 the research into the archival records to determine what
25 he could on the subject.

1 LADY SMITH: We see he begins by saying it is a revised and
2 expanded version of part of a paper entitled "Sisters of
3 Nazareth and Adoption and Emigration" that he had
4 produced for the Superior General and council some years
5 earlier, in April 2003?

6 A. Yes.

7 LADY SMITH: Do you know what that was all about, the 2003
8 paper?

9 A. I have read some of it. I think from -- I have
10 explained this, this esn-q number is an enquiry number
11 and how we document our enquiries. I gather that is one
12 of the very first pieces he -- he gave that number to
13 anything he was asked to research regarding -- counting
14 a request from the Sisters as an enquiry. I have seen
15 the folder and I have read a little bit about it, there
16 is a lot of information in there, but I think it was
17 more general than this. I think he has more information
18 in this one, I think, but I couldn't tell you.

19 LADY SMITH: Do you know why he was asked to do that
20 research in 2003?

21 A. I am afraid I don't. I am afraid I don't.

22 LADY SMITH: Or specifically why he was asked to do this in
23 2009?

24 A. No.

25 LADY SMITH: Okay.

1 Ms MacLeod.

2 MS MACLEOD: My Lady.

3 Karen, do we see in the penultimate paragraph on
4 page 1 there that Peter Hughes notes:

5 "I have made an extensive search in the records of
6 the congregation. There is little evidence in the
7 surviving archival papers to suggest that the Sisters of
8 Nazareth had any formal or clearly defined policy in
9 relation to child migrants."

10 A. Yes.

11 Q. Do we see that in the next paragraph Peter Hughes
12 provides some background to the migration of children in
13 the care of the order, and he mentions that the children
14 were migrated to Canada between 1881 and 1930, and then
15 that migration to Australia started in 1926 and peaked
16 in the post-war period?

17 A. Yes.

18 Q. If we go over the page to page 0567, about five lines
19 down Peter Hughes here is considering the point that
20 I have recently addressed with you. He says:

21 "It is very surprising that no formal documentation,
22 nor official guidelines ... have been preserved by the
23 Sisters."

24 So he was also puzzled by that?

25 A. Yes.

1 Q. On the next page of the article, page 3, at 0568, under
2 the heading "Australia", do you see there that
3 Peter Hughes has recorded that the first mention of
4 emigration to Australia for children in the care of the
5 order, in the archive, is from 1923 in general council
6 minutes?

7 A. Yes. I looked that up myself just to double-check, and
8 that is the first reference I could find. Yes.

9 Q. If we go forward to page 5 at 0570, the first full
10 paragraph on that page, do we see that Peter Hughes
11 records here:

12 "There is no reference anywhere to any prescribed or
13 perceived need actively to obtain parental consent."

14 A. Yes.

15 Q. And he goes on to say:

16 "The local Superior or her delegate generally
17 assumed a legal capacity to give consent under this
18 status as in loco parentis."

19 A. Yes, I think that was a widely held belief by the
20 Sisters.

21 Q. "Sometimes poor record-keeping militated against any
22 definite evidence whether parents were still living or
23 where they dwelt."

24 A. Yes.

25 Q. Over the page at page 6, at 0571, the middle paragraph

1 on the page, do we see here Peter Hughes notes that by
2 the early 1950s, problems were arising as to the quality
3 of the children sent out to Australia, in that the
4 children were considered far inferior to those who had
5 emigrated just before the war. Is this something that
6 you have come across information about --

7 A. I have seen the entries in the histories that document
8 that very fact, I think it is from the Superior General
9 I think it was a circular she sent out to the homes
10 making people aware that there needed to be a more
11 careful selection of the children to make sure that they
12 were fit.

13 Q. I will just take you to that briefly. That is at
14 NAZ.001.006.2916. This will come on the screen and we
15 will see this is a circular dated 21 March 1952.

16 So is this a circular coming from the Superior in
17 London to the local superiors across the United Kingdom?

18 A. That is correct, yes.

19 Q. So this would have gone, for example, to the Superiors
20 of the Scottish houses?

21 A. Yes, it should have done, yes.

22 Q. Do we see here it is noted by the Regional Superior that
23 20 girls are required for Nazareth House, Geraldton and
24 that she is asking for children to be prepared to be
25 migrated?

1 A. Yes.

2 Q. Then in the third paragraph, do we see that she says:

3 "I am grieved to say that the Australian Department
4 for Emigration has complained about problem
5 children ..."

6 A. Yes, I do.

7 Q. Does that go on to say:

8 "... wet-beds and mentally deficientes being sent
9 from Nazareth Houses to Australia."

10 A. Yes, it does.

11 Q. And about six lines from the foot of that page, does she
12 write:

13 "This is very serious as I have been notified that
14 some Catholic homes in Australia were to be closed to
15 children on account of the unsatisfactory state of
16 affairs among these children. Please remember that
17 Nazareth Houses will be included in this and the good
18 name of the congregation (at present respected in
19 Australia) will suffer also."

20 A. Yes.

21 LADY SMITH: I see above that she has observed that it is
22 "humiliating for the Congregation". The concerns are
23 the congregation's reputation?

24 A. Yes.

25 MS MACLEOD: So do we see here that the concern seems to be

1 more for the congregation than for the children being
2 migrated?

3 A. I don't think -- I'm not sure I am in a position to
4 answer that question. I imagine it is probably part of
5 a package of concerns, I think, with the Sisters.

6 Q. Very well.

7 LADY SMITH: I think you could tell us whether you have seen
8 anything that at that time was expressing concern for
9 the children and wondering whether they were letting the
10 children down and that was what the problem was?

11 A. I haven't seen any other document, I am afraid, no.

12 LADY SMITH: But we are left with documents that tell us the
13 congregation was worried about its own reputation.

14 MS MACLEOD: Do we see towards the end of the circular it is
15 stressed that only normal, well-behaved children from 5
16 to 10 years of age are to be emigrated and this is the
17 responsibility of the Superiors and Sisters in charge of
18 the children?

19 A. Yes, that is what it says, yes.

20 Q. So does that suggest it really was the responsibility of
21 the Sisters to select the children from the houses that
22 were to be regulated?

23 A. From the way I read it, it would seem that the initial
24 selection is by the Sisters. Or proposed, I suppose,
25 proposals.

1 Q. If we go back to the article by Peter Hughes that we
2 were looking at a few moments ago and to page 6 of that
3 article at 0571, do we see the very final sentence on
4 that page -- we will just wait for it to come on the
5 screen. (Pause).

6 This is in relation to parental consent. Do you see
7 Peter Hughes writes there:

8 "Parental consent was obtained for very few children
9 and this was more often than not due to the difficulties
10 in finding parents to give the consent. No doubt there
11 were instances when insufficient efforts to obtain
12 consent occurred, but in general the Sisters took
13 a reasonable common sense approach that their status as
14 adults in loco parentis gave them capacity to grant
15 consent."

16 I wanted to explore with you, Karen, have you been
17 able to see any documentation in relation to that?

18 A. No, I haven't. I think, knowing the children's
19 registers and documents as I do, there is scant
20 information in them concerning the addresses or the
21 parents or -- if it is known at all. And if the
22 parents -- if they didn't maintain a relationship with
23 the parents, if they weren't known, if they didn't visit
24 for a while, then they probably wouldn't have known if
25 they moved.

1 I think they are very much dependent upon a written
2 record that is written usually at the time a child is
3 admitted to the home. It would only be updated if the
4 parents are in touch with the home. So I have taken it,
5 because of the records I have seen, to say that there is
6 not always very much information relating to the parents
7 of the child or whoever it was, the guardian, who
8 admitted them.

9 Q. That is information you are taking from the register as
10 opposed to any kind of correspondence or anything like
11 that?

12 A. From the whole package, but from the register initially,
13 which is where it would be recorded, and then if there
14 is an observations book for the home, which is where
15 they will keep a record of any further contact with the
16 child once they have left or with the parent. Or, if
17 there is a case file, then it is the package of them.
18 Sometimes there is information, sometimes there just
19 isn't any contact information from the parent at all.

20 Q. You have told us I think that you haven't seen anything
21 in the archive in terms of the Sisters in Scotland
22 monitoring what was happening to the children once they
23 were migrated, but I just want to ask you: have you seen
24 anything at all in the records which would show whether
25 or not the Sisters knew -- had any contemporaneous

1 knowledge of whether those children were being
2 ill-treated, for example?

3 A. No, none at all.

4 Q. You mentioned earlier in your evidence that something
5 you have been involved in is responding to requests from
6 people as well as inquiries. Do I take it from that
7 that some former child migrants, for example, request
8 information from the order?

9 A. It is former child residents of the house that we get
10 a lot of responses -- requests from. A lot of them in
11 relation to Scotland will be to do with the address
12 scheme, because they need proof that they had been in
13 one of the homes in the first place. So we will do --
14 they request a formal research of all the documentation
15 we have on them in the archive, and supply them with
16 copies of it. Whether any of them are child migrants or
17 not, I wouldn't have distinguished one from the other.

18 MS MACLEOD: Thank you, Karen. That's all the questions
19 I have for you.

20 My Lady, I think I have addressed those questions
21 I have been asked to put to Karen.

22 LADY SMITH: Are there any outstanding applications for
23 questions?

24 Karen, that completes the questions we have for you
25 today. Thank you very much for coming here to assist us

1 in the way you have done. It is really helpful and I am
2 very grateful to you for that. I am now able to let you
3 go.

4 (The witness withdrew)

5 LADY SMITH: Ms MacLeod.

6 MS MACLEOD: My Lady, the next witness is here and ready but
7 I gather we are going to have a short break.

8 LADY SMITH: Yes, we will do that. Thank you.

9 (10.53 am)

10 (A short break)

11 (11.03 am)

12 LADY SMITH: Ms MacLeod.

13 MS MACLEOD: My Lady, the next witness is Sister Anna-Maria
14 Doolan.

15 LADY SMITH: Good morning, Sister. Welcome back. Could we
16 begin by you taking the oath, please.

17 SISTER ANNA-MARIA DOOLAN (sworn)

18 LADY SMITH: Please sit down and make yourself comfortable.

19 Any questions or concerns while you are giving your
20 evidence about anything, don't hesitate to ask me. It
21 is important that you are comfortable when giving your
22 evidence so that you can help us to the best of your
23 ability.

24 If you are ready, I will hand over to Ms MacLeod and
25 she will tell you what happens next. Is that all right?

1 THE WITNESS: Yes, thank you.

2 LADY SMITH: Ms MacLeod.

3 Questions from MS MACLEOD

4 MS MACLEOD: My Lady.

5 Good morning, Sister Anna.

6 A. Good morning.

7 Q. You have previously provided oral evidence to this
8 Inquiry on two occasions?

9 A. That is correct.

10 Q. The first time was 14 June 2017 in relation to phase one
11 of the Inquiry hearings?

12 A. Yes.

13 Q. We don't need it on the screen, but the transcript of
14 that evidence is at TRN.001.001.4102. And then,
15 Sister Anna, you returned on 27 June 2018 to provide
16 evidence at the conclusion of the case study looking at
17 the residential care provided in Scotland by the Sisters
18 of Nazareth?

19 A. That is correct, yes.

20 Q. Again we don't need it on the screen, but the transcript
21 of that evidence can be found at TRN.001.003.3969.

22 You have provided the Inquiry with a biography.

23 I will put that on the screen and just take a few points
24 from that. NAZ.001.001.0208.

25 I should say, Sister Anna, these documents will come

1 on the screen in front of you, but they are also in the
2 red folder on your desk so you can use whichever one you
3 prefer.

4 A. Thank you.

5 Q. I think you set out in this biography that you joined
6 the congregation of the Sisters of Nazareth in 1969?

7 A. Yes.

8 Q. Was that after you had trained to work in elderly care?

9 A. No, I trained after I joined the order.

10 Q. I see. Did you train as a Registered General Nurse?

11 A. I did, yes.

12 Q. Did you complete a postgraduate diploma in leadership
13 and management?

14 A. I did.

15 Q. I think it is set out here that you worked in Plymouth
16 for twenty years as a care home manager?

17 A. That is right, yes.

18 Q. Was that in one of the order houses there?

19 A. Yes, that was Nazareth House.

20 Q. Were you appointed Superior at Nazareth House in
21 Lancaster in 2006?

22 A. I was, yes.

23 Q. In 2009, did you become a Regional Councillor of the UK
24 region?

25 A. I did, yes.

1 Q. And from there were you appointed a Regional Superior
2 in October 2012?

3 A. That is correct, yes.

4 Q. I think that was a position you held for around -- for
5 seven years, in fact, until October 2019 last year?

6 A. Yes, that is right.

7 Q. Since October last year, have you been the local
8 Superior at Nazareth House, Cardonald?

9 A. That is right, yes.

10 Q. But I think you are here to provide evidence today on
11 behalf of the order given that you have been involved to
12 date, and also provided evidence to other inquiries in
13 relation to child migration?

14 A. Yes, I have provided evidence to the Inquiry in London.

15 Q. In relation to child migration?

16 A. Child migration, yes.

17 Q. Since October 2019, is the Regional Superior now
18 Sister Doreen?

19 A. Sister Doreen Cunningham, yes.

20 Q. Sister Anna, am I correct in saying that you have not
21 been directly involved in child migration yourself at
22 any stage?

23 A. No, I haven't.

24 Q. So can I then ask you how you have gone about informing
25 yourself about child migration? What are the sources

1 you have used to educate yourself?

2 A. I have read our history books, what we have, like
3 a history of the congregation, so I have read accounts
4 of those and about what happened in child migration,
5 different documents. And we have been involved in
6 various inquiries, so there have been expert reports
7 that I have read and reports from the inquiries as well,
8 the outcomes of their findings.

9 Q. So you have learned from the inquiries you have been
10 involved in, you have learned from the congregation's
11 archive?

12 A. Yes.

13 Q. Have you also learned from having spoken in the past to
14 Sisters who were directly involved in child migration?

15 A. I haven't spoken to any Sisters that were directly
16 involved, but there are Sisters in the congregation that
17 maybe lived with some of the former Sisters that were
18 involved in child migration.

19 Q. So is that more senior Sisters?

20 A. Yes. They might have been in the community with the
21 Sisters but not been directly involved in migration.
22 I think all the Sisters that were involved in child
23 migration to my knowledge are deceased.

24 Q. Looking at the archive itself, first of all, we have
25 heard some evidence this morning from

1 Karen Firmin-Cooper, but do I understand there wasn't
2 an archive of the congregation until 1994?

3 A. That is correct, yes.

4 Q. Before that, were the records held in the individual
5 houses across the UK?

6 A. Yes, they were. Yes.

7 Q. Looking to the documents within the archive that have
8 assisted you with child migration, could you just help
9 me with that. I think you mentioned history books?

10 A. Yes, the history of the foundation, that is what we
11 refer to. The history in each house.

12 Q. Yes.

13 A. Important event are recorded in that.

14 Q. Have the registers also provided a source of
15 information?

16 A. Yes. About the children, yes.

17 Q. Are you able to comment on whether there is a lot of
18 records, or not many records, or the level of records
19 that do relate to child migration; can you help me with
20 that?

21 A. There is not a lot of records that are in the archive
22 relating to child migration. It is mostly the big
23 registers that came from the houses.

24 Q. The references to child migration in those registers,
25 are they quite high level references, as in do they go

1 into much detail?

2 A. Not a lot of detail, really. It's the name of the
3 child, the age, things like that.

4 Q. So would those be entries that would be entered into
5 those books as a sort of diary as those things were
6 happening?

7 A. Yes, so when the child was admitted their details were
8 put in and then maybe added to.

9 Q. So the fact they were migrated might be added at a later
10 date?

11 A. Yes, I couldn't say that for sure, but that might have
12 been the case in some cases.

13 Q. I think you have provided three statements to the
14 Inquiry over the course of a number of years, and we may
15 just look at some of those briefly. The first of those
16 is a statement you provided in October 2016,
17 Sister Anna, and I think that was in response to the
18 initial Section 21 notice issued to the order. That
19 covered a number of points but there was a question
20 asked in relation to child migration and I will bring up
21 that statement. NAZ.001.001.0263. It's paragraphs 8
22 and 9 of that response that relate to child migration on
23 page 0264.

24 Do we see there, Sister Anna, that you have been
25 asked about children who were sent to be cared for

1 outside Scotland, and you have provided some information
2 there for the Inquiry?

3 A. Yes, that is right.

4 Q. That information, does that come from the children's
5 registers?

6 A. Yes, it did, yes.

7 Q. I think you note there that there were 33 children sent
8 from Aberdeen, four from Kilmarnock, four from Cardonald
9 and 30 from Lasswade, and that is a total of 71, is that
10 correct?

