

1 Friday, 20 September 2019

2 (10.00 am)

3 LADY SMITH: Good morning. Today we don't start with  
4 a video link, but we will get to that this afternoon.  
5 I think we have a witness ready in the witness room;  
6 is that right, Mr MacAulay?

7 MR MacAULAY: That's right, my Lady, we do. The next  
8 witness is Abbot Geoffrey Scott.

9 ABBOT GEOFFREY SCOTT (sworn)

10 LADY SMITH: Please do sit down and make yourself  
11 comfortable. I know that you've been in the hearing  
12 room for some days, and I thank you for that, so you'll  
13 know that we normally use witnesses' first names, but  
14 only if they're comfortable with that. Is it all right  
15 if I use your first name or would you prefer me to  
16 address you a different way?

17 A. That's fine.

18 LADY SMITH: Geoffrey, if you'll ready, I'll hand over to  
19 Mr MacAulay. Is that all right with you?

20 A. Yes, thanks very much.

21 Questions from MR MacAULAY

22 MR MacAULAY: Good morning, Geoffrey.

23 A. Good morning.

24 Q. As you know, we first look at your statement. It's in  
25 the red folder if you want to have a look at it. The

1 reference for the transcript is BEN.001.004.4357. If  
2 you could confirm that you have signed the statement.

3 A. Yes, I have signed the statement.

4 Q. And you are content that the statement forms part of the  
5 evidence to the inquiry?

6 A. I am.

7 Q. I think you say also that you believe the facts stated  
8 in the witness statement are true.

9 A. Yes.

10 Q. Can I confirm with you, Geoffrey, that your date of  
11 birth is [REDACTED] 1947?

12 A. Yes.

13 Q. So you're now aged 72?

14 A. I'm afraid so.

15 Q. Like myself, you have been present at this case study  
16 every day?

17 A. Yes.

18 Q. Just looking to your background, and perhaps beginning  
19 from the present, at the moment you have the role of  
20 First Assistant Abbot of the English Benedictine  
21 Congregation; is that correct?

22 A. Yes.

23 Q. And you are representing the Congregation at the  
24 inquiry?

25 A. Yes.

1 Q. So far as your CV is concerned, I think you tell us that  
2 you joined Douai Abbey in 1966; is that correct?

3 A. It is.

4 Q. And at that time you'd be aged, what, about 20 or 21?

5 A. Yes.

6 Q. Clearly, you were joining the abbey in order to become  
7 a Benedictine monk.

8 A. That's right.

9 Q. And when did you take your final vows?

10 A. Let me think: I think it would be 1971.

11 Q. But looking to your academic background, I think you  
12 acquired a diploma in theology from London University.

13 A. That's right.

14 Q. You also read modern history at Oxford University?

15 A. Yes.

16 Q. And you obtained a teaching certificate of education  
17 from Cambridge?

18 A. Yes.

19 Q. Indeed, you have a PhD from King's College in London.

20 A. Yes.

21 Q. That was in 1984?

22 A. Yes.

23 Q. What was the topic of the dissertation?

24 A. I put it in here because I thought it might be of some  
25 interest, "The English Benedictines in the 18th

1           Century", effectively from 1689 until the  
2           French Revolution.

3       Q.   You have been a teacher at Douai School?

4       A.   Yes.

5       Q.   And I think that was between 1976 to 1994?

6       A.   Yes.

7       Q.   And for part of that time, 1987 to 1993, you were the  
8           headmaster of the school?

9       A.   Yes.

10      Q.   Can you just give us some idea of the relationship  
11           between the abbey and the school?

12      A.   Well, yes, I think it's useful for me, and perhaps for  
13           you, because there are sort of similarities with  
14           Fort Augustus.  The school never grew, I think  
15           deliberately.  It reached a peak at about 300 pupils and  
16           in its latter years, it became co-educational.

17      Q.   You say "latter years"; I think it closed in 1999.

18      A.   It was the first thing I had to do when I became  
19           abbot -- so I'm sort of experienced in the closure of  
20           schools -- largely because of decline in numbers and  
21           increasing deficits.

22                So it was similar in the sense that -- I think  
23           I mention this later on in my statement -- it didn't  
24           have separate independent houses.  There were houses  
25           like Fort Augustus, but they were all under the same

1 roof. So in that sense, structurally, it was rather  
2 similar and numerically it was a bit bigger than  
3 Fort Augustus, but there were similarities.

4 So I suppose I have some -- there was some common  
5 ground I could call upon in speaking about  
6 Fort Augustus.

7 Q. But it was a boarding school like Fort Augustus?

8 A. It was a boarding school with increasing day pupils  
9 at the bottom, in the junior end. Like Carlekemp, we  
10 founded a prep school in Hampshire after the Second  
11 World War and that fed the senior school until it merged  
12 with the senior school, I think, in the mid-1970s.

13 LADY SMITH: Where was the prep school?

14 A. The prep school was near Petersfield, it was a place  
15 called Ditcham Park, gloriously overlooking the Isle of  
16 Wight. There were four monks there, so there are sort  
17 of similarities structurally with the fort.

18 MR MacAULAY: Douai School and the abbey, do we have  
19 a similar arrangement as we had with Fort Augustus,  
20 namely in very close proximity to each other? Were they  
21 on the same site, the school and the abbey?

22 A. Yes, similar to Fort Augustus.

23 Q. You also tell us that for a period of time, 1994 to  
24 1997, you were the chaplain to the English Benedictine  
25 nuns at Stanbrook Abbey.

1 A. Yes, that's quite important for the inquiry because  
2 Aidan Duggan was sent from Fort Augustus to be chaplain  
3 to the nuns at Stanbrook.

4 Q. Are you seeking to make any sort of connection?

5 A. Well, it was some -- by the time I got there, he'd been  
6 gone some years. They didn't really speak of him, but  
7 the fact that they didn't speak about him made me feel  
8 that perhaps he wasn't a great success, he hadn't  
9 endeared himself to the nuns, although they didn't say  
10 anything. I just mention it casually as being a place  
11 where he had been.

12 Q. Is that a full-time commitment?

13 A. It could be, but I decided that I'd probably go crackers  
14 if I just sat and did nothing, so I taught in my time  
15 there, north Birmingham, at Oscott College, which is  
16 a seminary for the Midland diocese. I also taught as  
17 Wonersh at St John's Seminary Wonersh, near Guildford,  
18 which trains seminarians from Cornwall through to Kent.  
19 So in the midst of the week I would go down and teach at  
20 those two places and then return for the weekends to  
21 Stanbrook.

22 Q. Do you have any insight into Aidan Duggan's commitment  
23 to Stanbrook in that did he have also other outside  
24 commitments?

25 A. No. I think he might have been asked to say Mass for,

1 say, a local priest that was on holiday. That would be  
2 the sort of thing that a full-time chaplain at Stanbrook  
3 would do and he would have had to get permission to  
4 celebrate Mass from the Archdiocese of Birmingham, which  
5 is where Stanbrook is located.

6 Q. You also tell us that you were elected abbot of  
7 Douai Abbey in about 1998.

8 A. Yes, September 1998.

9 Q. And that was a position you held for over 20 years?

10 A. Still.

11 Q. You also provide us with, in paragraph 7 of your  
12 statement, some insight into various commitments you've  
13 had over the years to, for example, educational and  
14 health trusts and councils and committees of various  
15 professional bodies.

16 A. Yes.

17 Q. It appears you have been fairly active over the years.

18 A. Yes.

19 Q. We can read it for ourselves.

20 One thing you do tell us there is that you visited  
21 Fort Augustus twice, once in 1986 and the other in 1987,  
22 and I'll look at what you say about the inspection of  
23 the archives in a moment. But on the first visit when  
24 the school was active, did you have any connection with  
25 the school?

1 A. No. I think it must have been in -- it was probably in  
2 the Easter holidays or something like that.

3 Q. How long did you spend there on that occasion?

4 A. Oh, a couple of nights, really, I think. The trouble is  
5 I've lost my notes of what I took at that visit, but it  
6 was ... The monastery was working at that time in  
7 a normal way. For the later visit, of course, it was  
8 a completely different sort of meeting, it was  
9 a General Chapter.

10 The monastery was quite small, very formal -- and  
11 I mention that later on in my statement -- a much  
12 smaller community even then to the community that I was  
13 used to. They were welcoming enough. Nicholas Holman  
14 was the abbot at that time.

15 Q. Before I look at other aspects of what you say in your  
16 statement, can I take you to the very beginning of the  
17 statement, Geoffrey, and the first three paragraphs.

18 I think there are three particular points that you would  
19 like to make at the very beginning of your evidence.

20 A. Yes.

21 Q. Can you perhaps tell us?

22 A. Do you want me to summarise them?

23 Q. Summarise them and we can read -- if there's anything  
24 I want to pick up from what you've written ...

25 A. These statements I decided on overnight, about three



1 days ago, because otherwise I felt my statement was  
2 being very congested with facts that people asked me to  
3 put into it, really. I think they're fundamental to  
4 give a sort of direction to what I'm trying to say about  
5 the context of Fort Augustus.

6 They are three statements and I would like to say,  
7 having sat through the hearings in the last few weeks,  
8 that I am convinced that abuse did take place in the  
9 schools run by the community of Fort Augustus. I speak  
10 here on behalf of the English Benedictine Congregation,  
11 as one who has sat in these sessions, and have been  
12 impressed to hear the suffering that many ex-pupils have  
13 experienced, and particularly I think I've been  
14 impressed by members of the families who have come  
15 forward and been interviewed here. I would like to  
16 offer a sincere apology, personally and on behalf of the  
17 Congregation, for the suffering and sadness that I have  
18 witnessed over the last few weeks.

19 Secondly, as you'll appreciate, my knowledge of  
20 Fort Augustus is limited, and I have been very dependant  
21 in my statement on the applicants' evidence over the  
22 last few weeks. All I can do here really is provide  
23 a context -- that's the key word -- for the events that  
24 we've been talking about, based on my knowledge of the  
25 working of the English Benedictine Congregation and hope

1           that I'll be able to provide some assistance to the  
2           inquiry.

3           My third and last point is something I inherited,  
4           a situation I inherited in May this year, which were  
5           discussions on the offer of financial compensation from  
6           the English Benedictine Congregation to victims -- to  
7           applicants, I think they're called -- and their  
8           families, using the residual assets of Fort Augustus,  
9           which perhaps we can talk about later.

10          I think one of the features which has arisen from  
11          listening to the evidence for me, anyway, is of course  
12          the support for applicants, but also their families.  
13          Because for mothers and sisters, it's terribly  
14          embarrassing and a great burden for them to carry. How  
15          we do that, I don't know, but I'm concerned, really,  
16          about the families, and it's something that the  
17          journalists that we've heard took up. I think there  
18          should be a greater role, not only for the support of  
19          applicants but for those that are close to them,  
20          particularly their families and there needs to be some  
21          sort of support.

22          Those are my three points.

23         Q. Thank you for that. Can I perhaps just pick up on the  
24          third point, since you have raised it as a preliminary  
25          point, and look to see how that's developed in your

1 statement.

2 If I can take you to paragraph 22, first of all, of  
3 your statement. In that paragraph under the heading  
4 "Assets of Fort Augustus", you mention the St Benedict's  
5 Abbey Fort Augustus Trust, which was established in  
6 1936, and was closed effectively, I think you tell us,  
7 in 2011; is that right?

8 A. Yes.

9 Q. Was it the assets of the trust as they then existed that  
10 were transferred to the English Benedictine  
11 Congregation?

12 A. Yes.

13 Q. What you tell us there is that they were transferred to  
14 the English Benedictine Trust as a restricted fund.  
15 I fully understand that you're not a lawyer and  
16 I wouldn't expect you to have a detailed insight  
17 in relation to how the fund operates, but can you just  
18 tell me what it means when it was transferred as  
19 a restricted fund?

20 A. Yes. The trust carried on after not only the closure of  
21 the school and the closure of the monastery and a deed  
22 of suppression in 2001. I think at some point there  
23 must have been a new trustees' appointment. The details  
24 behind this, I'm not quite clear, but the fact that two  
25 of the new trustees were abbots of Ampleforth made me

1 realise that Father [REDACTED], who's still on the  
2 trust, had taken up residence, he'd retired to  
3 Ampleforth, so it was sensible for the three or four  
4 trustees to be Ampleforth-based.

5 I remember going up to see him and just talking  
6 things through generally, and eventually the trustees  
7 decided to transfer the residual assets into the EBC  
8 trust, which -- of course, the Abbot of Ampleforth was  
9 a member of the EBC at the time. It was decided, to  
10 begin with, that it would become a restricted fund,  
11 that is we didn't have all this money to spend on all  
12 sorts of projects and it had to be clearly defined what  
13 it could be used for.

14 Q. And at that time -- and we'll come to see what you're  
15 now proposing -- what was the intention at that time as  
16 to what it was to be used for?

17 A. There was a very strong emphasis by Father  
18 [REDACTED] that it needed to be related to  
19 Scotland. If one reads the terms which govern the  
20 restricted fund, it was things like -- I think he was  
21 right here. The money needed to help ex-Fort Augustus  
22 monks in their future life when they went into  
23 retirement, and we heard, I think yesterday, about how  
24 one of the monks was given £50,000. I think there had  
25 been a sort of payoff, as far as I could understand.

1 LADY SMITH: And of course we've heard of two monks being  
2 given £50,000.

3 A. That's right. I think there had been an internal payoff  
4 earlier on, which had nothing to do with this new  
5 arrangement for the trust.

6 MR MacAULAY: Yes, I think the payoffs that you've  
7 described, they took place before the assets were  
8 transferred?

9 A. They did, that's right. Nevertheless, it was felt that  
10 as they were monks that had been at Fort Augustus,  
11 members of the community, it was their money after all  
12 and it should be used for their retirement or whatever.

13 Then I think the earliest criteria governed help in  
14 education in the EBC schools to Scottish children. Then  
15 there was another criterion which said that the trust  
16 would help to support Catholic chaplaincies in Scottish  
17 universities. Then there were more general reasons for  
18 the trust, which I think is quite important for what  
19 we're going to talk about in a second.

20 But it was generally directed towards Scotland and  
21 the Catholic Church, particularly in Scotland.

22 Q. We've heard about the two payments to John, who gave  
23 evidence yesterday, and also to Father **MEV** of  
24 £50,000, and I think also Dom Richard mentioned that his  
25 abbey received a similar sum on behalf of a monk that he

1 had taken in.

2 Leaving that aside, can I then take you to  
3 paragraph 75, where you develop this topic. It's  
4 page 4373. What you say there is:

5 "All the English Benedictine monasteries in England  
6 are independent charitable trusts."

7 A. Yes.

8 Q. You also say:

9 "The EBC is also in itself a constituted charitable  
10 trust."

11 A. Yes.

12 Q. You go on to say -- this is what you've been talking  
13 about:

14 "On 30 May 2010, the trustees of St Benedict's  
15 Abbey, Fort Augustus, and the English Benedictine  
16 Congregation trustees entered into a deed of gift."

17 The last sentence:

18 "On 31 May 2018, the assets of the Fort Augustus  
19 fund were valued at £1,292,589."

20 Is that right?

21 A. Yes.

22 Q. That was the figure as at 31 May 2018?

23 A. Yes.

24 Q. It may have fluctuated since then, but that's the sort  
25 of figure we're looking at --

1 A. Yes.

2 Q. -- insofar as the fund we're talking about is concerned;  
3 is that right?

4 A. Yes.

5 Q. You then go on to talk about Abbot Richard Yeo's  
6 involvement, and in particular that -- and indeed as he  
7 said in evidence -- the English Benedictine Congregation  
8 as a Congregation decided that it bore a moral  
9 responsibility for the abuse that had occurred at  
10 Fort Augustus and Carlekemp; is that correct?

11 A. Yes.

12 Q. We know this point about autonomy and so on --

13 A. Yes.

14 Q. -- but leaving that aside, it's fully accepted, isn't  
15 it, that you have a moral responsibility?

16 A. Yes.

17 Q. And is it on the back of that that you're seeking to  
18 find a way how to meet that moral responsibility by use  
19 of the fund that was transferred from Fort Augustus to  
20 the EBC?

21 A. Yes.

22 Q. In paragraph 77 you tell us about some involvement that  
23 you've had with the Charity Commission. Can I just ask  
24 you about that, Geoffrey?

25 A. Yes. I think the lawyers were helpful on this. The

1 criteria established for the restricted fund of The  
2 Fort Augustus Trust, as I said, tended to centre on  
3 Scotland and help to Scotland. But I think beyond that,  
4 there were rather broader criteria which allowed the EBC  
5 itself to use the money for, for instance, things like  
6 publications.

7 I think, just to ensure that we were keeping things  
8 within legal boundaries -- actually, I had nothing to do  
9 with this, so I hope I am not misquoting or leading  
10 people astray, but the Charity Commission were  
11 approached and asked, was it right for the use of the  
12 trust to help applicants who had been abused as pupils  
13 in relation to Fort Augustus?

14 Apparently the Charity Commission have a way of  
15 dealing with this sort of request. They basically say  
16 to the trust involved, "We are not standing in the way  
17 of you using these funds for that purpose". So I think,  
18 having got that assurance, we decided that that's where  
19 the money really -- and quite rightly -- ought to go to  
20 that.

21 Q. Do I take it from that answer then that the focus has  
22 moved away from the original intention to focusing upon  
23 those who were abused at these schools?

24 A. Yes, I think it's not so much moving away, it's become  
25 an additional criterion of the restricted fund. The EBC



1           would go even further, probably, and say that its  
2           principal concern in the ten or so criteria -- this at  
3           the moment would be what we would be using the money for  
4           and forgetting chaplaincies in the universities.

5           I think we would tend to be using the fund at this stage  
6           to help.

7           LADY SMITH: It sounds as though, Geoffrey, because of the  
8           Charity Commission's assurance, your advice has been you  
9           don't need to formally vary, as we lawyers say, the  
10          objects of the trust, they're widely enough drafted to  
11          include your proposal to help the Fort Augustus people.

12          A. Yes.

13          LADY SMITH: Is that really it?

14          A. Yes, because if you look at the criteria, they become  
15          more general as you move down them, and this element  
16          would be included. But I think they were just being  
17          cautious and getting permission and that was what they  
18          were trying to do. So it doesn't worry me too much  
19          because I think we'd be covered anyway.

20          LADY SMITH: Good.

21          MR MacAULAY: If we move on then to paragraph 79 to get some  
22          understanding of the present position. What you say  
23          there is:

24                         "The acceptance of moral responsibility for abuse  
25          meant that the Congregation was satisfied that there was

1 a basis for the payment of compensation to those who  
2 suffered abuse at Fort Augustus."

3 You go on to tell us -- and I think this updates the  
4 part D response that the Congregation made:

5 "By September 2019, a total of 12 complaints of  
6 physical or sexual abuse at Fort Augustus had been  
7 received by the English Benedictine Congregation Trust.  
8 These are being presently investigated and ten have now  
9 been settled."

10 A. Yes.

11 Q. Do I take it from that that payments of compensation  
12 have been made to ten applicants?

13 A. Yes. The last time the solicitor dealing with this was  
14 in contact with me, there was a long list of complaints  
15 and some had been dealt with, some were pending, some  
16 were in the very early stages, so it was a sort of mixed  
17 bag, and I think this is the most up-to-date figure that  
18 we've been given. But there would be others to be dealt  
19 with over the next few months, I suppose.

20 It's a complicated picture because some of the ...  
21 A demand, if you like, has been made but nothing else  
22 has happened, it's never been followed up by the  
23 particular person that wrote. So it's a complicated  
24 picture, but I think it's useful that you have that  
25 statistic in front of you, really.

