



Midlothian Council Response

**Scottish Child Abuse Inquiry
Section 21 Notice- Child migrant case study 20181012**

12 November 2018

1. On **12 October 2018**, Midlothian Council received a Section 21 notice (Inquiries Act 2005) requiring the Council to provide all documents not later than **12 November 2018**, in the custody or under the control of **Midlothian Council** as listed in the Appendix to this notice.
2. The s21 Notice Appendix lists:
 - 1) All records, correspondence, policies, procedures, reports, file notes, minutes, and other documents of a similar nature in whatever form in the possession or otherwise within the control of **Midlothian Council** on its behalf showing or tending to show any information relating to the migration abroad of children whose care originated in Scotland (i) generally and (ii) in respect of specific children, during the period 1 January 1900 to 17 December 2014 including but not restricted to:
 - a) Information received about child migration programmes;
 - b) **Invitations** or requests for children to be migrated and responses to any such invitations or requests;
 - b) **Requested** or preferred requirements for children who were to be migrated including medical, age and gender preferences;
 - c) The selection of children for migration;
 - d) Medical or other examinations of proposed child migrants;
 - e) Financial information relating to the migration of children;
 - f) Details relating to the obtaining or otherwise of children's consent to their migration;
 - g) Details relating to the obtaining or otherwise of parental consent to child migration;
 - h) Details relating to the obtaining of consent from persons in authority within an establishment (such as the mother superior or superintendent or manager of an establishment) to child migration;
 - i) Details relating to the obtaining or otherwise of the consent of local and central government to child migration;
 - j) Details relating to arrangements for care of child migrants once at their destinations including requests made and information received about the situation and environment to which children were to be migrated;
 - k) Details relating to the establishments abroad to which children were to be migrated including correspondence, policies, procedures and information relating to inspection and reporting processes of the institutions receiving child migrants;
 - l) Information given to child migrants prior to their migration;
 - m) Travel arrangements for child migrants;
 - n) Details of how contact was proposed to be maintained with child migrants' home country and family;

- o) Information prepared or received relating to children who had been migrated, including post-migration monitoring and information in relation to the welfare, supervision and aftercare of children migrated; and
 - p) Details of communications or correspondence with parents and other family of children prior to or following the child's migration (such as parents requesting to have a child returned or enquiring about a child's welfare).
- 2. Correspondence and other documents in the possession or otherwise within the control of **Midlothian Council** in respect of the period 17 December 2014 to the date hereof in relation to past migration abroad of children whose care originated in Scotland.
 - 3. An inventory of all documents falling within paragraphs 1 and 2 above.
 - 4. Any record or document indicating, showing or describing the whereabouts of any record or document falling within paragraph 1 and 2 above where such record or document is outwith the possession and/or control of **Midlothian Council**.
 - 5. Failing originals, copies, electronic copies, digital or other medium copies, drafts or duplicates of the above or any of them.
 - 6. A list of all the children whose care originated in Scotland who, to the best of **Midlothian Council's** knowledge, were migrated abroad during the period 1 January 1900 to 17 December 2014 including their names, dates of birth, where they were from, their parental situation, the establishment they resided in prior to migration, where they were migrated to (including name of institution or other carer) and when, whether or not they had siblings in care and whether or not any such siblings were also migrated.

3. Clarification sought by Midlothian Council relating to:

- i. On 10 October 2018 Midlothian Council sought clarification from the Inquiry whether paragraph 2 requires information up to the date that the s21 Notice was issued, i.e. later than the Inquiry's terms of reference. Clarification was received by the Council on 14 October 2018 that the Inquiry does require documentation up to the date of this Notice.
- ii. On 24 October 2018 Midlothian Council sought clarification regarding the Inquiry's formatting error within Appendix which may confuse the sub-clauses.

On 26 October 2018 the Inquiry advised how the Council's Response should be framed.