11 A. That is right, yes.

12 Q. This particular notice, did that relate to the period
13 after 1930?

14 A. Yes.

15 Q. I think you say that each of these children was cared
16 for in Australia?

17 A. That is correct, yes.

18 Q. The order was then issued with a Section 21 notice at
19 the beginning of 2017 which contained a part A, B, C and
20 D and within that there were questions relating to child
21 migration. Are you familiar with that?

22 A. Yes, I am.

23 Q. I will now take you to the response to that notice in
24 relation to the questions about child migration. That
25 can be found at NAZ.001.001.0492, and again I think I am

1 correct in saying this notice related to the period
2 post-1930?

3 A. Yes.

4 Q. If we look first of all to page 0496 of that, just where
5 you are asked about numbers, so we can clarify that
6 first of all. I think here you provide a little bit
7 more information about the figure that you provided the
8 previous year?

9 A. Yes, there is a breakdown of the number of boys and the
10 number of girls.

11 Q. So in relation to Aberdeen then, could you just set out,
12 please, the number of boys and girls and their age
13 range?

14 A. There were 25 boys and eight girls.

15 Q. What was the age range of those children?

16 A. 6 to 13 years.

17 Q. From Kilmarnock, how many children were migrated?

18 A. Four girls between 9 and 12 years.

19 Q. And from Cardonald in Glasgow?

20 A. Four girls between 6 and 10 years.

21 Q. Then from Lasswade in Edinburgh?

22 A. 30 boys between 4 and 14 years.

23 Q. I think those numbers again total 71 that you included
24 in your previous response.

25 Do you note in the box below that that those

1 children were sent to Australia between 1938 and 1963?

2 A. Yes.

3 Q. It was suggested, Sister Anna, in evidence provided on
4 behalf of the Catholic Child Welfare Council last week,
5 that the number, the total, 71, that the total may
6 actually be slightly more than that. Is that evidence
7 that you are familiar with?

8 A. Yes, because I think it was looked into that children
9 that were actually born in Scotland, and some children
10 were moved down to our house in Carlisle, and they were
11 added into the numbers, which I think brought the total
12 to 99 or around that number.

13 Q. So do you accept then that the number of children whose
14 care originated in Scotland with the Sisters of Nazareth
15 might be more than 71, somewhere between that and 100,
16 perhaps?

17 A. Yes, yes.

18 Q. If we go back to the start of question 4.11 relating to
19 child migration in this response, that is at 0492. You
20 will see that a series of questions were asked in
21 relation to policies and procedures that the order may
22 or may not have had in relation to child migration. Is
23 it the case, Sister Anna, that as far as you are aware,
24 no records are held of any policies or procedures
25 relating to child migration?

1 A. No, nothing that we could find.

2 LADY SMITH: Did you think there would be any?

3 A. Prior to the archive, the central archive being set up
4 in 1994, all the documentation of the children would
5 have been in the individual houses, but all that seems
6 to have survived is the big registers. So whether there
7 was documentation and it got lost in the houses or was
8 destroyed, we can't say.

9 LADY SMITH: From your knowledge and understanding of the
10 way the order has operated over the years, would you
11 have expected there to be written policies about child
12 migration or not?

13 A. I wouldn't think so, no.

14 LADY SMITH: No. Thank you.

15 Ms MacLeod.

16 MS MACLEOD: My Lady.

17 In response to that question about policies and
18 procedures, Sister Anna, some points of information are
19 set out on behalf of the order in the response, and that
20 is at page 0493. I just want to explore a little of
21 that with you, if we could have that on the screen.

22 Throughout this response and indeed I think
23 a further response that we will look at about the
24 pre-1930 period, there is reference throughout about
25 government guidelines. And I think, and correct me if

1 I am wrong, but I think since those responses were
2 compiled, it is now accepted by the order that there is
3 no evidence of the government guidelines in the archive,
4 is that correct?

5 A. Yes, that is correct, yes.

6 Q. And no evidence of whether or not any government
7 guidelines were adhered to?

8 A. No, there is no evidence.

9 Q. What is noted here is that:

10 "The majority of children were sent to the
11 congregation's own houses and those of other religious
12 congregations and orders within Australia. It was
13 therefore presumed that these would be suitable homes
14 for the children."

15 A. Yes.

16 Q. Can I ask where that information comes from?

17 A. In those days, there was a trust between congregations
18 and that the homes would look after the children
19 properly, but there is no written information about it.

20 Q. I will come back to look at that issue of trust shortly.

21 It is then noted:

22 "Little or no information was given to children
23 and/or parents after children had migrated."

24 A. Yes, listening to former migrants giving their evidence
25 they seemed to have very little information.

1 Q. Do I take it from the statement in this response, there
2 was nothing found in the archive or within the
3 documentation of the congregation to suggest that
4 information was provided to children or their parents
5 after migration?

6 A. No. In my understanding, all that went with the
7 children was the LEMs, the consent form and the
8 medicals.

9 Q. It's stated in the next paragraph:

10 "Where parents or guardians of children were known
11 to the Sisters, they were asked for consent to the
12 migration of their children."

13 Could you tell me what that is based on?

14 A. There was some evidence of parents giving consent, but
15 overall, as we have gone through these inquiries and
16 done more research, I would say in the majority of cases
17 the local Superiors appear to have signed the consent
18 forms, or else in some cases I think there were priests
19 that signed them.

20 Q. Do you know the extent to which efforts were made to try
21 and seek the consent of parents?

22 A. There is nothing recorded to give any evidence of that.

23 LADY SMITH: Did you come across any legal advice regarding
24 whether or not the local Superiors could, as a matter of
25 law, give consent to children's migration?

1 A. No, I didn't see anything relating to that.

2 LADY SMITH: Thank you.

3 MS MACLEOD: The response goes on to say:

4 "The Sisters first selected the children. However,
5 they were then subject to routine immigration processes
6 before they were accepted by the Australian
7 authorities."

8 Is it your understanding that the Sisters in the
9 individual houses, and particularly the local Superiors,
10 that it was their responsibility to select which
11 children were to be migrated?

12 A. That is the way it appears to have been done, yes.

13 LADY SMITH: Did you come across any instances of a child
14 who had been selected by a Nazareth House being rejected
15 by Australia House when they went through their
16 procedures?

17 A. I did read about a child that had callipers and that --
18 I think she actually did go to Australia --

19 LADY SMITH: Are you talking about a Scottish child who
20 went?

21 A. Yes.

22 LADY SMITH: If you are talking about the applicant we heard
23 from, she did go.

24 A. Yes. As you mentioned Australia House --

25 LADY SMITH: I was thinking of the London end. The

1 Australian system, as I understand it, is where they
2 would process the requests and agree to them or not, and
3 I just wondered if you ever saw any sign of them saying
4 no to a child who had been selected by a Nazareth House?

5 A. I can't call to mind anything I have seen regarding
6 that.

7 LADY SMITH: Thank you.

8 MS MACLEOD: In fact the next paragraph of the response
9 relates to that, where you say:
10 "All child migrants went through an official process
11 where an emigration officer from Australia House, London
12 examined them and they had educational, medical and
13 psychological assessments."

14 A. Yes.

15 Q. Is that something that is documented in the archive?

16 A. It is recorded in some of the books, the history.

17 Q. Finally in that box it is stated:

18 "All requests for information from former child
19 migrants have been answered as fully as possible by the
20 General Archivist at Hammersmith ..."

21 A. Yes, that is correct, to my knowledge.

22 Q. It is noted in relation to all of these pieces of
23 information that they were obtained in the main I think
24 from the confidential briefing paper prepared by
25 Dr Peter Hughes?

1 A. That is right, yes.

2 Q. In the next section of this response you were asked
3 about practice and whether, in practice, those policies
4 and procedures were adhered to, and you have clarified
5 this morning that it hasn't been possible to find any
6 policies or procedures, but again there is some
7 information which is set out in the response to this
8 question which I just want to look at and that is on
9 page 0495.

10 Some of these points are a repeat of what we have
11 looked at in the previous section but I just want to
12 pick up a couple of statements that are made here. It
13 is stated here:

14 "Consent was obtained whenever possible ..."

15 But I think you have clarified for us that it is not
16 possible to say that from what is in the archive?

17 A. No, there is very scant information about it.

18 Q. The final point in that box:

19 "All children's papers were checked prior to
20 migration."

21 I just wondered if you were able to expand on that
22 for me?

23 A. That was relating, as far as I can remember, to the
24 paperwork that -- following the consent and the
25 examinations.

1 Q. I see.

2 LADY SMITH: So that is your paperwork?

3 A. No, the paperwork that was done by the authorities.

4 LADY SMITH: Right.

5 A. The medicals, et cetera.

6 MS MACLEOD: The LEM form and the medical assessment form?

7 A. Yes.

8 LADY SMITH: Sorry, is that answer, "All children's papers

9 were checked prior to migration", telling me that they

10 were checked by Sisters of Nazareth, or you were

11 expecting them to be checked by the authorities?

12 A. I'm not sure about that.

13 LADY SMITH: Do you see what I mean? It could be read

14 either way.

15 A. Yes, yes.

16 LADY SMITH: And you can't confirm which way I should read

17 it?

18 A. No, and I don't want to mislead you.

19 LADY SMITH: No, I do appreciate that.

20 Ms MacLeod, it is about 11.30 am. We will take the

21 morning break now and we will sit again in 15 minutes,

22 Sister Anna-Maria.

23 (11.29 am)

24 (A short break)

25 (11.47 am)

1 LADY SMITH: Welcome back, Sister Anna-Maria. Are you ready
2 for us to carry on?

3 A. Yes.

4 LADY SMITH: Thank you.

5 Ms MacLeod, when you are ready.

6 MS MACLEOD: My Lady.

7 Sister Anna, I would now like to turn to the
8 response submitted by the order relating to the period
9 1900 to 1930, so the earlier period. That can be found
10 at NAZ.001.006.2833. I think in this Section 21 notice
11 you were asked a series of questions similar to the
12 previous notice but in relation to the earlier period?

13 A. Yes, that is right.

14 Q. If we look at numbers, first of all, on page 2837. At
15 (g), halfway down that page, the question is asked:

16 "How many children were sent as child migrants from
17 the organisation's establishments [that is in Scotland]
18 and where were they sent?"

19 I think the response here is that between 1900 and
20 1930, seven children were migrated from the
21 Nazareth Houses in Scotland, is that correct?

22 A. Yes.

23 Q. From Aberdeen two children being sent to Canada, and
24 from Cardonald five children being sent to Brisbane,
25 Australia?

1 A. Yes.

2 Q. I think in the box below that you give some detail in
3 relation to the age and gender. What is said there in
4 relation to Aberdeen, Sister?

5 A. There were two girls sent, one was aged 15 years old and
6 the other girl's date of birth is not recorded. And
7 from Glasgow, the five girls were aged between 15 and
8 19 years.

9 Q. In the box below that you give some dates, that children
10 were migrated from 1899 to 1955?

11 A. Yes.

12 Q. I am just slightly puzzled about the reference there to
13 1899, when in the box above you give us seven children
14 in 1900 to 1930. It may just be a glitch, but is that
15 meant to suggest there were other children between 1899
16 and 1900? Do you see what I mean?

17 A. Yes, I do. I don't know. It may be a typo.

18 MS MACLEOD: Just to pick up another point in relation to
19 those dates, it is said there to 1955, but we have
20 looked previously at the response relating to the period
21 post-1930, and I think it is stated there in that
22 response that children were migrated to Australia
23 between 1938 and 1963.

24 A. I think it was 1963 when the child migration finished.

25 Q. So was the last child migrated from a Nazareth House in

1 1955 or 1963?

2 A. That I am not sure.

3 Q. Can we then turn, Sister, to a statement submitted to
4 the Inquiry in April 2019, and this is a statement which
5 was prepared by yourself, Sister Anna-Maria Doolan, and
6 Sister Teresa Walsh. That can be found at
7 NAZ.001.007.8762. I don't think there is a date on the
8 statement itself, but was this submitted to the Inquiry
9 in April last year?

10 A. Yes, that is right.

11 Q. In this statement I think you provide various pieces of
12 information in relation to child migration. In
13 particular in the first paragraph you note that:

14 "The Sisters' participation in the scheme was
15 motivated by a desire to spread the Catholic faith ..."

16 Is that correct?

17 A. I see that there. That is in the records.

18 Q. I think you note in the next paragraph that there were
19 some direct approaches made to Nazareth Houses on behalf
20 of the Catholic Church?

21 A. Particularly from the Christian Brothers. From our
22 records it shows the Christian Brothers visited our
23 houses and --

24 Q. From Australia?

25 A. Yes. And were looking for children to be migrated.

1 Q. So although the child migration itself was broadly
2 a scheme that was put in place by the government, and
3 there was a framework there by the government, you are
4 aware there were direct approaches made by the
5 Catholic Church, in particular the Christian Brothers in
6 Australia, to Nazareth Houses in Scotland?

7 A. Certainly after the war in 1945.

8 Q. I think at the point of preparation of this statement,
9 you were asked specifically about who was ultimately
10 responsible within the Nazareth Houses for the children
11 being migrated in terms of selection but also providing
12 consent?

13 A. Yes.

14 Q. You look at this in paragraphs 6 and 7 of that statement
15 on page 8763. I think you have told us already this
16 morning, Sister Anna, that the local Superior of the
17 house was responsible for selecting the children?

18 A. Yes.

19 Q. And often also provided the consent as it was understood
20 that they were able to do that in their role in loco
21 parentis, is that right?

22 A. Yes.

23 Q. You mentioned earlier that on occasions in the LEM form
24 the consent section is signed by a priest?

25 A. Yes.

1 Q. That is something you develop for us in paragraph 7 here
2 of this statement. Can you just expand upon that with
3 reference to what you say in that paragraph?

4 A. Some of the LEMs I have seen in evidence were signed by
5 priests, and it mentions there Canon Flint who was
6 a member of the CCWC and part of the Migration
7 Committee. I'm not quite sure what his relationship was
8 with Nazareth House and how he came to sign some of the
9 forms. The majority of them were signed by the
10 Superiors.

11 Q. Are you able to assist me with whether you are able to
12 think of any reason why a priest would sign the LEM form
13 instead of, let's say, the Mother Superior herself?

14 A. No, I am not.

15 Q. We then move on, Sister, to a letter provided to the
16 Inquiry on behalf of the congregation in September last
17 year, September 2019. NAZ.001.007.8897. I think this
18 was a letter prepared in response to a series of
19 questions that were asked of the congregation by
20 Gordon Lynch, one of the experts instructed by the
21 Inquiry. Do you have that letter on the screen?

22 A. Yes, it has come up now.

23 Q. Were you asked about the role of government guidelines
24 here in relation to that being mentioned in one of the
25 earlier Section 21 notices? And I think you have

1 mentioned this already this morning, but I think it is
2 broadly accepted that the reference to adherence to
3 government guidelines was misplaced in the original
4 Section 21 response?

5 A. Yes, that is correct.

6 Q. You set out under the paragraph headed "1" in this
7 letter:

8 "The Sisters have very limited direct knowledge as
9 to the historic involvement of the congregation in child
10 migration."

11 A. Yes, there are not a lot of records there.

12 Q. You go on in the final sentence of that page to say:

13 "The Sisters agree that they did not have evidence
14 of government guidelines in place when they were asked
15 to send children. We have provided a copy of the
16 memorandum prepared by Dr Peter Hughes. It is apparent
17 that Dr Hughes considered that the work had been
18 undertaken at the request of the government but the
19 congregation is not clear of the basis for that."

20 A. Yes.

21 Q. Do I take it from that then that the congregation cannot
22 say whether that was the case or not?

23 A. Yes, that is correct.

24 Q. I think you were asked what awareness the Sisters at the
25 time may have had in relation to various guidelines and

1 reports that were available, being put together at that
2 time, let's say the 1940s/1950s, and I think what is
3 said here is that the congregation cannot now say with
4 certainty what Sisters at the time were aware of?

5 A. That's right.

6 Q. Do I take it from that that there is nothing in the
7 archives, for example, to say whether Sisters were aware
8 of these matters or not?

9 A. No, there is nothing recorded.

10 Q. Finally in this letter you were asked about adherence to
11 standards, and what you set out in the final paragraph
12 is:

13 "The congregation now understands that the local
14 Superior and Sister working with the children would have
15 been responsible for approving children for migration.
16 There was no committee in the homes to consider the
17 appropriateness of each child. The congregation is not
18 aware of follow-up being undertaken once children had
19 migrated. On the basis of what they now know, the
20 congregation accepts that there may not have been
21 adherence to the standards of the day and the
22 Curtis Report."

23 Could you just expand upon that for me, Sister,
24 where you say "the congregation accepts that there may
25 not have been adherence to the standards of the day"?