- 1 Q. I think what you're portraying here is what one can  
2 describe almost as a bespoke redress scheme whereby  
3 children who were abused at either Fort Augustus or  
4 Carlekemp can benefit?
- 5 A. Yes, as simple as that, yes.
- 6 Q. Can we then go back to the earlier part of your  
7 statement and turn to paragraph 8 and onwards. At  
8 paragraph 8 you provide us with a succinct picture of  
9 the background to the abbey and the school, and in  
10 particular to the school and when it was established and  
11 its personnel. I don't think we need dwell on that.
- 12 A. Could I just make one -- apologies for butting in. In  
13 paragraph 9, the -- St Anne's serves Washington DC and  
14 St Benedict's Abbey, Portsmouth, Rhode Island are now  
15 independent abbeys, they're not related to  
16 Fort Augustus. They got their independence and became  
17 abbeys and they are part of the EBC, so one needs to  
18 change "now dependant" to "now independent".
- 19 Q. I think there's a typographical error third line from  
20 the bottom:  
21 "At the time of its closure in 1973."  
22 Do you mean 1993?
- 23 A. I do, yes -- no, no, sorry, that's at Carlekemp, so  
24 it is 1973, isn't it?
- 25 Q. Carlekemp was 1977, I think.

1 A. Was it 1977? Right, sorry.

2 Q. We can check that.

3 You then talk about the archive and I do want to ask  
4 you a little bit about that because we've already  
5 touched upon this. You went and inspected the  
6 Fort Augustus archive in 1986.

7 A. Yes.

8 Q. This is at paragraphs 10 onwards.

9 A. Yes.

10 Q. Can you just give me some information about what you  
11 found, what the position was when you looked at the  
12 archive?

13 A. I was sent up in 1986 by the English Benedictine History  
14 Commission. I was not -- just an ordinary monk at the  
15 time, but they were concerned that -- you see,  
16 Fort Augustus was always so remote and monks, members of  
17 the community, rarely came to meetings. It was a sort  
18 of fortress separated from the rest of the Benedictine  
19 world, really.

20 So I think the History Commission were a bit  
21 concerned, given the fact that there were some important  
22 historical records there, that we ought to have some  
23 idea what it was like. So that's why I was sent up.

24 It was a bit shocking, really, because they were  
25 housed in a sort of stone cellar, which archivally is

1 very, very bad for archives because of damp, et cetera.  
2 But nevertheless, they were there. I wasn't really  
3 interested in the school and I can't remember much  
4 in the school in that archive. It was really the  
5 historical collections which were important. I remember  
6 listing those and coming away.

7 I think I make a note in my statement that the  
8 school archive wasn't really there and it was probably  
9 in another place, and like the SNR office, it  
10 was a working archive, and I think that chimed in with  
11 what John was saying yesterday in his time as

12 SNR. There was no ... This is not a vast  
13 religious order of hundreds of members that run huge  
14 orphanages and schools and hospitals. This is a tiny,  
15 declining community, and their priorities are not  
16 archival collection, they come down lower, I'm afraid,  
17 in the order of priorities.

18 Therefore, as things declined as Fort Augustus, the  
19 care of the archives didn't receive massive attention.

20 Q. But in relation to your trip in 1986, what did you do?  
21 Did you provide any advice? Did you do any cataloguing?

22 A. No, I didn't. I didn't feel that was my job. At that  
23 time, MFF, I don't know what his status would  
24 have been in 1986, he may have been at Columba House  
25 Edinburgh, I can't remember the dates he went there, but

1           he was a very well-established historian and publisher,  
2           particularly interested in Scottish Benedictine history,  
3           and I thought that's his job, really, to be looking  
4           after ... So that wasn't my brief. My brief was just  
5           to sort of tell the rest of the commission what  
6           historical monastic records were at the fort.

7           LADY SMITH: So by the time of your visit in 1986, you were  
8           going to look at what ought to have been carefully kept  
9           records spanning 110 years, something like that?

10          A. Probably more.

11          LADY SMITH: They were founded in 1876 and you went in 1986.

12          A. Yes. There was material deposited there by the Scottish  
13          Catholic lairds, the Lovats, so it was quite interesting  
14          historically for Scotland, an interesting collection.

15          MR MacAULAY: I think it went back centuries, in fact.

16          A. Yes, and there was medieval material. Of course, Oswald  
17          Hunter Blair, he was what you might call  
18          a self-publicist, he produced vast numbers of his  
19          autobiographies and they were all there, I remember.  
20          That's what I was really interested in. And of course,  
21          in 1986, I was sort of relatively new to the game and  
22          nowadays I would have probably been a bit more forensic.  
23          I would have looked at classification of the archives  
24          and one would have seen the school and the headmaster  
25          and the bursar and everything and pupils' reports. They

1           would have had a decent classification.

2           I can't remember in 1986 ever seeing  
3           a classification of archive.

4       Q. You tell us in paragraph 11 that there was some  
5           organisation and cataloguing of the archive by Sister  
6           Christine Johnson, who was the keeper of the Scottish  
7           Catholic Archives, in 2001.

8       A. Yes.

9       Q. This looks like a very detailed handwritten index.

10      A. Yes. Five files, yes.

11      Q. It is a very lengthy document, isn't it?

12      A. Yes. It's Dr Christine Johnson, actually, she's not  
13           a member of a religious order. She was at  
14           Columba House, Edinburgh. I've never met her, but she  
15           is a highly efficiently and a professional archivist.  
16           As archives came in from Catholic institutions in  
17           Scotland, her first job would be to list them -- I think  
18           she's retired now -- and she produced this at the time,  
19           probably for her own use, this incomplete handwritten  
20           index. I've never seen it, to tell the truth, I've  
21           never had time, but I'm assured by the solicitors that  
22           the lever arch files are now in Edinburgh with the rest  
23           of the archive.

24      Q. But what you tell us is that, unfortunately, not all the  
25           material listed in the handwritten archive remains and

1           presumably has been lost over time? Is that the  
2           explanation?

3       A. Yes. So you've got two losses, haven't you? The  
4       thing's incomplete to begin with because of negligence,  
5       I suppose, at Fort Augustus -- you know, files weren't  
6       kept on pupils. Et cetera -- but also in the move from  
7       Fort Augustus down to here, other material went missing.  
8       That's what we're talking about. And I can't understand  
9       why it went missing. It could just be the move and  
10      a few boxes were neglected here and there. There may  
11      have been ... In the final clearance of Fort Augustus,  
12      there could have been negligence. I mean, the other  
13      alternative is to say there's some sort of  
14      mischievous ... but if you're faced with, say, 100 boxes  
15      of archives, and you're looking for sensitive material  
16      you want to get rid of, burn or whatever, it's quite  
17      a lengthy process to sort of plough through it,  
18      particularly if there's no decent classification. So  
19      I guess there probably wasn't a mischievous interloper  
20      who was trying to ferret out archives. I can only say  
21      that as pure speculation.

22      Q. What you do say in paragraph 15 is in essence the files  
23      that relate to the school are relatively few and  
24      incomplete?

25      A. Yes.



1 Q. And:

2 "In particular, there does not seem to have been any  
3 systematic attempt to create or retain files on teaching  
4 staff or pupils."

5 So depending on the year when a student attended the  
6 school, there may be some or no relevant documents at  
7 all; is that correct?

8 A. Well, it was a small school, probably the headmaster,  
9 who would have been principally involved in the  
10 collection of school archives, he might not have had  
11 secretarial support of any strength. What happens in  
12 a school archive, as you create what's called a working  
13 archive, which is stuff that is current and you keep  
14 wanting to refer to, and stuff which is not current,  
15 a decent secretary would put it into the archive and it  
16 doesn't seem to have happened here. It may be that the  
17 cause of blame has to be focused on the lack of  
18 secretarial assistance for the headmaster, for instance.  
19 That's all I can think of.

20 Q. But what you say is that much of the material that could  
21 relate to Carlekemp is not in the archives?

22 A. No. Carlekemp's archival position was even weaker,  
23 probably. It was a sort of outpost with four monks who  
24 were running around and trying to teach and keep the  
25 place in order and probably didn't have too much

1           secretarial help there.

2           Q. In summary, what you tell us in paragraph 16 is that the  
3           Fort Augustus archive contains the following records  
4           in relation to the former students of the Abbey School.  
5           There are parent and account ledgers from 1947 to 1952,  
6           1958 to 1968, 1977 to 1981. There's a relatively  
7           complete set of class lists for the Abbey School. There  
8           are brief pupil files for many of the students who left  
9           the abbey prior to 1969, but almost no pupil files for  
10          the years 1970 to 1993. That suggests there's a greater  
11          dedication in retaining files in the earlier period than  
12          in the later period.

13          A. Yes. I was interested in those dates -- I'm sure you  
14          were -- because many of the allegations of abuse take  
15          place between 1970 and 1993 --

16          Q. Yes.

17          A. -- and the files are not there. I can't speak to that  
18          at all. I'm just rather interested that the critical  
19          years are not covered by what might have been useful  
20          material. I'm sure the journalists in that television  
21          programme regret that too, that there's not the  
22          information.

23          Q. You say there's an incomplete set of housemaster reports  
24          from the 1980s.

25          A. Yes, which would again ... The pastoral position of

1 housemasters might have had material there which would  
2 have been very useful for inquiries into abuse.

3 Q. So far as Carlekemp is concerned, what you tell us in  
4 paragraph 17 is that:

5 "We have no pupil files for pupils before 1957, as  
6 they are missing from the archive. From 1957 to 1977,  
7 the files were arranged alphabetically and we have some  
8 files of students with last names starting with H  
9 through to Y."

10 So there are some files available but very little?

11 A. That's right. That's bad housekeeping, archival  
12 housekeeping, I'm afraid, and I regret it, particularly  
13 in the light of what was to happen to Carlekemp, but  
14 I don't know where -- I don't think they were probably  
15 kept anywhere; they must have been destroyed by the  
16 headmasters of the time.

17 Q. In the round then, are you saying that really there was  
18 inadequate record-keeping, particularly in relation to  
19 the children at both these schools?

20 A. Yes. I'm sure of that.

21 Q. You then provide us with some insight into the history  
22 of the abbey, and in particular the influence of what  
23 you call, I think, the --

24 A. Beuronese Congregation.

25 Q. Can you elaborate upon that for us?

1       A. The 19th century was a period of the Romantic revival  
2       and many people saw it as a return to a monastic golden  
3       age. And there were two major Benedictine Congregations  
4       founded in the 19th century. One was in France and it's  
5       called the Solesmes Congregation. It doesn't do  
6       apostolic work, it's more contemplative. Given the  
7       great French history of the Congregation of St Maur,  
8       which was founded in the early 17th century, and split  
9       -- the Solesmes Congregation goes in for study and  
10      scholarship.

11             Its sister was the Beuronese Congregation in  
12      Germany, which similarly had Charismatic founders,  
13      probably mid-19th century, and went in for a similar  
14      contemplative Benedictine lifestyle, with lots of  
15      neo-medieval features, which didn't go in for apostolic  
16      work in any sense. I'm not sure whether any Beuronese  
17      monasteries/abbeys have schools attached.

18             But the founder of those -- so those are the two,  
19      and the Beuronese is what concerns Fort Augustus. The  
20      founder of Fort Augustus, an extraordinary man called  
21      Jerome Vaughan, who was brother of the cardinal and  
22      brother of the second -- third Archbishop of Sydney,  
23      from a Catholic gentry family, was very much a sort of  
24      lone ranger, who did his own thing. And it was he that  
25      really wanted to found the fort and he didn't get much

1 support from the English Benedictines south of the  
2 border, but he did get support from the Scottish bishops  
3 and some of the great Scottish Catholic landowners and  
4 he founded Fort Augustus.

5 But he himself was a neo-medievalist, he believed  
6 in that Romantic vision. So I think he sort of went in  
7 a huff over the English Benedictines not supporting him  
8 to found a revived Scottish Benedictine Congregation.  
9 So he went to Beuron, which at that time was the  
10 fashionable place to go.

11 Therefore, he left the English Congregation and  
12 joined up with the Beuronese, and they had, to me --  
13 again. It's speculative, but it's my own impressions  
14 for what they're worth -- it pushed Fort Augustus away  
15 the English Benedictine tradition of a mixed life,  
16 that is a life of prayer and activity, and Fort Augustus  
17 became more sort of enclosed. That's why the school, if  
18 you notice, is only founded much later, it's sort of  
19 1920s.

20 Q. 1923, I think.

21 A. When it returns, after it returns -- the Beuronese  
22 thing, it had a couple of Beuronese abbots, German  
23 abbots at Fort Augustus, and then of course it didn't  
24 work out for all sorts of reasons and they returned to  
25 the English Benedictine Congregation and founded

1 a school, and the rest is history.

2 Q. That's a very interesting and useful history lesson that  
3 you've just given us and it tells us, for example, where  
4 the name for Vaughan House comes from.

5 A. Sure.

6 Q. What you take from this, I think, is that the way in  
7 which the abbey was formed could not have helped to  
8 develop a warmth among the monks towards the pupils who  
9 were in their care.

10 A. Yes.

11 Q. How do you feel --

12 A. That's speculation, I apologise. The stricter form of  
13 monasticism affected Fort Augustus much more than in the  
14 English monasteries. For instance, you had a class  
15 system. The English house monasteries or abbeys never  
16 had lay brothers, they had a couple perhaps at the most.  
17 In Fort Augustus you had a strong sense of the choir  
18 monks and the lay brothers who did the sort of menial  
19 chores. That was directly imported from Germany.

20 When I was there, and just listening to applicants  
21 and the way that they saw the abbot, it wasn't quite  
22 like it would have been in an English abbey. The abbot  
23 would have been more hands-on and would have been around  
24 a bit more, but there he was a sort of exalted, distant  
25 figure. Again, it's speculation, but I just sense that

1 the abbot's role in Fort Augustus was different from  
2 what it was in the English houses -- and don't forget  
3 the English houses only had abbots from 1900, they had  
4 priors before that.

5 But also I was there. In an English abbey, the  
6 calefactory, the common room is a common room where  
7 people go to recreate and talk and read the papers.  
8 At the fort, when I went in 1986, it was much, much more  
9 formal. They sat in order of clothing in the habit, so  
10 you're next to the same person every night for the rest  
11 of your life sort of thing, and it had that degree of  
12 formality, which probably didn't engender much warmth in  
13 their relations with each other. Whether it influenced  
14 their relations with the school, I can't say, but it had  
15 an atmosphere, I sensed.

16 Q. Another point you make is because of this influence at  
17 Fort Augustus, it never developed its own parishes away  
18 from the monastery.

19 A. No.

20 Q. Can you compare that to other Benedictine monasteries?

21 A. It was mentioned, I think, in John's evidence yesterday,  
22 that the English Benedictine Congregation, because of  
23 its revived history, was keen on apostolic work, what  
24 you might call missionary work. It sent, for 200 years,  
25 monks across to England in a period of persecution to

1 help English Catholics, and eventually these little  
2 places, particularly the industrial areas of Liverpool  
3 and South Wales and the north-east, they developed into  
4 parishes.

5 Parishes attached to the monastery would not be  
6 looked upon well by the strict monastic 19th century  
7 Romantic revival. That's why Beuron and Solesmes and  
8 Fort Augustus had a much more restricted view of  
9 monasticism. The parishes in the English Benedictine  
10 Congregation got a special privilege of the parishes  
11 becoming incorporated into the monastery.

12 So for instance, the parishes that my abbey runs,  
13 I look after those parishes and go and visit them.  
14 Fort Augustus never had such apostolic work. It had  
15 a few Mass centres, as far as I can see, around the  
16 abbey and a few of the monks were sent out to help  
17 in other parishes of the English Benedictines when it  
18 was necessary for an assistant priest, but they never  
19 developed that system.

20 So the monastery at Fort Augustus was more enclosed  
21 and I suppose to some extent their main work remained  
22 the school. But having said that -- and I mention it  
23 later on -- because of this Romantic idea of a monastery  
24 being -- its first work being prayer and the monastic  
25 daily routine, even at Fort Augustus School, which



1           should have been their principal act of work, perhaps  
2           took second place to that.

3           We kept hearing about how there were other monks up  
4           in the monastery who didn't have anything to do with the  
5           school. That tuned in with that idea.

6           Q. Can I then look at the topic of education, because you  
7           also talk about that in your statement, beginning at  
8           paragraph 24. What you begin by saying of course  
9           is that the order of St Benedict was primarily not  
10          a teaching religious order --

11          A. No.

12          Q. -- in comparison to other religious orders. So how did  
13          it --

14          A. How did it develop?

15          Q. Yes.

16          A. Well, the Rule talks about children of the cloister, so  
17          there were obviously orphans, et cetera, in the  
18          6th century and some of the great saints, like St Bede,  
19          was sent as a little boy to Wearmouth-Jarrow. So there  
20          was always a degree of education, but it wasn't founded,  
21          it wasn't some charismatic founder of a new religious  
22          order who said, right, we are going to have schools  
23          attached and get on with it. It didn't work like that.  
24          It sort of evolved that way.

25          When you think about it, an abbey is a very stable

1 institution, which to some extent is not good for it,  
2 because it's stuck there and it can be a target for all  
3 sorts of, you know, criticisms. But the stability of  
4 the abbey, what sort of work would it do? It couldn't  
5 be writing manuscripts because a thing like printing had  
6 come in. So if it's stuck there, it has to have a job  
7 which the monks can fulfil, work out, and a school would  
8 be an obvious thing of some sort. It didn't have to be  
9 a big boarding school, it could be just a choir school  
10 or an aluminate, I think it was called.

11 It didn't have to be a school but it sort of  
12 naturally developed, particularly in Scotland and  
13 England, with Catholics getting freedom of worship  
14 in the 19th century, precisely at the time that  
15 Fort Augustus began to develop.

16 So it came about that way. But I don't think ...  
17 I have just thought about this: perhaps that's one of  
18 the reasons why Fort Augustus was rather negligent in  
19 not going in for teaching qualifications.

20 Q. Yes, we've heard about that and indeed we looked at  
21 correspondence as recent as the 1980s with John  
22 yesterday --

23 A. Yes.

24 Q. -- where it was apparent that teachers at the school did  
25 not have teaching qualifications.

1 A. Yes.

2 Q. What was the position south of the border? Was it the  
3 practice, at least in the 1970s and 1980s, for monks who  
4 were teachers to have teaching qualifications?

5 A. Yes, and I think I mention that because -- I think John  
6 was typical of many. He was in the school run by the  
7 community and then he joined the community. His  
8 experience of a broader world of education where there  
9 were curricular developments -- and I mention those --  
10 they weren't aware of. It was a rather sort of  
11 fossilised institution at the end when it should have  
12 been partaking in current educational initiatives.

13 So I think it was a weakness, I'm afraid.

14 Q. If I take you on to paragraph 27, you say there:

15 "Sometimes past Fort Augustus pupils have shown  
16 a striking loyalty to their old school in spite of  
17 serious deficiencies which we now know to have existed."

18 And we have had complaint from applicants that they  
19 did not consider that they received a proper education  
20 at the school. There's been one criticism. But you  
21 make reference to an overview of both schools by [REDACTED]

22 [REDACTED] --

23 A. Yes.

24 Q. -- that indicates this loyalty to the school; is that  
25 right?

1       A. Yes. I put this in, although it was criticised as  
2       a whitewash, I think yesterday or the day before. It's  
3       one of the few published works on Fort Augustus. He's  
4       still alive. In fact, I met him for the first time last  
5       Easter. He came to give a talk on some musician or  
6       other.

7             It's really a chronicle of the school's history and  
8       I found it useful in the latter years. For instance, it  
9       deals in detail with the time where the abbot had  
10      decided the school should be closed, old boys rose up,  
11      and then it had a sort of temporary revived existence,  
12      and then eventually disappeared. It was quite useful to  
13      read it.

