

Scottish Child Abuse Inquiry

Witness Statement of

Brother Bernard HAYWARD

Support person present: Yes

1. My full name is Bernard Dominic Hayward. This has been my name since birth and I have not been known by any other name. It was customary for those in religious orders to take another name when they became official trainees, but I was allowed to keep my baptismal name.
2. My date of birth is [REDACTED] 1939. My contact details are known to the Inquiry. I was born in Smethwick near Birmingham just after the outbreak of World War II. I lived with my family and went to school in Birmingham.

De La Salle Order and Qualifications

3. A De La Salle Brother visited local schools to recruit boys into the Order, and he was also a friend of my mother's, so I was introduced to the De La Salle Order at an early age. His powers of persuasion and the challenges he offered attracted me to the Order so I agreed, at the age of fourteen, to join the Brothers' junior house of training. This was situated in Bournemouth, right next to the sea, an attractive location.
4. I stayed at the junior house of training for two years with other trainee recruits. We were attached to a normal school for our education, and we stayed in a separate boarding house where we were introduced to the life of the De La Salle Brother. This included recitation together of morning and evening prayers, regular attendance at church and reading spiritual books, all of which went along with the normal timetable

of secular studies which led to 'O' level examinations. Our religious studies were fairly light and steered us away from mainstream life towards religious life.

5. After two years in Bournemouth, I moved to the Brothers' House of Training near Basingstoke. I was sixteen years old. We learned to live a very strict monastic-style life during the first year there, called the 'novitiate'. We gave up secular studies and concentrated on religious studies, including spiritual reading, theology, the lives of the saints and the history of the Order and its Founder. It was akin to being on a year-long retreat. During this time we also undertook all of our own housework and decorating. We also grew a lot of our own produce and kept chickens. It taught us skills that would stand us in good stead in our later life as teachers.
6. The following year, from seventeen years old, we went back into secular studies and completed our 'A' Levels. Most of us then undertook general degrees at the same college, as external students of London University. I completed a mathematics degree there.
7. Some of the trainees then went straight into teaching in the Order's schools. A specific teachers' qualification was not, at the time, mandatory. I opted for a year of teacher training, which I completed in Manchester at the teacher training college, Hopwood Hall, run by the Brothers. It was an affiliated college of Manchester University. I obtained my Teaching Certificate there, awarded by Manchester University.
8. I worked in England as a mathematics teacher for a few years. I then went to Southampton University to do a degree in physics, before going back to work as a mathematics/physics teacher and eventually as a headteacher.

Lasallian Ethos

9. The Institute of the Brothers of the Christian Schools is a religious order of teachers, which dates back to 1680. Its founder, John Baptist de la Salle was the eldest son of

a noble family, and a canon of Rheims Cathedral, who gave up all worldly advantages and prospects to devote himself to educating the children of the poor and the working classes who, at that time, were being wholly neglected and left to run the streets. Not only were they failing to receive a Christian education, but also they were not being taught the basic skills needed to allow them, in the future, to make a positive contribution to society. He conceived the idea of founding schools where these children could, without payment of fees, receive daily instruction in both religious and secular subjects. For this purpose, he brought together young men who wanted both to be teachers and to lead a spiritual life. He laid great emphasis on teacher training.

10. Lasallian schools are transparently Christian and their Christian identity involves more than courses of religious instruction and pastoral programmes. “The Christian dimension permeates and shapes every aspect of school life: tone, atmosphere, spirit, signs, symbols relationships, curriculum requirements, policies, regulations. As Christian schools, they are called to propose – but in no way to impose – Jesus Christ, accepting with love and respect all the young people entrusted to their care, whatever their religious beliefs. An institution can legitimately call itself Lasallian only if it is unambiguously Christian.”
11. On the important issue of relationships between the Brothers and their students, the Founder stated that: “your relationship with those entrusted to your care must be that of an elder brother”. On another occasion he wrote: “you must take care of the education of those entrusted to you as if they were the children of a king.” These simple statements emphasised, not only the level of care to be afforded, but also the relationship that the Brother must have with his students.
12. We learned about this ethos from the beginning of our training, and more as we went to work in schools.

Every year, the Brothers would assemble for their annual a retreat – an opportunity to take stock of their lives in the light of the Gospels. The writings of the Founder and matters relating to religious life were considered. Guidance would be offered on how

we should be running the schools where we were working, and how we should be looking after the young people we were teaching, within the context of the Lasallian ethos.