4. All records, correspondence, policies, procedures, reports, file notes, minutes & other documents, electronic & paper, were searched using the following keyword:

- i. **RCDB keyword search:** Child ref1; ref2; description/Migrant ref1; ref2;description/Migration ref1;ref2;descriptio/Australia ref1;ref2 ;description/ County Council ref1;ref2;description/ Social Welfare Committee ref1; ref2;description/ Midlothian, East Lothian & Peebles Children's Committee ref1;ref2;description/ MELP ref1;ref2;description/ Children's Committee ref1;ref2;description/ Social Work Department ref1;ref2;description/ Canada ref1;ref2;description/ New Zealand ref1;ref2;description/ Zimbabwe ref1;ref2;description/ Rhodesia ref1;ref2;description/ Secretary of State ref1;ref2;description/ Migration Policies ref1;ref2;description/ George Cossar ref1;ref2;description/ Child Migration Policy ref1;ref2;description/ Medical Officer of Health ref1;ref2;description/ Authorisations ref1;ref2;description/ Permissions ref1;ref2;description/ Consent ref1;ref2;description/ Departure ref1;ref2;description/ Expatriation ref1;ref2;description/ Journey ref1;ref2;description/ Leaving ref1;ref2;description/ Relocation ref1;ref2;description/ Resettlement ref1;ref2;description/ Travel ref1;ref2;description/ Voyage ref1;ref2;description/ Overseas ref1;ref2;description/ Abroad ref1;ref2;description/ Train ref1;ref2;description/ Home Children ref1;ref2;description/ Juvenile Emigration ref1;ref2;description

- ii. Further archive searches were made of the following sets of records:

Midlothian County Council & Midlothian Central Committee for Maternity & Child Welfare Minutes 1918-1930; Midlothian County Council Legal Records; Midlothian County Council Minutes February 1916- December 1922/ March 1923-May 1930/ December 1929- October 1932; Midlothian County Council Minutes December 1935- November 1938/December 1938-1943/ 1970; Midlothian County Council Notices of Motion; Midlothian County Council Opinion Book no. 1; County Councils of Midlothian & Peebleshire Annual Report on Public Health Service 1970; County Councils of Midlothian and Peeblesshire annual; report on school health administration 1963; County Councils of Midlothian and Peeblesshire annual; report on school health administration 1968; County of Midlothian and Burghs of Dalkeith, Loanhead, Musselburgh, Penicuik: Annual Report by the Medical Officer of Health 1946-1965, 1967-68 (including Burgh of Bonnyrigg and Lasswade from 1951 report onwards); Counties of Midlothian and Peebles Education Committees: Annual Report on School Health Administration 1934, 1936, 1946-47, 1950, 1958-1965; County Councils Midlothian and Peeblesshire and Burghs of Burghs of Bonnyrigg and Lasswade, Dalkeith, Innerleithen, Loanhead, Musselburgh, Peebles, Penicuik: Annual Report on the Public Health Service 1970-72; County Councils of Midlothian and Peeblesshire: Annual Report on the School Health Service For the Year ended 31st July, 1971; County of Peeblesshire and Burghs of Peebles and Innerleithen: Annual