1 A. These various reports came out, the Curtis Report and
2 the Moss Report and the Ross Report, but looking at the
3 records, some of what they recommended doesn't seem to
4 have been taken into account, and especially in our
5 dealings I think with the Christian Brothers in
6 migrating the children. And they had recommended that
7 in the houses abroad also that there be smaller groups
8 of children, whereas our houses had big groups of
9 children and big dormitories, et cetera, and there were
10 recommendations that, as I say, that would change, but
11 there didn't seem to be much change following on from
12 those reports at the time.

13 Q. I see.

14 LADY SMITH: Sister Anna-Maria, just thinking what you said
15 about the Christian Brothers and the impact they had on
16 having come to Scotland to effectively look for
17 children. I appreciate this is difficult for you
18 because you weren't there, but is it possible that the
19 habit of the Sisters at the time was to be in awe of the
20 male religious organisations, more likely to simply do
21 as they asked because they were men?

22 A. Certainly in relation to bishops and church authorities
23 in that region, in that area, there would have been --
24 it was kind of if the bishop asked for something to be
25 done, it would be done, more or less. Now, whether that

1 followed through with the Christian Brothers, who in
2 a sense were on a par with ourselves as a religious
3 order, that may have been the case, that there was some
4 of that. As you say, I can't say, because I wasn't
5 there and there is nobody to verify that.

6 LADY SMITH: I see that we are thinking of a different era,
7 a female organisation seeking to withstand the pressures
8 from a male organisation.

9 A. Yes.

10 LADY SMITH: And these men may have been strong, very
11 persuasive characters.

12 A. They certainly persuaded the children.

13 LADY SMITH: Yes.

14 Ms MacLeod.

15 MS MACLEOD: My Lady.

16 I now want to look briefly, Sister Anna, at the
17 article, the briefing paper put together by
18 Dr Peter Hughes. That is at NAZ.001.001.0566.

19 Sister Anna, first of all, are you aware of the
20 background to this article, this paper, I should say,
21 being put together? Do you know, for example, if
22 Peter Hughes was asked to put this together, and for
23 what purpose?

24 A. It appears he was asked to do it by the Superior General
25 at the time. I think at that time, as far as I recall,

1 there were issues coming up about child migration, and
2 I think that was when they first started to look into
3 the history of migration within the congregation.

4 Q. The first point I want to look at is in the penultimate
5 paragraph on the first page where Peter Hughes records:

6 "There is little evidence in the surviving archival
7 papers to suggest that the Sisters of Nazareth had any
8 formal or defined policy in relation to child migrants."

9 So he wasn't able to find anything in relation to
10 that either?

11 A. No.

12 Q. He notes at the foot of that page:

13 "Migration to Australia started in 1926 and peaked
14 in the post-war period."

15 I think you have said that is also your own
16 understanding?

17 A. Yes.

18 Q. Over the page on page 0567, about five lines down,
19 Dr Peter Hughes notes his surprise that no formal
20 documentation or official guidelines had been preserved
21 by the Sisters. Are you able to comment on that from
22 the order's point of view?

23 A. Sorry, where is that?

24 Q. It is on page 0567 and it is about five lines down. He
25 says:

1 "It is very surprising that no formal
2 documentation ..."

3 Do you see that?

4 A. I see that now, yes. As mentioned earlier, even with
5 children in this country we didn't have a lot of
6 documentation and certainly very little of it was
7 preserved.

8 LADY SMITH: At the end of that paragraph he refers to
9 a controversy that has continued since the early 1990s.
10 What is he talking about?

11 A. I don't know.

12 LADY SMITH: I just wondered whether it is litigation. Is
13 that possible?

14 A. It is possible, yes.

15 LADY SMITH: Thank you.

16 MS MACLEOD: On page 5 of the paper at 0570, Sister, in the
17 first main paragraph, it is noted:

18 "There is no reference anywhere to any prescribed or
19 perceived need actively to obtain parental consent."

20 I think that accords with your own understanding, is
21 that correct, Sister?

22 A. Yes.

23 Q. Over the page in the middle paragraph, Dr Peter Hughes
24 goes on to discuss that in the early 1950s, problems
25 arose in Australia in relation to the quality of the

1 children, as it is described, that were sent out and
2 that those were far superior, it is said, to those who
3 emigrated just before the war.

4 Is this an issue that you are familiar with; that
5 there were complaints made from Australia in relation
6 to the quality, as it was put, of the children who were
7 being emigrated?

8 A. Yes, I have seen a letter from the then Superior General
9 which she sent out to the houses saying that some of the
10 children that went out were unsuitable, and it was like
11 letting down the congregation. They weren't sending the
12 right children.

13 Q. I will put that briefly on the screen, NAZ.001.006.2916.

14 Is that the circular letter you are referring to
15 from the Regional Superior to the local Superiors in the
16 United Kingdom from March 1952? The date is further up
17 the page, I think, 21 March 1952.

18 A. If I remember rightly, it is from Mother Emmanuel who
19 was then the Superior General, we didn't have Regional
20 Superiors at that time, so she was in charge of the
21 whole congregation.

22 Q. I see. Do we see that in the circular she notes that 20
23 girls were required at that time for Nazareth House in
24 Geraldton?

25 A. Yes.

1 Q. And she is requesting that girls be prepared to form
2 part of that party?

3 A. Yes, that is right. That house hadn't been long open
4 then, if I recall correctly.

5 Q. In the third paragraph down, does she say she is:

6 "...grieved to say that the Australian Department
7 for Emigration has complained about problem children,
8 wet-beds and mentally deficient being sent from
9 Nazareth Houses to Australia ..."

10 A. Yes.

11 Q. A few lines down, does she say:

12 "The Home Office, London has been notified by the
13 Australian Government about the matter. Even the
14 Nazareth Houses in this country that have sent such
15 children have been named to the Home Office, so it is
16 humiliating for the congregation and looks as if we are
17 putting our obligations on other people."

18 A. Yes.

19 Q. She goes on to say:

20 "This is very serious as I have been notified that
21 some Catholic homes in Australia were to be closed to
22 children on account of the unsatisfactory state of
23 affairs among these children. Please remember that
24 Nazareth Houses will be included in this and the good
25 name of the congregation (at present respected in

1 Australia) will suffer also."

2 A. Yes.

3 Q. Do you see here, Sister, that it appears that it is the
4 congregation's reputation that seems to be the prevalent
5 concern as opposed to anything to do with the individual
6 children and their welfare?

7 A. Yes, that is what comes across, yes.

8 Q. Does sister Emmanuel Mary go on towards the end of the
9 memo to stress that:

10 "It is the responsibility of Superiors and Sisters
11 in charge of the children to select children."

12 A. Yes.

13 Q. This is a memo that would have been sent to the
14 Nazareth Houses in Scotland, for example?

15 A. I would understand it would have been sent to all the
16 houses in the UK and Ireland that were involved in the
17 migration.

18 Q. If we can just go back briefly to the article by
19 Peter Hughes at page 6, 0571, and to the foot of that
20 page where Peter Hughes writes that:

21 "Parental consent was obtained for very few children
22 and this was more often than not due to the difficulties
23 in finding parents to give the consent. No doubt there
24 were instances where insufficient effort was made to
25 obtain consent, but in general the Sisters took

1 a reasonable common sense approach that their status as
2 adults in loco parentis gave them capacity to grant
3 consent."

4 Do you see that, Sister?

5 A. Yes, the second page has just come up.

6 Q. Do you know what source or where Dr Peter Hughes got
7 this information from?

8 A. I would imagine most of his information came from the
9 archives, or lack of information as it be.

10 Q. So where he says, for example, about the lack of
11 parental consent, that "this was more often than not due
12 to difficulties in finding parents to give the consent",
13 do you know if you saw any documentation, for example,
14 in relation to attempts being made to find parents?

15 A. I did see one letter where there was an attempt to trace
16 the mother of two boys, and they tried for up to two
17 years and then they couldn't find the mother so
18 eventually they let them migrate to Australia, and there
19 were a number of letters following on from that later on
20 when she made contact with them.

21 Q. Is that in relation to two boys who were migrated from
22 Nazareth House in Aberdeen?

23 A. I can't remember the house but I think it was Aberdeen,
24 yes.

25 Q. Okay. I don't intend to put those documents on the

1 screen, but does the case relate to a mother who --
2 there is a letter from a mother saying that she got
3 notice from a Mother Superior that her sons had been
4 migrated to Australia and she hadn't known that, and
5 there are letters from her to say that her address had
6 been known to the Sisters, and there is a letter from
7 the Sisters to say that they had been trying to contact
8 her for two years.

9 A. Yes, there were a lot of letters back and forth and she
10 wanted to get the children back from Australia.

11 Q. So the letters from her say that the Sisters knew her
12 address and she hadn't got any letters. The letters
13 from the Sisters say they had tried to contact her?

14 A. Yes.

15 Q. And that file is BEW-75.

16 From looking at that file, Sister, is it your
17 understanding that there aren't copies of letters to the
18 mother on the file trying to get her consent but there
19 are letters from the Sisters saying retrospectively that
20 they did try to contact her for two years?

21 A. Yes, that is correct.

22 Q. So the children were migrated in 1953, the mother says
23 she was notified of this in 1955, and then there is
24 a series of correspondence after that?

25 A. Yes, that is right.

1 Q. Just pulling back from the documentation and the
2 responses themselves, Sister, I just want to ask you
3 some more general questions to get your own and the
4 order's position on a number of things.

5 What is your understanding of how the congregation
6 initially became involved in child migration? How did
7 it happen?

8 A. I think because there were such large numbers in our
9 houses at the time that when the scheme was initiated,
10 the Sisters obviously bought into it and the children
11 started to be migrated, even though it may have been
12 small numbers in the beginning. But as I say, post-war
13 there seems to be a lot more children went out, and that
14 was when the Christian Brothers seemed to deal directly
15 with the congregation and visit the houses.

16 Q. From the order's point of view, what was the rationale
17 for becoming involved in such a scheme?

18 A. The Brothers saw the scheme, that it was a better place
19 for the children. Obviously when they were talking to
20 the children they sold it as a place of sunshine, and
21 there would be horse riding and they could pick the
22 oranges off the trees, or they said to them would they
23 like to go on a big ship. So it was all things that
24 were appealing to the children.

25 As far as I can understand it, at the time, the

1 Sisters didn't have reservations about sending the
2 children, they had no concerns about the places they
3 were going to, but there's no written records really
4 pertaining to it either.

5 Q. You have touched on it in your answer there, Sister, but
6 in relation to the conversations that were had with
7 children about migration before they were going, in
8 terms of what was said to them about Australia and the
9 trip, to what extent, if they gave consent at all, to
10 what extent could that be said to be informed consent,
11 what was going to happen to them?

12 A. They were such young children I don't think they could
13 have had informed consent, most of them, and all
14 children would jump at the chance of going somewhere
15 different. You know, "Would you like to go on a big
16 ship?" sounds very appealing, doesn't it? And I think
17 to some of them, as we have heard in their evidence,
18 Australia they thought was somewhere down the road, they
19 didn't realise how far away it was and all that went
20 with that.

21 LADY SMITH: Are you aware of whether any of the Sisters in
22 Scotland at the time children were being migrated had
23 ever themselves been to Australia?

24 A. No, and the Sisters that went out I understand on the
25 boats with some of the children, it was their first time

1 going out, and they didn't know what they went to --
2 were going out to either, and they didn't know the
3 children.

4 LADY SMITH: Yes. Thank you.

5 MS MACLEOD: We have heard some evidence, particularly from
6 the experts in this case study, that there may have been
7 pressure put on orders like the Sisters of Nazareth at
8 times to make children available for migration. Are you
9 able to comment on that?

10 A. As we have seen from our own correspondence within the
11 congregation, there was pressure put on the Sisters to
12 send children from the house in Geraldton which, as
13 I say, was opened new around the early 1940s, and
14 I understand there had been money given for that
15 building and it had to be paid back, so they were
16 anxious to get the numbers of children into the house,
17 and there probably was, as we mentioned, pressure put
18 from the Christian Brothers to send more boys out to
19 their places.

20 Q. I think we have heard evidence as well about a new wing
21 at East Camberwell?

22 A. Yes, that is right.

23 Q. In the early 1950s?

24 A. Yes.

25 Q. I think it was suggested by the experts that there may

1 have been evidence that again there may have been some
2 pressure for children to be migrated, girls in
3 particular, to fill that new wing?

4 A. Yes.

5 LADY SMITH: I think that at the time there was an idea that
6 the Sisters would be put in the invidious position of
7 having to repay money that had been made available to
8 them for buildings at East Camberwell.

9 A. Yes.

10 LADY SMITH: I have also, I should add, heard that that may
11 not have been correct, but it does seem that that was
12 the thinking within the order?

13 A. Yes, yes.

14 LADY SMITH: Which no doubt would have been a major concern?

15 A. Yes, especially in those days.

16 MS MACLEOD: The evidence of this particular applicant has
17 been mentioned already this morning, but I think you are
18 aware of a witness who told the Inquiry that she wore
19 callipers from a young age at Nazareth House,
20 Kilmarnock.

21 A. Yes.

22 Q. And that she was migrated without there being any
23 mention in the medical checks, for example, of her
24 health condition which originated from a childhood
25 illness?

1 A. Yes, that's right.

2 Q. Are you able to comment whether it is plausible,
3 for example, that the Mother Superior at Kilmarnock
4 wasn't aware of the child's medical condition prior to
5 migration?

6 A. I would think if the child was wearing callipers she
7 would be aware that she had a condition that required
8 them, but I am sure I read that she was actually
9 migrated without the callipers.

10 Q. Yes, that was her evidence I think.

11 A. Yes.

12 Q. For the transcript, this is the evidence of a witness
13 who took the pseudonym "Anne" and it can be found at
14 TRN-53.

15 LADY SMITH: I think I am right in saying that Anne told us
16 that when she was in the home at Kilmarnock she was
17 wearing the callipers, though. She required them after
18 a childhood illness, didn't she?

19 MS MACLEOD: I think that was her evidence, my Lady.

20 Does that sort of episode tend to suggest, Sister,
21 that the order may have prioritised the need to fill
22 those spaces, for example, that they were being asked to
23 fill in Camberwell over, for example, the welfare of
24 a child like this and whether it was in her best
25 interests to be migrated, for example, without her

1 callipers?

2 A. Yes, it does suggest that.

3 Q. In relation to where children went once they were
4 migrated, so which institution they went to in
5 Australia, do you know how that was selected? Obviously
6 when it was a direct approach from the
7 Christian Brothers, they would be going to a Christian
8 Brothers institution, but do you know where the
9 selection of the institution was made? For example,
10 which Nazareth House a girl would go to?

11 A. I don't know how they concluded which house they would
12 go to, because some went to our houses and some went to
13 other orders. Even the girls went to different orders,
14 houses run by other orders.

15 Q. Houses run by the Sisters of Mercy, for example?

16 A. Yes.

17 Q. Do you know what, if any, attempts were made by the
18 order in this country to assess the suitability of the
19 institutions to which the children were being sent?

20 A. No, there is nothing on record apart from our own houses
21 which the team from -- the leadership team from
22 Hammersmith would have visited from time to time. But
23 we wouldn't -- as far as I can evidence, there was no
24 record of visiting the other institutions.

25 Q. The visits made to your own order's houses, would these

1 have been a visit to the institution as opposed to
2 seeing how individual children were getting on?

3 A. Yes, they would be a general visit to the whole house.

4 Q. So it wouldn't be specifically looking at, for example,
5 how a particular child from Aberdeen was progressing?

6 A. No, they would have visited maybe the children's
7 section, and maybe or maybe not spoken to some of the
8 children, but it would have been a very general visit.

9 Q. I want to return now to the issue of trust that we
10 touched upon earlier, and I think you said that there
11 was an inherent trust that if children were being sent
12 to an institution run by either your own order or
13 another order, that they would have a suitable level of
14 care, is that right?

15 A. Yes.

16 Q. And could you help me with what that was based on? Is
17 it because they were Catholic institutions or where does
18 that trust come from?

19 A. Yes, that they were Catholic institutions, but also they
20 would have had institutions in this country and been
21 known to the Sisters.

22 Q. But the Sisters presumably would not have had any
23 knowledge of the composition of the staff, for example,
24 and who exactly was going to be looking after the
25 children in the particular houses?

1 A. No.

2 Q. So was there an expectation then that the children would
3 be treated in a similar way to how they were being
4 treated in the Nazareth House homes in Scotland?

5 A. I presume that would have been, yes.

6 Q. Do you have any comment you are able to make, Sister, on
7 that, how that was managed and that reliance on that
8 general trust?