13. We had longer, in-service training opportunities for Brothers in the form of educational conferences, in which many topics relating to education were considered and discussed.
14. The issue of child abuse and child protection was not talked about pre-1990s because it was not recognised as an issue. Since the 1990s, that situation has completely changed and in all schools safeguarding is now a major concern. However, these crucial developments in safeguarding came too late for the Brothers to implement in Scotland as the Brothers' engagement in the Scottish schools ended with their withdrawal from St Joseph's, Tranent, in May 1992.

Career

15. As a De La Salle Brother, I worked exclusively in schools in which the Brothers were involved.
16. I taught mathematics and religious education in a school in Croydon for four years in the 1960s. It was a school with about 600 pupils and included boarders. The boarding department was run by the Brothers, but I had nothing to do with the boarding side. I taught mathematics and religious education. About seventy percent of the staff at the school were lay staff.
17. I was then moved by the Order to one of our schools on the south coast, where I taught mathematics and religious education for four years across all the year groups, including the sixth form. It was an independent boys' grammar school for day pupils and boarders. The boarding side was run by the Brothers. I assisted with sixth form boarding. Like many on the staff, Brothers and lay staff, I also assisted with boys' games, which was mainly football and cricket.

18. I received no specific training for boarding other than by observing the work of the housemasters. Although I assisted the boarding side, I was not comfortable in the role and I was pleased to withdraw when the opportunity arose.
19. In 1972 I left the school and went to Southampton University to undertake a degree in physics. When I finished my degree, I was sent back to the same school to teach mathematics again following an appeal from the headteacher for an additional maths teacher. As in my previous school, I also taught religious education, a subject that most of the Brothers were involved in, and I was also involved in sport
20. I was made headteacher of the school in 1976 following the retirement of the previous head. I had little experience in the role, but set about making up for that deficiency by attending training courses for headteachers.
21. Around the middle of the nineteen-seventies, discussions about merging the three secondary schools in the town began among the various interested parties. It was thought that, in the future, the three schools running separately was not going to best serve the Catholic community in the area in the future, so a decision was made to merge them to make a single mixed, comprehensive school for eleven to eighteen year olds of all abilities.
22. I took a year out of school in 1979/80 to continue training and to further the preparations for the start of the new school. In September 1980, I became headteacher of this new co-educational day school on the south coast, for pupils aged eleven to eighteen years, with an intake of 210 pupils into year seven and 200 into the sixth form. The school had a staff of over a hundred, just six of whom were Brothers.
23. As the school had now become a 'maintained, voluntary aided' school, the governors of the school became the employer, and took over responsibility for appointing staff, assisted by me as the headteacher. The local authority was involved with their own

reps on the interviewing panel, especially where the appointment was to a senior post. Written references were mandatory.

24. No specific training was given on interviewing and recruiting. Any guidance came from the local authority and governors, and I was also a member of a headteachers' union, which I could consult when needed. The recruitment process was carefully followed with rules and guidelines to be adhered to.
25. As headteacher, I was responsible for organising training days for the teaching staff, including myself. In addition I regularly attended inservice training for headteachers, both day and residential, provided by the DfE, the Local Education Authority and others.
26. I wanted to retire from my role as headteacher in 1990 because of my belief that, after ten years in office, the school needed a new leader with fresh ideas and a new vision for its future. However, I was asked to stay on for a couple of years, so I eventually retired in 1992. My successor was a lay man.
27. I was then called to Oxford to work as the Provincial Bursar - looking after the finances and the assets of the De La Salle trust. My experience as a headteacher had involved a lot of office, finance and organisational work, so I had the right kind of experience for the role. I continued in this role until 1996.
28. I moved back to Birmingham to look after my parents as a full time carer from 1996 until 2007. This was my own personal choice, but supported by the Superiors of the Order. Although I continued to be involved with my previous work, for example as a school governor, I was otherwise engaged during this time.
29. In late 2007, my caring duties having ended, I was asked to go back to Oxford and, after a year, to resume my work as the bursar. I became involved with archive work in early 2013 when I was asked to liaise with the Trust's solicitors in GB in respect of claims of abuse. I continued with this important work until 2017.

30. In 2017, I was forced to reduce my workload on grounds of ill-health . I was beyond the normal retirement age by then anyway, so felt it was time to withdraw from much of the work I had been engaged in. I continued to make a contribution as secretary to the finance committee and the board of trustees.