14            So although it might be a whitewash and it doesn't  
15      talk about abuse, it's quite an important chronicle of  
16      those last years of the school at Fort Augustus. But  
17      I wasn't so much interested in "[REDACTED]" -- I don't  
18      know whether you were impressed, like I was, with one of  
19      the first applicants who was on video link, I think from  
20      [REDACTED] or somewhere, I can't remember, who was not in  
21      good health. I just felt that behind his just  
22      criticisms relating to abuse, there was a sort of  
23      residual loyalty, despite everything, to this  
24      institution which his family had known for generations  
25      and which he had been at, and I was quite impressed by

1 his evidence.

2 Q. Towards the end of that paragraph, you repeat what  
3 you've said already, that:

4 "[You] speak for the EBC when I deplore the child  
5 abuse which took place at the Fort, therefore, and the  
6 EBC and I are acutely aware of the suffering it has  
7 caused."

8 And I am interested in this next sentence:

9 "To the extent that previous statements on behalf of  
10 the EBC cast doubt on our acceptance that abuse took  
11 place, I sincerely regret that."

12 A. Yes, of course, some of the criticisms were that the  
13 apologies were not from the heart, and I think  
14 Abbot Richard's apology was characterised as being  
15 "mealy-mouthed". I think at this point, I wanted to  
16 put -- I mean, I could have just come for today, but the  
17 fact that I've been sitting here for the last few weeks,  
18 it's affected me personally, and therefore any apology  
19 I give I hope is from the heart, because I've had to go  
20 through all this stuff and listen to these people. And  
21 perhaps Abbot Richard didn't have that opportunity in  
22 the way that I've had. So I think that's what I'm  
23 trying to get at there.

24 Q. You have a section of your statement, beginning at  
25 paragraph 28, focusing upon the limitation of the

1 approach to safeguarding in the past. I think the  
2 message you're putting forward here is that there was  
3 little external regulation of, in particular,  
4 Fort Augustus and Carlekemp, for most of their  
5 existence.

6 A. Do you want me to comment on that?

7 Q. Yes, please.

8 A. I think this is related to the visitation and I think  
9 we have to get away from the idea that a visitation is  
10 an inspector coming along with a clipboard to tick  
11 various aspects.

12 The visitation is about the spiritual renewal of an  
13 individual and of the community. I'm talking in an  
14 ideal sense. Every four years, the visitor comes and  
15 his job is to investigate this, that and the other, but  
16 principally he has to investigate whether individuals  
17 are leading the monastic life to the best of their  
18 ability and the community itself is being revived. If  
19 you look at the constitutions dealing with the  
20 visitations, that's what its central purpose is.

21 If you say to me, "Yes, but let's get away from  
22 that, let's talk about the school and the abuse and  
23 everything", if you don't have a community which has got  
24 strong ideals, you get problems. The ideals, therefore,  
25 are the energiser of the work that that particular

1 individual and community do. I say that because  
2 of course they're deficient because they don't mention  
3 the schools and the headmasters and everything, but its  
4 job was to make better people. It may have fallen  
5 miserably from that, but before a visitation takes  
6 place, there's a period where the community has to  
7 reflect on itself and individuals have to say,  
8 "Am I a good person? Can I be a better person?" even  
9 before the process begins.

10 That being said, I think education is a more complex  
11 thing than it was when Fort Augustus School was first  
12 founded in the 1920s and I think there's a place,  
13 really, for visitations to include specifically reports  
14 from the school. You can see this coming through  
15 in the -- how does the Abbot President deal with the  
16 declining community? And I think Abbot Richard talked  
17 about Fort Augustus being dysfunctional.

18 Lady Smith or you picked him up on this and said,  
19 "What do you mean by that?" "Well, they couldn't provide  
20 abbots and somebody had to be carted in from outside to  
21 run the place."

22 So it was dysfunctional, and therefore the school,  
23 by extension, would have had problems from that. So  
24 I think what was produced in 2013 -- and you'll see it  
25 in the constitutions -- is a whole section entitled

1 "Structures of Congregational Support". So if  
2 a community is in decline, if there are major scandals,  
3 the president or the community itself can apply for help  
4 from outside in a much more structured way. That would  
5 help the running of a school, if it still existed,  
6 because those supports would insist on regular  
7 inspections and safeguarding procedures in a way that  
8 wasn't the case in the past. So quite late in the day,  
9 it has come to that.

10 LADY SMITH: Geoffrey, can I just intervene here a moment,  
11 and I'm glad to hear that the thinking is shifting to  
12 visitations going beyond the monastic life itself. What  
13 troubles me, and has troubled me from the outset, here  
14 is the idea that if the purpose of a visitation is  
15 essentially to look at the spiritual well-being and the  
16 spiritual development and maturing of the monks, and  
17 there is available at the time of the visitation a place  
18 which could provide strong evidence of actually how well  
19 these monks are functioning in their daily life, that it  
20 should somehow be ignored. It seems turning a blind eye  
21 to some of the most valuable evidence of how some of the  
22 monks are functioning and whether indeed they can be  
23 seen as being well in mind, body and spirit.

24 A. I don't think they were deliberately ignored; I think it  
25 just sort of grew that way. That's why we're very



1           conscious with all the safeguarding issues that we're  
2           surrounded with in the constitutions, which is the law  
3           book of the way that the monastic life is led, it's got  
4           that huge section in.

5           And related to your point there is, even before the  
6           structures of support had gone into the constitutions  
7           and given the president a lot of power that he'd never  
8           had before, before the visitation -- and I conducted  
9           a number of visitations -- there were safeguarding  
10          reports by an external audit and, I think, a financial  
11          report and there's one other.

12          They were examinations, they were inspections before  
13          the visitation took place. It's perhaps not sufficient,  
14          but at least it's a start on addressing the issue that  
15          you mentioned.

16          I agree with you. I don't think an abbot decided  
17          deliberately one day he was going to avoid any  
18          inspection of the school; I think it just sort of wasn't  
19          there in the first place and just carried along. But  
20          look what it led to.

21       MR MacAULAY: And do you recognise that as a deficiency  
22          in the visitation system?

23       A. I think it could have been more -- yes, I probably would  
24          admit that it was a deficiency because I think having  
25          got the spiritual side right, and that's a priority,

1           then it could have been much more investigative, if  
2           that's the right word, of the works that the community  
3           did.

4           Of course, you say to -- what struck me is that  
5           these monks that were accused of abuse, to have gone  
6           every four years through this visitation system and not  
7           been affected by it and carrying on in bad habits, if  
8           you like, was not good. That in itself shows  
9           a deficiency of the visitation system in itself  
10          regardless of specific abuse, et cetera. It meant it  
11          wasn't touching them in a way that it ought to do.

12          It's very difficult. If people are determined and  
13          stubborn, it's very, very hard to change hearts. That's  
14          what struck me in the light of what applicants were  
15          speaking about over the last few weeks. But I accept  
16          that there was a deficiency, it wasn't deliberate, it  
17          was just the way it evolved, and the Congregation is  
18          trying hard to improve things in critical areas where  
19          there have been deficiencies in the past.

20          Q. What you say at paragraph 29 is, as you've said already,  
21          that you do believe abuse did take place at these  
22          schools and you repeat your apology. But you also go on  
23          to say:

24                 "I apologise for the inadequate investigations  
25          conducted during the quadrennial visitations which might

1 otherwise have found evidence of abuse and should have  
2 led to steps to deal with the problem."

3 And I took that to mean that you were accepting that  
4 the visitations should have had a broader focus than  
5 simply on the spiritual well-being of the monastery  
6 itself.

7 A. Which they would do now. But I'd like to add to that --  
8 and I think it throws light on what you say -- that  
9 visitations are twofold type. There's the quadrennial  
10 visitation every four years, which sounds as if it had  
11 deficiencies, and there's an extraordinary visitation.

12 What happens there is that monks in the community  
13 are concerned about a particular issue -- it could be  
14 sexual abuse -- and the number is specified as to how  
15 many have to -- it's something like six or something  
16 members of the council. They can say to the president  
17 there is a serious problem in this place and we wish you  
18 to conduct a specific extraordinary visitation in  
19 addition to the normal four-yearly visitations to deal  
20 with this matter.

21 What I'm trying to say is that even in a period  
22 where the visitations were rather general, were rather  
23 spiritual, you might say, there was the mechanism to  
24 isolate a really serious issue which would cause the  
25 president to call an extraordinary visitation, either

1           because some of the community asked for it, or because  
2           he and his council felt it was serious enough for him to  
3           be involved.

4           I have no indication of extraordinary visitations  
5           taking place at Fort Augustus right up to its end, which  
6           in a sense is also a deficiency.

7           LADY SMITH: So if one takes, for example, matters getting  
8           to the stage that the **SNR** tells a monk he should go to  
9           Australia in the face of allegations of sexual abuse,  
10          are you saying that would have been a prime opportunity  
11          to ask for an extraordinary visitation?

12          A. It would, and it didn't happen. There was no group from  
13          Fort Augustus applied to the president for an  
14          extraordinary visitation. The abbot, as far as we know,  
15          Nicholas Holman, did not say to the president, "Look,  
16          things are get out of hand here and I think you should  
17          consider an extraordinary visitation". So it didn't  
18          happen, which is unfortunate.

19          MR MacAULAY: If we look at Carlekemp, there's been evidence  
20          that at a point in time, four out of the five monks who  
21          were there may have been sexual abusers of children.  
22          And you've heard the evidence, I think, from Mr Daly and  
23          Mr Rodgers about what their position was, that it was  
24          effectively a paedophile arrangement.

25          The sexual abuse of a child, that's a grave sin,

1           isn't it?

2           A. That's right.

3           Q. I think I raised this with Dom Richard, but it would  
4           appear that notwithstanding what was happening, these  
5           priests were still saying Mass on a regular basis. So  
6           in that environment, it's probably not surprising that  
7           these particular individuals did not ring any alarm  
8           bells because it was they who were perpetrating the  
9           abuse.

10          A. Yes, it was a sort of self-regulating institution,  
11          really, and I think that's appalling. It developed into  
12          a sort of habitual abuse. That's what worried me, not  
13          so much celebrating Mass. Their whole vocation was in  
14          jeopardy and yet it seemed to carry on. I was very  
15          embarrassed to hear that.

16                 Whether the authorities at Fort Augustus itself had  
17          any idea what was going on at Carlekemp, I just don't  
18          think we've got evidence for that. They weren't -- the  
19          reason I say that was that at the closure of Carlekemp,  
20          the monks that were alleged to have abused were just  
21          simply transported to Fort Augustus and got into the  
22          school in Fort Augustus. There didn't seem to be any  
23          thinking: well, this is the time to deal with the issue  
24          and prevent them carrying on with their bad ways. It  
25          didn't happen, they just simply transferred them. Not

1 good and I'm sorry about that.

2 Q. You make a point about the housemaster system at  
3 Fort Augustus in your statement. It's towards the  
4 bottom of paragraph 31. Can you just help me with that?  
5 What are you saying there? I think we do know, for  
6 example, from what John said yesterday that as  
7 a housemaster he could have had 40 to 50 boys in his  
8 charge.

9 A. I suppose this reflects the experience of our school.  
10 We didn't have separate houses like the -- and I mention  
11 this -- classic English public school system. They were  
12 all under one roof. Let's say two housemasters, one  
13 became ill with flu, the other housemaster would be  
14 running the entire establishment and it was too vast for  
15 them to run. There was insufficient, it seemed to me,  
16 pastoral supervision and they needed to sort of somehow  
17 rejig the buildings to have a clear-cut -- a clear-cut  
18 house system or to introduce more staffing. It was too  
19 much.

20 Again, it's speculation on my part, but if one's  
21 faced with a massive problem facing you in an  
22 educational context, you can resort to severe measures,  
23 it's a sort of in terrorem, a sort of police state, and  
24 I just wondered, I think in speculation, that the job  
25 was too much -- I mean that MFG rebellion to me

1 was a sign that it was out of control, it could on  
2 occasion be out of control.

3 Either you rejig the buildings, as I say, to have  
4 separate house units or you employ more staff in  
5 a pastoral sense. I think that's one of the  
6 deficiencies of the fort: it didn't have the numbers of  
7 pastoral support to deal with the institution.

8 Q. Again if you look at the example of John, who was the  
9 housemaster for 40 to 50 boys, that's one person having  
10 to care -- that was the role of the housemaster, to look  
11 after the well-being and care for the boys. That  
12 doesn't seem to be a particularly happy situation.

13 A. No. One mention here only was from me in the whole of  
14 the inquiry. There's a very interesting television  
15 programme of 1975 -- this is MEV  
16 territory -- which was made for television and  
17 broadcast, which I happened to watch. The "Sins of  
18 Our Fathers" programme, it begins with a clip from that  
19 television programme. I think for the inquiry, if it's  
20 still operating, it's worthwhile you watching that  
21 programme.

22 Q. What's the name of the programme?

23 A. It's probably called "Fort Augustus" or something. But  
24 it made a number of the monks look foolish. There was  
25 a poor lay brother, as far as I remember, watching

1 Mickey Mouse, having his hair cut, and this sort of  
2 silly business. It would probably appeal to the  
3 viewers.

4 I never knew [REDACTED] MFG, but it shows [REDACTED] MFG  
5 conducting the corps, all in kilts with bagpipes and  
6 things, by way of a gramophone record. I had  
7 a throwback listening to the rebellion yesterday.  
8 It would be very interesting for you, if you're  
9 conscious of the [REDACTED] MEV allegation of  
10 1975/1976, to get a clear picture by a television  
11 company of what the fort looked like in action.

12 LADY SMITH: Thank you for that.

13 MR MacAULAY: One thing you suggest towards the bottom of  
14 paragraph 31, is that because of this set-up with two  
15 housemasters having to manage a significant number of  
16 pupils, it is possible that for control, they found it  
17 easier to resort to frequent corporal punishment.

18 A. Yes, again, that is speculative, and I may be talking  
19 nonsense here, but if you're faced with that sort of  
20 schoolboy rebellion, the easiest way to deal with it in  
21 some cases would be to frighten the life out of them by  
22 insisting on a regime of strict corporal punishment.

23 I just sensed there was a thread of that running through  
24 a number of the applicants' statements.

25 Q. You also touch upon the movement of monks, Geoffrey,



1 beginning at paragraph 34. We've heard evidence,  
2 particularly for example with regard to  
3 [REDACTED] MEV [REDACTED] and also [REDACTED] and I think  
4 also Father [REDACTED] MFC [REDACTED].

5 A. Yes.

6 Q. Can I just ask you about that? Did you find it  
7 surprising that there was so much movement at  
8 Fort Augustus?

9 A. There had always been some movement in the sense  
10 although they didn't have separate parishes outside,  
11 Father So-and-so would fall ill and the abbot would  
12 apply to another abbot and say, can he go to your  
13 parish, or, can he come for convalescence to your  
14 monastery, and he went. But it was a temporary thing.

15 The movement of monks in terms of the constitutions  
16 is related to the transfer of stability. As far as  
17 I can see, there was not much transfer of stability of  
18 Fort Augustus monks. What there was was short-term  
19 movement.

20 I think it's interesting that one of [REDACTED] and  
21 [REDACTED] MEV [REDACTED] related to New Norcia, and if I'd  
22 had time, and I haven't, I'd have contacted New Norcia,  
23 which still exists, it's in the middle of Australia, and  
24 said, "Are there any files on these two?"

25 I mention that there are very strange figures for

1 Aidan Duggan in the cathology of the -- the  
2 Confederation, that's the International Benedictine  
3 World, produces a thing every four years with dates and  
4 statistics. If you look at Aidan Duggan's, it's a very  
5 peculiar timeline. Whether it throws up anything,  
6 I don't know, but it might be worthwhile contacting the  
7 Abbot of New Norcia and saying to him, "Have you  
8 anything on these people that were associated?" Because  
9 I can't understand why you go from the middle of hot  
10 Australia into the Highlands of Scotland. It just seems  
11 very strange. Anyway.

12 Q. So far as Father **MEV** is concerned, you have heard  
13 the background to him going back to Australia. What's  
14 your view on that? By that I mean could he have been  
15 kept at Fort Augustus within the monastery, the abbey,  
16 and have nothing to do with the school, rather than  
17 sending him away where there was no monitoring of him?

18 A. I think given the sort of enclosed and this relatively  
19 small nature of Fort Augustus, it would have been very  
20 difficult. For instance, we heard that the school came  
21 to Mass on a Sunday where the community would have all  
22 been there. Was **MEV** to be removed from  
23 all that? I think in practice it would have been very  
24 difficult. As far as we can understand, it was a very  
25 serious complaint, and it wasn't the abbot saying, "I'll

1 rap your knuckles, behave yourself", it was a serious  
2 complaint. Therefore I think he had to be removed.

3 Whether the removal to Australia was the right  
4 thing, I don't know, because I've got no indication of  
5 what arrangements were in place when he went there. But  
6 it brings up another point which I'd like the inquiry to  
7 consider. Before the world of safeguarding reports and  
8 safeguarding plans, in the early stages of the  
9 Children Act: what does one do with an offending monk  
10 who's only had a caution from the police? Well, you can  
11 buy him a room in Edinburgh and say, "Get on with your  
12 life, but don't do this, that and the other", but he  
13 needs more than that.

14 In this period, say, between 1990 and 2015 or  
15 whatever, the police having cautioned someone, would  
16 hand him over to the probation services, and I've got  
17 personal experience of this, actually, so I can speak to  
18 it. They agreed that he was best placed in another  
19 monastery provided there were safeguards in place. They  
20 weren't the elaborate developed safeguarding plans of  
21 the present day, but I remember going to meetings of the  
22 probation service, frequent meetings, with, I guess, the  
23 police acceptance, of the therapist and counsellor, of  
24 the abbot and headmaster of the monastery he came from,  
25 and myself, with the alleged abuser.

1           So I think it's not so much that there were  
2           inadequate ways of dealing with abusers, but for the  
3           time I think that worked quite well.

4       Q. For Father MEV, though, he's moved from  
5           Fort Augustus to Australia without any suggestion that  
6           he was to be monitored --

7       A. That's right.

8       Q. -- or kept away from children and so on.

9       A. Have we any idea what arrangements were set in place?  
10           We haven't. Wasn't there something about him going to  
11           look after elderly parents?

12       LADY SMITH: That's what's recorded.

13       A. I think he might have just pushed off, but that's just  
14           speculation again.

15       MR MacAULAY: You do tell us at paragraph 47 of your  
16           statement that there was, before the Nolan Report, which  
17           was in 2001, the practice whereby monks accused of abuse  
18           were transferred from EBC monasteries which had schools  
19           attached or ran parishes, and they would be send sent to  
20           monasteries that had no schools attached. Is that the  
21           position?

22       A. At this point, because I think Lady Smith mentioned it  
23           in asking for clarification from Abbot Richard, could  
24           I bring up Richard White at this point? Would I be  
25           allowed or are you going to deal with him later?

1 Q. I was going to ask about him.

2 A. Let me just explain the Richard White thing because my  
3 name was associated with him the other day. Richard, in  
4 religion Nicholas, White, was accused of abuse at  
5 Downside related to a member of the school there, and it  
6 reached the national press in 1990/1991.

7 Of course, I knew about it from the press. As  
8 Fort Augustus began to wind down, after the closure of  
9 the school in 1993, I think the Abbot of Fort Augustus  
10 asked for help in the clearing-up process in practical  
11 terms.

12

13

14 A number of monks went up to help. Downside Abbey  
15 had already had these complaints against Richard White

16

17

18 and Richard White was sent up, the idea being that  
19 there was no risk involved because the school had closed  
20 by, I don't know, 1995 or so.