9 A. Sorry, I don't understand the question.

10 Q. Sorry, I am not asking the question very well. How
11 appropriate was that reliance on trust?

12 A. Looking back on it now, obviously it wasn't appropriate.
13 I would imagine when the Christian Brothers came to
14 visit our Sisters that they would have sold their places
15 as being good places for the children to go to and
16 a good future for them.

17 Q. When children were sent into the care of other orders,
18 like the Christian Brothers, the Sisters of Mercy,
19 I think some children were sent to the Salesians?

20 A. Yes.

21 Q. Was there any level of communication left open with
22 those children and how they were progressing? Between,
23 let's say, a child that was migrated from Cardonald,
24 would there be any continued communication between
25 Cardonald and that institution the child was going to?

1 A. No, there is no evidence that there was any follow-up.

2 Q. Does the absence of that evidence suggest that there
3 wasn't a follow-up, or might there have been a follow-up
4 but it is no longer documented?

5 A. I wouldn't imagine that there was any follow-up,
6 especially with the other orders, because it wasn't or
7 it didn't appear to be the done thing in those days.

8 Q. Do you know if parents were written to post the event of
9 migration to tell them where their child had gone, what
10 institution they were in, that kind of information?

11 A. We had no evidence of that, apart from listening to some
12 of the evidence where some -- the former boys at the
13 Christian Brothers, letters were put up on the board and
14 they copied them and sent them. But then a lot of the
15 children were told they were orphans when they went out
16 to Australia.

17 Q. So is it accepted then that some of the information that
18 was given to the children about their families was not
19 accurate?

20 A. I think from our evidence we have, there was very little
21 information given to them about their families.

22 Q. What is the order's position now, Sister, in relation
23 to child migration and looking back on the scheme?

24 A. Looking back on the scheme now, it was a dreadful
25 scheme, taking those young children away from their

1 homeland and sending them out to a very strange land, as
2 I say. And quite a number of them on their evidence
3 said they were told they were orphans so they had no
4 contact with their families, and many of them, when they
5 did find their families, it was too late, their parents
6 maybe had died or whatever.

7 So it was a very, very hard scheme, and the children
8 were so young, and they lost so much. Whatever we do to
9 help them now will never make up for that.

10 Q. To what extent, Sister, have you been following the
11 expert evidence from the Inquiry in the last week or
12 two?

13 A. Yes, I have read the reports, yes.

14 Q. From what you have seen in relation to the Sisters of
15 Nazareth, is there any comment you would like to make in
16 relation to the expert evidence?

17 A. As I say, looking back on it now, it is a scheme we
18 wouldn't be taking part in but at the time I presume the
19 Sisters took part in it in good faith. I can only
20 apologise unreservedly to each and every one of those
21 children that went out and had such hard lives and lost
22 a lot of their family contacts, and I have spoken to
23 some of them when they have come back and visited our
24 houses and heard first-hand from them the effect it has
25 had on them.

1 LADY SMITH: Have you, Sister, followed the evidence that
2 some of the children were subjected to the most horrific
3 abuse of all types?

4 A. Yes, I have.

5 LADY SMITH: After migration?

6 A. Absolutely, yes. It's very hard to listen to.

7 MS MACLEOD: Did you listen to some of the applicant
8 evidence in this Inquiry, Sister?

9 A. I did, yes.

10 Q. What did you make of that evidence?

11 A. As I say, it was very hard to listen to some of it
12 because they were treated so badly and so badly abused,
13 and seemed to have very strict regimes where they went.
14 Very little schooling. Not a very pleasant childhood,
15 really.

16 Q. Are you in a position to say whether or not the order
17 accepts the evidence of the applicants where they
18 originated from the Sisters of Nazareth houses in
19 Scotland?

20 A. Yes, as far as I am aware we accept it, yes.

21 Q. As you have alluded to already, Sister, some of those
22 children spoke of not knowing where Australia was, or
23 thinking they were going on holiday?

24 A. Yes.

25 Q. And that they were provided with very little information

1 about their families, sometimes wrongly under the
2 impression they were orphans, for example?

3 A. Exactly, yes, when they did have family back here in
4 Scotland.

5 Q. And many of them provided evidence of serious abuse at
6 their destinations in Australia?

7 A. Yes, that is right.

8 Q. Including physical and sexual abuse?

9 A. Yes.

10 Q. You have mentioned already that you are in a position to
11 apologise. Is that in a position to apologise on behalf
12 of the order of the Sisters of Nazareth?

13 A. Yes, exactly.

14 Q. In terms of an apology, is there anything in particular
15 you would like to say to those former child migrants who
16 were sent from Scotland, from the Nazareth Houses?

17 A. As I say, we can never give back to them what they have
18 lost and we have, where possible, tried to help them
19 through the different schemes that have been set up, the
20 Child Migrants Trust and Towards Healing, and setting up
21 the database with the CCWC and helping them to find
22 their families, and also to come back to this country;
23 we have funded trips for a number of children and, as
24 I mentioned earlier, some of them have come back to the
25 houses they were migrated from and met with present

1 Sisters and seen the places where they lived as
2 children.

3 Q. I am just going to raise a few points in relation
4 to some of those schemes you have mentioned there,
5 Sister. The Australian child migration project, is that
6 a project to which your order contributed funding?

7 A. Yes, we contributed 1.6 million towards that scheme.
8 I understand 450,000 of that, that is dollars, was
9 related to children from Scotland.

10 Q. What services are provided, Sister, by that project to
11 former child migrants?

12 A. That was helping children to find their families and
13 also to visit this country. Some of those monies were
14 used for fares for children to come back, and also we
15 provided accommodation for them in this country when
16 they were back visiting the houses, and some of them had
17 family with them as well.

18 Q. Have the Sisters participated in the project themselves
19 as well as providing the funding?

20 A. Yes, the Sisters in Australia, and they are still
21 involved with the Towards Healing project, which
22 provides counselling and mediation services for former
23 migrants.

24 Q. Is that a project to which the order has also
25 contributed financially?

1 A. Yes, yes.

2 LADY SMITH: So that is the Towards Healing project you are
3 talking about?

4 A. Yes.

5 MS MACLEOD: That is an Australian redress scheme?

6 A. Yes, that is right.

7 Q. Does that scheme include mediations --

8 A. Yes, it does.

9 Q. -- between former child migrants and those institutions
10 involved in their migration?

11 A. Yes, they are still going on. The Sisters still meet
12 with former migrants.

13 Q. Has the work of that scheme led to some financial
14 settlements for former child migrants?

15 A. I couldn't say for sure because that is administered by
16 the Australian region now.

17 Q. What about letters of apology from the institutions
18 involved? Do you know if that is something that has
19 happened as a consequence of that project?

20 A. I understand it is but, as I say, it is all done in
21 Australia.

22 Q. Has the order also had involvement with the Catholic
23 Children's Society Westminster in relation to child
24 migration?

25 A. Yes, we have. We worked with them in setting up

1 a database for the children, and also funded somebody to
2 deal with that because we didn't have the personnel. So
3 somebody there dealt with the former migrants when they
4 had enquiries, but one of our Sisters spent I think it
5 was 1,500 hours of her services in helping to set up the
6 database and finding out all the information from the
7 records to try and help former children get in touch
8 with their families again.

9 Q. Are you able to estimate the amount of funding provided
10 to that project, Sister?

11 A. My understanding is that over a ten-year period there
12 was in the region of 230,000.

13 Q. The Catholic Children's Society, have they provided
14 counselling services to child migrants on behalf of the
15 Sisters?

16 A. Yes, and are still doing that today as well.

17 Q. Does the congregation deal with requests for information
18 from child migrants?

19 A. Yes, the archives in Hammersmith deal with that.

20 Q. How are the responses compiled in relation to that? Is
21 the information communicated back to the former child
22 migrant?

23 A. It is, I understand, yes. But, as I say, the archivists
24 in Hammersmith deal with it directly.

25 Q. I think you have mentioned this, but the order also

1 provides I understand assistance with family reunions
2 for former child migrants?

3 A. Yes, we have done that in the past.

4 Q. And you have mentioned the provision of accommodation,
5 if requested, for former child migrants?

6 A. Yes, a number of them have come and stayed in the
7 houses.

8 MS MACLEOD: Thank you, Sister. That's all the questions
9 I have for you today. My Lady, I don't have any further
10 questions and I think I have addressed those that I have
11 been asked to put to Sister Anna.

12 LADY SMITH: Thank you. Are there any outstanding
13 applications for questions?

14 Thank you so much for coming back today,
15 Sister Anna-Maria. It has been very helpful to have you
16 here and hear your evidence on this separate subject
17 matter which, as you know, is a difficult one to
18 address. I am very grateful to you for being prepared
19 to do that and I am now, with my thanks, able to let you
20 go.

21 A. Thank you.

22 (The witness withdrew)

23 LADY SMITH: Ms MacLeod.

24 MS MACLEOD: My Lady, the next witness is scheduled for
25 2 o'clock.

1 LADY SMITH: I thought so. Very well, I will rise now and
2 sit again at 2 o'clock. Thank you.

3 (12.41 pm)

4 (The short adjournment)

5 (2.00 pm)

6 LADY SMITH: Good afternoon.

7 Mr MacAulay.

8 MR MACAULAY: My Lady, the next witness is Andrew Ramsay
9 Nicoll.

10 LADY SMITH: Good afternoon, Mr Nicoll. Would you raise your
11 right hand, please, and repeat after me ...

12 MR ANDREW RAMSAY NICOLL (sworn)

13 LADY SMITH: Please sit down and make yourself comfortable.

14 Is it all right if I call you Andrew?

15 THE WITNESS: It is.

16 LADY SMITH: Andrew, please don't hesitate to tell me if you
17 have any questions or concerns about anything while you
18 are giving your evidence. What matters is that you are
19 as comfortable as we can make you so that you can give
20 your evidence as easily as possible. If you are ready
21 I will hand over to Mr MacAulay. Is that all right?

22 THE WITNESS: Yes.

23 Questions from MR MACAULAY

24 MR MACAULAY: My Lady.

25 Good afternoon, Andrew.

1 A. Hello.

2 Q. Can I just confirm you are Andrew Ramsay Nicoll?

3 A. I am.

4 Q. The year of your birth was 1978, is that right?

5 A. Yes.

6 Q. In the red folder in front of you, you will find two

7 particular documents. The first is the statement that

8 you provided to the Inquiry, it has the reference number

9 WIT.003.001.9983. If I can ask you to turn to the final

10 page, page 15. Can you confirm that you have signed the

11 statement?

12 A. I have.

13 Q. And is it the case that you believe what you have set

14 out here to be the truth?

15 A. Yes.

16 Q. Are you content that this material should form part of

17 the evidence to the Inquiry?

18 A. Yes.

19 Q. The other document that is in the folder, which I will

20 be looking at shortly, is a report that you prepared

21 in April 2010, is that right?

22 A. Yes.

23 Q. That has the reference number at the top of

24 BSC.001.001.0161 and, as I say, I will look at that

25 report later.

1 A. Okay.

2 Q. Can I begin by taking you to your statement on page 1 at
3 9983, and you set out in paragraph 2 what your CV is or
4 has been. In particular your academic background was in
5 history, is that right?

6 A. Yes.

7 Q. Then after a postgraduate degree in history, you tell us
8 that you undertook a postgraduate diploma in archives
9 and records management at University College London?

10 A. Indeed.

11 Q. That is a course you completed in June 2003?

12 A. Yes.

13 Q. Was it then that you became the keeper of the Scottish
14 Catholic archives?

15 A. It was, yes.

16 Q. Which was really essentially your first job after you
17 finished --

18 A. It was, yes.

19 Q. Do you tell us there that that is a position you held
20 from July 2003 until November 2012?

21 A. Yes.

22 Q. And I will come back to what that involved in a moment.
23 But since then, I think what you tell us is that you
24 have worked at the Royal Commission on the Ancient and
25 Historical Monuments of Scotland, is that right?

1 A. Yes.

2 Q. And then at Historic Environment Scotland, and I think
3 since January 2017 you have been the deputy head of
4 archives?

5 A. Yes.

6 Q. Essentially you have been working as an archivist since
7 you left university?

8 A. Indeed.

9 Q. You tell us then that you have been a member of a number
10 of associations or organisations, and we can read that.

11 If we move over to page 2 of the statement, you are
12 asked the general question:

13 "What did your role as keeper of the archives
14 involve?"

15 Can you perhaps just give me an idea as to what your
16 role was?

17 A. I was the archivist records manager for the Bishops'
18 Conference of Scotland. The Scottish Catholic archives
19 as an institution is slightly unusual in the
20 Catholic Church in that normally each diocese is
21 responsible for its own archive provision, but in
22 Scotland since 1958 they had begun to bring those
23 together with the historic collections, and then added
24 to that the diocesan archives.

25 So it was a central role in the church in Scotland

1 providing advice and support to the dioceses in
2 Scotland, except Glasgow and Paisley, to the Bishops'
3 Conference itself and to other organisations' parishes,
4 the national agencies as well, so slightly different
5 from England and Wales where they don't have a national
6 archive service, and the Scottish Catholic archives
7 function as that.

8 So I was effectively archivist and records manager
9 to most of the church except the Archdiocese of Glasgow
10 and the Diocese of Paisley.

11 Q. Why the exceptions for these two dioceses?

12 A. Paisley. Towards the end of my time, the Diocese of
13 Paisley were making arrangements to say could we
14 transfer our material. There was a priest who acted as
15 diocesan archivist, and so he fulfilled that role and he
16 seemed comfortable with that.

17 Glasgow. Glasgow was always independent in what it
18 did. I think also the nature of the administration
19 meant they had a lot of stuff, so they had quite a lot
20 of material, and it wouldn't have fitted -- simply it
21 wouldn't have fitted in the building in Edinburgh. But
22 also they were quite keen to exercise their canonical
23 functions in that respect and not allow the archives to
24 leave the diocese and go elsewhere.

25 Q. The general archive then, or the central archive I can

1 refer to that, I think that was based in Edinburgh?

2 A. It was, yes.

3 Q. Was that in Drummond Place?

4 A. It was.

5 Q. I think either before you left or shortly after you
6 left, did it move from there to another location?

7 A. No, after I left certain parts of the collection were
8 moved to another location, the historic collections were
9 moved to Aberdeen University, and it was intended after
10 I left that the diocesan material would go to another
11 church centre in Glasgow, but to my knowledge that
12 hasn't happened yet so it is still there in
13 Drummond Place.

14 Q. In relation to what you have come to talk to us about
15 today, you are relying on those records that were held
16 in Edinburgh in the central archive?

17 A. Yes.

18 Q. That topic, of course, is child migration.

19 Is there any possibility then that there are
20 records, other records, that weren't in the central
21 archive, for example, within the archives of either
22 Paisley or Glasgow, that could have a bearing on child
23 migration?

24 A. Yes. I did once briefly survey the material in the
25 Diocese of Paisley and there wasn't much there. Paisley

1 was only founded in 1948, and so the material that
2 survived from that early period was quite limited.
3 Glasgow, I never had -- I only had an overview of that
4 there.

5 There could have been other material elsewhere. In
6 my report, I mentioned that I wasn't able to examine
7 material with the two adoption agencies, the
8 Catholic Church's adoption agencies. And also it
9 occurred to me that there was potentially material kept
10 in what would be referred to as the secret archives,
11 which is effectively the confidential archive of the
12 bishop of a diocese.

13 Q. You didn't have access to that?

14 A. I didn't, no.

15 Q. You do set out, Andrew, the nature and extent of the
16 holdings at the Scottish Catholic archives when you were
17 there, and we can see there is some quite -- a number of
18 historical documents.

19 A. Yes.

20 Q. Going back to 1560, at least?

21 A. Yes, 1177 was the earliest.

22 Q. You give us some sense of the scale of the archive then
23 on the following page, page 9985. You say it amounted
24 to approximately 0.5 kilometres of archives and records,
25 is that right?

1 A. Yes.

2 Q. That sounds quite large, but perhaps it isn't in your
3 experience?

4 A. No. I manage 25 kilometres now, so it is all relative,
5 I guess.

6 Q. You go on to tell us in fact that the material was held
7 until 2013 at Columba House in Drummond Place, and there
8 was also an out-store in George Square?

9 A. Yes.

10 Q. But then, as you have told us already, the archives were
11 moved to different locations.

12 The report you prepared for the Scottish Bishops'
13 Conference was I think completed by you in 2010, is that
14 correct?

