

1 Tuesday, 29 September 2020

2 (10.00 am)

3 PROFESSOR STEPHEN CONSTANTINE (continued) (via video link)

4 Questions from MR MACAULAY (continued)

5 LADY SMITH: Good morning and welcome back to another day of
6 evidence in our child migration hearings.

7 Professor Constantine, Stephen, very good to see you
8 back. Thank you for returning to help us again today
9 with your evidence. Can I say that as I have been going
10 back through what you have helped us with already, I am
11 in awe of the value of the content. It has been really,
12 really good, and I know that today is going to be as
13 good as well. So thank you for that.

14 A. This is very much a joint effort between the three of
15 us.

16 LADY SMITH: That is good of you. Thank you.

17 Let me hand over to Mr MacAulay, and he will be able to
18 take it from there.

19 Mr MacAulay.

20 MR MACAULAY: Good morning, my Lady.

21 Good morning, Stephen.

22 A. Good morning.

23 Q. Last week we finished by looking at placements,
24 inspections and aftercare in a number of Australian
25 institutions. We looked at Fairbridge, Salvation Army,

1 Barnardo's institutions, Quarriers, the Church of
2 Scotland and the Catholic Church. I now want to move on
3 to another two institutions, and this is where you are
4 looking at section 18 on page 173 of the report.

5 That should be on the screen for you now.

6 A. It is.

7 Q. The first place you look at very briefly, in fact,
8 because I think there is a lack of documentation, is the
9 Fairbridge Memorial College in Southern Rhodesia, is
10 that right?

11 A. That is correct.

12 Q. And I think you make some assessment that some Scottish
13 children are likely to have been sent there?

14 A. That is correct.

15 Q. So far as the history of the Memorial College is
16 concerned, it was a relatively brief history, about ten
17 years, from 1946 to '56?

18 A. That is correct.

19 Q. And essentially, what is the position here? Is it the
20 case that really there is very little to say because of
21 the lack of documentation?

22 A. That is part of the problem. There were the mysterious
23 fires which seem to have eliminated some of the records
24 A good deal of what we were able to write about,
25 effectively speculative, talks there about probably

1 something equivalent to Ofsted reports would have been
2 occurring, would have been written, because there is
3 public money involved in this. So I think the college
4 would have been inspected and reports would have been
5 produced, but we have seen no sight of those.

6 Much of the rest of the information we have has been
7 derived from kind of recollections by members of the
8 school, the pupils who have been migrated there. It is
9 effectively a collection of autobiographies and those
10 have been helpful.

11 Q. The autobiography you mention, is that the book,
12 "Windows"?

13 A. That is correct.

14 Q. And we have it in the Inquiry. It is essentially
15 a selection of autobiographies that have been produced
16 by a number of former residents.

17 A. Yes. It is, in that respect, self-selected. These are
18 contributions by people who have been at the college
19 recounting their experiences, good, bad and indifferent.

20 Q. You do tell us that John Moss did visit this college?

21 A. Yes, that is correct. John Moss seems to have visited
22 many places to which child migrants have been sent.
23 Just as a reminder, the Fairbridge Memorial College is
24 not associated with the Fairbridge Society. It is
25 so-called because ... because Kingsley Fairbridge came

1 from Rhodesia.

2 Q. So far as John Moss was concerned, what was his view of
3 the establishment?

4 A. Certainly he was not impressed by its after-care
5 arrangements. I think otherwise he was somewhat kind of
6 ambivalent about the place. I think he had been
7 concerned about the placements that children might have
8 during vacations, whether those places to which the
9 children were sent had been properly approved as
10 suitable locations to which they might go effectively on
11 holidays.

12 Q. Let's move on then to look at New Zealand and the role
13 of the Royal Over-Seas League. As you have already
14 explained, the New Zealand scheme was operated by the
15 ROSL along with New Zealand Government. So there was no
16 UK Government involvement?

17 A. That is correct, yes, it is a direct relationship
18 between the ROSL and the New Zealand Government, the
19 funding that has come from the New Zealand Government.
20 The concerns that have been expressed subsequently were
21 about the relationship between the children who were
22 effectively being sent there to be fostered and the
23 New Zealand authorities as to whether they were
24 adequately inspecting the homes to which the children
25 were being sent. So that was one of concerns that has

1 been expressed, I think with some proper concerns.

2 There were serious attempts to actually make this
3 a legal enterprise, and that did require guardianship to
4 be formally transferred. So from the UK end it is very
5 unclear what the role of ROSL was, apart from the supply
6 chain. They do not seem to have maintained any close
7 connections with the children who had been sent. That
8 seems to be devolved entirely upon the New Zealand
9 Government. What we have from the New Zealand end are
10 some accounts of practice that actually have been given
11 at previous hearings.

12 Q. I think you estimate that possibly around 40 child
13 migrants from Scotland may have been caught up in this
14 scheme?

15 A. Yes, that is another of those kind of rough
16 guesstimates, frankly. We see the attraction to some
17 parents in Scotland, because this was indeed
18 a whites-only public school in black Africa, and it
19 would seem that children that were being sent there
20 would be thereby advantaged and might well get
21 professional careers that would provide them with better
22 futures.