21 Abbot Richard became Abbot of Downside in 1998. The  
22 point is that the president, this idea that somehow  
23 a man sits up in some tower and controls the whole of  
24 the English Benedictine Congregation, there's all this  
25 autonomy issue which we're going to hear about later --

1 he wasn't involved. It would have been an agreement  
2 between abbots that various monks were sent to help up  
3 at Fort Augustus' clearance. Richard White, it was  
4 felt, was not going to be a risk to anybody and he was  
5 not doing much work because he couldn't, restricted, and  
6 so he was sent up.

7 So we get the famous photograph of 1997, which  
8 you're going to show me, because I might recognise some  
9 other people on that photograph.

10 Q. I was planning to show you. We're coming up to the  
11 break.

12 A. Can I move on with the story?

13 Q. We'll do it after the break. You finish off.

14 A. So he went up. Then, of course -- and Abbot Richard  
15 became abbot in 1998 and he said he was no risk because  
16 there was no school at Fort Augustus by this time, but  
17 also the family of the accuser did not want to press  
18 charges any further; I don't know what the technical  
19 term is for this. So that was an additional reason,  
20 I think, for having this fellow, this monk, at  
21 Fort Augustus.

22 I knew nothing about these arrangements. It was an  
23 arrangement between abbots and I can say I was not  
24 involved. In fact, I wasn't abbot or anything when the  
25 thing happened so I couldn't have been involved. I was

1           only elected abbot in the autumn of 1998, just after  
2           Richard was elected.

3           So life carries on. In 2001, Abbot Richard was  
4           elected Abbot President of the Congregation as well as  
5           remaining Abbot of Downside, and he had used at that  
6           point Richard White as secretary. He felt it was a sort  
7           of bureaucratic job and it was no risk to children,  
8           et cetera. I know that, not because it was ever  
9           discussed with me, but because I could see that  
10          Richard White was signing the occasional document from  
11          the president.

12         Q. So do I take it then that Richard White was back at  
13          Downside?

14         A. He must have been back at Downside, although I think at  
15          one point he was sent to Cambridge. Downside had  
16          a small house of studies in Cambridge called  
17          Benet House, and you'll find it in the year books of the  
18          time. It had no monks attached, it was standing empty,  
19          and I think he was there for some time. I can't  
20          remember -- I don't know the dates. So he may have  
21          acted as secretary living at Cambridge for all I know,  
22          possibly because the school was still at Downside.  
23          You'd have to ask Richard about that, I don't know. But  
24          I wasn't involved in that. I knew nothing about that.

25                 I think it's important to realise that as far as

1 I remember, Richard White's name was never brought to  
2 meetings of the Abbot President's council. If  
3 Abbot Richard was dealing with him, he was dealing with  
4 him as Abbot of Downside, okay, because it was a matter  
5 between abbots. So it never came to the top senior  
6 command at all.

7 Moving on, so it was never mentioned. Now, around  
8 2010 -- I haven't got the chronology correct, perhaps it  
9 was a bit later -- the family of the original abused  
10 child or minor decided to take the matter to court, so  
11 the whole thing blew up again. Richard Nicholas White  
12 went to court, was charged with abuse, found guilty, and  
13 given a custodial sentence. That was in the public  
14 domain. It got into the papers, I can't remember which.  
15 He was sent to prison.

16 One day, out of the blue, I got a manuscript letter  
17 from him. I'd had nothing to do with him at all to this  
18 point, but because I was first assistant abbot and  
19 Abbot Richard was at Downside, his community, presumably  
20 he felt he wanted someone else to talk to.

21 The letter -- I think there were maybe two letters,  
22 they were really about a man who was panicking because  
23 his custodial sentence was coming to an end and he  
24 didn't know what was going to happen to him. It was  
25 really a cry for help.





1 LADY SMITH: Geoffrey, are you ready for us to carry on?

2 A. Yes, thank you.

3 LADY SMITH: Thank you.

4 MR MacAULAY: Can I just put the photograph on the screen  
5 for you, the one you mentioned, INQ.001.004.2723.

6 Can you tell us what the occasion was?

7 A. I think -- and you can tell me better than I know --

8 I think it's the golden jubilee of the ordination of

9 SNR MFF. If this is [REDACTED], it would date

10 that back to [REDACTED] and you can check that from his dates

11 in the officia. [REDACTED]

12 [REDACTED]

13 Q. But Richard White, I think we thought was the person

14 at the back to the left, back left.

15 A. With the blue vestment on? There's a fellow with

16 a beard.

17 Q. I understand he's the second from the left at the back.

18 A. That's Nicholas White. On the right of him is

19 Father Bernard McNulty, that you've had a statement

20 from, and on the right of him is Father Anthony Haynes,

21 who died last year. I won't bore you with all these

22 people, but there may be particular people you want me

23 to try and identify.

24 Q. We've already identified a Bishop Gilbert and

25 Archbishop Mario Conti.

1 A. Yes, he's very front at the very far left-hand side.  
2 That's Abbot Hugh Gilbert. The others I don't know  
3 much.

4 Now, this [REDACTED] MYV --

5 Q. [REDACTED] MYV

6 A. -- I know nothing about him. I have never come across  
7 him.

8 Q. Can I leave the photograph aside then and look at the  
9 issues of recruitment and training of monks. It's one  
10 of the areas you cover, beginning at paragraph 51 of  
11 your statement.

12 Although you don't have any direct knowledge of the  
13 position historically with Fort Augustus, because  
14 you have no archival documentation to assist you --

15 A. Yes.

16 Q. -- I think what you do say is that generally, the EBC  
17 monasteries did not advertise for recruits to join them.

18 A. No. You heard this from one, I think, of the applicant  
19 statements, claimants, whatever they're called. With  
20 schools attached to them, there was a tradition of sixth  
21 formers joining the community; I was one, for instance.

22 That dried up more or less from about the 1970s,  
23 partly because it was decided young men at 18 or 19  
24 should go off and have some sort of career and then  
25 reflect on things and then perhaps apply to join later,

1 or, more usually, to go to university first.

2 So the pool of what you might call talent dried up  
3 around that time. After that time, recruits came from  
4 all over the place, and I think that's reflected in the  
5 recruitment patterns that you get at Fort Augustus in  
6 its latter days.

7 Q. I think we heard yesterday from John that he himself had  
8 been a former pupil at Fort Augustus and he mentioned  
9 a number of others who had graduated from the school  
10 into the abbey.

11 A. It was very typical of that period for him. My  
12 impression is that, actually, a lot of people continued  
13 to join Fort Augustus, but they didn't persevere. If  
14 you look at the statistics of novices, which you'll only  
15 find in the Benedictine yearbook, and you probably  
16 haven't got copies of that, it'll mention in  
17 a particular year something like Fort Augustus, three or  
18 four novices.

19 So they were recruiting, and I think it was on the  
20 Scottish card, I think there was a sense that if you  
21 wanted to be a Benedictine in Scotland, this was the  
22 place to go to. So it wasn't that things dried up; they  
23 dried up ultimately but not in terms of initial  
24 recruitment, they still continued to get vocations.

25 Q. And training then, can we look at training. You tell us

1 a little bit about that beginning at paragraph 57.  
2 You're focusing here on what you describe as  
3 intellectual training. What sort of training would  
4 a trainee monk receive before he would take his final  
5 vows?

- 6 A. That's very simple because it's across the Congregation.  
7 It's a year's novitiate where you go out, forget  
8 everything, and just get on with yourself. After the  
9 year's novitiate, you take temporary vows for  
10 three years and so you can leave during that time or at  
11 the end of three years. Then you're solemnly professed.  
12 That's the monastic training.

13 Lay brothers at Fort Augustus would have had  
14 something of that, but they wouldn't have been involved  
15 in any prolonged series of studies.

16 The choir monks, who were going to be ordained,  
17 would have done two years' philosophy and four years'  
18 theology; that was the basic requirement for ordination.

19 All those people who we've been talking about would  
20 have gone through that duration of studies. And I think  
21 at Fort Augustus, they were done in-house and you heard  
22 Bishop Hugh yesterday saying he did some of his studies  
23 at Fort Augustus and that was typical. He would have  
24 done ordination studies.

25 The brighter students from Fort Augustus were either

1 sent, during those six years, abroad or after, usually  
2 to continental universities, and I mention Germany and  
3 Louvain. I think [REDACTED] MFC [REDACTED] went to Louvain and  
4 he specialised in scripture, a specialism which  
5 Fort Augustus itself couldn't have managed. That was  
6 typical and at the end of those years, they were  
7 ordained.

8 Q. Can I just talk about the Rule for a moment. The Rule,  
9 as we heard from John yesterday, is very important to  
10 the Congregation.

11 A. Yes.

12 Q. And indeed, he told us that it would be studied as part  
13 of the training.

14 A. Yes.

15 Q. And excerpts read on a regular basis.

16 A. Yes.

17 Q. Is that correct? Can I just take you to it for a moment  
18 or two. I'll put the bits I want to look at on the  
19 screen. The reference is BEN.001.001.0001.

20 We're looking at the --

21 A. This is the great prologue of the Rule.

22 Q. I think I put to Dom Yeo that it was a very lengthy  
23 document, but he seemed to suggest that, compared to  
24 other orders' founding documents, it wasn't perhaps that  
25 long, but it is a lengthy document.

1 A. It's lengthy, I think it's 74 chapters, something like  
2 that, but small chapters, and of course you don't have  
3 religious orders in the 6th century. That's the point.  
4 It's more complex than that.

5 Q. I fully accept this was written in the 6th century --

6 A. They'll hate me for this, but the solicitor phoned up  
7 and he said, "You know, in chapter [whatever it was], it  
8 says here, 'Boys shall be whipped'".

9 Q. I was about to take you to that.

10 A. He said, "You can't put that in, the inquiry will be  
11 shocked, it goes against all the ..." And I said, "But  
12 have you seen what he says about baths, that baths  
13 should be taken infrequently?"

14 Q. We have to put it into its historical context.

15 A. You know about that, that's the important thing.

16 Q. Let's look at BEN.001.001.0020.

17 At chapter 28, there's a section dealing with:  
18 "Those who refuse to amend after frequent reproofs."  
19 We read there -- as we read on we see:  
20 "Let him feel the strokes of the rod."  
21 Is one of the prospective punishments. And then  
22 towards the bottom:  
23 "The manner of reproofing boys."  
24 We can read:  
25 "Every age and level of understanding should receive

1 appropriate treatment. Therefore, as often as boys and  
2 the young, or those who cannot understand the  
3 seriousness of the penalty of excommunication are guilty  
4 of misdeeds, they should be subjected to severe fasts or  
5 checked with sharp strokes so they may be healed."

6 Again, a suggestion there of physical punishment?

7 A. Yes. It's the 6th century, don't forget. There are no  
8 inquiries or anything at this stage.

9 Q. If we look at BEN.001.001.0028; I think this is the  
10 section that you had in mind. Chapter 45:

11 "Mistakes in the oratory."

12 A. Yes.

13 Q. "Should anyone make a mistake in a psalm, responsory,  
14 refrain or reading, he must make satisfaction there  
15 before all."

16 And we're told he should humble himself and so on  
17 and so forth. Then we read:

18 "Children are to be whipped for such a fault."

19 The reason I draw your attention to that, joking  
20 apart, is that we've had evidence in this case, for  
21 example, of two boys in particular being flogged in  
22 public -- and I think they were stripped for that.

23 We've also had evidence that involved allegations  
24 being made against MFF between 1961 and 1964  
25 of the naked canings of groups of boys. Do you remember



1           that evidence?

2           A. Yes, I remember the evidence given.

3           Q. I just wondered to what extent that in any way could be  
4           influenced by what's set out in the Rule.

5           A. No, I'm sure. In their study of the Rule, the novices  
6           at Fort Augustus would have been told time and time  
7           again that this extraordinary document is noted for its  
8           moderation. St Benedict brings together all the  
9           monastic tradition over the Egyptian desert and some  
10          very, very strict rules relating to corporal punishment,  
11          and he moderates them. You can see this in the way that  
12          he portrays the abbot who's mentioned in the earlier  
13          thing there, the need of moderation, of the broken reed  
14          hasn't to be smashed, et cetera. It's a very impressive  
15          document for the 6th certainly in that it moderates the  
16          severity of many of the early monastic rules.

17                 Therefore, with that in mind, the novices at  
18          Fort Augustus would have said, "Well, probably here  
19          children should be whipped for a fault", they would have  
20          set that aside and said, "That's what a lot of the  
21          Rules, but St Benedict is very, very ..."

22                 It is an extraordinary document. It's noted for its  
23          moderation and for its understanding of the human  
24          condition, despite sentences like that. So I don't  
25          think a monk at Fort Augustus, even the most savage

1 monks wanting to sort of beat boys, would have referred  
2 to this. They would have thought, "It's 6th century and  
3 the constitutions are what really run our lives first".

4 I think probably, dare I speculate, corporal  
5 punishment at Fort Augustus was something that other  
6 schools were practising at the time. What struck me was  
7 the severity. I was at a similar school and there was  
8 no bare beatings of bottoms.

9 LADY SMITH: Is there anything in the Rule which reflects  
10 Christ's teaching about what is the correct attitude to  
11 children and the care of children?

12 A. I can't remember. I don't think so. I don't think so.  
13 That's a very good point. No, he doesn't really  
14 legislate for children because many monasteries wouldn't  
15 have any children. Of course, what age are children?  
16 What would he regard as age? The life expectancy is 35  
17 or something, isn't it? So no, it's not a big issue for  
18 him.

19 MR MacAULAY: If the evidence given in relation to the naked  
20 canings of groups of boys is correct, then that, I think  
21 you'd accept, goes way beyond any form of corporal  
22 punishment?

23 A. I can only make comparisons to my own experience and  
24 I never saw or heard of that in the Benedictine school  
25 I went to. That's why I do think that Fort Augustus was

1 more brutal in terms of physical punishment. That's my  
2 only humble experience on that.

3 Q. There's a section in your statement, Geoffrey, where you  
4 talk about the legacy of abuse; that's beginning at  
5 paragraph 68.

6 As you point out in paragraph 69, Abbot Richard  
7 really has had to deal with that because it coincided  
8 with his time as Abbot Principal; is that right?

9 A. Yes. He was president at the time, yes. I think  
10 I didn't quite ... Perhaps you could clarify for me.  
11 I couldn't quite decide at the end whether the  
12 allegations relating to Father [REDACTED] MEV went  
13 to [REDACTED] MMF first or to the abbot first. There  
14 seemed to be a contradiction in what we were told by the  
15 appellants.

16 Q. I don't think there's any contradiction in the evidence  
17 given by Peter, who was the applicant, and indeed his  
18 sister, in that it was Father [REDACTED] MMF who was the first  
19 port of call, [REDACTED]

20 [REDACTED]  
21 A. And then went on to the abbot, yes.

22 Q. And the suggestion was it was then the abbot. But  
23 I think Father [REDACTED] MMF position with Abbot Richard  
24 was that, really, it was the other way round, that the  
25 abbot came to him, so there is the contradiction in the

1 evidence to that extent.

2 A. Right.

3 Q. You have a section, and I just draw it to the attention  
4 of the inquiry, beginning at paragraph 80, where you  
5 talk about the present and future for the English  
6 Benedictine Congregation, particularly in the context of  
7 safeguarding and following upon the Nolan and  
8 Cumberlege Commission reports; is that right?

9 A. Yes.

10 Q. You provide us with the changes that have been brought  
11 about as a consequence of that.

12 Can I then take you to paragraph 90, where you have  
13 a heading "Lessons for the future". Can you summarise  
14 what your message is in this paragraph?

15 A. I think it has been a steep learning curve for the  
16 abbeys that still have schools attached and there's been  
17 a sort of speeding-up of momentum in regard to  
18 safeguarding practices and procedures, which we can see  
19 reflected in the various documents.

20 My own hunch is that we're not finished with the  
21 process, because what I took from a number of the  
22 applicants was that, okay, there has to be compensation,  
23 but, you know, financial compensation is not sufficient  
24 and it's a sort of payoff and it's easily done if you've  
25 got the funds. It needs to be more ... The recovery of

1 applicants, if it's possible, is going to take more than  
2 just money. As I said earlier, I'm particularly  
3 concerned about the families.

4 I don't know where we go here. Although the  
5 monasteries -- and Fort Augustus never had this  
6 opportunity -- all fall under safeguarding officers of  
7 the diocese, and we have a very, very good relation in  
8 Portsmouth with the Diocesan Safeguarding Office, two  
9 abbeys have their own safeguarding committees or  
10 commissions.

11 Secondly, Praesidium, which is the USA, it deals  
12 with institutions, it doesn't particularly deal with  
13 religious institutions, it deals with major banks and  
14 this, that and the other, they've come alongside and  
15 they've been running courses and they are producing an  
16 audit to be filled in before every visitation. A very  
17 professional firm.

18 My only niggle is that these are run by the church.  
19 The church is the paymaster. Somehow or other, all  
20 those that are involved in the safeguarding world need  
21 to find a way towards an objective agency which deals  
22 with the whole afterlife of safeguarding and sets up  
23 procedures that we can all follow.

24 I think we're not there yet. Whether that's going  
25 to be a government sort of agency, I can't speak for

1           that, because I'm not an expert on the workings of  
2           government, or whether it's going to be a sort of  
3           sub-section of the Charity Commission.

4           But what we've heard from the inquiry is more than  
5           just terrible incidences of abuse. We've been having  
6           sort of cumulative stories of people that have been  
7           affected by it. I think one of my hopes for both  
8           inquiries, both here in Edinburgh and in London, is that  
9           they can not only criticise, and quite rightly too,  
10          shortcomings, but they can point the nation towards the  
11          creation of some sort of body which will help all other  
12          institutions in this growing question of safeguarding.  
13          At the moment, it's completely piecemeal, it seems to  
14          me.

15         Q. Thank you for that.

16                 Finally, then, Geoffrey, can I take you to your  
17                 conclusion that you set out in paragraph 91 of your  
18                 statement.

19         A. Yes. I concur with that paragraph. I think for us,  
20                 it's very important, although we're mostly English now  
21                 and not Scotland, I think it's quite important to keep  
22                 the matter in our heads and not say, "Right, the  
23                 inquiries are finished, that's it, let's move on with  
24                 life". I think there needs to be close attention paid  
25                 to the findings of both inquiries. I think the English

1 inquiry is reporting at the beginning of October, its  
2 final report, we've had the interim report. I think one  
3 of my jobs is going to be to keep prompting the  
4 Abbot President's Council as long as I'm on it to ensure  
5 that we keep safeguarding high up on the agenda.

6 I've got the abbots meeting with me in a couple of  
7 weeks' time, both from England and the United States,  
8 and I'm hoping to give a report back to the Scottish  
9 inquiry, probably ending with those sentiments, that we  
10 need to keep the thing forward -- and I think by keeping  
11 it high on the agenda we might move towards this goal of  
12 some sort of institution which is going to help with  
13 safeguarding in the future.

14 MR MacAULAY: Very well, Geoffrey. Thank you very much  
15 indeed for all these thoughts and for providing this  
16 detailed statement to the inquiry. I have no further  
17 questions for you and, my Lady, I can confirm that no  
18 questions have been submitted to me.

19 LADY SMITH: Thank you. Are there any outstanding  
20 applications for questions? No.

21 Geoffrey, can I just check one thing with you;  
22 I probably should have asked earlier. Does the  
23 Benedictine Congregation still have a presence in  
24 Scotland? I should know and I'm afraid I don't.