Report by the Medical Officer of Health and County Sanitary Inspector Year, 1969; Edinburgh corporation committee minutes of education committee 1939-40; Edinburgh corporation minutes of education committee 1936-7; Midlothian education authority reports on schools etc 1930-38; Midlothian education authority reports school health administration 1919-20 1929-30; Midlothian education authority report on schools 1919-20 1929-30; Midlothian education authority minutes of meetings 1919-22; Midlothian education authority minute book vol. 1 1919-22; Midlothian education authority minutes of meetings 1919-22; Midlothian education authority minute book volume 2 1922-25; Midlothian education authority minutes of meetings 1925-28; Midlothian education authority minute book vol. 3 1925-28; Midlothian county council education committee minutes of meetings may 1930- dec 1935; minutes of the town council of Edinburgh 1935-36; Bonnyrigg town council minutes 1929-31; Bonnyrigg town council minutes 1952-53; Bonnyrigg town council minutes 1929-31; Bonnyrigg town council minutes 1971-72; Bonnyrigg town council minutes 1971-72 appears to be a copy of item MBC/1/51; Heriot Parish Council; Heriot Parish Council Minute Book 1895-1923; Minute Books etc relating to Heriot, Gala Water District, Gorebridge, Stobhill and Cranstoun: Loose Leaf papers; Bound volume 7-GB-584; Poor relief, public assistance etc 4 volumes; Poor relief, public assistance etc 9 volumes; bound volume- Correspondence of Midlothian Secondary Education Committee - Letters from the Scotch Education Department 1912-19; bound volume- Correspondence of Midlothian Secondary Education Committee - Letters from Scotch Education Department 1914-1916; Poor relief, public assistance etc 4 volumes; Poor relief, public assistance etc 9 volumes; Bonnyrigg town council minutes 1937-38; Bonnyrigg town council minutes 1938-39; Bonnyrigg town council minutes 1955-56; Bonnyrigg town council minutes 1961-62; Bonnyrigg town council committee minute book; Dalkeith parish council minute book; Borthwick Parish Council Minutes 1885-1930; Carrington Parish Council Minutes 1879-1930; Cockpen Parish Council Minute Books; Cranston Parish Minute Books 1846-1930; Glencorse Parish Council 1845-1930; Lasswade Parish Council 1851-1936; Lasswade Parish Council 1894-1904; Newbattle Parish Council 1874-1930; Newbattle Parish Council 1910-1919; Newbattle Parish Council Minutes 1919-1926; Newbattle Parish Council Minutes 1926-1930; Penicuik Parish Council 1846-1920; Temple Parish Council 1846-1920.

- iii. Archived editions of the local Midlothian newspaper, Dalkeith Advertiser: 1942-44; 1945-47; 1948-50; 1951-43; 1954-56; 1957-59; 1960-61; 1962-63; 1964-66; 1967-68; 1969-70.
- iv. Operational electronic records were searched, including Children's Services file network containing correspondence, policies, procedures, reports, file notes, minutes & other documents using the same keyword search.
- v. Operational electronic records including client indexing & subject access requests (SAR's) were also searched for any relevant information.

5. Summary of Results

- i. Edinburgh Corporation Minutes of Education Committee 1939-1940, on 24 June 1940, p.464, under the heading **Children's Overseas Reception Scheme** there was submitted & ordered to be minuted Circular No.170 of the Scottish Education Department relative to arrangements for children from the European war zone residing in Great Britain being cared for & educated for the duration of the war in the Dominions & the United States of America. There was also submitted & ordered to be minuted Circular No. 149 of the Department of Health for Scotland in regard to the matter, see electronic image p.464-19400624.

There is no record however of the actual circulars themselves, only the references to them.

In the same Edinburgh Corporation Minutes 1939-40, on 08 July 1940 on pp.498 & 499 together with the Executive Committee of the Headteachers' Association, entries in relation to the needs of the **Government Evacuation Scheme & Children's Overseas Reception Scheme** with reference to Circular of the Scottish Education Department relative to the services of teachers in connection with the Children's Overseas Reception Scheme, see electronic image p.499- 19400708.

In the same journal on 15 July 1940 there is further reference on p.525 to the **Children's Overseas Reception Scheme** & the minute of Primary & Secondary Schools Sub-Committee that the Education Officer had received applications, from the teachers listed in the report, for leave of absence in order to accompany children on their voyages overseas in connection with the Children's Overseas Reception Scheme, see electronic image p525- 19400715.

In the same journal on 07 October 1940, on p.624, is listed the three women teachers who had been selected by the **Children's Overseas Reception Board** to accompany the children on escort duty, see electronic image p.624-19401007.