23 Q. If we look at paragraph 18.3, I think it is the case
24 that you rely to some extent on a research paper that
25 was submitted to our conference on child migration in

1 2002 by Young and [REDACTED], is that right?

2 A. That is correct.

3 Q. That was specific research into the British child
4 migration to New Zealand scheme?

5 A. That is correct.

6 Q. One of the authors of that particular research paper was
7 a former child migrant?

8 A. That is my understanding.

9 Q. What do you take from that paper?

10 A. Can you just roll it up, to remind myself?

11 Q. It is 18.3, I think.

12 A. Yes. This concerns one of those important issues that
13 crops up so frequently in this Inquiry, is actually
14 about whether the children who have been placed are
15 being visited by child welfare officers, and this
16 particular child says they visited only twice in five
17 years, that is the recollection of this person. And
18 there is always this problem about whether they could
19 speak freely as children in the presence of the foster
20 parents, the foster carers. So actually trying to find
21 out what actually was going on is a matter of ongoing
22 concern, really.

23 Q. What you say in 18.3 is that the former child migrant
24 who contributed to the paper, or co-authored the paper,
25 commented that he remembered being visited by child

1 welfare officers only twice in five years?

2 A. That is correct, yes. That always has been a problem,
3 hasn't it, about outside the committed check on the
4 well-being of children who have been placed, whether in
5 an institution or with families, is actually keeping
6 a close watch on their experiences and allowing them --
7 what was always an issue here, allowing them
8 an opportunity to speak freely without fear of any
9 subsequent reprimand by either the child welfare officer
10 or by, worse still, the foster carers. They have to
11 live with the foster carers after the inspections have
12 taken place.

13 Q. What you also say is although Mr Bavin claimed that
14 ROSL's child migration work was one of, if not the most
15 satisfactory child emigration scheme in existence, that
16 claim cannot be checked because there are no records?

17 A. Exactly, yes. I think that quite seriously is Bavin's
18 spin on the whole activity.

19 Q. And 18.5, I think you draw attention to the IICSA
20 conclusion in relation to this scheme, and you set out
21 there that that conclusion was that there appears to
22 have been no proper monitoring reporting and aftercare
23 of children sent to New Zealand?

24 A. Yes, I have seen nothing to challenge the judgment of
25 IICSA on ROSL's operation.

1 Q. As you already pointed out, there was no clear legal
2 framework that would allow the UK Government to approve,
3 for example, individual children's migration or
4 otherwise carrying out subsequent monitoring?

5 A. Yes, the funding is not derived from the Empire
6 Settlement Act. Funding that came from the Empire
7 Settlement Act, and related Commonwealth Settlement Act,
8 provides an obligation in some senses upon the
9 UK Government to monitor how that money is being spent,
10 and particularly upon the well-being of the children
11 upon whom the money is supposed to be spent.

12 But this is really a New Zealand operation, so it's
13 New Zealand Government money, and as long as the
14 children have been sent out under those auspices there
15 is very little that the UK Government legally can do.

16 Q. Can I then move on to chapter 19 of your report at
17 page 176 of the report, and here you set out some
18 conclusions on placements, inspections, aftercare reports
19 and responsibilities. Can I ask you, Stephen, just to
20 take us through your conclusions on this broad section
21 of your report.

22 A. The first conclusion is how important it was to ensure
23 that placements -- the places to which children were
24 sent needed -- this is a judgment on the history -- they
25 needed to be approved as suitable. That depends

1 therefore upon inspectors, independent inspectors, I
2 always emphasise this, independent inspectors with no
3 commitment to immigration or emigration, and no
4 commitment to the sending society, should be in
5 a position to verify whether these places are acceptable
6 as places to send children before they are being placed
7 there.

8 But then you also need subsequent inspections. It
9 needs to be a kind of repeated round of inspections to
10 ensure that any inadequacies in the place have been
11 improved, that they have been dealt with, and
12 inspections should be concerned with more than the
13 fabric of the building. So many of the reports that one
14 sees about inspections, whoever has been carrying them
15 out, are frequently preoccupied with the fabric of the
16 building. It is whether the toilets are there, whether
17 the showers are there, how many beds are there, that
18 kind of business, rather than about the quality of care
19 that is being delivered. They needed to be
20 child-focused, concerned with the well-being of the
21 children.

22 That requires -- this is the difficulty always. If
23 an inspector turns up, does the inspector speak to the
24 child and can the child trust the inspector? Somebody
25 from outside comes in, and you may not have

1 an opportunity to talk anyway, but if you have, can you
2 trust the inspector to provide the confidentiality that
3 you might wish if you were going to say "I'm not having
4 a happy time in this place". The inspections really
5 come to the heart of the matter. What one would want to
6 see is the results of rigorous inspections along the
7 lines of: are the children benefiting from this, in the
8 terms of their education, their emotional up-bringing,
9 their sense of being well received. Whether they feel
10 they are in some respects being loved.