25 A. The English Benedictine Congregation doesn't. The

1           Subiaco Congregation has Pluscarden, where Hugh Gilbert  
2           a is monk of, and I think at the moment that's all,  
3           alas. We never produced a Scottish Benedictine  
4           Congregation in the great days of Ratisbon and Würzburg,  
5           et cetera. Perhaps that's what I'll do when i come back  
6           to Scotland.

7           LADY SMITH: Thank you very much.

8                     Geoffrey, thank you so much for your presence here,  
9           your thoughtful absorption of the evidence, and your  
10          analysis of it. It has not escaped me that you wrote  
11          a substantial document for our assistance that was  
12          completed just at the beginning of this week, which  
13          tells us what your thinking now is, having heard the  
14          evidence, in addition to everything you can give us  
15          about the history of the order and what you knew about  
16          Fort Augustus when it was still operating. A lot of  
17          work has gone into that and I do recognise the effort  
18          that you must have applied. Thank you for that and I'm  
19          now able to let you go.

20          A. Thank you very much.

21                                 (The witness withdrew)

22          MR MacAULAY: My Lady, we have time for a couple of  
23          read-ins.

24          LADY SMITH: Let's do that, thank you.

25



1           Witness statement of FATHER COLIN GEDDES (read)

2           MS MACLEOD: The first statement I'll read in is the  
3           statement of Father Colin Geddes. It is to be found at  
4           WIT.001.002.7543.

5           This is quite a lengthy statement, my Lady, so  
6           I will just read out the parts that are particularly  
7           relevant. We've got the statement anyway as evidence  
8           before the inquiry.

9           Father Colin Geddes tell us that he was born in 1946  
10          and joined the Benedictine Order in 1982. He tells us  
11          he lived at Fort Augustus in the novitiate and that he  
12          joined the school after he was ordained and that was on  
13          8 December 1988.

14          In the initial paragraphs of the statement,  
15          Father Geddes provides some history and background  
16          in relation to the school and we can read that for  
17          ourselves.

18          In paragraphs 11 to 25 he provides information  
19          in relation to his recollections of the monks and staff  
20          at the school. I will read those paragraphs, starting  
21          at WIT.001.002.7546:

22          "During my time at Fort Augustus, SNR  
23          were Father MMF, Father MRQ,  
24          Father MEW and Father MER.

25          I recall all of the monks and lay staff in different

1 degrees.

2 "At some stage I saw all of them with children  
3 at the school, except Father [REDACTED] MFF and  
4 Father [REDACTED] MKT . They were quite relaxed with  
5 the children. The only discipline of the pupils by the  
6 staff was through giving the pupils detention. I never  
7 saw any of them abusing the children in any way.  
8 I didn't hear of any allegations of abuse against them  
9 from any of the children or anyone else.

10 "I knew Father [REDACTED] MRQ all of my monastic  
11 life. He was a very good teacher. He was excitable.  
12 He taught [REDACTED] and then he was [REDACTED] SNR  
13 He would raise his voice a lot. He would shout at  
14 people not paying attention. I never saw him use  
15 physical force for discipline just shouting. There was  
16 no abuse. He expected people to do what they were told.  
17 The kids were in awe of him. He was not my favourite  
18 person. I knew to be wary of him.

19 "Father [REDACTED] MER was in his fifties. He was  
20 a sacristy monk. He was a housemaster, but would teach  
21 occasionally. He was an ordinary guy but serious about  
22 what he was doing. He was an intellectual.

23 "Father [REDACTED] MEW was in his seventies. He was the  
24 [REDACTED] then [REDACTED] SNR He was also serious about the  
25 work of the school.

1 "Father [REDACTED] MEZ was in his late seventies.

2 He taught [REDACTED] He loved [REDACTED]

3 "Father [REDACTED] MFA was in his late seventies. He

4 taught [REDACTED] He was a strange man. He rarely

5 smiled and he liked a drink.

6 "I didn't really know Father [REDACTED] MFC

7 He was in his late fifties. He was gone quite quickly

8 after I arrived. He was a housemaster then he left to

9 go to Canada. He seemed very self-centred.

10 "Father [REDACTED] MFF was in his seventies. He had

11 spent most of his monastic life in the Catholic Archives

12 in Edinburgh. Then he was put up to Inverness to become

13 [REDACTED] SNR at Fort Augustus. I found Father [REDACTED] MFF

14 difficult to deal with. His was the last word. He had

15 his own ideas of how things should be going and wanted

16 to be in control.

17 "Father [REDACTED] MKT was in his seventies.

18 He was [REDACTED] at the monastery.

19 He did not teach in the school. He was quite

20 authoritarian. He did his job and expected you to do

21 what you were told. He was quite a serious and

22 intellectual man.

23 [REDACTED] MIF was in his mid-twenties. He was

24 the [REDACTED] He was a young happy guy.

25 [REDACTED] MIG was in his early sixties. He did teach

1 at the school, but I can't remember what he taught. He  
2 loved his garden.

3 " [REDACTED] MIH [REDACTED] was one of the lay staff. He was  
4 in his early or mid-sixties. He also taught [REDACTED] He  
5 had been a pilot in WWII and came out with some  
6 fantastic stories.

7 "Father [REDACTED] MMF [REDACTED] had been [REDACTED] SNR [REDACTED] until it  
8 got to the point where they were going to close the  
9 school. It was long before it did actually close. All  
10 hell broke loose. The parents of the pupils were up in  
11 arms and started a campaign to keep the school open. It  
12 was quite something. [REDACTED] MMF [REDACTED] said, 'I'm off'. He left  
13 when the school closed for the first time. He was  
14 released [REDACTED] another monastic  
15 school in the United States where he was made

16 [REDACTED] SNR [REDACTED]

17 "That left a vacancy for [REDACTED] SNR [REDACTED] and  
18 Father [REDACTED] MRQ [REDACTED] was then [REDACTED] SNR [REDACTED]. I can't  
19 remember what date that happened. He was an excellent  
20 man but he could fly off the handle very easily. He was  
21 not the best people person. I think  
22 Abbot Nicholas Holman realised he was fine for what  
23 he was doing, but he's no use for this job. Poor old  
24 Father [REDACTED] MEW [REDACTED] was then given the job.

25 "By that time, [REDACTED] MEW [REDACTED] would have been in his

1           seventies. [REDACTED] Nicholas Holman,  
2           the abbot, looked around to see, 'Who the hell can I get  
3           to be the bursar', and that was me."

4           I'll pick up the statement at paragraph 28:

5           "For my day job as bursar I had a monk who worked  
6           under me, Father Anthony Haynes. Sadly, Father Haynes  
7           died recently. Tony was one of these great people who  
8           was very meticulous, which meant he was ideal for  
9           keeping all the filing and everything else. I could  
10          scatter a desk but Tony would make sure it was all  
11          tidied.

12          "By that time there were about 180 pupils at the  
13          school. I think at its highest the school had about  
14          250 pupils. I was there as bursar for there  
15          a three-year period until I left. I think I left the  
16          school in 1992. The school closed in 1994.

17          "There was a shortage of monastic personnel who were  
18          young enough to be of use at the school. More and more  
19          of the monks who had taught were no longer teaching  
20          there and had been replaced by lay teachers. There were  
21          only two, three, maybe four monks who were left  
22          physically teaching at the school. They were: Father  
23          MRQ [REDACTED], who taught [REDACTED]; Father MFA [REDACTED]  
24          who taught [REDACTED]; Father David Ward, who taught  
25          religious studies; and Father MER [REDACTED] who taught

1 [REDACTED]; and Father [REDACTED] MEZ ,  
2 who taught [REDACTED].  
3 "Father [REDACTED] MMF was [REDACTED] SNR when  
4 I arrived and he [REDACTED] SNR [REDACTED] MRQ .  
5 There was [REDACTED] he did have  
6 a secretary to do some running around. At no point did  
7 I have any concern about any of these brothers being  
8 abusive to children.

9 "I thought that some were better than others as  
10 teachers, but they were all capable of doing what they  
11 did. There were a few monks who had been boys at the  
12 school and had more or less stayed.

13 "My relationship with Father [REDACTED] MEW was up  
14 and down. We didn't always see eye to eye on some  
15 financial things. [REDACTED]  
16 I saw things in the records that I wasn't happy about,  
17 things like paying VAT on fuel when we shouldn't have  
18 done. I discussed these things with him.  
19 Father [REDACTED] MEW left after I went to join the navy.

20 "The other members of teaching staff were all  
21 laypeople. There were about 15 teaching staff in total  
22 between the lay and religious staff. All of the main  
23 areas of the curriculum were covered including  
24 languages, geography, maths and sciences. There was  
25 also a matron there. There were three grounds staff and

1 three laundry staff. There was a well-known  
2 professional company who did all the catering. We got  
3 rid of them but kept the chefs.

4 "As far as I remember, the staff were answerable  
5 directly to the headmaster. If they had discipline  
6 problems at school they would report them to the  
7 housemasters and, if necessary, they or the housemaster  
8 would report them to the headmaster if it was at a level  
9 that it needed.

10 "Because of the order's inability to find monastic  
11 staff to do things, I was asked to take over one of the  
12 two housemaster jobs at Vaughan House. There were two  
13 houses, Lovat and Vaughan. I was asked to do that  
14 within about a year of being taken on as a bursar.  
15 I wasn't employed in any sense as a teacher.  
16 Occasionally I would stand in for religious instruction  
17 if Father Ward wasn't there. Other than that, I didn't  
18 teach any other classes. It would have been a waste of  
19 time.

20 "I remained as bursar during that period of time.  
21 I was bursaring during the day and housemastering in the  
22 evening and at night. I would get to bed at about 11 or  
23 12 and be up again at 5.

24 "The housemasters were myself for Vaughan and  
25 Father **MER** for Lovat. Lovat and Vaughan were the

1 family names of the founders of the place.

2 "The pupils were divided between the two houses for  
3 sports competition and things. The pupils were not  
4 divided into junior and senior. I believe there had  
5 been a junior group but there was no one to look after  
6 them so the groups had become mixed up. The junior  
7 group was shoved in with the senior group. The pupils  
8 in Vaughan House ranged from 11 to 17 or 18.

9 "Vaughan House had about 50 or 60 pupils. The other  
10 house had approximately the same. By then, the numbers  
11 had dropped down to 180. I don't remember any day  
12 pupils; they were all boarders.

13 "The pupils were all boys. Pupils started at the  
14 age of about 11. Prior to my being at the school, there  
15 had been a feeder school called Carlekemp just outside  
16 Edinburgh. It varied of course, but if you were  
17 averaging it out, there would be about 20 pupils in each  
18 particular school year.

19 "In a sense they were all fee-paying pupils but very  
20 few of them were paying the full amount. The fees were  
21 heading up to about £9,000 a year when I was bursar.  
22 The majority were on a government subsidised scheme  
23 called the assisted places scheme. That was probably  
24 taking about two-thirds of the pupils.

25 "Most of the children were from the Central Belt of



1 Scotland. Most of the children were from families who  
2 had attended the school for two or three generations.  
3 There is an old boy's organisation and they still meet.  
4 [REDACTED].

5 "My impression of the school is that it was a busy,  
6 happy place full of screaming kids, but funny. I didn't  
7 have a negative feeling whilst there.

8 "My role as housemaster was pastoral, basically to  
9 make sure that the kids were okay. If they had problems  
10 I would make sure I could talk to them about it. I had  
11 a monastic room as a monk. As housemaster I had what  
12 you might call a flat within the school. It had a  
13 lounge area with a television, a desk, and basic  
14 furniture for the kids. There was a kitchen so the kids  
15 could do all the things they liked to do, make toasties  
16 and popcorn or whatever.

17 "I slept in there when I was on duty. They knew  
18 I would be if there if they needed me. I was on duty  
19 every other night. When I was on duty I was looking  
20 after Lovat and Vaughan. Likewise the housemaster for  
21 Lovat when it was his turn."

22 Between paragraphs 38 and 88, my Lady, the witness  
23 gives information about the routine at the school,  
24 including morning and bedtimes, mealtimes, washing,  
25 clothing, personal possessions, school, leisure time,

1 religious instruction, gives information about trips and  
2 holidays, birthdays and Christmas, visits and  
3 inspections, and healthcare.

4 I propose to read on from paragraph 88 to 115.  
5 That's on page WIT.001.002.7562:

6 "The matron dealt with a few cases where they found  
7 the bed was wet the next day. That was to be expected.  
8 She would have spoken to the child to try to see  
9 what was on his mind. I am not aware of any  
10 disciplinary action being taken over the issue of  
11 bed-wetting, certainly not by me. They weren't made an  
12 example of. Any aggro a child got would have been from  
13 his mates. We would try to get their sheets taken to  
14 the laundry separate from the other bedclothes. There  
15 was nothing that might be described as a walk of shame  
16 at Fort Augustus.

17 "There wasn't a written code or policy about  
18 discipline; it was left to each individual teacher. If  
19 there was a discipline problem with a pupil at the  
20 school, it would be reported to the housemaster. When  
21 I arrived at the school, corporal punishment was still  
22 legal and the tawse belt was used. Its use had to be  
23 entered into a register. After European Union law  
24 prohibited corporal punishment in schools, boys were  
25 made to spend extra time in the study hall or were given

1           detention or lines as punishment. They might have been  
2           restricted from doing things they wanted to do.  
3           Detentions did not have to be recorded anywhere.  
4           I never actually saw the discipline register. Although  
5           we had ground staff, the task of cleaning the grounds of  
6           rubbish could be used as a form of detention.

7           "The kind of things a pupil could be punished for  
8           included failing to attend classes, the study hall or  
9           Mass, or being caught smoking. A serious breach of  
10          discipline would be something like a punch-up between  
11          pupils, running away, or stealing. I can't recall any  
12          occurrences of theft or running away.

13          "If a pupil was screaming and shouting about  
14          something, I would just let them scream and shout until  
15          they had finished. I don't remember any problems  
16          regarding drinking, cigarettes or drugs. I can't  
17          remember any expulsions during my time at the school.

18          "I can recall some kids having a flare-up, usually  
19          because of something happening at school.

20          "I couldn't say there was no bullying at the school,  
21          but I didn't see if any there was. If I had seen it,  
22          I would have put a stop to it.

23          "The discipline I used was either verbal  
24          chastisement or detention in the study hall. Lines were  
25          a pain for everybody, to be honest with you. I can't

1 recall any specific instances, but if there was  
2 something really serious, it would be reported to the  
3 headmaster. I didn't report anyone to the headmaster.

4 "The system was that prefects were used as the  
5 footsoldiers, so to speak, to keep an eye on things.  
6 There were about 12 prefects altogether. If you weren't  
7 there yourself, you made sure someone was going to be  
8 there. If there was a problem with a boy at night,  
9 a prefect could take him to his housemaster.

10 "The prefects were part of the governing body of the  
11 school. They had a degree of autonomy. They were  
12 entitled to give out detention but they were not allowed  
13 to give any physical chastisement. They would have to  
14 tell you if they had given out detention.

15 "During my time at the school I did not have any  
16 concern about any underlying difficulty with the  
17 operation of the prefect system. I did not have any  
18 concerns about any member of staff. My only concerns  
19 were about how the school could continue financially.

20 "It was the responsibility of all of us to supervise  
21 the children. If they were out and about in the  
22 village, you would make sure they were all back safely  
23 and that no one was missing. It was very efficient.  
24 The prefects played a part in what you would call the  
25 administrative body, the governing body. They accepted

1           that as part of their position as a prefect.

2           "I did see other staff disciplining pupils. They  
3 would shout at them if they failed to bring the right  
4 kit for games. I can't recall anyone ever striking  
5 a pupil, not even cuffing the back of their heads.  
6 I never saw anyone being physical towards a pupil.  
7 I never saw any pupil with unusual or unexplained  
8 injuries; the only injuries were from the hockey pitch  
9 or the rugby field. I don't recall any child having to  
10 go hospital for an unusual injury.

11           "I never received any report from pupils or staff  
12 suggesting any physical assault or abuse. If I had  
13 received such a report, I would have reported the matter  
14 to the headmaster. I don't know if the headmaster  
15 received any reports of assault from any members of  
16 staff. If he did, they were not discussed with me as  
17 the headmaster did not take me into his confidence. He  
18 may have discussed it with Father **MRQ**, who had been  
19 at the school a long time; he may even have been a boy  
20 at the school.

21           "I can't recall any instance, either at the time or  
22 with the benefit of hindsight, of a boy who was normally  
23 outgoing suddenly becoming withdrawn. I can remember  
24 a boy becoming quieter on one occasion. When one got  
25 talking to him, it was because he felt he wasn't wanted

1 at home. His father had remarried and he had been told  
2 that he wasn't coming home for mid-term and things like  
3 that. That is devastating to a child. I phoned his  
4 father about it and told him this was not an acceptable  
5 way to treat his child. He said he didn't know about it  
6 and that it must be his wife who did that. I told him  
7 to sort it out. The boy went home. I would have taken  
8 him home myself; the dad was hurting someone in a way  
9 that he had no right to do.

10 "I can recall one boy who got involved with a girl  
11 from the village and she fell pregnant. After the boy  
12 left school he still wanted to come back to the school  
13 and visit his old classmates. I refused him permission  
14 even to watch the sports because of the moral position  
15 he had put himself in. I couldn't let the others think  
16 he could do this and just get away with it. In the end  
17 I had to go down to the House of Lords for him. It was  
18 for a paternity suit to fight for the father's rights to  
19 be the same as the mother's.

20 "If I had seen any abuse I would tell you. I recall  
21 that a pupil reported seeing two people in a car at the  
22 front of the school in some sort of sexual embrace.  
23 I can't remember who reported it. We reported it to the  
24 police. They went and had a look but couldn't see  
25 anyone. It would have been two people unconnected with

1 the school. Presumably, they realised they had been  
2 seen because by the time I had spoken to the police they  
3 had just driven away.

4 "I cannot ever remember any child coming to see to  
5 complain about any member of staff for no reason. The  
6 only injuries I saw at the school were from rugby or  
7 hockey pitches.

8 "If a child had made a reported of abuse to me  
9 I would have wanted to know if he had any proof of the  
10 matter. However, even if they had no proof, I would  
11 have taken the matter to the headmaster and I would have  
12 followed it up too.

13 "If I had received a report regarding a monastic  
14 member of staff I would probably have mentioned it to  
15 the abbot as well, but I never had any adverse feelings  
16 about any member of staff, nothing of that nature.  
17 I didn't have to go to the headmaster for any matter  
18 relating to the children. I am not aware of any record  
19 of such reports to the headmaster. I only had to go to  
20 the headmaster for financial matters.

21 "There was one occasion in 1991 or 1992 when two  
22 detectives from Inverness police station came to the  
23 school. They said they had received an allegation  
24 against a monk, Father MFA. I don't know what  
25 the full allegation was and I wasn't told. I don't

1 remember much of the content of it.

2 "I was asked to sit in with Father **MER** whilst he  
3 saw the detectives as the boy making the allegation was  
4 in Father **MER** house. The police wanted permission  
5 to speak to one of the boys as opposed to all of the  
6 boys, and that permission was granted. I don't know  
7 what happened after that because I was only asked to sit  
8 in when the police spoke with Father **MER**. I was only  
9 involved for about 10 minutes in total.

10 "What I can say is there was no feedback from that,  
11 at least not to me. You would have thought there would  
12 be some sort of feedback somewhere in the system.

13 "Father **MFA** never seemed happy. His nickname  
14 was **MFA** However, I am not aware of him ever  
15 being abusive towards any of the children.

16 "Later I gave a statement to the police on 3 March  
17 2014. It related to an allegation by a pupil against  
18 another monk. I gave this statement to the local police  
19 who had been acting on behalf of the police in Scotland.  
20 They asked me questions but not as many questions as the  
21 Scottish Child Abuse Inquiry have.