15 A. Yes.

16 Q. Can you just give us some sense as to how it came to be
17 that you did this work?

18 A. Yes. As I recall, I had to sort of take my time and
19 think about this when I wrote it, because it is ten
20 years ago and I didn't have anything to refer to.
21 Cardinal O'Brien had rung me on the telephone to say he
22 had received a forwarded letter from the chief executive
23 of the St Andrew's Children's Society in Edinburgh. As
24 I recall, it was from somebody in Australia who had been
25 adopted -- again this is just my recollection -- and

1 they were looking for information about their adoption
2 because they were in Australia, and they had assumed
3 that all of that would have happened with the church.
4 The children's society had no record, they had checked
5 their files and they said "We have nothing".

6 So I think, because of the history of the nature of
7 the adoption society as beginning its existence as part
8 of the diocese or the archdiocese, they had asked the
9 cardinal. The cardinal then phoned me because,
10 performing the function of the archivist for the
11 archdiocese, he asked if there was anything. I was
12 pretty sure we didn't have any records about individuals
13 because I knew roughly what we did have in that sense,
14 but he did ask if I would look into it and see if there
15 was anything that could be found about the whole scheme
16 because he knew nothing about it, he said he knew
17 nothing about it.

18 Q. And as we see from your report, you clearly had access
19 to all the relevant material that was held in the
20 archive?

21 A. What there was, yes.

22 Q. And when you say "What there was", was there very much?

23 A. Not really, no.

24 Q. Did that surprise you?

25 A. In some respects, yes. I don't know what I would have

1 expected to have found not having looked for it before,
2 but considering there had been an office established
3 that had functioned for four or five years at least,
4 I did expect to see a little bit more than what I found.

5 Q. Before you started the research that you carried out,
6 had you had much insight into child migration?

7 A. No, only professionally in passing, just that it was
8 something that -- it was a topic that was coming up more
9 and more in terms of the archive world where people were
10 looking for records of their own removal from this
11 country to another country and they were trying to find
12 things.

13 Q. The focus of your report is over the page, 1946 to 1950,
14 and I think you do say that there were no other records
15 post-1950 held in the archives, is that right?

16 A. Not that I could find, no.

17 Q. I think you assume that the scheme, the migration
18 scheme, came to an end in 1950 at least insofar as the
19 Edinburgh aspect of it was concerned, is that ...?

20 A. I think so. The office that was established in
21 Edinburgh under, if I recall, the auspices of the
22 Archdiocese of St Andrews & Edinburgh, existed on behalf
23 of the Bishops' Conference of Scotland and the bishops
24 in Northern Ireland. The material that I found was
25 within the records of the Archdiocese of St Andrews &

1 Edinburgh, and also I think a couple of years
2 beforehand, I would have to check the report, I had
3 taken possession from the Bishops' Conference of a deed
4 box, a letterbox, from the 1940/1950s and there were
5 a few papers in there from the hierarchy.

6 Q. It is the case I think, judging by what you say in your
7 statement and the report, that the hierarchy sanctioned
8 child migration certainly over the period that you were
9 looking at?

10 A. Yes.

11 Q. You do mention, though, that you do recall seeing some
12 material relating to emigration to Canada from before
13 1946. What recollection do you have of that material?

14 A. Father Andrew MacDonnell, a Benedictine monk at Fort
15 Augustus Abbey, I think he went back and forth to
16 Canada, and there had been quite a large amount
17 of migration from Argyll & The Isles before the Second
18 World War, but he had also -- he had some sort of
19 involvement in some migration scheme pre-1939. I don't
20 think that was in his -- it wasn't a Fort Augustus
21 English Benedictine thing, it was more something he was
22 involved in personally, but in his own papers in the
23 Fort Augustus archives I am sure there was material
24 relating to migration there.

25 Q. When you mention Argyll & The Isles, are we really

1 talking there about adult or family emigration?

2 A. I think so.

3 Q. Were you solely responsible then, Andrew, for the
4 report?

5 A. I was.

6 Q. You tell us that you did pass the report on to
7 Cardinal O'Brien and that your recollection is that he
8 shared the report with other bishops?

9 A. Yes.

10 Q. I am interested in this comment you make at
11 paragraph 19, that it was reported to you that the then
12 Archbishop of Glasgow, Mario Conti, was unhappy that you
13 had written the report, and what I want to ask you is
14 were you able to find out why he was unhappy?

15 A. I wasn't. It was more a general statement directed at
16 me that -- I think it was: what business did you have
17 doing that? And the business I had doing it was I was
18 asked by the cardinal to do it. I didn't -- I chose at
19 the time not to dig deeper. I thought -- I could tell
20 it was an issue and I thought I don't need to go there.

21 Q. But I think what you can confirm for us is that the then
22 Archbishop Conti had been made aware of there having
23 been a child migration scheme in Scotland over the
24 period you looked at?

25 A. So far as I am aware, yes, inasmuch as the cardinal had

1 shared the report with the fellow members of the
2 Bishops' Conference.

3 Q. On page 8 of the statement, you say that there were no
4 record retention schedules in existence when you were
5 made keeper.

6 A. No.

7 Q. What were these retention schedules -- what would their
8 function be?

9 A. In the modern environment they would be record retention
10 schedules for any records being generated, finance,
11 legal, correspondence. Just, you know, the general
12 types of schedules you would see nowadays for managing
13 papers.

14 The Catholic archives often was reactive in its role
15 rather than proactive in bringing things in. So there
16 would be contact from parts of the administration in
17 Scotland and they would say that things had been found,
18 cupboards needed to be emptied, something like that, and
19 then they would be brought into Columba House.

20 Q. I think you do tell us during your time there you did
21 begin to work on the preparation of retention schedules
22 for the Catholic Church archive?

23 A. Indeed, yes.

24 Q. You mention the Gillis Centre in paragraph 31 and
25 I think you made some enquiries as to whether records

1 were stored within that particular centre?

2 A. Yes. The diocesan offices for St Andrews & Edinburgh
3 had operated in a number of premises over Edinburgh.
4 India Buildings I think in the 1930s where this office
5 had been in Victoria Street. There had been a move to
6 George Square to a diocesan property there as well.
7 From there they went to a building opposite the
8 Gillis Centre where the funeral directors now are,
9 I can't remember exactly where they were, and then the
10 diocesan offices moved after the closure of the college
11 into the Gillis Centre.

12 LADY SMITH: The Gillis Centre is just at the back of the
13 building across from the funeral directors.

14 A. Yes, so they just kept moving. And I think it is mainly
15 because the work of the diocese expanded and grew so
16 they were just looking for bigger premises.

17 So I viewed the Gillis Centre as the final place
18 that things might have turned up or had been stored or
19 had gone to. I think my predecessors had done
20 a reasonably good job of looking for everything that
21 could be found, but even when I was looking for parish
22 registers that I couldn't find in parishes, eventually
23 I did find a cupboard in the boardroom and, lo and
24 behold, there were a dozen volumes of parish registers
25 that nobody really had remembered had existed there. So

1 I did do a full scour of the building to see what was
2 there and nothing else turned up.

3 MR MACAULAY: Perhaps I have asked you this before. Were
4 you working alone as the archivist or did you have any
5 staff?

6 A. There was one assistant archivist.

7 Q. If we turn to page 10, you have a section where you deal
8 with particular questions regarding archival material,
9 and some of these points we will pick up from the
10 report. But you were asked, for example, at 35:

11 "From the archival material examined, what
12 information was there in relation to the process of
13 selection of children who were suitable for child
14 migration?"

15 And, generally, can you tell us what impression you
16 formed for how the selection processes were carried out
17 for children?

18 A. From my recollection, there were visits made on occasion
19 by priests coming from London, and they were meeting
20 with Reverend Patrick Quille, who was a St Andrews &
21 Edinburgh priest, and I think they would have used the
22 local knowledge of the priests here in Edinburgh and in
23 Scotland to say "What are the local children's homes
24 that you have?" And probably arranging introductions,
25 if that is what they were doing, with the Superiors of

1 these houses. Maybe some of that is my impression of
2 what would happen because the records are so limited
3 that I couldn't really say.

4 Q. But looking to the personalities involved in this whole
5 scheme, you have mentioned Father Quille, and we will
6 come back to him in a moment. We also see reference to
7 a Brother Conlon and a Father Stinson?

8 A. Father Nicol, I think, oddly.

9 Q. Yes. So these are the individuals that you see
10 mentioned in the records?

11 A. Yes, and also Miss Menaldo, Norah Menaldo.

12 Q. Just focusing on her and perhaps Father Quille,
13 Father Quille seems to have been essentially the
14 hierarchy's representation in relation to child
15 migration, is that correct?

16 A. It seems so, yes.

17 Q. Was he in charge of the Edinburgh office that was set
18 up?

19 A. Yes. I can't remember exactly what his role was in the
20 archdiocese, he was either vicar general or had some
21 role in the diocese, so would have had oversight of the
22 office in India Buildings in Victoria Street, and it
23 seems he was appointed, perhaps -- maybe it is said in
24 one of the records that he was appointed to head up the
25 office.

1 LADY SMITH: If he was vicar general, what would that mean?

2 A. You are testing my canon law here which I don't recall
3 very well.

4 LADY SMITH: It is probably better than mine.

5 A. He was given an appointment by the bishop with
6 a particular role to carry out a function, so he could
7 have been vicar general for education or social care.
8 The role to be carried out I think had changed and the
9 appointment was with the individual with what the bishop
10 wanted them to do.

11 LADY SMITH: So it would be somebody who would lead in
12 a particular subject area?

13 A. Indeed, and usually a senior clergy person as well.

14 LADY SMITH: Thank you.

15 MR MACAULAY: He certainly seemed to have served on the
16 Archdiocesan Social Services Committee, because we have
17 minutes of that committee and he seems to be part of
18 that committee?

19 A. Yes.

20 Q. You mentioned some points on page 11 which I think we
21 will come to in the report itself. But I think you say
22 at paragraph 37, in relation to what you found in the
23 records as to whether or not there was any concern about
24 the conditions of where children were to go, did you see
25 anything in the records that expressed any concern or

1 reservation about where children were to go?

2 A. No, apart from this phrase which I saw on a few
3 occasions in different contexts, which was the
4 "spiritual and temporal well-being of the children".
5 That really was the -- that was it.

6 Q. Did you see anything in the records that would indicate
7 how the care that children were to receive in Australia
8 was to be monitored?

9 A. To my knowledge, no.

10 Q. In paragraph 40, you do say that from the archival
11 material that you looked at it appeared to be the case
12 that Father Quille was appointed secretary for the
13 Catholic Council for British Overseas Settlement for
14 Scotland and Northern Ireland by the Scottish hierarchy?

15 A. Yes.

16 Q. Is that right?

17 A. Yes.

18 Q. So that was his official role in connection with child
19 migration, not just Scotland but also Northern Ireland?

20 A. Indeed.

21 Q. This point you make at the bottom of page 12, actually,
22 where you say:

23 "There does not appear to be any indication from the
24 archives found in the report that clergy were operating
25 in loco parentis in the context of child migration."

1 So what I think you are saying there is -- does it
2 appear to be the case that the clergy, like
3 Father Quille or indeed Brother Conlon, they were
4 essentially facilitating migration?

5 A. Yes. From the records I couldn't see ... Yes, they were
6 facilitating, they were acting as a committee really.
7 There were no records of them signing a piece of paper
8 with a child's name on it or anything like that.

9 Q. If we turn to page 14 and pick this up here, where you
10 have a section "Final", what you say there is:

11 "From the archival material [that you have looked
12 at] it would seem that the Catholic Church in Scotland
13 was following a model linked to that found in England
14 and Wales."

15 Why do you make that comment?

16 A. That's simply my own comment, because I had started
17 seeing what was happening with IICSA and the evidence
18 that was coming out there. And on a basic level,
19 diocesan administrations were working with religious
20 orders to find children, identify children who would be
21 suitable for migration.

22 Q. You do say again in the final paragraph, paragraph 44,
23 that:

24 "The lack of archival material for the migration
25 scheme is puzzling."

1 A. It is.

2 Q. Again, is that because there is so little of it?

3 A. Yes.

4 Q. What is the puzzle?

5 A. I've thought about this very carefully. I thought about
6 it at the time and I've thought about it since,
7 especially since I was asked these questions. The
8 diocesan offices in India Buildings carried out a number
9 of functions. They performed the finance function for
10 the archdiocese, they will have been the local office
11 for tribunal matters, marriage tribunal. They had the
12 social care service, the embryonic adoption society, the
13 child migration functions there. From my recollection,
14 when the church kept invoices from the 1930s, those
15 weren't weeded out, those had turned up in
16 Columba House. All the marriage papers which have
17 a canonical function were there as well.

18 The Catholic Enquiry Office, which did early social
19 work, much like the Notre Dame clinic in Glasgow, they
20 had conducted psychological interviews of children for
21 things like bed-wetting, speech impediments, things like
22 that. Those case notes survived, so there is a metre's
23 worth of case notes for children from the 1930s there.
24 So all of these records from functions that had been
25 carried out in India Buildings had survived, and the

1 child migration scheme which had equally operated from
2 those buildings had not survived, or there had been bits
3 and pieces but not very much there.

4 So it was always a puzzle to me that why would all
5 those other records survive but the records for child
6 migration not survive? It did lead me on to think,
7 well, were they created, were the records created? But
8 if you have a priest administering and a member of
9 staff, surely there would have been, over a period of
10 four or five years, at least a filing cabinet drawer's
11 worth, and the material that survived was not a filing
12 cabinet drawer's worth. It was scraps, scraps of
13 information.

14 Q. I think I should put it: if there were records created
15 then they haven't survived, or no records were created
16 and therefore there were no records to survive; these
17 are the two aspects of that particular coin?

18 A. Yes. I thought about if the records had been created,
19 they could have been transferred elsewhere afterwards,
20 after the function had ceased. They could have been
21 destroyed, or they could have been left neglected and
22 not survived, I suppose. But again, everything else
23 managed to survive from that office and those functions,
24 so, you know, I can't say.

25 I don't think things would have been -- the only

1 place I could think of that any papers would be passed
2 to would be London, because there was a relationship
3 there. I've never found any other material in any of
4 the other offices in Scotland, so it hadn't gone there.
5 So if they had been created, they hadn't survived.

6 LADY SMITH: Andrew, you said that India Buildings served as
7 the local office for tribunal matters, amongst other
8 things. What tribunal?

9 A. It would be the marriage tribunal before the Scottish
10 interdiocesan marriage tribunal was established a few
11 years ago, and the national tribunal before that.
12 Marriage matters are the responsibility of each diocese,
13 so mixed marriages, dissolution, that sort of thing, the
14 paperwork would have been sent there initially.

15 LADY SMITH: I see. Thank you.

16 MR MACAULAY: But the fact, as you made clear, Andrew, is
17 that the hierarchy participated in a full way in the
18 child migration scheme for Catholic children in
19 Scotland?

20 A. From the material I found, yes.

21 Q. Can we then look to the report, and that is, to get
22 reference again, BSC.001.001.0161. I should perhaps say
23 you have a hard copy in the red folder but certain
24 passages will also come up on the screen in front of
25 you, and just feel free to use either system.

1 A. Sure. I don't have a hard copy here.

2 Q. You don't?

3 A. No, but I can use the one on the screen.

4 Q. There isn't a hard copy in the folder?

5 A. No. I can take the copy out of my bag.

6 Q. You have a copy?

7 LADY SMITH: Feel free to do that if you would find it
8 helpful, Andrew.

9 MR MACAULAY: We have already picked up on the point that
10 you are covering a period, a discrete period, 1946 to
11 1950. You begin in section 1 by setting out a summary
12 of what your research discovered, and you begin by
13 telling us that the Catholic Church in Scotland
14 participated in a child migration scheme, supported by
15 the Australian and British Governments and sponsored by
16 the hierarchy of Australia between 1946 and 1950, and
17 you tell us that children between the ages of 5 and 14
18 were migrated for four main reasons that you set out in
19 the next section. So we are looking at very young
20 children as well as part and parcel of the scheme from
21 Scotland?

22 A. Yes.

23 Q. We have touched upon certain aspects of that summary
24 already. Numbers are difficult to calculate, I think,
25 aren't they? It is very difficult, from the material

1 you have looked at, to in any accurate way give us
2 an idea as to how many children were migrated from
3 Scotland?

4 A. Yes, the paperwork that survived, I remember looking at
5 the numbers and getting a bit of a headache because the
6 reports, dated differently, referred to the same
7 institutions from the same time period, but one report
8 would say one number and another report would say
9 others, so it wasn't clear from what I saw.

10 I think I did a really bad calculation on my part,
11 which was: it could be this number, as much as this
12 number, it could be as small as this number. But really
13 there was no way of saying.

14 Q. What you do say in paragraph 1.4 is that it would appear
15 from your research that at least 200 child migrants were
16 sent to Australia. And there we are talking about, are
17 we not, this period of time that you focused upon and
18 Catholic children more likely than not from Catholic
19 institutions?