The Schools in Scotland in which the De La Salle Brothers were involved

31. The schools in Scotland in which the Brothers were involved were: St Mungo's, Mauchline, St Joseph's in Tranent, St Ninian's in Gartmore, St John's in Springboig and St Mary's in Kenmure. The Brothers were invited into these schools by the Archbishop or the Bishop of the Dioceses in which they were situated to take responsibility for the day-to-day running of the schools, starting with St Joseph's, Tranent, in 1914. These were small, specialist schools, which were eventually called 'List D' schools, and had seventy to a hundred boys in each.
32. From what I have read in documents, I understand that the Brothers were invited into these schools because of the experience of the De La Salle Order in running this sort of school in other in Countries, especially Europe, the States and Canada. The schools, where children came from poor, sometimes abusive backgrounds, often expelled from mainstream education, represented the sort of work the Brothers knew was what their Founder wanted them to be engaged in.
33. I have read a copy of a booklet from St Joseph's Tranent, and the front cover reads: "Children need adults who care about them, who listen to them, who accept them, who control them and who gently lead them." That reflects the approach of the Brothers to their work in all of these schools. I didn't work in them myself, or even visit them, but I saw that culture in the Lasallian schools that I worked in.
34. The Archbishop would have appointed a board of managers for each school. It was delegated the task of employing the staff for these schools and that included employing the Brothers. There was what was called an "agreed headship," an agreement with the Archbishop that the headteacher would be a Brother. The

appointment would be made by the board of managers. As the employer, the board would have to approve the appointment and, for the post of headteacher, so would the Scottish Education Authority.

35. Likewise, the Provincial would recommend Brothers for vacant posts, but ultimate responsibility for appointing them rested with the employer, the board of managers. If the managers were not content with the suggested candidate, the Provincial would have to rethink and recommend someone else.

36. The role of housemaster was normally undertaken by the Brothers, who would be resident on the school site. However, at St Joseph's School, Tranent, the Brothers pioneered a significant innovation in Scotland. With the enthusiastic endorsement of the managers, they introduced what became known variously as the 'Cottage System' or the 'Unit System'. Its purpose was to replace the traditional, institutionalised approach to boarding with something more akin to home life. This began with the construction in 1966 of two boarding houses each accommodating twenty boys, under the care of a housemother and a housefather, who were usually a married couple. The scheme was extended in 1974 with the building of two more houses, again each for twenty boys.

37. As referred to above, the headteacher and the staff, who were made up of Brothers and lay staff, were responsible for the day-to-day running of the schools, but they were not responsible for the schools themselves. That fell to the board of managers. The Archbishops and the Trustees of the respective Archdioceses had an overarching role in strategic decisions for the schools. I am not clear about the status of St Mungo's, which was opened 1942 at the behest of the Scottish Education Authority. It was closed in 1957. From records I have seen, it is clear that the Scottish Education Authority was heavily involved in what was originally intended to be a temporary wartime school. The property belonged to the Scottish Education Authority. However, it was a Catholic school so the Archdiocese would have been involved.

History of record keeping

38. The De La Salle Brothers, specifically two Brothers from France, arrived in Britain and founded a school in London in 1855. From then on, their work expanded into other cities.
39. By the end of the Second World War, the Brothers' Communities and schools had grown to a point where it was deemed appropriate to establish two Provinces. One which, up to then, had been under French administration, with schools based in the south of England, became the 'London Province', the other with schools in London and the north, the 'English Province'.
40. In both Provinces, records were kept in individual Communities of Brothers and separately in schools, as well as in the two Provincial houses, both located in London. The school records included staff and student records, records of governors' meetings, building projects etc. These records belonged to the school and were kept within the school. The Community records provided information relating directly to the Brothers: events specific to the Brothers, visits from Superiors, annual retreats, finances, property etc.

Archives

41. Archiving was not a priority of the Brothers who, for the most part, were focussed on their work in schools. The Orders' central archive is held in Rome, managed and maintained by Brothers who were trained as archivists. Each Community had to contribute to that archive on a yearly basis, with information about Community personnel, finances, special events, work in the schools which they were serving. Brothers were not told specifically what records they had to keep locally. With that in mind, Brothers kept records on an ad-hoc basis. They would retain copies of what was sent to the Rome archive.