22 "They sent me a copy of the statement to check and  
23 sign, which I did. I re-read the statement in  
24 April 2019 and there is nothing that I would change  
25 about that.



1            "I remember a particular boy. He was 14 or 15 when  
2 I was at Fort Augustus. He was not in my house. He was  
3 a loner. He could magnify stories as much as any kid.  
4 He wanted to be accepted. The other kids were always  
5 having a go at him because he was always lying or  
6 magnifying stories. I think the boy left about a year  
7 before I did. This boy had made a complaint against  
8 Father [REDACTED] MFA . I think he said at one point that he  
9 and another boy had been handcuffed underneath the  
10 stage. I didn't know anything about that. The stage  
11 was very low and you couldn't have stood up underneath  
12 the stage. I understand that he said that I was kind to  
13 him.

14            "Towards the final years of the school, we took in  
15 some pupils that we might not usually have taken in.  
16 Those pupils had disturbed backgrounds and no one else  
17 would take them. They would usually be 14 or 15. They  
18 settled in all right.

19            "From a child protection point of view, there was  
20 no one outside the school that was up on the noticeboard  
21 as being someone people could speak to. There was no  
22 specific list of which member of staff a pupil could  
23 speak to about child protection. The children could  
24 have spoken to any member of staff. If there had been  
25 anything of that nature reported to me, which there

1           wasn't, I would have taken it straight to the  
2           headmaster.

3           "There were no instances of staff leaving suddenly  
4           or without explanation. There were some who came and  
5           went during that period, but nobody who was suddenly  
6           gone when you woke up in the morning. There was none of  
7           that at all. I didn't have a lot to do with the staff,  
8           but my impression of them was that they were a pretty  
9           decent sort of crowd. They were just ordinary people.

10          "I wasn't made aware of any anecdotes or  
11          descriptions of any allegations against any former  
12          members of staff. I have heard very little about three  
13          Australian brothers, the **MES/MEY** and  
14          **MEV**. I heard that they had belonged to  
15          the community and that they had returned to Australia.  
16          This was before I arrived and joined the community.  
17          I remember asking why they were going back to Australia,  
18          but I was just told that they had come from a monastery  
19          over there and were going back. I was told that  
20          **MEV** was a **MEV**. At the time  
21          I didn't know anything about the allegations which he is  
22          now facing.

23          "I think if we were dealing now with issues relating  
24          to abusive behaviour, given cultural changes and things,  
25          we would have probably come at some of these things

1           differently.  If there was any allegation we would be  
2           much more careful to have things written down, to have  
3           proof of things, because anyone can say anything without  
4           some form of proof.  If there had been a deputy  
5           headmaster, they could have taken on some things.

6           "I see other former staff from the school  
7           occasionally, maybe once a year, just when I have been  
8           up in Scotland.  They are in a state of shock about the  
9           allegations of abuse.  They're saying, 'When?  We didn't  
10          know about it'.

11          "There was no written child protection policy when  
12          I was at the school.  When I was bursar and housemaster,  
13          I didn't think we were doing anything or lacking  
14          anything in a sense that would have led to things being  
15          hidden or not known or not found out.

16          "Would we have done things differently?  Most  
17          certainly.  As you know, we know have a strict code of  
18          practice with regard to safeguarding and you can't step  
19          outside those under any circumstances or you are right  
20          in the proverbial poo."

21          In paragraph 116 onwards, the witness tells us that  
22          he left the school in 1992, a couple of years prior to  
23          its close, and that he left to join the navy as  
24          a chaplain.

25          After three years, he returned to Fort Augustus and

1 in that regard, I'll read out just three paragraphs from  
2 119 at WIT.001.002.7569:

3 "When I came out of the Royal Navy and returned to  
4 Fort Augustus, I saw various things. One such thing was  
5 that SNR, MFF, didn't really have any  
6 specific job for me to do. I got involved in all sorts  
7 of stuff which I wasn't particularly interested in.

8 "I always had a keen eye on money. I managed to see  
9 the accounts and they were in a bad way. I said to  
10 SNR MFF, 'You're in the shit, Father.  
11 Certain things have got to be done otherwise you're  
12 going to go bankrupt'. He wouldn't listen to me and in  
13 fact he threw me out of his office.

14 "But I was elected to what is called the Monastic  
15 Council, which is a governing body within the community.  
16 I said to SNR MFF, 'You are going to have to  
17 call an extraordinary general meeting'. That's what it  
18 says in the constitutions because of grave importance,  
19 and this was grave. I said I would write to  
20 Abbot President Rossiter and say to him that SNR  
21 MFF wasn't doing what he was supposed to do  
22 and something had to be done about it.

23 "Abbot President Rossiter was based in Ealing.  
24 I said I would give SNR MFF a copy of the  
25 letter. SNR MFF said, 'Please yourself'.

1 "I wrote the letter. My letter to Abbot President  
2 Rossiter contained my complaint about SNR  
3 MFF acting against the constitutions by not  
4 calling a monastic council meeting. I do not have  
5 a copy of the letter. SNR MFF was then  
6 called to see Abbot President Rossiter. To cut a long  
7 story short, SNR MFF resigned.

8 "The resignation of SNR MFF meant there  
9 was no SNR for the monastery and that caused  
10 Abbot President Rossiter to decide to put in an  
11 administrator for the monastery until they decided what  
12 they were going to do or not do. The school was put  
13 into administration at that time. At that point  
14 I decided enough was enough and I decided I was  
15 leaving."

16 I will then move on to paragraph 124 at  
17 WIT.001.002.7571:

18 "I first became aware of allegations of abuse at  
19 Fort Augustus over six years ago. There was a  
20 newspaper article that was pointed out to me by a  
21 friend who's now dead. No specification allegations  
22 were mentioned in the article.

23 "When the article first came to light, I got a  
24 phone call from Police Scotland wanting to take a  
25 witness statement. I wasn't sure which planet I was  
on, to be

1 honest. None of this makes any sense to me. That was  
2 about six years ago and I have heard nothing since then.

3 "I am privy to all the stuff that came out in the  
4 press, just the general allegations, nothing specific,  
5 apart from the man who made the television programme.  
6 That television programme was extremely one-sided and  
7 biased and based on the one person featured in the  
8 programme, I can't remember his name, for whom they  
9 still haven't provided proof or whatever.

10 "The poor old abbey and the school got a lot of  
11 stuff thrown at it that it didn't really deserve. I'm  
12 not saying the school was perfect because what is? But  
13 I don't remember any of the things that constitute the  
14 allegations of abuse and I am not someone who lives in  
15 cuckoo land or walks around with my eyes and ears shut.  
16 It just doesn't make sense to me all. Hence my main  
17 purpose in any of now is try and make sure that what  
18 I know to be the truth, which is limited of course, is  
19 also recorded.

20 "We live in a very strange world, particularly in  
21 our present age. Just putting your head above the  
22 parapet at all can leave you in all sorts of things.  
23 But there are times when you have to put your head above  
24 the parapet and I would be prepared to give evidence and  
25 answer anything that was asked of me. I'm not perfect,

1 I can't say I remember everything, but I'm pretty sure  
2 I would have known something if there had been anything  
3 that could be construed as abuse or even heavy bullying  
4 or anything like that. It was a small group of people.  
5 In my time there were 140, 150 kids and 15 staff in the  
6 community itself. When I joined the monastic community  
7 there were 30-odd there. By the time I left it was down  
8 to about 8. They just died off due to age.

9 "You can't keep an awful lot of things buried that  
10 somebody doesn't know something about or hear about. As  
11 for the stuff that all the allegations of abuse are  
12 about, it was prior to me ever being there so I have no  
13 idea. I know of the three Australian brothers, I heard  
14 their names mentioned. All three of them were at  
15 Fort Augustus before my time there. The only thing  
16 I heard about [REDACTED] MEV [REDACTED], the one they're  
17 trying to get back from Australia, was that he had  
18 a great record and was a fantastic [REDACTED]. Other than  
19 that, I don't know anything about him at all. He wasn't  
20 there when I was there at all.

21 "I feel really proud of the work done at Fort  
22 Augustus Abbey School. I have nothing but fond memories  
23 of the place and I found it very upsetting to hear all  
24 the allegations now being made. I don't know what to  
25 make of them as I didn't see anything like that when

1 I was there. I feel as if the allegations being made  
2 are completely overshadowing the good work and  
3 achievements that were made. There were some amazing  
4 people there over the years. The first Gaelic  
5 dictionary was produced by a monk at Fort Augustus and  
6 he was Russian. In one of his very first actions the  
7 first abbot of Fort Augustus provided clothing for all  
8 the children of a village as a gesture of friendliness  
9 at Christmastime. At one time they had their own  
10 bakery. They had electricity before Queen Victoria had  
11 it, it was supplied by a hydroelectric generator and  
12 they made their own turbos. The abbey even supplied  
13 electricity to the village. At vespers, the evening  
14 prayer, they would put the big organ on and all the  
15 lights in the village dimmed. That was all before my  
16 time.

17 "Even when I was there, they must have hired  
18 two-thirds of the village in one way or another. It was  
19 a large provider of income to that area. It was a very  
20 important place in its own right.

21 "In 1990 some of the pupils rowed a boat the length  
22 of Loch Ness, 22 miles, to raise money for handicapped  
23 children. It was an old gig from the 1800s, part of the  
24 Combined Cadet Forces equipment. There must have been  
25 about 18 of those kids all from the fifth or sixth year.



1 We all cheered them.

2 "I was ordained as a priest in 1998 in the abbey  
3 church. The Bishop of Argyll came down and did it.  
4 When the ordination was finished, all the kids were in  
5 the church in their red blazers. All the kids sang  
6 and they raised the roof off the place. I went down as  
7 a new priest to give Communion and I don't know how  
8 I got through it. Even today, I couldn't keep the tears  
9 away, the beauty of it. They were all smiles and it was  
10 lovely, absolutely beautiful. Those are the memories  
11 I have of the school and the monastery and they far  
12 exceed anything else that I know of.

13 "I didn't keep any records or notes of my own after  
14 I left the school. I'm not even sure who took over from  
15 me as bursar. There wasn't really anybody to take over  
16 from me as housemaster because numbers had dropped quite  
17 dramatically. I think Father **MER** ended up having to  
18 **[REDACTED]** I got left everything in the  
19 housemaster's room as you would. I didn't keep any  
20 diaries, I'm not a diary person. I didn't keep notes,  
21 I had no reason to. I don't have photographs either.

22 "My overall experience of working at the school was  
23 good. It's changed into flats now. One of my jobs as  
24 bursar was to look after how much it would cost to  
25 refurbish and put the plant back in good working order."

1 LADY SMITH: Is that "plant" or is it meant to be "place"?

2 MS MACLEOD: I'm not sure, my Lady.

3 LADY SMITH: It must be "place". The figures wouldn't make  
4 sense if you were going to refurbish the entire  
5 buildings. We haven't heard of any incredibly expensive  
6 plant that needs to be refurbished.

7 MS MACLEOD: "We have to be very careful we don't use  
8 judgements based on current procedure for something that  
9 was totally different 50 years ago. When I went to  
10 school it was not unusual to get thumped on the head,  
11 smacked with a ruler, or blackboard rubbers being  
12 chucked.

13 "I'm not saying it was right but that is what  
14 happened. You wouldn't do it today, you wouldn't dare  
15 for obvious reasons. I am always a bit wary that when  
16 making judgments people are making them in the proper  
17 sense. Most of the guys who were named by the police  
18 are all dead, they can't defend themselves now. That  
19 annoys me a little. I didn't know them as well as  
20 others, but they were pretty decent men. They were good  
21 monks who took their vows seriously.

22 "Father **MEW** was about 98 when he died. Towards  
23 the end of his life he was in Ampleforth Monastery in  
24 Yorkshire. I was down there visiting somebody and I saw  
25 him. In some senses he hadn't changed. He was still

1 using his computer. When I saw him, he was helping an  
2 old person along the corridor. He died shortly after,  
3 but he said to me, 'I don't want to live anymore  
4 especially with these things they are saying, it's so  
5 unfair'. I believe him, but what can we say, what can  
6 we do? We have to take things, hopefully for the right  
7 things to the end, and see what happens.

8 "I have no objection to my witness statement being  
9 published as part of the evidence to the inquiry.

10 I believe the facts stated in this witness  
11 statement are true."

12 The statement was signed by Father Geddes on  
13 4 August 2019.

14 LADY SMITH: Thank you. And then?

15 Witness statement of SEAMUS COLEMAN (read)

16 MS MACLEOD: The next statement is from Seamus Coleman and  
17 that's at WIT.001.002.6708.

18 Seamus Coleman tells us that he was born  
19 in [REDACTED] 1961. He gives some background to his own life  
20 before going on to describing his application to teach  
21 or to be employed as a teacher at Fort Augustus Abbey  
22 School. I'll read from paragraphs 5 to 12 of the  
23 statement in that respect:

24 "I started teaching at Fort Augustus Abbey School in  
25 1986. It was my first teaching post. I applied to all

1 the regions in Scotland for a job. I didn't think  
2 I would be teaching at a private school, but the art  
3 teacher that was there was leaving and he called the  
4 college. It was on the last day and I was in collecting  
5 stuff. The teacher was still friendly with the  
6 technician. She told me there was a job going if  
7 I wanted to apply, so I did, got an interview and got  
8 the job.

9 "There was a two-day interview over the weekend. It  
10 was a sort of: come up and take a look at the place.  
11 I got a tour of the place. Father MRQ  
12 interviewed me. There must have been some sort of sit  
13 down discussion, but it was basically: go there, get  
14 a tour round, meet the staff and see how the place  
15 worked. I don't know if others were interviewed. There  
16 was no one else when I was there.

17 "About two weeks later I was informed that I had the  
18 job. I had three placements while I was in training, in  
19 different schools, but for Fort Augustus I don't know if  
20 there was a probationary period. There probably was.  
21 I think it was maybe: we'll employ you for a certain  
22 amount of time. I wasn't aware of it being a probation  
23 like you would have in a state school.

24 "Fort Augustus is halfway between Inverness and  
25 Fort William. During the weekend there I stayed in a

1 lodge. It used to be the old convent, I believe.  
2 It would have been during term time. Once I got the  
3 interview, I found out as much as I could about the  
4 place. I found out it was a boarding school. I was  
5 quite impressed. It was out in the countryside, a  
6 beautiful setting at the bottom of Loch Ness. You were  
7 right on Loch Ness. It was a beautiful school. The  
8 boys were all in their uniform, a bright red uniform.  
9 Everyone was very friendly. It was a boys' school. The  
10 age range was first to sixth year. I was introduced to  
11 some of the boys in passing but not in any great depth.  
12 I was introduced to one or two of the staff there too.  
13 Everybody seemed friendly.

14 "There were a maximum of seven or eight lay teachers  
15 and a couple of monks that did the teaching at  
16 Fort Augustus. I was teaching art and design and  
17 French. I enjoyed French. I had higher French and  
18 a couple of years before I went to Fort Augustus I spent  
19 six weeks working in France, but that was it. Because  
20 I really enjoyed it, I was looking forward to it. As  
21 long as I was a couple of pages ahead of the boys,  
22 I could cope. Obviously, it meant every night I was  
23 studying and learning what I was going to do. It was  
24 the very basics of French, grammar, punctuation,  
25 spelling and tenses. I was really just handed two books

1 and told to teach from them.

2 "It was just me and the art department. I was in  
3 charge teaching Highers and O Grades, as they were then.  
4 I had to follow the National Curriculum. I taught from  
5 first year to sixth year. When I first went to the  
6 school, there were about 70 boys, and when I left there  
7 were about 50. I was there for seven years. There were  
8 about 10 to 12 boys in each class in every year. It was  
9 fairly even, maybe the sixth year was a bit thinner, not  
10 by much.

11 "I went out to teaching placements while I was at St  
12 Andrews. I taught in Europe and Lourdes Secondary  
13 School in Glasgow. I can't remember where the third one  
14 was. I taught about 20 children maximum in these  
15 placements. For all practical subjects the maximum in  
16 the class is 20.

17 "I wasn't given any instruction as to how to design  
18 the courses for each year at Fort Augustus. There was  
19 an inspection a couple of years into me being there.  
20 I was fine with that. The inspector was happy with the  
21 art department. I asked to keep in touch with the  
22 inspector. Being the only teacher there, I didn't have  
23 a principal teacher to ask for advice and guidance and  
24 was acutely aware of my shortcomings as the sole  
25 teacher, so I tried to reach out to other people. The

1 inspector would come down from time to time, just to  
2 keep me on track, which was greatly appreciated as I was  
3 not long out of teacher training in a school of my own  
4 and no principal teacher to ask for guidance.

5 "I did contact the local state school because the  
6 [REDACTED] taught art up at the local school so  
7 I was up there quite often. It's always good to have  
8 someone else's opinion. I needed a job and that was the  
9 job that came along. I didn't imagine that in my first  
10 job I would be on my own or not have a principal  
11 teacher.

12 "Because the school was so small, there wasn't going  
13 to be another art teacher so I felt that it was up to me  
14 to keep abreast of what was going on. The school was  
15 supportive of this. It didn't involve going out too  
16 much. We had games in the afternoon. We would teach  
17 until lunchtime. I taught in the morning then was  
18 involved in either regular by hockey, rugby or football  
19 in the afternoon. On a Monday when there was no  
20 afternoon games so I could pop up to the local school or  
21 contact the inspector to arrange a visit."

22 The witness then speaks about the routine, my Lady.  
23 I will read just a couple of paragraphs on pages 24  
24 and 25 at WIT.001.002.6714:

25 "I kept a record of each child. It was pretty much

1           like a record book. It showed the progress of each  
2           child, their academic progress, and any issues that  
3           arose. It had class lists, names, test results, grades,  
4           et cetera. It was likes they have in any state school  
5           now. I can't remember being specifically told to do  
6           this by the school; I just assumed that as I was the  
7           teacher I should keep records.

8           "I had my records as any teacher would, but as far  
9           as the headmaster or housemasters are concerned I am  
10          unaware of what records they kept or where they kept  
11          them. I would have destroyed my records when I left the  
12          school.

13          "There's nothing that comes to mind that I thought  
14          that shouldn't have happened. The only thing that was  
15          new to me was that they had social evenings when the  
16          children were allowed to have a beer. That was usually  
17          Friday nights. I'm not saying every Friday night they  
18          were socialising; I wasn't there. I think it was just  
19          the senior boys. These involved the boys and the  
20          housemaster. It could be said they were being trained  
21          to drink responsibly. That was during my time there.  
22          Nobody actually made a point of telling me, I just found  
23          out.

24          "It seemed to be the norm for a private school:  
25          senior boys were allowed a beer, but they were not (sic)



1 being trained to drink responsibly. This was casually  
2 mentioned by a housemaster as a response for allowing  
3 them to drink. I can't remember which housemaster.  
4 I don't know how the boys spent their evenings  
5 normally."

6 I'll then move on to paragraph 32 where the witness  
7 deals with the issue of discipline:

8 "The housemasters would deal with discipline.  
9 I don't personally remember having any great issues with  
10 any of the boys so I didn't report any of them to  
11 housemasters for anything. I didn't witness any abuse  
12 at the school, apart from one incident. Corporal  
13 punishment had just been abolished the year before  
14 I went to Fort Augustus. I don't know if the school had  
15 the birch or the strap before this, but I didn't see any  
16 of it. I think discipline would have been dealt with  
17 after school hours. I didn't see any. I don't know of  
18 anyone being taken out of classes but I was in the other  
19 building for half the time and no one was taken out of  
20 my classes.

21 "I'm not aware of any recording procedure for  
22 discipline. We had meetings every three weeks with the  
23 headteacher and housemasters on pupils' academic  
24 progress, their general attitude, achievements, how well  
25 they were doing, any issues, stuff like that. I can't

1 recall anyone taking notes or recording them.