20 A. I think so. I think one of the reports I found was: the
21 following children have now gone or are on their way.
22 And so that would be the 200, or a couple of reports
23 would have indicated that, that number.

24 Q. As you have already pointed out, the simple fact is that
25 the Catholic Church in Scotland does not have a record

1 of the individuals that the Catholic Church facilitated
2 in migrating?

3 A. I am looking at that statement now and saying, well, the
4 Bishops' Conference or the diocese would not have that,
5 but it is possible that the religious orders who were
6 operating the homes, perhaps in their ledgers if they
7 had them, maybe wrote something in there. But the core,
8 central Catholic Church, no, there were no lists and no
9 names.

10 Q. When I mention the Catholic Church, I am looking at what
11 used to be the hierarchy and I think we now call the
12 Bishops' Conference?

13 A. Yes.

14 Q. As you have set out in paragraph 1.1, you have concluded
15 that there were four main reasons for migration, and at
16 2.4 on the following page, page 4, you deal with that by
17 saying there were four strands of eligibility, and
18 I think these are the conclusions you yourself have
19 drawn from the material and the records, is that
20 correct?

21 A. I think those four reasons probably were set out in the
22 report in the diocesan archives, the report regarding
23 the operation of migrants scheme. "DE" is Archdiocese
24 of St Andrews & Edinburgh. So if I recall, I probably
25 lifted it from the report and said these are the four

1 reasons.

2 Q. So we are looking then at children who are destitute and
3 without parents and who are resident in children's
4 homes, that is one of the strands of eligibility you
5 focus upon. Two, those whose parents were living but
6 who, for health or other reasons, were unable or
7 unwilling to provide for them. Three, those whose
8 parents may have been in a position to provide for them
9 but who, for personal reasons, considered it to be in
10 the future interests of the children to emigrate while
11 still young to Australia. Then the fourth is those
12 whose parents intended to follow?

13 A. Yes.

14 Q. You were able to see from the records that a part of the
15 selection process was that children would have a medical
16 examination and indeed also an intelligence test?

17 A. Yes.

18 Q. I will look at a document in that connection in
19 a moment.

20 At 2.8 you deal with the questions of costs. Can
21 we just look at that, because you set out on the
22 following page, page 5, the various sources of funding.
23 But do you also say:

24 "No costs were incurred by the Church in Scotland or
25 in Australia."

1 A. I do say that.

2 Q. Is that the case?

3 A. If I stated that in the report at the time, I must have
4 had some evidence to do so, but I can't recall now
5 exactly.

6 Q. You mentioned --

7 A. Sorry, yes, I am reading the rest of the paragraph now,
8 which explains I think this statement that I made, which
9 was that:

10 "Any funds that were paid to the Catholic Church
11 were to support the administration."

12 So I remember payments were made to support the
13 office, to support the salary of Miss Menaldo, that sort
14 of thing.

15 Q. Miss Menaldo, she was the secretary?

16 A. She was.

17 Q. So essentially in the office you had Father Quille and
18 Miss Menaldo?

19 A. Father Quille would have been an active parish priest,
20 so in effect he would have been conducting a number of
21 jobs at one time. So he may not have been full-time in
22 the office as a manager there.

23 LADY SMITH: Otherwise, the costs that arose were covered by
24 the two governments?

25 A. Yes, that is obviously what I found at the time.

1 LADY SMITH: Yes.

2 MR MACAULAY: Perhaps we can look at this before we look at
3 any documents. You say at 2.9 that the scheme seems to
4 have encountered a number of problems, including:

5 "... the inability to transport large numbers of
6 people from Europe to Australia and the overly
7 optimistic view of how many migrants to Australia could
8 be accommodated by Australia."

9 A. Yes. Again, I will have found that evidence someplace.

10 Q. I think it is the case that Australia anticipated or
11 hoped to have many, many thousands of migrants and that
12 just did not happen?

13 A. Yes, from what I recall ten years ago when I was looking
14 at it and reading about it, what was available then.

15 Q. Can I ask you to look at this document, and you do refer
16 to it in the report. It's BSC.001.001.0220 and that
17 will come on the screen for you.

18 The Inquiry has looked at this document before. It
19 is a note of a confidential meeting that was held in the
20 Catholic Enquiry Office in Edinburgh on 19 July 1946,
21 and you will see who was present, there's Lady Margaret
22 Kerr, Brother Conlon and Father Quille. And you
23 mentioned in your report the fact that there would be
24 an intelligence test and a medical examination. Do we
25 read at 3(a) that part of the selection process would

1 involve an intelligence test which would be carried out
2 by Brother Conlon. And we then read that there would be
3 a medical examination by duly appointed medical
4 officers. Do you see that?

5 A. It is not coming up on the screen.

6 Q. You're right. If the operator can scroll down a bit,
7 just below halfway.

8 A. Yes.

9 Q. Do you have it there?

10 A. Yes.

11 Q. This was a document clearly you found within the
12 archives?

13 A. Yes.

14 Q. If we move on to the second page, we have at the top the
15 numbers that the Australian Government I think hoped to
16 receive, 70,000 migrants annually, including 17,000
17 children.

18 We are told at 8:

19 "Brother Conlon has already received letters from
20 Archbishop Campbell ..."

21 Was Archbishop Campbell the Archbishop of Glasgow or
22 St Andrews & Edinburgh?

23 A. He was the Archbishop of Glasgow.

24 Q. "... giving him authority from the Scottish hierarchy to
25 visit the homes in their diocese."

1 We are also told that Brother Conlon visited Britain
2 in 1938 and took 110 children from Britain. What we
3 don't know from that statement is whether any of these
4 children were Scottish?

5 A. No.

6 Q. Can we see there is an element of sectarianism at
7 paragraph 15, because we read there:

8 "Some Anglican and other committees are also parties
9 to the scheme. It is therefore more urgent than ever to
10 reclaim our children now from non-Catholic voluntary
11 homes."

12 A. Yes.

13 Q. Do we see also in another document that a different view
14 was being taken by I think the Protestant Church? There
15 is a statement I think where someone has made the
16 comment that the Catholic Church was, as it were, ahead
17 of the game, or words to that effect, in one of
18 the documents.

19 A. I don't know, no.

20 Q. I will come to that.

21 A. Okay. I do know that the notion of reclaiming children
22 from non-Catholic voluntary homes was possibly a point
23 of friction from the 19th century onwards, where
24 Catholic children would be in state run schools or
25 non-Catholic homes, and therefore there had been issues

1 regarding priests visiting, providing spiritual welfare,
2 spiritual guidance to children in these non-Catholic
3 homes. So that friction had existed there, so that is
4 possibly why there is a statement of that nature.

5 LADY SMITH: Andrew, I see point 13 tells me:

6 "The position of Catholic schools in the areas of
7 the Highlands to be kept in mind."

8 Do you know what lies behind that statement?

9 A. No, the only ...

10 LADY SMITH: It's 1946.

11 A. There would have been Catholic schools of
12 a primary/secondary nature just existing with the state
13 system. There would also have been Fort Augustus in the
14 Highlands, the Abbey School.

15 LADY SMITH: Of course.

16 A. I can't think of any -- immediately, I can't think of
17 any other schools that would have existed at that time
18 within the Catholic Church. There weren't any other
19 religious orders working pre-1946 in the Highlands.

20 LADY SMITH: I just wondered what "the position" might have
21 been. A viewpoint? A risk of demise? What?

22 A. Possibly. If it is 1946, it is after the war.
23 Population depletion, they were not willing to risk the
24 collapse of the church in certain areas in
25 the Highlands, perhaps.

1 MR MACAULAY: If we can look then at the next document,
2 BSC.001.001.0197. Once we get that on the screen, you
3 will see it is a letter dated 22 April 1947. If we just
4 scroll up a bit, we can see the address is a Middlesex
5 address, and it is addressed to the Very Reverend
6 Father Quille at India Buildings, and you see it has
7 been signed by Brother Conlon. Do you see that?

8 A. Yes.

9 Q. This is one of the documents that is referred to in your
10 report. Do we read:

11 "Dear Father Quille. I have received a letter from
12 Archbishop Simonds to the effect that the bishops ..."

13 I think that is the Australian bishops.

14 "... are willing to employ a permanent secretary in
15 Scotland for a period of 12 months with a prospect of
16 renewal as the work continues."

17 So this is the arrangement whereby the funding of
18 the office would be by the Australian bishops?

19 A. Yes.

20 Q. And I think that is responded to. What I want to do now
21 is look at the agreement that was entered into and that
22 is at BSC.001.001.0865.

23 LADY SMITH: While we are waiting for that, I see Conlon is
24 looking for all possible information about the number of
25 children he is likely to get from Scotland.

1 A. Yes.

2 MR MACAULAY: Again, this is a document that was in the
3 archive, and you will see that it is an agreement
4 between the hierarchy of Australia represented by their
5 secretary, His Grace The Most Reverend JD Simonds, and
6 the Archbishop of Melbourne is also mentioned, and the
7 Reverend PF Quille, secretary, Catholic Council for
8 British Overseas Settlement for Scotland and
9 Northern Ireland, and the address is given.

10 Then we can read:

11 "The Australian hierarchy is prepared to transmit to
12 the Reverend PF Quille, secretary ... the sum of
13 £500 Australian currency to be utilised by him for the
14 following purposes, (a) the payment of a secretary to
15 deal with the Australian Catholic migration scheme for
16 Scotland and Northern Ireland for a period of 12 months
17 with a prospect of renewal as the work continues, and
18 commencing 1 June 1947 and ending 1 June 1948."

19 And there are other provisions in relation to other
20 costs and the duties of the secretary. So this is the
21 document you found in your archives?

22 A. Yes.

23 Q. If we turn to the second page, if we just scroll down
24 a little, the signatures have been blanked, but it has
25 been signed by PF Quille, PA Conlon, and also

1 Margaret Kerr I think who featured earlier. The date is
2 8 May 1947. So this is setting up the Edinburgh office,
3 effectively?

4 A. Yes, it looks like it.

5 Q. If we just go back a little bit in time, again this is
6 early April. I want you to look at this document,
7 BSC.001.001.0196. This is a letter dated 5 April 1947,
8 it is signed on the side, the way it's come up, by
9 Brother Conlon, and again it is to Father Quille.

10 I just want to read the first paragraph to get your
11 input into it:

12 "Thanks for your letter of 3rd -- I received
13 a letter from [the name is mentioned], Director of
14 Social Welfare, Dundee, concerning some of the children
15 from Smyllum Orphanage who have been selected by me as
16 suitable for our Catholic Child Migration Scheme
17 Australia and who are under the Local Authority in
18 Dundee."

19 Do you see there that it would appear Brother Conlon
20 has been to Smyllum and has selected a number of
21 children for migration?

22 A. Yes.

23 Q. And the relevance to the Local Authority in Dundee can
24 be worked out from other documents in that the children
25 that had been selected had been placed there by the

1 Dundee Local Authority?

2 A. Yes.

3 Q. And as it transpired, I think the children who had been
4 selected by Brother Conlon, whenever he had gone to
5 carry out his visit, were not migrated because the Local
6 Authority wouldn't agree?

7 A. Possibly, I can't recall -- I cannot recall whether
8 there was any evidence of that, or I wouldn't know
9 unless I had seen it. I am sorry, it is ten years now
10 since I have looked at these papers in detail.

11 Q. We will perhaps look at the documentation in a moment.

12 If we look at this next document, it is
13 BSC.001.001.0198. Thank you. This is a letter from the
14 diocesan office in India Buildings dated 23 April 1947
15 and it is addressed to Brother Conlon.

16 If I read the first bit:

17 "You will remember that at our meeting in London
18 I mentioned that there were many Catholic children in
19 nondenominational institutions under public assistance
20 authorities and that it might be a good idea to put
21 before them details concerning the emigration scheme.
22 If our children in these homes passed the necessary
23 examinations and were free to go, it would certainly
24 help to alleviate the problems of homeless children.
25 With this end in view, I have drafted a little circular

1 which I am sending (with your consent) to all public
2 assistance authorities in Scotland."

3 So this appears to be a letter from Father Quille
4 from the diocesan office intimating that he has drafted
5 a circular which he intends circulating to all the
6 public assistance authorities?

7 A. Yes.

8 Q. Again within the context of generating children for
9 migration.

10 A. From non-Catholic homes, yes.

11 Q. Yes. And he goes on to say he:

12 "... had intended to send the circular out
13 yesterday, but after an interview with Glasgow public
14 assistance authorities I thought it better to await your
15 advice on the matter. They were worried about two
16 points. First, the fact that the cream of our children
17 would leave the country and, secondly, the fear that
18 Local Authorities would ultimately have to shoulder
19 the burden of the weekly contribution. I answered the
20 first question satisfactorily, and in reply to the
21 second said I was of the opinion that the financial side
22 would be better met directly by the Treasury and not
23 from the funds of the Local Authorities."

24 That is the way he was dealing with Local
25 Authorities at that time?

1 A. Yes.

2 Q. If we look at another document, and this is the circular
3 that's mentioned in that letter. This is at
4 BSC.001.001.0194. We are looking I think at a letter
5 dated 25 April 1947 and it is from Brother Conlon to
6 Father Quille. What has happened here, if we cast our
7 eyes over it, is that Brother Conlon has revised the
8 circular and he is now sending it back for Father Quille
9 to implement.

10 So it begins by saying:

11 "Thanks for your letter ... I think that your move
12 is an excellent one and unless the sectarian issue is
13 raised, which is unlikely with public bodies, much good
14 should result from your efforts."

15 We then see the heading "Suggested Changes in the
16 Circular" and various points are made. Towards the
17 bottom:

18 "Suitable children from 5 to 14 are eligible for the
19 benefits of the scheme and will be given free passage at
20 the expense of the British and Australian
21 Governments ..."

22 So this was the circular that was to be circulated
23 in particular with the Local Authorities, on the face of
24 it?

25 A. Yes, as it appears.

1 Q. Just while we are looking at documents in this part of
2 your report, can I ask you to look at this document,
3 BSC.001.001.0325. What you have here is -- 0325.
4 (Pause).

5 While we are waiting for that to come up, I am
6 looking at a minute of a meeting -- yes, that is it
7 there on the screen. The date is 24 April 1947, and
8 this may be a meeting of the Social Services Committee.
9 You will see it is in handwriting. The chairman of that
10 committee, if that is what it is, is Father Breen and we
11 see Father Quille is also present?

12 A. Yes.

13 Q. This is covering a number of issues, but if we move down
14 just below halfway, can we see this reference to
15 "emigration", and we are still dealing with this period
16 in April when various correspondence was taking place.

17 We read:

18 "Father Quille reported having received a letter
19 from Brother Conlon. 340 out of 400 passages for
20 Catholic adults and children in 1947. Lasswade's forms
21 and Aberdeen's all filled ..."

22 Then next:

23 "Smyllum, a poor response. Trouble with Dundee and
24 Lanarkshire PAs [Public Authorities]. Dundee has taken
25 the matter up to Brother Conlon. Father Quille advised

1 Reverend Mother to do the same for Lanarkshire."

2 Do we see here in particular, following through what
3 we have seen with Smyllum, that there was a poor
4 response to the proposal from Dundee Public Authority?

5 A. Yes. I wonder whether Aberdeen is Aberdour?

6 Q. Ah, you could be right. You may well be right.

7 With reference to "Lasswade's forms and Aberdour's
8 all filled", are you able to provide any insight into
9 that?

10 A. No, other than assuming that a list with a number was
11 sent on it and could they have gathered the numbers that
12 they required.

13 Q. Okay. There we see reference to certain numbers, but
14 of course that includes adults as well?

15 A. It does.

16 Q. This is where it is difficult to work out the actual
17 number of children.

18 A. Yes.

19 Q. If we look at another minute of a meeting, I think it's
20 the same committee. BSC.001.001.0322. This is dated
21 2 September 1947. Father Quille's name doesn't appear
22 to be there in relation to those present, but the first
23 item on the agenda appears to have been the emigration
24 scheme, and is it Miss Menaldo, her name, the secretary?

25 A. Yes.

1 Q. "Miss Menaldo returned from London on emigration
2 business. Reported chaos resulting from
3 Brother Conlon's handling of the situation. He has left
4 for Australia. Apparently there is no official adult
5 scheme yet formulated ..."

6 The reference to "chaos", I think you picked that up
7 in one of your appendices, have you any insight into
8 what that was about?

9 A. I am afraid I don't. Because of the limited amount
10 of material that survived, the odd letter, the odd
11 report, the odd minute, I couldn't really build up
12 a picture. I think also in 2010, when I was doing this
13 report, I think I tried to access any research that
14 I could that had been published, but there was so little
15 really available that I could find in 2010, so
16 I couldn't find anything other than "chaos resulting
17 from Brother Conlon's handling of the situation".
18 I couldn't say.