42. The locally maintained Community archives, were retained in the Community house unless and until the Community closed, at which point they would be transferred to the Provincial house, but note, not to Rome.
43. Books on the history of the Brothers, biographies, education, Lasallian spirituality, lives of deceased Brothers and other matters continued to be written by Brothers throughout the period. Authors used both local Community archives and, where appropriate, the central archive of the Brothers in Rome.
44. In 1988 the two Provinces in GB were merged and, with the building of a new provincial house in Oxford in the early nineties, a single official archive was established there for the new Province. It takes up the whole of the top floor of the building. To give an idea of size, the middle floor directly below it, has twelve en-suite bedrooms for the Community and visitors, as well as other small rooms.
45. The archives from the two former provincial houses were transferred to Oxford. As Communities have closed, their archives have been brought to Oxford. These include the Community archives from Scotland.
46. The Community archives would contain personnel registers of the Brothers who were members of the Community, which included the date when they joined, when they moved to another Community, as well as information about qualifications and next of kin.
47. The Community archives, in the late 1980s and early 1990s, did not include anything in relation to police investigations, or records of allegations. Whether that is because none had surfaced at that time, or whether there was no expectation for such matters to be archived, is a question I cannot answer.
48. The central archive, in Oxford, includes documents relating to the Communities and to the schools in which the Brothers were involved, though the latter are confined to files that pertain to both school and Community. These are organised alphabetically

by school name in archive boxes that contain individual files. To retrieve information, one would look for the Community or school location.

49. The Oxford archive also holds separate sections for records that don't involve the schools, or the Communities that were attached to the schools, such as our houses of training, our retreat centre and our retirement homes.
50. The extent of the records the Brothers hold on an individual school depends on whether, or not, we were the owners and trustees of the school in question. For example, we may hold financial information about schools where the Order is the owner of the school site and, in some cases, owner of the buildings themselves.
51. As referred to above, we ended all our work in the Scottish schools in 1992 and we are no longer involved in any of the schools in Great Britain as teachers, or as members of the boards of governors.
52. In relation to the five Scottish schools, where we were neither the owners, nor the trustees, nor the employer, we hold very little and what we have centres mainly on the life of the Community rather than the school. We have a few photographs of some of the properties and some which include, for example, pictures of youngsters out gardening and newspaper cuttings of events. There are no organised collections of photographs for any of the schools. One presumes that these are in the official school records, which we do not have.
53. In 2012, the newly appointed archivist at Oxford began the process of moving files into boxes that were made specifically for archiving. Each contains a list of contents. That work continued until the archivist retired in 2016. In the last ten years, professional archivists have visited to advise on the management of archives. In part, this has been prompted by the need to provide detailed responses to claims.
54. When we received the letter from the SCAI in 2016, we took the opportunity to look at what documents we held on the five Scottish schools and to separate out all those documents that might be important to the Inquiry. Some of these documents contain

correspondence with our solicitors and are therefore legally privileged. All these documents were put in secure cabinets, as advised by the Inquiry.

Archivist role

55. All the archivists pre 2012 are deceased. As referred to above, from 2012 to 2016, the Oxford archive was managed by a new appointee. I worked alongside him from 2013 to 2017 when enquiries started coming in from solicitors in relation to claims. This role included looking into archives to gain information relevant to issues surrounding the claims. It also meant liaising with the Police through the Trust's safeguarding officer.
56. My role was exclusively to respond to solicitors in claims against the Order. I continued in this role until 2017. My direct line manager in this role was the Provincial. After I retired in 2017, a successor was appointed to continue the work that I had been doing.

A – D responses

57. In January 2016, the then Historic Child Abuse Inquiry in Scotland, wrote a letter to the Provincial entitled "Preservation of records relevant to the Inquiry." This prompted us to consider how we were managing the records, and to consider what we had and what we didn't have.
58. In my role as first responder to the Inquiry, I undertook to deal with the A-D responses to the Inquiry. I took what I could find from our archives, and conferred with those who could assist with our 'A-D' responses. I consulted the Trust's safeguarding officer, with former Provincials and with an elderly Brother who had taught in the schools in question. I also consulted Brothers who, while not being involved with Scottish schools, could nevertheless help me answer more general questions about the Order itself, especially in A-B. The C-D section, largely

comprised questions which I was unable to answer without the school records which, as already mentioned, are not held by the Order.