2 "In the school prospectus one of the pages stated  
3 that there would be meetings every three weeks. Parents  
4 would see this in the prospectus. I initiated the  
5 three-weekly meetings on taking up the post of acting  
6 principal teacher of art and design at Sanquhar Academy.  
7 This refers to the marks and grades each pupil achieves  
8 but I soon found out there were too many pupils to keep  
9 it going, but it was certainly done at Fort Augustus.  
10 The whole staff would get together and discuss the  
11 pupils. I think it was on a year group basis.

12 "The only abuse I did see was a boy -- some of them  
13 had small separate bedrooms -- being assaulted by  
14 **MIG**, a  teacher, in his room and  
15 I pulled him off him and reported him. I can't remember  
16 the time of day this happened, but probably at  
17 a mid-morning break or lunchtime, as none of us were in  
18 class, but it was during the school day as **MIG** did  
19 not stay in school after he had finished teaching.

20 "I can't remember the reason I was going through  
21 that area of the school. There was a new area for art  
22 being built and I may have been walking through the  
23 boys' area to go to this area. The boy was one of the  
24 senior boys in his fourth, fifth or sixth year. He was  
25 a bit of a cheeky boy. I knew him but I can't remember

1 his name. I can see his face. I don't know if it was  
2 through walking through, teaching art, or part of the  
3 CCF.

4 "The teacher had him on the bed and was on top of  
5 him, pinning him down. [REDACTED] MIG [REDACTED] was clearly enraged  
6 and I think I saw swinging arms before I pulled him off.  
7 I don't know what he was doing there. The sleeping  
8 areas weren't restricted in any way that I can think.  
9 It was in an area of a series of 'duckets', I suppose,  
10 within a larger area, like a big room sectioned off.

11 "I enquired some time later, probably a few weeks,  
12 to ascertain what action had been taken in light of the  
13 fact I reported an incident and there did not appear to  
14 be any tangible difference to [REDACTED] MIG [REDACTED] position within  
15 the school, either immediately after or in the  
16 subsequent weeks and months. I was told it was being  
17 dealt with and that's the last I heard of it.

18 "I don't think any monk or teacher had a sleeping  
19 area near the boys there. I think that was in another  
20 part where the housemasters were. I can't be sure.

21 "I reported the incident to [REDACTED] SNR [REDACTED],  
22 Father [REDACTED] MRQ [REDACTED]. He said he would look into it. I went  
23 back later on to find out what had happened because in  
24 my opinion nothing had changed. Father [REDACTED] MRQ [REDACTED] told me it  
25 had been dealt with. To me it was an assault. I can't

1           be sure of the date. It was probably halfway through my  
2           time at the school. I just assumed by reporting it to  
3           ██████████ SNR ██████████, it would be dealt with. I'm not sure  
4           it was.

5           "After the incident with the ██████████ teacher,  
6           we were both still teaching but I had nothing to do with  
7           him. I didn't have anything to do with him before the  
8           incident. He was such an arrogant man. He was full of  
9           himself. He thought ██████████ was the only subject. In  
10          my opinion, he thought he could lord over everyone.  
11          I didn't like the man.

12          "He continued to teach there until the school  
13          closed. I didn't speak to the boy involved about the  
14          incident. I told some of the other teaching staff whose  
15          attitude was that I should report it. I was young, it  
16          was my first teaching job, and it was completely outwith  
17          my experience. I thought something should have been  
18          done. Maybe there was and I wasn't aware of it, but on  
19          the surface nothing seemed to change. I was annoyed  
20          that nothing seemed to have been done about it.

21          "There was one occasion of peer bullying. I saw  
22          a boy trying to gee up the other boys a bit too much, so  
23          I put a stop to that.

24          "At no time did I have a boy speak to me about being  
25          abuse. Likewise, I didn't hear about anyone going to

1 another teacher about being abused, although that would  
2 have been confidential anyway.

3 "That's why it was such a shock when Murdoch Rodgers  
4 got in touch because I never once felt that at all. To  
5 me the boys seemed happy enough. Obviously they would  
6 have their ups and downs, good days and bad days, but  
7 there was no underlying sense of something wrong."

8 My Lady, I have a few paragraphs to go, will I carry  
9 on?

10 LADY SMITH: I think we should just carry on now, yes.

11 MS MACLEOD: "If the boys had any issues, they would  
12 probably have reported it to their housemaster to  
13 discuss it with them. Obviously they could have gone to  
14 any member of staff they felt comfortable with,  
15 housemaster or possibly prefects. The housemasters when  
16 I was there were Brother **MPE**, who became Father  
17 **MPE**, Father **MER** was with one for a while, and  
18 Julian Shergold for a short period. That's the ones  
19 I remember. The prefects were senior boys.

20 "I believed everything to be all positive at the  
21 school. I was really surprised when Murdoch Rodgers got  
22 in touch with me and started asking questions about the  
23 school. That was the first I'd ever heard there was any  
24 alleged abuse that went on and that took me aback.  
25 I was absolutely unaware of any abuse taking place.

1           "I would have expected to know if there had been,  
2           being in my position. It's a small community teaching  
3           the boys. I got on well with them. I had been there  
4           seven years and I thought one of the boys would have  
5           said something in all that time that would have made me  
6           suspicious.

7           "I heard nothing at all about sexual or physical  
8           abuse at Fort Augustus. I was told that Murdoch was  
9           trying to find me when he was making the programme 'Sins  
10          of Our Fathers' as a BBC producer, but he couldn't find  
11          me for some reason. He was told to look for me under  
12          the name Seamus Coleman rather than James.

13          "The housemasters were in charge of the welfare of  
14          the children. I was teaching art and design, French and  
15          games, so I had a lot of contact with the boys in  
16          different scenarios and none of them intimated,  
17          mentioned or alluded to anything like that at all, which  
18          I find strange.

19          "There was one boy who told Murdoch that he thought  
20          of me as one of the normal people at the school. If  
21          that was his opinion, I would have thought he might have  
22          confided in me. I haven't seen the programme so I don't  
23          know who that was or what was said.

24          "I am not aware of any complaints or allegations  
25          against me.

1           "When Murdoch Rodgers contacted me, he mentioned  
2           he had spoken to someone who had said there were no  
3           meetings. I produced the prospectus stating meetings  
4           would be every three weeks, so there was a definite  
5           discrepancy there.

6           "The school closed in 1993. I got a couple of  
7           weeks' notice. They had spoken of closing it the year  
8           before I went there; I didn't know this but I heard  
9           about it later. They were also talking about the  
10          numbers of pupils going down. There was always talk of  
11          this. So I did a few years and I really enjoyed it, but  
12          I needed to get out. I had been there on my own for  
13          four or five years and needed more experience.

14          "As well as this, the school looked like it may  
15          close fairly soon and my family was growing up, so  
16          I needed long-term security. I had started looking for  
17          another job by this time. My dealings with the school  
18          were all positive.

19          "I would hope that the inquiry would be able to  
20          access all parties concerned and establish exactly what  
21          has occurred and when. Also, that all findings would be  
22          transparent while still upholding the wishes and rights  
23          to privacy of those adversely affected by time spent at  
24          Fort Augustus.

25          "I would also hope that people will get some closure

1 and redress from the inquiry and for it to become the  
2 norm for people to come forward with their accounts  
3 rather than wait to be chased up.

4 "If there are any other members of staff that have  
5 information I would hope that they would come forward.  
6 I don't know if Murdoch has contacted other teachers.

7 "I have no objection to my statement being published  
8 as part of the evidence to the inquiry. I believe the  
9 facts stated in the witness statement are true."

10 The statement was signed by the witness on  
11 13 June 2019.

12 LADY SMITH: Thank you very much.

13 It's after 1 o'clock now, so I'll rise for the lunch  
14 break and sit again at 2.00.

15 (1.05 pm)

16 (The lunch adjournment)

17 (2.00 pm)

18 LADY SMITH: Good afternoon.

19 Mr MacAulay, it looks as though we're ready to go;  
20 am I right?

21 MR MacAULAY: We are, my Lady. The next witness is  
22 Sister Nancy Bauer. The sister is coming to us from  
23 Washington with a five-hour difference, so it's  
24 9 o'clock in the morning there.

25 LADY SMITH: Good morning, Sister Bauer. Have I got the



1           pronunciation right?

2           THE WITNESS: Sister Nancy is fine. Good morning.

3           LADY SMITH: Good morning to you; as you appreciate it's the  
4           afternoon here. Thank you for being prepared to join us  
5           by video link today.

6                     Before we start taking your evidence, I'd ask you to  
7           take the oath, please.

8                     SISTER NANCY BAUER (sworn) (via video link)

9           LADY SMITH: Sister Nancy, you probably appreciate that  
10           I chair the inquiry. I'm Lady Smith, and I think you've  
11           already made informal contact with Mr MacAulay, who will  
12           be asking you questions to gather your evidence orally.

13                     If you're ready, I'll hand over to him and he will  
14           take it from there. Is that all right?

15           THE WITNESS: That would be just fine, my Lady. Thank you  
16           very much.

17           LADY SMITH: Thank you.

18                     Mr MacAulay.

19                             Questions from MR MacAULAY

20           MR MacAULAY: Good morning, again, Nancy.

21           A. Good morning.

22           Q. Can I begin by taking you to your CV, which you've  
23           provided to us. We have copies here in front of us;  
24           do you have a copy of your CV there?

25           A. I do not.

1 Q. I'll take you to it. Perhaps I can begin -- can I ask  
2 you to provide us with your date of birth?

3 A. I was born in 1953, [REDACTED] -- excuse me,  
4 [REDACTED] 1953.

5 Q. Thank you. Looking at your academic background,  
6 I understand you began in photojournalism, is that  
7 correct --

8 A. That's correct.

9 Q. -- with a BA degree from the University of Minnesota.  
10 You then in 1988 obtained an MA in theology from  
11 St John's University; is that right?

12 A. That's correct.

13 Q. You then obtained a JCL from the School of Canon Law in  
14 Washington?

15 A. Yes. At the Catholic University of America.

16 Q. That was in 2001?

17 A. Yes.

18 Q. You also have a JCD degree, from the School of  
19 Canon Law, again in Washington; is that right?

20 A. Yes, that's correct.

21 Q. That was following upon a dissertation with the title,  
22 "Benedictine Monasticism and the Canonical Obligation of  
23 Common Life"; is that right?

24 A. That's correct.

25 Q. Are you a Benedictine sister?

1 A. Yes, I am.

2 Q. When did you take your final vows?

3 A. In 1981.

4 Q. You then provide us with some information about your  
5 professional life and also your religious life.

6 As far as your professional life is concerned, is  
7 the position you presently hold, and have held since  
8 2014, that of assistant professor of the School of  
9 Canon Law at the Catholic University at Washington?

10 A. Yes.

11 Q. And you've set out for us what your track record has  
12 been before that.

13 So far as your religious life is concerned, were you  
14 the prioress of the sisters of the Order of St Benedict  
15 at St Benedict's Monastery in St Joseph's from 2005 to  
16 2011?

17 A. Yes, I was.

18 Q. What's the position at the moment? Are you attached to  
19 a monastery?

20 A. I am still a member of St Benedict's Monastery, yes.

21 Q. Do you combine that membership with your academic life?

22 A. Yes, I do.

23 Q. You then provide us with some more information about  
24 your involvement with the Federation of St Benedict and  
25 other memberships.

1           Finally in your CV -- and I'm taking this very  
2           quickly -- you provide us with details of presentations  
3           you've given, publications you've published, and also  
4           your commitments to various boards and committees;  
5           is that right?

6           A. Yes.

7           Q. I think it's the case, sister, that you were asked by  
8           Clyde & Co, who are solicitors acting for the English  
9           Benedictine Congregation, to provide an opinion on  
10          certain aspects of canon law.

11          A. Right. Correct.

12          Q. And I think we've seen from your CV that you have  
13          expertise in canon law.

14          A. Yes, I do.

15          Q. We have in front of us the report or the opinion you've  
16          provided. I will give the reference of this for the  
17          benefit of the transcript: it's BEN.001.003.7201.

18          Do you have a copy in front of you, sister?

19          A. Yes, I do.

20          Q. You begin by setting the scene, so to speak, and in  
21          particular making some preliminary observations as to  
22          what the context is of the opinion that you give;  
23          is that right?

24          A. Yes, that is correct.

25          Q. For example, you tell us what the abbreviations you use

1 mean. You tell us that when you're looking at the EBC  
2 constitutions, you're looking at the 2013 edition. You  
3 also say that when you're citing canon law, you're using  
4 the 1983 Code of Canon Law; is that right?

5 A. That's correct.

6 Q. As opposed to the 1917 code, which was the previous  
7 code?

8 A. Right.

9 Q. You make a point, sister, that in between the codes,  
10 in the interim, there was other material there, norms,  
11 that could be sought from a number of different sources?

12 A. That's correct.

13 Q. Were these norms then superseded by the 1983 code?

14 A. That depends. Some of them would still be in effect.  
15 All of the documents of Vatican II, including the  
16 decrees, are still what we would call (inaudible:  
17 distorted) law. Some of the interim documents were  
18 ad experimentum until the 1983 code came out, and then  
19 there have been documents since then.

20 The point I was trying to make is between Vatican II  
21 and the 1983 code, it was really in many ways a period  
22 ad experimentum when it came to religious life.

23 While religious institutes were advised to redo  
24 their constitutions, even to try some experimental  
25 things within their communities, the basic thing was to

1 go back to the beginnings, to the foundations of the  
2 institute, and re-examine what was the vision of the  
3 founder or foundress because a lot of accretions had  
4 built up and the point was to go back to the original  
5 vision. That took some study and work and there were  
6 many committees and then the General Chapters revised  
7 the constitutions.

8 Q. One point you make early on -- this is on page 7201,  
9 towards the bottom of the page -- is that there is  
10 a great variety of religious institutions --

11 A. Yes.

12 Q. -- and the proper law of each institute protects its  
13 specific charism; is that right?

14 A. Yes, that's true.

15 Q. You draw a particular note of the set-up of the  
16 Benedictine monastic system of governance. Can you just  
17 elaborate on that for me?

18 A. The Benedictine is part of an ancient monastic  
19 provision, so it is really the first form of what comes  
20 to be called religious life. They arose as individual  
21 autonomous, independent monasteries. Eventually, they  
22 were formed into federations or congregations where  
23 would be some mutual support among a group of  
24 monasteries.

25 For each monastery retains its autonomy with its own

1 abbot, abbess, prior, prioress, depending on whether  
2 it's an abbey or a priory, canonically speaking. That  
3 federation model is a rather loose connection.

4 That's very different from the later developments of  
5 the more apostolic orientated congregations where  
6 there's a supreme (inaudible: distorted) at the top  
7 (inaudible: distorted) and various divisions and all the  
8 members. There's more of a hierarchy of authority of  
9 the supreme moderator, provincial superiors,  
10 local superiors, et cetera, and they are all obligated  
11 to that supreme moderator.

12 Q. If we turn to page 2 of your opinion, the first question  
13 that I think you want to address here is:

14 "What is the canon law position on corporate legal  
15 responsibility? In particular what does canon law state  
16 on the status of individual abbeys; the status and  
17 purpose of the congregation; and the relationship, if  
18 any, between an abbey and the local diocese?"

19 If we start with the first of these points, the  
20 status of individual abbeys, can you tell us about that?

21 A. The (inaudible: distorted) that I cite, 613,  
22 paragraph 1, says basically that monastery of canons,  
23 regulars or monks is autonomous, unless the proper law  
24 of the constitution state otherwise. The constitutions  
25 the EBC state that each monastery is in fact autonomous.

1           So most Benedictine monasteries are in that category,  
2           they would be considered canonically autonomous.

3       Q. Do the constitutions of the EBC -- would they have been  
4       required to have been approved by the Holy See?

5       A. Yes, they're a pontifical federation or congregation and  
6       the constitutions are always approved by the Holy See of  
7       a pontifical institute.

8       Q. Then if you look at the next point, the status and  
9       purpose of the congregation, what do you tell us about  
10      that?

11      A. The purpose of the congregation is really for mutual  
12      support among the monasteries. Kind of a mutual  
13      vigilance that each monastery is living according to the  
14      Rule of Benedict.

15           This arose within the church as a way for, first of  
16      all, abbots, monasteries of men -- things for the  
17      monasteries of nuns have always been a little bit  
18      different. But if we talk about the monasteries of men,  
19      the Holy See was interested in the abbots of an  
20      ecclesiastical province or the various dioceses to come  
21      together every once in a while and sort of check up on  
22      each other to make sure their monasteries were living  
23      according to the Rule.

24      Q. But I think you tell us that according to canon law, the  
25      EBC, just like each of its member monasteries, is



1 a public juridic person; is that right?

2 A. Yes, that's true.

3 Q. So it's capable of --

4 A. Primarily the temporal (inaudible: distorted). So  
5 a public juridic person has the capacity to acquire,  
6 administer, possess, its own temple goods. So each  
7 monastery, as a public juridic person, acquires its own  
8 financial, property, whatever, manages it, keeps it in  
9 their possession, if it's theirs, it belongs to that  
10 monastery. The Congregation, as a public juridic  
11 person, owns its own temporal goods for the operation of  
12 a Congregation.

13 Q. And the third point you consider at this stage in your  
14 opinion is that of the relationship, if any, between an  
15 abbey and the local diocese. I think the point, putting  
16 it shortly, you make is that the religious institutes  
17 generally, in fact the Benedictine monasteries in  
18 particular, are of pontifical right and are exclusively  
19 subject to the power of the Holy See.

20 A. Yes, in most matters. It's when monks or sisters get  
21 involved in an apostolate within a diocese that the  
22 diocesan bishop has some role. But the diocesan bishop  
23 does not have jurisdiction over the internal life of the  
24 monastery if it's a pontifical monastery.

25 Q. And you give one example how a diocesan bishop may

1           become concerned if there's a monk causing scandal --

2           A. Yes.

3           Q. -- and then the bishop might go to the abbot to see if  
4           that can be sorted out.

5           A. Yes. And the canon that brings it up is within the  
6           canons on the apostolative institutes. So it's almost  
7           as if you have to look at -- interpret the canon within  
8           the context and the (inaudible: distorted). The  
9           context -- it seems to me most canonists would say if in  
10          some context of the apostolate within the diocese  
11          a religious is creating havoc, then the role of the  
12          bishop -- or the procedure would be for the bishop first  
13          to approach his superior and ask the superior to handle  
14          this.

15                 If the superior does not handle it, he can require  
16          that monk to not live in his diocese. He can basically  
17          say he cannot live here. But then the matter is  
18          immediately referred to the Holy See for the Holy See to  
19          handle.

20                 So the diocesan bishop cannot dismiss the monk from  
21          the monastery. He can't dispense the monk or anything  
22          like that. It's only if a monk is really creating some  
23          kind of difficulty and basically creating scandal among  
24          the faithful of the diocese.

25          Q. On page 4, at paragraph 17, head 2, you pose the

1 question:

2 "How does canon law define the concept of autonomy?"

3 Can you take me through that? How does canon law  
4 define autonomy?

5 A. Canon law doesn't define its terms very often and

6 autonomy is one that's not exclusively defined.

7 However, canonical tradition and ... We can describe  
8 it.

9 There's really three main elements of autonomy.

10 First of all, it means that the monastery itself elects  
11 its own superior, its own abbot, and the abbot is what  
12 we call a major superior.

13 Secondly, it means that each monastery has its own  
14 novitiate, it receives its own candidates, they are born  
15 there, they make their profession there, they're members  
16 of that monastery.