Finally, in the same journal, on 14 October 1940, on p.650, is noted the suspension of the Children's Overseas Reception Scheme, in view of the Government's decision to suspend the operation of the scheme during the winter months & requesting education authorities return all applications & medical records in their possession to the Scottish Branch, see electronic image p.650-19401014.

The Council recognises this information appears to relate to the evacuation of children during wartime as opposed to the emigration of children.

- ii. In the Dalkeith Parish Council Minute book, 18/10/1921-16/09/1926 within poor relief and public assistance is paragraph in minutes from Dalkeith Parish Council, 20th April 1925, which makes reference to **Scottish Boys for Canada**. “The Inspector submitted a letter from the Canadian Pacific Railway Company, enclosing a pamphlet which deals with the work of Dr (George) Cossar and his association for boys of all classes in Canada, to be filed for future reference”, see electronic image 19250420 & 19250420a.
- iii. Glencorse Parish Council, 1910-30, minute headed “**Empire Settlement**” relates to a circular from the Scottish Board of Health, “having reference to the Poor Law Emergency Provision Continuation (Scotland) Act 1924 & Empire Settlement Act 1922,” see electronic image 1910-1930.

There is further mention in Glencorse Parish Council meetings, on p. 220 under the topic “**Empire Settlement**”, of circular from the Scottish Board of Health relating to the granting of assistance to able-bodied persons desiring to migrate to British Dominions, or “to emigrate to foreign countries”, see electronic image p.220 -1910-1930.

On 23 May 1927 in same volume there is reference to a circular having been issued by the Scottish Board of Health & having reference to the **Empire Settlement Act 1922** regarding assistance which may be given by Parish Councils to able-bodied persons desiring to migrate to British Dominions “or to foreign countries”, see electronic image p.238 1910-1930.

Also on p.256 is minute relating to the **migration of Poor Persons to Canada**, at cost to the Poor Rates, & later arrangements for the transporting of wives & children to follow such men who had earlier received assistance to travel out to Canada, see electronic image p.256- 1910-1930.

The Council recognises this information appears to relate to adult males desiring to emigrate with children & families later being supported to join them.

- iv. Council archives of local Midlothian newspaper, the Dalkeith Advertiser, contain a front page article in the 21 August 1952 edition captioned ‘Bound for Australia’, the story of a local family with their five children emigrating to Australia that week from Tilbury Docks aboard the s.s.Ormonde, the same ship named in evidence to the Inquiry on Day 48. This prompted the Council to search the wider archive of Dalkeith Advertiser with the hope that children from a local children’s home being migrated out to Australia might also be deemed newsworthy. No mention was found however in the 1942-1970 period we checked archived Dalkeith Advertiser.
- v. The Dalkeith Advertiser, also contain articles dating 26 May 1949; 04 August 1949; 11 August 1949; 27 July 1950; 21 August 1952 & 13 December 1956 concerning refugees & children of different nationalities staying at Middleton

Residential School Camp, near Gorebridge in Midlothian. Images can be supplied if the Inquiry sees them as relevant.

- vi. The Council's searches also identified relevant documents outwith the Council's possession & control within the scope of this Notice. Records held by the **National Records of Scotland** include Secretary of State on Education reports which may be relevant to Appendix One: Emigration of Children in Professor Kenneth Norrie's article The Legislative & Regulatory Framework as it relates to the obtaining or otherwise of the consent of local and central government to child migration.
- vii. In addition the Council identified public records held by the **National Archives in Kew**, which include: Parliamentary motion on child migration (1959); UK policy on child migration (1954-1958); Australian Government policy on child migration (1947-1949); Child migration: draft agreement with voluntary organisations (1957); Draft report: section 3, child migration (1961); Emigration: Empire Settlement Act; Child Migration; Fairbridge Homes, Western Australia (1930 Apr 23-1934 Aug 20); Report of Fact Finding Mission on Child Migration to Australia (1956); Action taken on report of Fact Finding Mission on Child Migration to Australia (1956-57); Renewal of agreement with voluntary organisations on child migration (1962-63).