59. I had a considerable amount of help from a particular document, namely an M.Ed. thesis, written by one of our Brothers, now deceased. His thesis concentrated specifically on the approved schools in which the Brothers were involved in both Scotland and England. Significantly, he wrote his thesis in the late 1970s when there was more information available and when two of the schools in Scotland were still open. He had visited them and from what I gather, he had been granted access to some of the school archives, which, in recent times, we have not been able to access. In addition, a number of the Brothers who worked at these schools were alive, so he was able to interview them. Of these Brothers, only one remains with us, and he is 96 years old. He has been interviewed by the Inquiry.

60. When I drafted the responses, I was aware of that one of the Brothers had already been convicted in 2003, of physical abuse. Because he was the only Member of the Order convicted of sexual abuse, in April 2016, the only Member of the Order convicted in 2003 of any offence, and the only Member of the Order convicted at all relative to any Scottish school. I thus had written in my A-D responses, submitted in early 2017, that there was no evidence of the abuse being systemic. I am aware that two others were also convicted in 2003 for conduct at St Ninian's, but my understanding is that they were lay staff, not members of the Order and, therefore, solely the responsibility of the Managers of the school. However, in light of what has subsequently emerged during the Inquiry, that there is evidence of sexual abuse by other Members of the Order, I fully adopt the Order's acknowledgement, made in the Opening Statement, of their part in systemic failings.

61. When I was dealing with complaints, whatever information we had was handed to our solicitors. Any correspondence with lawyers, was subject to legal privilege.

62. The Inquiry requested documents in 2018 and more information in 2019 regarding claims, but I had withdrawn by then so I didn't deal with those. They would have been managed by my successor and by our solicitors.

Records held

The only thing I could say with certainty, whilst I worked as an archivist, was that the school records for the Scottish schools were not lodged with us. To repeat, the Brothers were employees at the De La Salle schools and, as such had absolutely no right to the school records. As far as we knew, they are lodged either with the Archdiocese, or the Scottish Education Department or a regional council.

63. Having looked at the contents of what was in our archives, I was able to see what we did not have and therefore could identify a list of items that should be held in the school records. These include:
- Records of the children at the schools
 - School timetables
 - Financial records
 - Records on inspections at the school
 - Policies about parents visiting
 - The composition of the management board
 - Details of who appointed the board of managers, i.e. some will be appointed by the Archdiocese, as Trustees, and others by Scottish Education Department
 - Minutes of managers' meetings
 - Reports from the headteacher to the managers
 - National and local policies and guidelines
 - Residential care and school policies
64. The records that the schools would have been required to keep in respect of the children would have included their names, dates of birth, any brief family background information, the dates they entered and left the school, their achievements.
65. I presume the schools would have been required to keep records of significant events happening in the school, and to log serious issues like a child absconding. My understanding is that only senior teachers were allowed to administer corporal

punishment and had to log this in a punishment book. This would have been written down in a formal policy. The punishment books themselves would have been kept in the school at the time and would eventually have been included in the school archive.

66. I have gleaned some information about the schools in which the Brothers were involved, from our archives, but only in the form of pieces of paper which appear to have strayed into the Community files because a Brother, perhaps the head of the school, has retained them. I saw a single analysis of the number of children who had absconded and were brought back, without names being mentioned. This would have been a copy of what was provided to the managers. I also saw a draft school timetable for a school, as well as a menu from St Joseph's in Tranent. There were a few newspaper cuttings and photographs, for example a group photo from St Joseph's in Tranent of the school band which went to play at a Celtic football match, and photos taken when the Archbishop came to visit. They were unanchored pieces of paper or photos that didn't form part of a wider picture.
67. There was a clear distinction between the schools and the Community, even though there were boarders. The Community archives did not include information about the boarding houses. If something did happen in a boarding house, I presume it would have been referred to the headmaster and to the managers, and would be recorded in the managers' meeting minutes.
68. Any allegation of abuse made by a child about a Brother would have gone straight to the headteacher and thence to the managers who would determine how to respond. There was no requirement at the time for that to be recorded in Community records, but a report would certainly have been made to the Provincial.
69. The Community records only contained information about the Brothers who were working at the school, but not the lay staff.