17 Thirdly, it means it's a public juridic person which  
18 acquires, possesses and administers its own property.

19 It also means that the community has its own life  
20 together, its internal autonomy of life, all of those  
21 kinds of things. But those three things are primary.

22 Q. I don't propose to look at the detail, but from

23 paragraphs 18 through to 26, you address these three

24 issues and provide some explanation for them. You then

25 go on to ask the question -- this is on page 7:

1            "To what extent is the Abbot President autonomous  
2            from the regimen?"

3            Can you explain what you are seeking to address  
4            there?

5            A. The word "regimen" is not one that I've come across in  
6            other constitutions but I have learned that it means  
7            "the president's council" in the context of the EBC  
8            constitutions. So the extent to which the  
9            Abbot President is autonomous would mean to what extent  
10           does the Abbot President operate within the Congregation  
11           and in relation to the monasteries, independently of any  
12           kind of consultation or consent from the president's  
13           council?

14           And my point is the Abbot President is described in  
15           canon law not as a major superior, but comparable to  
16           a major superior, but not with the same level of  
17           authority. Whatever is within the scope of his  
18           authority is what's going to be stated in the  
19           constitutions in the proper law --

20           Q. So he derives his authority from the constitutions?

21           A. Yes. And a number of the things in the constitutions  
22           state for him to act or to make certain decisions, he  
23           requires either to consult with that council or to  
24           receive a consent of that council.

25           So for any major decision regarding a monastery, he

1 has to consult or get the consent of the council.

2 Q. What you tell us is that he has executive or  
3 administrative power to the extent that it is granted to  
4 him by the constitutions; is that correct?

5 A. Right. The church states (inaudible: distorted) the  
6 power of governance, or what we call jurisdiction, which  
7 is legislative, judicial and executive.

8 The Abbot President has no legislative power. That  
9 would be the General Chapter or the universal legislator  
10 for the church, the Roman Pontiff or the College of  
11 Bishops. So his power is executive, which is really the  
12 administrative aspects.

13 Q. And if I take you to page 9, paragraph 34, do you tell  
14 us there that in summary:

15 "The Abbot President, in order to make executive  
16 administrative decisions of any weight, requires either  
17 the advice or consent of his council or, in some cases,  
18 actives collegiately with his council."

19 Does that summarise the position?

20 A. Yes, it does.

21 Q. And indeed, you invoke the Rule of St Benedict.

22 A. Yes.

23 Q. And the quote is:

24 "Do everything with counsel and you will not be  
25 sorry afterwards."

1       A. For a Benedictine monastery -- this may be  
2           another difference between our monastic system and the  
3           others. The Rule of Benedict is foundational for us.  
4           You will find, at least in my community, that sisters  
5           will quote the rule of Benedict to you from morning  
6           until night. If you ask them something about the  
7           constitutions, they will just look at you blankly.

8                 We don't -- that doesn't really guide our daily life  
9           in the same way. It's really the prioress who looks  
10          at the constitutions when necessary, but the Rule of  
11          Benedict is primary.

12        Q. I think we do understand that, sister. We have heard  
13          that already.

14        A. (Inaudible: distorted).

15        Q. Can I then turn to heading 3, and there you ask the  
16          question:

17                 "To whom is the abbot of an individual monastery  
18          answerable?"

19                 Can you just deal with that for me, please, if you  
20          could?

21        A. An abbot/abbess/prior/prioress is responsible first of  
22          all to the members of his or her own community. The  
23          chapter, the voting members of the community, which  
24          would be all of those in perpetual profession, elect the  
25          abbot. The abbot requires sometimes the advice of the

1 chapter or the consent of the chapter to do certain  
2 things. The abbot would report to the chapter, convokes  
3 the chapter.

4 So first of all he's responsible to those people who  
5 elected him. He's responsible to lead that community in  
6 accord with the Rule and the constitutions.

7 Secondly -- then I make the point that if an abbot  
8 is failing to do that, which may be for reasons of  
9 health -- it has been my experience of a prioress who  
10 was beginning to have health problems and that affected  
11 how she was relating to the community. So it's not  
12 necessarily because the abbot is a bad person, it could  
13 be for some other reason, the abbot is maybe not  
14 fulfilling his responsibilities and not helping the  
15 community live its life. The members of that community,  
16 the EBC constitutions point out a procedure, and I don't  
17 recall it verbatim, but they can go to the  
18 Abbot President and ask for (inaudible: distorted)  
19 visitation.

20 The Abbot President with, I believe, it's the  
21 consent of the council, can carry out an extraordinary  
22 administration, will visit, find out what the problem  
23 is, and that may result in the community needing to  
24 choose a different abbot.

25 LADY SMITH: Sister Nancy, have you ever encountered the

1 community in such circumstances being unable to elect  
2 a new abbot?

3 A. I have not had that experience. I do know that there  
4 are such situations and then sometimes an administrator  
5 is appointed.

6 It seems to me the EBC constitution -- according to  
7 the EBC constitutions, when there's a regular election,  
8 if after many votes they cannot agree on someone, it  
9 seems to me -- and I'd have to look it up again to be  
10 certain -- that the Abbot President can appoint someone  
11 as administrator.

12 LADY SMITH: Is it rare for an administrator to be  
13 appointed?

14 A. Yes.

15 LADY SMITH: What would it signify?

16 A. In the current situation, it usually is a situation  
17 where a monastery is declining in membership. This is  
18 unfortunately the sad situation of the church today, not  
19 only of monasteries, but of many religious institutes,  
20 where there has been a significant decline in the number  
21 of people entering for a number of decades now.  
22 Communities -- the membership is getting elderly and  
23 smaller, and for monasteries in particular, which are  
24 not large to begin with, you can end up with a community  
25 of maybe four or five people, most of them elderly, and



1           there isn't anyone really capable of taking on the role  
2           of being abbot.

3           In that case an administrator may be appointed.

4       LADY SMITH: I see. One other thing: a moment ago you were  
5           talking about circumstances in which the abbot needs to  
6           look to his council for -- and you've used repeatedly to  
7           consult or for their consent. I'm a little confused  
8           about consult and consent being bracketed together  
9           because, I don't need to tell you, I am sure, they're  
10          two quite different concepts.

11       A. Yes.

12       LADY SMITH: Is it clear from the provisions that apply when  
13          it's a matter of looking for consent and when it's  
14          a matter of consulting?

15       A. Yes, it is. In the constitutions, it will say -- there  
16          are actually three actions of a council: consent,  
17          consult and collegial.

18          When a superior -- it could be a diocesan bishop --  
19          needs to consult (inaudible: distorted). In this case  
20          every superior needs to have a council of a number of  
21          members of the monastery, and the constitutions will  
22          say: for the abbot to make these particular decisions he  
23          needs to consult the council.

24          That means he needs to convene the council in accord  
25          with canon law, unless the constitutions describe

1 another way. He needs to present the situation that he  
2 needs advice on.

3 Consult is really seeking their advice, so they need  
4 enough background information to give reasonable  
5 intellectual advice. He needs to listen to all of them,  
6 he needs to hear anyone who wants to speak. He needs to  
7 do that for validity of the act if he carries out  
8 (inaudible: distorted). It's for validity, which means  
9 if he doesn't do that the act is invalid, it does not  
10 have the canonical (inaudible: distorted). He does not  
11 have to follow -- he does not have to do the act in  
12 accord with the advice given if he has serious enough  
13 reasons to act otherwise. But he has to hear it, he has  
14 to take it into consideration, and he does not  
15 willy-nilly act opposite to that.

16 LADY SMITH: Thank you.

17 A. Consent means he needs to (inaudible: distorted) to act,  
18 not act without it. But they cannot command him to act.  
19 He can choose not to act.

20 LADY SMITH: Thank you.

21 MR MacAULAY: You also tell us, sister, at paragraph 39,  
22 that:

23 "An abbot can also be answerable to the  
24 General Chapter of the Congregation in relation to those  
25 matters required of him by the constitutions."

1 A. Right. (Inaudible: distorted) stood out to me was the  
2 abbot is obligated to attend the General Chapter and  
3 answerable to the General Chapter if he fails to show up  
4 without a good excuse. That would be one.

5 Q. Yes, but you also say that the abbot, according to the  
6 Directory of the Congregation attached to the 1986  
7 constitutions, promises obedience to the  
8 Abbot President.

9 A. Yes. The Directory was mentioned as part of the proper  
10 law. The only Directory I had access to in the  
11 materials sent to me was the one attached to the 1986  
12 constitutions, and it does say there -- so I can't say  
13 that that's still in the current Directory. But it does  
14 say that after the election, the abbot makes a promise  
15 of obedience to the Abbot President. That was  
16 surprising to me.

17 I could not say more specifically what it means  
18 other than the Abbot President could not command him to  
19 do anything other than what is already in the  
20 constitutions as the prerogative of the Abbot President.

21 It's not -- it could not be a vow of obedience in  
22 the same way that a monk makes a vow of obedience to the  
23 abbot. The Abbot Primate -- not the Abbot Primate,  
24 that's different. The Abbot President doesn't become  
25 the abbot's abbot in a way.

- 1 Q. Yes, I think I understand that. So that provision  
2 surprised you?
- 3 A. Yes. I don't recall ever seeing that in other  
4 constitutions. It's not true of our federations. Yes,  
5 that was very unusual to me.
- 6 Q. In a way, it tends to undermine the jurisdiction of the  
7 abbot?
- 8 A. Not if you put it in the context of the rest of the  
9 constitutions, which clearly state the authority of the  
10 abbot within his own monastery.
- 11 Q. Then, just dealing with answerability, you say:  
12 "The abbot is answerable also to the Holy See."  
13 A. Yes.
- 14 Q. And -- sorry, carry on.
- 15 A. Well, it's a pontifical institute. It doesn't mean that  
16 the Holy See is supervising the abbot because there are  
17 hundreds of these. It would mean that if there was some  
18 question or some conflict, it would be referred to the  
19 Holy See and they would follow the directions of the  
20 Holy See.
- 21 Q. Of course, ultimately, you tell us in paragraph 42 that  
22 the abbot is answerable to God.
- 23 A. Yes, and that's the scary part, having been a prioress.
- 24 Q. You then have a section, sister, where you address the  
25 issue of the movement of monks between abbeys --

1 A. Yes.

2 Q. -- and in particular, what responsibility rests with  
3 abbots and what rests with the Abbot President. Can you  
4 take us through that? What are the rules on movement?

5 A. Well, as I mentioned, the short answer is monks do not  
6 move from abbey to abbey. Benedictines make a vow of  
7 stability. As I noted, the triad of the Evangelical  
8 Council -- charity, poverty and obedience -- did not  
9 become normative for religious life until about the  
10 12th century, and we're talking about the 6th century  
11 here.

12 So Benedict prescribes that when a new member makes  
13 a permanent commitment, they make a promise of  
14 stability, which means they will remain in that  
15 community, they will remain a member of that particular  
16 monastery until death. Canonically, that gives rise to  
17 the right to remain with that abbey, with that  
18 monastery, until death. So for someone to move to  
19 another monastery permanently, to transfer, would have  
20 to be the decision of the individual monk.

21 Abbots and Abbot Presidents do not transfer monks  
22 from one monastery to another. A monk would have the  
23 right to live with his own brothers in his own  
24 community.

25 That doesn't mean at the abbey itself. These

1 particular abbeys have schools and parishes, so the monk  
2 could be sent to one of these, but it would mean living  
3 within their own community.

4 (Inaudible: distorted) the constitutions, even for  
5 an abbot to send a monk to serve as chaplain of one of  
6 the member monasteries of nuns, the monk himself has to  
7 agree to do that.

8 Q. So could an abbot or indeed Abbot President ever order  
9 a monk then to move to another location?

10 A. No. There is one exception that I found in the EBC  
11 constitutions, that the Abbot President -- and it's  
12 a specific situation, when a monastery is having  
13 trouble -- what was the term they used?

14 (Pause)

15 They have a system called "Structures of  
16 Congregational Support". It has to be in the specific  
17 context. So that is when a monastery is experiencing  
18 difficulties. It doesn't say what they are, but  
19 typically it would be there's an insufficient number of  
20 members, it might be financial difficulties, there could  
21 be other difficulties. So the monastery is asking  
22 really for the help of the Congregation, and in that  
23 situation it says the Abbot President can send some of  
24 the monks of that monastery to another one. It doesn't  
25 make them members, it's not a permanent transfer, they

1 still belong to their original monastery, they retain  
2 their rights there. When the situation improves, they  
3 go back there. That's the only situation I could find  
4 in there.

5 In almost every other situation, a monk cannot be  
6 told to go and live somewhere else without the monk's  
7 approval, the monk's consent.

8 Q. [REDACTED] where a monk at  
9 Fort Augustus School [REDACTED] the sexual abuse of  
10 a child and it would appear he then left the monastery  
11 and went to another place. In that situation, could the  
12 abbot have ordered him to leave the monastery and go  
13 somewhere else, without his consent?

14 A. If he did so, the monk would have the right of appeal to  
15 the Holy See.

16 Q. So if that happened, and there was no such appeal, can  
17 we assume that the monk concerned must have consented  
18 to be sent?

19 A. He would have to consent. The addition made in the 2017  
20 draft -- what I received was described as a draft, I do  
21 not know if the 2017 constitutions have been approved by  
22 the Holy See. But in that, there is a provision to  
23 require a monk to live outside the monastery if this is  
24 necessary for safeguarding reasons.

25 Q. But there, I think you're talking about the 2017

1 position.

2 A. Right, but that's not retroactive, that was not in the  
3 earlier constitutions.

4 If an abbot ordered a monk to move some place else  
5 and the monk did so, yes, we would have to say he had  
6 consented to it, otherwise he could have said to the  
7 abbot, "No, I'm a member of this monastery, I have  
8 rights here", et cetera, and he could seek resource with  
9 the Holy See if the abbot insisted and then the Holy See  
10 would make a determination.

11 Q. In the final section of your opinion, sister, you  
12 address the issue of pontifical secrecy. You  
13 acknowledge that this particular area is not an aspect  
14 of canon law that you have studied to great extent, but  
15 you're giving us some general background to it. Can you  
16 just introduce us to this topic?

17 A. Pontifical or papal secrecy. There are many things  
18 within the church, within monasteries, that are  
19 considered confidential, just as in any other business  
20 or enterprise.

21 Pontifical secrecy is a matter of confidentiality  
22 that is of -- you could say of somewhat a higher level.  
23 It really has to do with matters that refer to the Holy  
24 Roman Pontiff, members of the Holy See.

25 In 1974 there was an instruction from the Holy See



1           that listed the items that are under papal secrecy and  
2           they are things like if the Roman Pontiff is preparing  
3           a document, you don't go around and tell people, "He's  
4           doing this and here's what's in it", et cetera.

5           For matters handled by the Secretariat of State, the  
6           Congregation for the Doctrine of the Faith, papal  
7           legates, those who are sent to the various countries to  
8           represent the Holy See, the naming of cardinals. You  
9           don't reveal that until the Roman Pontiff reveals it.

10          Selection of bishops, nominating bishops. People  
11          are asked for suggestions. They are held to papal  
12          secrecy regarding that they were asked and what they  
13          said.

14          So it's really pretty much matters that relate to  
15          the Holy See. It's not that everything a bishop does is  
16          regarded as under papal secrecy or an abbot. The one  
17          thing in the instruction -- it talks about:

18          "Under papal secrecy is extrajudicial denunciations  
19          received regarding delicts against the faith and against  
20          morals, and regarding delicts perpetrated against the  
21          sacrament of penance, and the process and decision which  
22          pertain to these denunciations, always safeguarding the  
23          right of him who has been reported to authorities to  
24          know of the denunciations."

25          So it would appear to me that something like

1 a denunciation regarding sexual abuse, according to this  
2 instruction, appears to have been under papal secrecy.  
3 What also appears to be the case is that probably most  
4 people didn't know that, including maybe the abbot and  
5 bishops.

6 Q. Just so I can understand, if a monk, [REDACTED],  
7 confessed to having sexually abused a child, which would  
8 be a crime under canon law, would that be subject to  
9 papal secrecy?

10 A. It depends what you mean by confession. In the  
11 sacrament --

12 Q. Not the sacrament of confession, simply an admission.

13 A. It appears to be from this, but again I'd say I'm not an  
14 expert in this area of canon law.

15 Q. I'm just trying to follow it through. If a statement  
16 made by a monk that would otherwise constitute a crime  
17 would be covered by papal secrecy, does that mean that  
18 the person to whom the statement was made could not tell  
19 another person?

20 A. Exactly.

21 Q. Is that what it means?

22 A. Yes. I could get -- if you want a more expert opinion  
23 on papal secrecy, I would refer you or suggest you find  
24 a canonist who has done more with that work, with that  
25 area. It's not my area of expertise.

1 Q. You say in paragraph 5 something I think some laypersons  
2 might find surprising:

3 "Therefore it can be said that papal secrecy applied  
4 to allegations of sexual abuse of a minor as early as  
5 1974. Some have pointed to this secrecy as a reason  
6 that bishops did not report sexual abuse."

7 Is that correct?

8 A. Yes. [REDACTED]  
9 people say bishops kept this secret, kept this  
10 confidential because of papal secrecy. My point is  
11 I don't know if that is really why bishops kept things  
12 confidential, or if some of those bishops even knew that  
13 kind of delict was under papal secrecy and knew that  
14 they were obligated by that --

15 Q. It does seem a surprising proposition in that if such  
16 a crime is covered by papal secrecy and therefore the  
17 monk who's been told of the crime cannot warn other  
18 people, that seems quite a surprising proposition.

19 A. Yes, it does.

20 Q. We can perhaps explore that a little further than. As  
21 you say, it's not truly your area of expertise, sister.

22 A. It's not my area of expertise, so I hesitate to make  
23 definitive statements about it.

24 MR MacAULAY: Well, thank you for that, and indeed thank you  
25 for coming along this morning to give your evidence to

1 the inquiry.

2 These are all the questions I have for you, sister,  
3 and, my Lady, I haven't received any other questions to  
4 put to sister.

5 LADY SMITH: Are there any outstanding applications for  
6 questions? No.

7 Sister Nancy, that does complete the questions  
8 we have for you. Could I just thank you very much for  
9 giving so much detailed attention to the written  
10 questions that were put to you in providing your very  
11 helpful report, and for being so patient with us today  
12 as you have been. It's been very helpful to hear from  
13 you in person.

14 I'm now able to let you go and wish you a good day's  
15 work ahead. Thank you.

16 A. Thank you. Bye now.

17 LADY SMITH: Bye.

18 (The video link was terminated)

19 MR MacAULAY: I think we've probably cut off the link.

20 LADY SMITH: I think we have.

21 So, Mr MacAulay.

22 MR MacAULAY: My Lady, that then concludes the evidence for  
23 this week and indeed the evidence for this case study.  
24 We come back a week on Tuesday for the closing  
25 submissions. We have two days set aside for closing

1           submissions.

2           LADY SMITH: Yes. I'll leave it to the solicitors' team to  
3           confirm in writing the exact arrangements for the  
4           lodging of written submissions and the running order and  
5           so on.

6                    Very well. Thank you all very much. I hope you all  
7           have a good weekend and I'll adjourn now until a week on  
8           Tuesday.

9           (2.47 pm)

10                   (The inquiry adjourned until 10.00 am  
11                    on Tuesday, 1 October 2019)

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25

ABBOT GEOFFREY SCOTT (sworn) .....1

Questions from MR MacAULAY .....1

Witness statement of FATHER COLIN .....73

GEDDES (read)

Witness statement of SEAMUS COLEMAN .....99

(read)

SISTER NANCY BAUER (sworn) (via .....113

video link)

Questions from MR MacAULAY .....113

- 1
- 2
- 3
- 4
- 5