19 MR MACAULAY: My Lady, that is 3 o'clock. Perhaps a short
20 break?

21 LADY SMITH: Yes, let's have the afternoon break.

22 We will just take a short break at this point,
23 Andrew, and I will sit again in 10 minutes.

24 (3.00 pm)

25 (A short break)

1 (3.13 pm)

2 LADY SMITH: Are you ready for us to carry on, Andrew?

3 A. Yes.

4 LADY SMITH: Thank you.

5 MR MACAULAY: Before the break we were looking at some
6 documents, and I just want to look at another few
7 documents that you rely upon in your report. The first
8 one I want to look at now is BSC.001.001.0253. This is
9 likely to be a document dated 1947 from other
10 information that is in it. In the second paragraph we
11 read -- first, it is headed "Report on Progress,
12 Australian Catholic Migration Scheme", and in the second
13 paragraph we read:

14 "The Australian Catholic emigration scheme which was
15 started in Great Britain in June 1947 will therefore
16 carry on for the time being and will give assistance
17 et cetera to all Catholics in the country wishing to
18 emigrate to the Commonwealth."

19 Then we read:

20 "So far large numbers of Scots and Irish people have
21 applied for the nominations from Catholic bodies in
22 Australia and it is hoped that the majority will be able
23 to emigrate in the fairly near future."

24 That may cover not just, of course, children but
25 adult emigration?

1 A. Yes.

2 Q. It would appear that by this time Father Nicol is
3 involved, because we read in the next paragraph:

4 "In June of this year the whole scheme underwent
5 a change, the Australian hierarchy appointing the
6 Reverend WA Nicol as Federal Director of Australian
7 Catholic Immigration."

8 And we are told about what he had been doing. So he
9 now features in the scene, and indeed he features in the
10 scene in Scotland as well?

11 A. Yes.

12 Q. If we turn to the third page of the document, and this
13 is where numbers are difficult. It is at page 0255. We
14 are told at the top that these -- we're given numbers of
15 children sailing on the Ormonde on 10 October 1947, and
16 we are given numbers certainly from four Edinburgh
17 locations -- four Scottish locations: Nazareth House,
18 Lasswade; Nazareth House, Aberdeen; the Good Shepherd
19 Convent and also Edinburgh. So we can see what the
20 numbers are for ourselves?

21 A. Yes.

22 Q. But do we also read at the bottom:

23 "Analysis of numbers unable to take advantage of the
24 scheme ..."

25 Then we read:

1 "Patients withdrawing consent, 15. Failed to pass
2 doctor, 6. Permission refused by Edinburgh PA, 1."

3 And there are still four under consideration by
4 Glasgow Corporation. So that gives us a feel for the
5 numbers at this particular time?

6 A. Yes.

7 Q. Then if we look at the next document I wanted to look
8 at, BSC.001.001.0251.

9 A. Can I also say, it's probably unrelated. Just seeing
10 the document on the first page headed up with the
11 reference number, which was box 1 something, something,
12 something, that would make me think this came from the
13 letterbox, it came from the hierarchy.

14 So this again underlines the fact that this report
15 I don't think was found in the records of the
16 archdiocese, the office where it was generated. So this
17 is just the patchy nature of some of the records being
18 in another place. But I would have thought this had
19 been sent to the hierarchy. Why was there no file copy
20 kept in the archdiocese?

21 So this is my confusion and puzzlement about why
22 there weren't any records found in Edinburgh, because
23 they had generated them and obviously sent them on to
24 the hierarchy, and it looks like it would be a carbon
25 copy of a report. So things don't match up in terms of

1 the original copy and the copy sent, or the other way
2 around.

3 Q. Thank you for that. And I think we saw the date appears
4 to have been in October 1947.

5 The next document I wanted to look at is at
6 BSC.001.001.0251. This is for Scotland and
7 Northern Ireland and it is described as a "Quarterly
8 Progress Report, Adult Migration and Child Migration".

9 If we look towards the bottom half of the document,
10 can we read about a third from the bottom:

11 "Under the child migration scheme, the following
12 have already left to go to homes and orphanages in
13 Australia, and a further group is expected to be sent
14 within the first six months of this year. Children from
15 both Scotland and Northern Ireland have been amongst the
16 parties sent out."

17 That is one of the difficulties in identifying
18 Scottish children, because the Migration Committee
19 covered Scotland and Northern Ireland?

20 A. It did, yes.

21 Q. We see for August 1947 there were 63 children in
22 Scotland and Northern Ireland. For October 1947 there
23 were 47 children again for Scotland and
24 Northern Ireland. And then in December 1948 there were
25 seven children but only Scotland is identified as the

1 sending location?

2 A. Yes.

3 Q. The date at the bottom of this document is February 1,
4 1949, do you see that?

5 A. Yes.

6 Q. I think it has been signed by the secretary. You can't
7 make out the signature --

8 A. Yes.

9 Q. -- but Miss Menaldo is the secretary.

10 One of the last documents I wanted to look at, again
11 in the same context, is BSC.001.001.0249. Again this
12 bears to be a progress report, and this time the
13 progress report is for June 1947 to April 1948. We see
14 again the numbers that are being mentioned, and it may
15 be these are simply repeating the previous numbers
16 because in the third paragraph do we read:

17 "In August 1947, 63 children from homes and convents
18 in Northern Ireland went to Australia, and in
19 October 1947, 47 children from homes and convents in
20 Scotland were sent."

21 There it seems to distinguish between
22 Northern Ireland on the one hand and Scotland on the
23 other, although the numbers are the same as in the last
24 document?

25 A. Yes.

1 LADY SMITH: It reads on:

2 "Several more Scots children will be going with the
3 main batch to go under the auspices of the English
4 Catholic migration authorities."

5 MR MACAULAY: I think that is something you mentioned in
6 your statement, in that there was a suggestion of 30
7 Scottish children going under the auspices of the
8 English migration --

9 A. I am sure I will have found that somewhere in the
10 documents, yes.

11 Q. If we turn to -- it's a different document, it is at
12 BSC.001.001.0234. We can see this is a report on adult
13 and child migration, and if we go on to the third page
14 of the report, at 0236, there is some discussion in the
15 middle paragraph about the impact of the 1948
16 Children Act, in particular Section 17 of the Act.

17 But the next paragraph, the second last paragraph,
18 we read, and this is for October 1949:

19 "There are approximately 102 children waiting to
20 emigrate under the Catholic child scheme."

21 And:

22 "This total includes those children arranged for by
23 Canon Flint of Coleshill and the actual number to go
24 from Scotland and Northern Ireland is about 51. It is
25 hoped that they will go before the end of this present

1 year."

2 Again, we don't have a specific Scottish number, but
3 we have a feel for the numbers from both Scotland and
4 Northern Ireland who are being migrated?

5 A. Indeed. And I think at the time when I was looking at
6 all these numbers, I said earlier about dates
7 overlapping. So some of the reports, I could never be
8 sure who was being counted and when to give an accurate
9 picture of in 1947 X number, in 1948 Y number, because
10 the numbers were just shifting during the course of the
11 year in the various reports.

12 Q. And that is why we just can't get clear, exact numbers?

13 A. No.

14 Q. Although I think you have a stab at that in one of your
15 tables and I will come to that shortly. Before I do,
16 can I take you to appendix 1 of your report at
17 BSC.001.001.0175.

18 What you have done in this appendix is to provide us
19 with extracts from minutes of the Social Services
20 Committee, and we have touched upon some of these
21 extracts by just looking at the minutes. I have looked
22 at your extracts and you do effectively repeat verbatim
23 what is in the minutes, that is correct, isn't it?

24 A. Yes, I think so.

25 Q. For example, for 17 December 1946, there is a note in

1 the minute for that day:

2 "Emigration - Brother Conlon has recruited 89
3 children so far for his scheme."

4 But what that minute doesn't tell us is where these
5 children were from?

6 A. No. And again that is another number that either does
7 or doesn't fit with the other numbers in the other
8 reports.

9 Q. If we go down to the minute for 8 April 1947, where
10 there are four separate points. At point 3:

11 "340 children are scheduled for emigration - 1947.
12 Of these, Lasswade 18, Colinton 10. Other figures not
13 yet available."

14 So we see we can identify certain Scottish sources
15 but that is as far as it goes.

16 A. Yes, and I would hazard a question as to whether 340
17 children scheduled for emigration, is that for the whole
18 of the UK? Scotland? Scotland and Ireland? It is not
19 clear.

20 Q. Perhaps if we -- yes, this is the point I think you
21 mentioned a moment ago. It's towards the bottom of next
22 page, 0176. It's the minute for the meeting of
23 15 January 1948:

24 "Father Quille reported on the possibility of some
25 30 children emigrating under the English scheme."

1 So that is where that came from. If we -- this is
2 a point I think I had in mind before on the following
3 page, 0177. It is the minute of the meeting for
4 13 April 1948 and:

5 "Emigration - Uproar dispatch over the need for
6 Protestant emigrants to Australia - Catholic 'monopoly'
7 rant by Protestant minister given wide publicity.
8 Agreed that nothing be done by us since allegations are
9 all made again the Australian authorities who must
10 defend themselves if they deem it worthwhile."

11 I think that is the point I made earlier that there
12 seems to have been this tension between the different
13 faiths?

14 A. Yes, it would appear so.

15 Q. Perhaps we can touch briefly, moving down the page, on
16 your synopsis of minutes of the diocesan committee
17 meetings, and the first entry there for Lasswade:

18 "Mr Caldwell ..."

19 We heard about him. He was the Australian Minister
20 of Emigration.

21 "... visited Lasswade and saw 29 children accepted
22 by the emigration officer. He was pleased with all he
23 saw. There are 7 children also emigrating from
24 Colinton."

25 So it would appear that not only is Brother Conlon

1 going to these homes, but here we have the Australian
2 Minister of Emigration also visiting one of
3 the children's homes?

4 A. Yes. And it is something that I saw previously. It is
5 stated that the church was acting as an agent for the
6 agents in Australia House in London, so they were
7 obviously taking some interest.

8 Q. If we go back to your report having looked at that
9 material. At page 0165 you have mentioned -- this is
10 at 2.11 where you say:

11 "Exactly when the Catholic migration scheme in
12 Scotland came to an end is not clear."

13 You go on to identify 1950 because that is
14 essentially when the accounts for the office came to an
15 end, is that right?

16 A. Yes, the operating finances were incorporated into the
17 Catholic Enquiry Office accounts at the end of 1950, and
18 then I think after that, searching year-on-year, there
19 was just no more reference to emigration in the schemes.

20 Q. Although we know from evidence presented to this Inquiry
21 that children did continue to be migrated after 1950.

22 A. Yes, I assume so.

23 Q. But there is no record whatsoever of that in the
24 Catholic archives?

25 A. No. Myself and the assistant archivist will have -- all

1 of the diocesan archive catalogues had been keyed into
2 a database, so we started searching the database using
3 key words. When you get one result you then lead on to
4 the next one, and on to the next one, just through
5 research. But we really did exhaust our search in the
6 archives that were there and it just stopped in 1950.
7 If there had been anything more it would have been
8 included here in the report and referenced.

9 Q. You set out at section 8 on page 0171 of your report,
10 moving on to the following pages, the steps you took to
11 carry out this research you have just been telling us
12 about?

13 A. Yes.

14 Q. You have a section then on page 0166 dealing with the
15 involvement of the Australian Government and you provide
16 some information that I think again you have taken from
17 different sources, not just the records and the archives
18 but other sources online --

19 A. Yes.

20 Q. -- to set out what you have found by way of your
21 research. And I think you provide in one of your
22 appendices extracts that you have taken from online to
23 support the conclusions you came to?

24 A. Yes.

25 Q. Then section 4 where you have a heading "Involvement of

1 the British Government" on page 0167, and as you say at
2 4.1:

3 "The British Government acted in a facilitating
4 manner to support the desire of the Australian
5 Government to increase the population of Australia ..."

6 I think that is essentially what you are able to
7 ascertain from some of the sources that you were able to
8 access?

9 A. Indeed. I am afraid ten years afterwards I must admit
10 I am looking at that now thinking, I wrote that?
11 I can't ... Yes, I will have found the source for that
12 somewhere.

13 Q. You do provide excerpts very helpfully from the sources
14 in the appendices. Particularly appendix 2 I think has
15 information on sources that you accessed online which we
16 can have --

17 A. Yes.

18 Q. -- reference to.

19 At section 5, 0168, you are looking at the
20 involvement of the Catholic Church in Australia and you
21 give some information about that. You then give us
22 a little bit of information about Brother Conlon, and
23 I assume this is information you have obtained from your
24 research?

25 A. I would imagine it was a Google search and finding some

1 information online, yes.

2 Q. What you tell us, and this is helpful, you say that:

3 "In 1928 he came to Western Australia as principal
4 of the Brothers College, St George's Terrace, and was
5 therefore aware of the Tardun scheme and plans for
6 Catholic child migration from an early stage. By 1930
7 he was a member of the Brothers executive, but over the
8 next 20 years spent much of his time and energy
9 establishing the agricultural college at Tardun on
10 a firm basis and arranging child migration to Catholic
11 institutions in Western Australia."

12 So that is information you have clearly taken from
13 online sources?

14 A. It looks like it, yes.

15 Q. You provide us also with some insight into the Reverend
16 WA Nicol. What is interesting there is although he was
17 Australian, at 5.4:

18 "The Australian Catholic Immigration Committee was
19 established and had an office in London from 1948 to at
20 least 1949. The director in 1949 was Reverend WA Nicol.
21 Reverend Nicol was resident during 1948 and perhaps 1949
22 in Nazareth House, Hammersmith Road, London ..."

23 I take it that is where he was living?

24 A. Yes.

25 Q. So in the Sisters of Nazareth's headquarters,

1 essentially, in London?

2 A. Indeed. Not being a priest of any diocese in the UK it
3 is likely he was just lodging with a religious order,
4 and that would have been normal, I think. They would
5 have provided lodgings for priests in that way.

6 Q. Although here he is lodging with the one of
7 the religious orders who were quite heavily involved in
8 the migration scheme?

9 A. Indeed.

10 Q. The next section, section 6, you look at the involvement
11 of the Catholic Church in Scotland, and you have
12 confirmed that the Scottish hierarchy did sanction the
13 child migration scheme as it operated during the period
14 you were looking at, 1946 to 1950?

15 A. Yes.

16 Q. The section headed "Administration of the Migration
17 Scheme in Scotland and Northern Ireland", we have talked
18 about the roles played by Reverend Quille and also by
19 Miss Menaldo. You provide us with some insight into the
20 monies received by what is referred to as the Australian
21 fund. I take it then you had records to indicate the
22 sums of money that what was called the Australian fund
23 ingathered from the different sources?

24 A. Yes. If I recall, it was a column in one of the ledgers
25 of the diocesan finance account books, and indeed on the

1 next page there is the finance ledger there
2 referenced -- well, that is 27. But, yes, it would
3 have ... I am afraid I have an odd memory that remembers
4 odd things, and this account book, it covered
5 everything, and it was columned up so that
6 the expenditure was managed as one for the Catholic
7 Enquiry Office.

8 Q. But it would appear, looking at paragraph 7.3, that even
9 over the period you are looking at that in 1949 the
10 expenses, fairly similar expenses to previous periods,
11 were incurred to the value of 414 pounds, 10 shillings
12 and 6 pence. Do you see that?

13 A. Yes.

14 Q. But in 1950 the expenditure dropped?

15 A. Yes.

16 Q. Can we then look at your table on 0174, and that is
17 paragraph 9. As you have said already, calculating the
18 number of child migrants involved is very difficult and
19 we can see that from the documentation we have looked
20 at.

21 A. Yes.

22 Q. At 9.2 you have had a stab at putting forward some
23 figures. Can you take me through that?

24 A. I think I found every reference to a number, tried to
25 find the year and the document that it referenced, and

1 it is wholly unscientific, I'm afraid, it is just a case
2 of taking the numbers that were there and trying to
3 figure out whether one was a repeat of the other,
4 whether -- I have a line there for a group of Scots
5 children sent with children from England and Wales to
6 Adelaide. That is mentioned but there is no mention of
7 numbers there. So wherever there was a reference to
8 numbers or an inference of a group, I listed it there.
9 And, as I say, I don't want to say it is unscientific,
10 I troubled over it for quite a while to get these
11 numbers but, at the end, I had to throw my hands up.
12 I remember saying "This is pointless, I can't come up
13 with any numbers." I can come up with a low number,
14 I can come up with a high number and then two or three
15 in between, and it didn't make much sense I am afraid.