70. The first thing I did when the police started any investigation, through our safeguarding officer, was to send them information about the Brother's movements so they could confirm which Brother was working where at any time.
71. I am aware of two cases in England where a Brother was hastily withdrawn from his work in school after rumours of allegations began to circulate. My understanding, from what I have been told is that, in the Scottish schools, there was no occasion when a Brother teaching in a school was the subject of a claim of sexual abuse and had to be withdrawn. It should be borne in mind that the schools were frequently visited and inspected by the education department, local authorities, psychiatrists, psychologists, and the managers. In addition, a matron was employed full time in all of these schools. It appears that no reports were made about sexual abuse at the time. They came later on. However, I am unable to confirm whether or not the managers' records of meetings included information about any concerns of the moment.
72. The minutes of the managers' meetings are important because they will contain a lot of information about the running of the schools. From looking at our archives, I have come across a couple of sets of minutes, but, from what I have read, I understand that the boards of managers normally met about once a month so an isolated set of minutes is of no particular use. I don't know why these minutes are in our archives. Perhaps a reference to the Community led to a copy being included.
73. I know from personal experience as a headteacher that a detailed report on various matters would be submitted by the headteacher to each managers' meeting. I may have come across one of these reports but, on its own, it is rudderless and has no context. Having access to all of these would provide a wealth of information about what was going on in the schools.
74. With regards to the policies surrounding the running of the school, they would have been approved by the managers and would be kept in the school records, if they had been written down at all. I did have a look for any written policies in our archives but found none. I spoke to the Brother, who was a former headteacher at St Joseph's,

Tranent, and he confirmed that not all of these policies were written down. That also reflects my own experience from when I started working in schools in the nineteen sixties.

75. The ultimate responsibility for keeping and storing school records rested with the managers. I presume that the headteacher would have kept a copy of any existing policies in his files in the school, but I don't know if he would have been instructed to do that, whereas I believed the managers would be mandated to keep copies of any policies.
76. As a headteacher, I would keep copies of policies, both for myself and for the staff, but I was not directed to do this. All official documents relating to the school were kept either by the school on behalf of the governors, or by the local authority. I was never required by De La Salle to keep school records, or to archive any.
77. As stated above, all that was required for the Brothers' files was an annual summary of what had happened in the Community, how we were getting on, if there had been any visits from the Provincial or Bishop, Community budgets and expenditure etc. There was very little in it about the school. Some of the schools in earlier times had kept a handwritten book containing a history of the community for each year, but it wasn't mandatory.
78. Apart from a brief history of the Community for the year, including changes in personnel, our community archives were lodged in the Community House, not sent to Rome.

Safeguarding policy

79. We do not write the safeguarding policies for the schools in which the Brothers have a responsibility as trustees as we are no longer directly involved, either as teachers or governors. That task rests with the boards of governors.

80. Within the Order, we had no written safeguarding policy before the 1990s at which time the issue of child abuse was revealing itself as a serious issue. Our safeguarding officer was appointed in the 1990s. He was initially appointed to deal with the media, but soon assumed responsibility for liaising with the police. The Order would instruct claimants to go straight to the police on the grounds that we were not competent to investigate any claim on their behalf. I would respond to any police inquiry by directing them to our safeguarding officer. Likewise, the press, if it became involved.
81. A first safeguarding policy for the De La Salle Trust was committed to writing in the late 1990s, in response to the imperative to become much more serious about safeguarding. Very specific procedures were developed and the safeguarding policy was reviewed annually.
82. This policy sought to gather together current best practice for safeguarding in ministry and provided guidance, including rules and procedures, for those working in Lasallian ministries. The document drew on the Children Acts as well as further guidelines provided by Government and by the Catholic Church authorities through the National Catholic Safeguarding Commission (NCSC) and the Catholic Safeguarding Advisory Service (CSAS). It provided clear directions on how to act in response to revelations of child abuse.
83. The policy was continuously redrafted in light of the advice and recommendations emanating from several different authorities, and it developed into a more detailed and specific document as time went on.
84. The Provincial, with his Council, as well as the board of trustees all fed into the updating of these policies and there were meetings to discuss how the safeguarding policy should be applied. The trustees were involved in approving the final document annually, with the endorsement of the Provincial Council. The process is documented in the trustees minutes and the Provincial Council minutes, which are both kept in our archives in Oxford.

85. We have a retreat centre near Newbury, for children to spend a few days away from home and school, to enjoy the countryside and have thinking time. We are entirely responsible for everything there as the trustees and owners. The safeguarding policy is overseen by the centre's management committee and is reviewed annually. The policy has pages of detailed and specific instructions on what to do if a child comes with a complaint of abuse, involving a third party. The Provincial Council has to give final approval to the document. The centre is also subject to biennial inspections by an external, independent professional.
86. We have a care home for elderly and vulnerable Brothers, and our safeguarding policy has been adapted to cover them also.