16 Q. In the Good Shepherd convent, you have managed to come
17 up with the number of 15. We see that. Nazareth House
18 Lasswade, the number you have is 28 and you have other
19 numbers for other Nazareth Houses. Then towards the
20 bottom you have a column I think "Unspecified:
21 Scotland". You have put a number of 47. I think we saw
22 in one of the documents we looked at that the number 47
23 did feature?

24 A. Yes.

25 Q. Would that be the basis for selecting that number?

1 A. Yes, I would think so.

2 MR MACAULAY: Very well, Andrew, thank you very much for
3 that. Thank you for preparing the answers you prepared
4 to the questions that the Inquiry put to you, and also
5 for making your report available to the Inquiry. Both
6 these documents are very helpful. Thank you very much.

7 A. Thank you.

8 LADY SMITH: Are there any outstanding applications for
9 questions?

10 Andrew, thank you very much for the hard work you
11 have done. I suspect this took many hours to deal with
12 our requests and your report is very helpful. I know
13 you are going to say some of the answers are not
14 absolute but it is better than having nothing at all and
15 it gives us some very helpful guidance. So thank you
16 for that. I am now able to let you go.

17 A. Thank you.

18 (The witness withdrew)

19 LADY SMITH: Mr MacAulay, there is another witness. We will
20 take a quick break.

21 (3.38 pm)

22 (A short break)

23 (3.43 pm)

24 LADY SMITH: Mr MacAulay.

25 MR MACAULAY: My Lady, the next witness is John

1 Michael McGrath, otherwise known as Michael McGrath.

2 LADY SMITH: Thank you.

3 Good afternoon, Mr McGrath. Would you raise your
4 right hand and repeat after me please ...

5 MR JOHN MICHAEL MCGRATH (sworn)

6 LADY SMITH: Please sit down and make yourself comfortable.

7 Is it all right if I call you Michael?

8 A. Of course.

9 LADY SMITH: Michael, if you have any questions or queries
10 during your evidence, please do not hesitate to raise
11 them. We do want you to be as comfortable as you can
12 whilst being asked questions. If you are ready, I will
13 hand over to Mr MacAulay and he will explain what
14 happens next.

15 Mr MacAulay.

16 Questions from MR MACAULAY

17 MR MACAULAY: Good afternoon, Michael.

18 A. Afternoon.

19 Q. In the red folder in front of you you will find the
20 response to the Section 21 notice that was served on the
21 Bishops' Conference. You will find the Bishops'
22 Conference response in that folder, and I will come to
23 that in a moment. But before that can I just ask you
24 a little bit about yourself? Your full name is John
25 Michael McGrath, is that right?

1 A. That's right.

2 Q. I don't want the full date of birth, but you were born
3 in 1952?

4 A. I was.

5 Q. Looking to your CV, which is on the screen in front of
6 you, number BSC-45, you provide us with information
7 about your academic record. Then looking at your
8 professional career, can we see that you have been
9 a teacher effectively up until the date of leaving
10 teaching in 2003?

11 A. That's right.

12 Q. And at that time you were the head teacher of Our Lady's
13 High School in Glasgow?

14 A. In Cumbernauld.

15 Q. In Cumbernauld. You then had a position as director of
16 the Scottish Catholic Education Service. Can you just
17 tell me a little bit about that service?

18 A. Yes. This was a service that the bishops decided to set
19 up to offer support to Catholic schools across Scotland.
20 So it was a national support service. So I was
21 appointed as its first director and we provided course
22 teaching materials, training courses for teachers and we
23 liaised with national government and education bodies.

24 Q. And that was the position you held from 2003 to 2016
25 when you retired?

1 A. That is correct, yes.

2 Q. Then after you tell us in May 2017 that you were asked
3 by the bishops of Scotland to support the work of the
4 General Secretariat of the Bishops' Conference of
5 Scotland as the assistant general secretary, and is that
6 what your position is at the moment?

7 A. That is correct. I made the mistake of offering my
8 services when I retired on a voluntary basis, and they
9 took me up on that.

10 Q. Particularly when you are doing it for nothing?

11 A. Indeed.

12 Q. You have come here today, Michael, as I understand it,
13 to represent the Bishops' Conference of Scotland?

14 A. That's right.

15 Q. I am going to look at the Bishops' Conference response
16 now, and you will find it at BSC.001.001.0377. That
17 will come on the screen as well. The Conference
18 provided a very short response on child migration and
19 that response can be found at pages 35 and 36 of the
20 response. I think what the Bishops' Conference decided
21 to do was to intimate the questions that the Inquiry had
22 asked to the different dioceses?

23 A. Yes. There were no records as such within the Bishops'
24 Conference archives, but we asked each diocese to see if
25 they had anything that they were holding and to -- and

1 we include that in a collated way within the report that
2 we submitted.

3 Q. If you look at page 35, it's the page that is on the
4 screen. You say in the second paragraph:

5 "We have discovered some of the detail of what the
6 bishops' involvement was in this scheme."

7 You look at dates, rather, and towards the end of
8 that paragraph you think that the Edinburgh office was
9 established in December 1946 involving Scotland and
10 Northern Ireland, and you thought that the scheme seems
11 to have continued until December 1956, with a few more
12 migrations in 1962 and 1963. Is that the timescale that
13 has been put forward?

14 A. Yes, the bulk of the information seemed to relate to
15 between 1946 and 1950 in fact, but the office seemed to
16 have continued to some extent or another into the early
17 1950s.

18 Q. Do you know if the office which had been based in
19 Edinburgh had moved to London?

20 A. There is a reference in one of the documents to the
21 office, the Edinburgh office, effectively being
22 an outpost of the London office, so I think much of the
23 administration of the scheme overall in the UK seems to
24 have emanated from London, and the Edinburgh office was
25 obviously the contact point for Scottish children, from

1 what we can gather.

2 Q. The only substantive response I think that you received,
3 or the Bishops' Conference received from any of the
4 dioceses was from the Archdiocese of St Andrews &
5 Edinburgh?

6 A. That is correct.

7 Q. And that response we can see beginning at page 13
8 onwards for a number of pages. It is the case, I think
9 I can tell you, that the sort of information provided
10 here has been spoken to in some detail by Andrew Nicol,
11 who had been the archivist in a period from about 2003
12 to I think 2010, or it may have been 2015. I can't
13 remember. But for a number of years he had been the
14 archivist and he has provided the Inquiry with a report,
15 so I needn't trouble you with the detail of that. But
16 there was also a response from the Diocese of
17 Motherwell, which you will find at page 7. It would
18 appear that they or someone on their behalf paid a visit
19 to the Scottish archives and did not find anything of
20 any relevance to that diocese in connection with child
21 migration?

22 A. That is correct, yes, from what they said.

23 Q. Although there was some information within their own
24 records about six orphaned children who were assisted by
25 a diocesan parish to emigrate to Australia but it wasn't

1 a Scottish family?

2 A. Yes, that is what they reported certainly.

3 Q. As you are aware, Michael, the Bishops' Conference were
4 invited by the Inquiry to come to give evidence to the
5 Inquiry in connection with child migration, and the
6 reason for that is that it would appear from the
7 information before the Inquiry that the hierarchy, going
8 back into the 1940s and possibly beyond, sanctioned
9 child migration, and I think that is accepted by
10 the Conference?

11 A. I am not quite sure what you would mean by the word
12 "sanctioned", Mr MacAulay. They certainly participated
13 in it in the sense that they appointed someone who
14 facilitated contact with the potential migrants.
15 Whether they were aware of the full extent of the
16 programme and its implications and so on, I don't know.
17 There is no evidence in terms of any of the documents
18 I have seen that says -- that indicates their detailed
19 knowledge of the scheme and how it operated.

20 Q. Father Quille, he was acting on behalf of the hierarchy
21 and he was, it would appear from the documentation,
22 heavily engaged in dealing with potential child
23 migrants?

24 A. Yes.

25 Q. Along with others, of course?

1 A. Yes, it certainly appears that way. His is the name
2 that is most commonly mentioned.

3 Q. The Inquiry has heard evidence that, in respect of
4 children who were migrated under this umbrella -- let's
5 call the hierarchy either a facilitator or under its
6 umbrella -- that children have given evidence to the
7 Inquiry that they were abused, some quite badly. Are
8 the Bishops' Conference aware of that?

9 A. Yes, they have read some of those reports, they have
10 heard some of that evidence certainly. I was here
11 myself one day in early March to hear evidence given by
12 a witness called "Johnno" I think.

13 Q. Before coming today, have you discussed with the
14 Bishops' Conference what line would be taken in relation
15 to its reaction to the evidence that has been presented
16 by child migrants and child migrants who may very well
17 have been migrated through the facilitation of the
18 hierarchy?

19 A. Yes. The bishops are aware of the scheme in general and
20 how it operated and find it hard to understand at this
21 distance how a government could have designed a scheme
22 that would send its children out of the country and how
23 the scheme was operated in such a way that children
24 could have experienced harm or suffered as a result of
25 it.

1 Q. I suppose the question the Bishops' Conference really
2 should be asking itself is how it came to be that
3 the hierarchy would lend support to such a scheme?

4 A. I think their thinking on that, Mr MacAulay, is that,
5 given that there was to be a migration scheme and
6 children were leaving the country to go to Australia,
7 that they would have wanted those children, if they were
8 Catholic, to have the opportunity to have been resident
9 in a Catholic institution in Australia and to be taken
10 care of, and obviously some evidence has come out that
11 shows they weren't taken care of properly and that is
12 a matter of deep regret to the bishops.

13 Q. One question that could be raised might be, particularly
14 standing the fact that it is accepted that children were
15 not taken care of properly and were abused, what steps,
16 if any, the hierarchy took at the time to enquire as to
17 what conditions such children would meet in Australia?

18 A. I haven't come across any evidence that indicates that
19 the bishops were informed about the welfare of the
20 children, either on their way to Australia or once they
21 were there. That wouldn't have been unusual in the
22 sense that they wouldn't have had -- they wouldn't have
23 been given progress reports about the welfare of
24 children within Scottish Catholic institutions while
25 they were here, because they wouldn't have seen it as

1 their direct responsibility. They would have seen that
2 as being the responsibility of the institutions that
3 were caring for the children and the congregations that
4 were managing those institutions. So it wouldn't have
5 been -- the bishops wouldn't have expected to have been
6 informed about that, I think, looking at it now in terms
7 of how it operated at the time.

8 Q. The man who appeared to have been running the scheme in
9 Scotland was Father Quille and he was doing that on
10 behalf of the hierarchy?

11 A. Yes.

12 Q. He was involved, at least to some extent, in the
13 selection of children?

14 A. So it would appear.

15 Q. It does appear to be the case that, in the selection
16 process, siblings were separated from other siblings.
17 Is that within your knowledge?

18 A. No, it is not. That may well have been the case, but
19 I am not aware of that directly.

20 Q. If that were to have been the case, what is your view
21 on, for example, the person who was directly involved,
22 Father Quille, seemingly consenting to that happening in
23 the selection process?

24 A. It is inexplicable, Mr MacAulay. One can't begin to
25 understand why -- (a) why children would have been sent

1 away anyway at a young age and why they would have been
2 separated from their siblings. It is just inexplicable.

3 LADY SMITH: Michael, you said a few moments ago that you
4 wouldn't have expected the bishops to know -- and
5 I think your point was about the welfare of individual
6 children who had been migrated and about any progress
7 reports. But are you telling me that you wouldn't have
8 expected them to want to know whether, at the very
9 least, there was a system of reporting back as to how
10 children were getting on? Would they not have been
11 interested?

12 A. My Lady, you would have expected there to have been
13 assurances given about how that was being done. They
14 weren't involved in the management of childcare, child
15 provision, residential provision within Scotland itself,
16 so it wouldn't have been a normal part of their
17 operations and their discussions. They would have
18 assumed, and obviously the assumption was wrong, but
19 they would have assumed that, in going to Catholic
20 institutions in Australia, they would have been well
21 taken care of, as they would have assumed they were
22 being well taken care of in Catholic institutions in
23 Scotland. And we now know that not to have been the
24 case in every case.

25 LADY SMITH: But they must have known, for example, that

1 Father Conlon had come across from Australia and was
2 going round Scottish Catholic homes trying to get
3 children for the Australian migration scheme?

4 A. Yes, they would have known about that in the broadest
5 sense, I think. But I don't think they would have known
6 about the details of which children were being involved
7 in the scheme. The details of that. They may have
8 known something about numbers from particular
9 institutions, but I don't think they would have known
10 about the details of individual children or families.
11 At least there is nothing to suggest that they knew
12 that.

13 LADY SMITH: So are you telling me, from your understanding,
14 they really wouldn't have shown any interest in the way
15 the scheme was working but would have known the fact of
16 the scheme and it seemed like a good idea to help the
17 Catholic Church in Australia build up its numbers?

18 A. I don't know if their motives would have been to help
19 the Catholic Church. I think their motives would have
20 been to help Catholic children receive appropriate
21 provision within Australia, within Catholic
22 institutions.

23 LADY SMITH: Why Australia?

24 A. Because that is what the scheme was. The migrant scheme
25 wasn't the design of the church, it was the design of

1 the UK and Australian Governments and the church
2 participated in it, but with a view to assisting the
3 children who were involved to be located to be resident
4 in Catholic homes in Australia.

5 LADY SMITH: The church didn't have to participate, did it?

6 A. No. They must have had a reason for thinking that, if
7 this was going to happen, they would want Catholic
8 children to receive the proper form of upbringing in
9 Australia. But I could equally say, my Lady, the
10 UK Government didn't need to participate in it either.
11 All the parties that designed this scheme must have had
12 their reasons for doing so. It's hard to understand
13 what sense there was in any of it, to be perfectly
14 frank.

15 LADY SMITH: Mr MacAulay.

16 MR MACAULAY: My Lady. I just want to be clear, Michael,
17 then in relation to what conversations you have had with
18 the Bishops' Conference as to what your position on
19 their behalf today should be. Have you been given
20 instructions as to what position should --

21 A. The bishops would want to repeat previous apologies they
22 have given to anyone who has suffered harm or abuse at
23 the hands of -- while within the care of the
24 Catholic Church or any institutions of the Catholic
25 Church, and that of course extends to the context of

1 child migration. They would absolutely want to
2 apologise for that and express deep regret for any harm
3 caused.

4 Q. Who is the present Chair of the Bishops' Conference?

5 A. At the moment?

6 Q. Yes.

7 A. It is bishop Hugh Gilbert.

8 Q. I just wonder why someone like Bishop Hugh Gilbert or
9 another senior cleric did not consider it appropriate to
10 come to the Inquiry to put forward the sort of apology
11 that you have put forward on their behalf. Is there
12 a reason for that?

13 A. There is certainly no slight intended to the Inquiry.
14 Absolutely not. The bishops have been keen from the
15 beginning to co-operate with the Inquiry and to support
16 it in any way. It was felt that, because I had been
17 collating the information coming in from the various
18 dioceses and the various bodies, that I was the most
19 knowledgeable of the Bishops' Conference, as it were, to
20 be able to assist you. If you wanted a particular
21 bishop to come to speak to it, they would have been
22 happy to have done so.

23 Q. I think the Inquiry left the decision for the Bishops'
24 Conference to make. And it is no slight on you,
25 Michael, can I say. You have clearly done your research

1 and you know the position. But it just might look a bit
2 unusual for a religious organisation like the
3 Catholic Church not to have a cleric, and indeed
4 a senior cleric like an Archbishop or Bishop Gilbert, to
5 come forward to explain the present position that
6 the Catholic Church is taking to this whole issue of
7 child migration.

8 A. Mr MacAulay, I think if the Inquiry wanted -- if you
9 wish a statement made by the Bishops' Conference, by
10 Bishop Gilbert on behalf of the bishops, they would be
11 very happy to give you that. I am sure of that.

12 MR MACAULAY: Thank you, Michael, for that and for coming to
13 give your evidence, and we will give consideration to
14 the point you have made. Thank you.

15 A. Thank you.

16 LADY SMITH: Thank you, Mr MacAulay. Are there any
17 outstanding questions?

18 Michael, thank you very much for coming today and
19 waiting this afternoon to give your evidence at the end
20 of the afternoon. I know that can be tiring and I am
21 grateful to you for doing that.

22 A. Thank you.

23 LADY SMITH: It has been very helpful having what you added
24 to the Section 21 response and answering the questions
25 today. I'm now able to let you go.

1 A. Thank you.

2 (The witness withdrew)

3 LADY SMITH: Mr MacAulay.

4 MR MACAULAY: My Lady, that is the evidence for today.

5 LADY SMITH: Thank you. I will sit again at 10 o'clock
6 tomorrow morning.

7 (4.04 pm)

8 (The Inquiry adjourned until 10.00 am on Wednesday,
9 7 October 2020)

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