Experience with abuse cases

87. As referred to above, our founder had stated that "your relationship with those entrusted to your care must be that of an elder brother", and to find that some Brothers were guilty of abuse is indefensible. It is especially regrettable when perpetrated by people, like ourselves, who are supposed to be setting an example. It is a matter of regret and profound sorrow that some Brothers and some of their lay colleagues who were charged with the care of children did this. Not infrequently, to make the situation for these children much worse, they came from abusive backgrounds.
88. When I was first sent the A–D documents to complete by the Inquiry, the extent of the abuse was not evident. Since then, a lot more has been revealed and it has become obvious that it was more than just one Brother who has been named as an alleged abuser. I find it difficult to come to terms with the fact that children suffered in this way.
89. When I was teaching in London in my twenties, there was a lay teacher in the school who was dismissed and put on something called "List 99" by the Department of Education, which was the equivalent of being put on the Sex Offenders Register, so

he was banned from teaching for life. The parents in that case didn't want to go to court and were satisfied by the fact that the teacher had been sacked and would never be allowed to teach again.

90. Later in another school in England, I was made aware of an allegation against a Brother by a boarder. It was referred to the police, but the case was eventually dropped and I heard nothing further. The Brother, in that instance, subsequently left the Order.
91. Much later, I was asked to provide support to a former teacher of a school in England, who had been arrested by the police for having child pornography on his computer. He wanted me to appear in court as a witness for the defendant. I was unable to help as the Catholic Church deemed it inappropriate to testify in court on behalf of a potential paedophile.
92. In the 1990s, abuse claims were initially handled by the Order's solicitors. These claims were coming from schools in England, not from Scotland. The Police were asked to be involved if advised. Later in the decade, our policies changed to give priority to a Police investigation. If, as occasionally happened, a claimant asked to see a Brother we would respond positively, on the understanding that we weren't prejudicing the case. There was one occasion relating to a school in England where the police said they could not take the case forward through lack of evidence, but the Brothers nevertheless compensated the claimant because we were convinced his story was true. However, that was not repeated when we were subsequently accused of paying 'hush-money'.
93. As mentioned above, liaison with the police would be through our safeguarding officer. Any correspondence from the claimant's solicitor would be dealt with by the Order's solicitor. On a couple of occasions, I was contacted directly by claimants wanting us to settle claims without police involvement. In each case I explained that this was not an option because an investigation was necessary and the Order was not competent to undertake it. They were also advised to arrange legal representation.

94. Most Scottish claims have been handled, from the start, by solicitors for the claimants liaising with our solicitors, though we are aware of police involvement in the initial stages of many of the claims. Nearly all of those - Brothers, former Brothers and lay staff - who have been the subject of claims in Scotland, are now deceased.
95. When an allegation was made against a Brother, he would be immediately withdrawn from working with children, and sent to a Community not attached to a school while investigations were undertaken.
96. In cases of non-recent abuse, which applies to all the cases in Scotland, where a person, Brother or other, has been convicted, social services take responsibility for placing him and monitoring him after release from custody. They will decide where he is allowed to live.
97. In former times, it was expected that, if a Brother went to prison, the Order would continue to look after him after he was released. Subsequently, the Catholic Church itself ordered that clerics and members of religious orders must be dismissed if convicted of sexual abuse. Now it is permitted for the Brother to remain in the Order and, if Social Services deem it appropriate, to be returned to one of its Communities.

Closing thoughts

98. With hindsight, the Brothers accept that we should have been aware of the abuse perpetrated by members of the Order and others in the schools in which we were involved. Abusers are good at hiding in plain sight, but that cannot be used as an excuse for the failure. We should have been more aware. Children have been failed and it is important to find out how that could have happened. I don't have any thoughts on how the abuse could have become a systemic problem because we were not aware of it when it was happening.

- 99. It is a matter of enduring regret and profound sorrow that children were betrayed by Brothers charged with their care. We realise that, for the victims, the lasting effects of abuse can often be lifelong, and cause enormous pain and suffering, which can extend to family and loved ones.

- 100. The Brothers have offered an unreserved apology, the most recent to the Inquiry by our Provincial. I would like to add my unreserved and wholehearted apology to the Provincial's statement.

- 101. I have no objection to my witness statement being published as part of the evidence to the Inquiry. I believe the facts stated in this witness statement are true.

Signed..... 

Dated..... 18 December 2023