11 If you cannot get that sense from the child, but
12 only about the fabric of the building, then the
13 inspection is not going to be able to serve properly the
14 interests of the sending societies, because the sending
15 societies ought themselves to be preoccupied with the
16 emotional education and the physical well-being of the
17 children.

18 So I think the importance here about inspection
19 cannot really be overstated, it is actually vital to the
20 whole operation, and it was way, way back in Doyle's
21 report in 1875.

22 Q. I was about to ask you: do we see in Doyle, and indeed
23 in Ross, situations where children were spoken to and
24 the impact that had on the inspector's conclusions?

25 A. I think when you do get those conversations, and there

1 is a vivid one, and Doyle clearly does speak to some of
2 the children he encounters. When you do speak to the
3 children and the child trusts you, then you get
4 important information which one would wish to feel would
5 be, if negative, relayed back to the sending society so
6 that they can select better the selection of the
7 children, but also be demanding of the receiving
8 institutions -- it's larger institutions we are talking
9 about -- demanding of the receiving institutions, that
10 they provide the adequacy of proper staff support for
11 the well-being of the children who have been sent.

12 So the whole thing really does -- if you are going
13 to guarantee, as best one ever can, if you are going to
14 at least have as your first priority the well-being of
15 the children you have sent, then you need to be ensuring
16 that adequate inspections take place and adequate
17 reports on those inspections are relayed back to the
18 sending organisation. There needs to be a constant
19 exchange of information.

20 LADY SMITH: Stephen, everything you say about this makes
21 perfect sense. Do we need to add to it the importance
22 of selecting the right people to be inspectors and
23 training them?

24 A. Oh, absolutely. Yes. I think again this is -- I have
25 great sympathy with the Doyle Report and what Doyle

1 found. I think what he was deeply concerned about was
2 that there would be independent and trained inspectors
3 who have a set of the values that are needed in order to
4 ensure the well-being of the children.

5 I think it becomes increasingly important later on
6 when you are talking about particularly kind of
7 post-Curtis, post-Clyde, when there is a greater
8 understanding in the UK, and that does embrace Scotland
9 very heavily here, a greater understanding of what
10 children need in order to grow up as happy and healthy
11 children. And a lot of that, it is an important word
12 that occasionally crops up, and it is called "love".
13 I think it is absolutely essential that a child should
14 feel not just respected but loved.

15 These are children who are not with their natural
16 parents and what you need is surrogate natural parents,
17 surrogate parents who will perform precisely that same
18 role. Too often, too often, when you read those
19 harrowing accounts, testimony from former child
20 migrants, repeatedly it comes over "I was not loved",
21 "I did not feel loved". Worse than that, "I felt
22 constantly under assault".

23 MR MACAULAY: One point you make at 19.3, it's what you
24 refer to as a countervailing force, and that is
25 the limited authority which the UK Government felt it

1 could exercise over the self-governing dominions of the
2 Commonwealth.

3 A. Yes.

4 Q. And I think the point you are making is that these
5 dominions were developing an autonomy of their own?

6 A. Indeed, and that was being acknowledged by
7 the UK Government. There was an Imperial Conference in
8 1926 in which it was actually then, in the minutes of
9 that conference, that they were all of equal status, so
10 that Australia, Canada, New Zealand and South Africa
11 were not dependent territories, they were independent
12 nation states, and that is then endorsed in the Statute
13 of Westminster which you will find referred to in 19.3.
14 In 1931, the Statute of Westminster does formally
15 acknowledge the equivalent status of the UK and of the
16 self-governing white dominions. That does then inhibit
17 what the UK Government can ask of those overseas
18 territories. They can only act by persuasion, they
19 cannot enforce.

20 That brings you round -- I'm not sure whether this
21 is the right moment to mention it -- but to the whole
22 business about regulations which were supposed to be
23 introduced as a consequence of the Children Act of 1948.
24 There would be regulations, and regulations binding upon
25 potentially the practices of the voluntary societies,

1 and that would require, if it was properly carried
2 through, to ensure that those regulations were accepted
3 and honoured by Australia, Canada, New Zealand and
4 South Africa. South Africa is not in the story.

5 But you see what I mean? I think what was expected
6 as a result of the wishes of the sending societies,
7 particularly the sending governments in the UK, was that
8 these regulations might enable better practice to be
9 enshrined, but it is very difficult, it is impossible to
10 enforce this practice -- to alter practices in
11 Australia, Canada, New Zealand because of the limited
12 authority of the UK Government. It can only, at best,
13 try to persuade.

14 Q. In your final paragraph of this section at 19.7 you pull
15 together your overall conclusions, and you do draw
16 attention to appendices 3 and 4. We have been looking
17 at that with Professor Lynch and we will return to that
18 next week. But can you just summarise for me what your
19 overall conclusions are on this aspect of the work you
20 have done?

21 A. So the work I have done?

22 Q. Yes. At 19.7 you provide an overall conclusion on
23 post-war migration under this particular head, dealing
24 with placements, inspections and so on?

25 A. Yes. I think what one witnesses, looking at the record,

1 reading about it, is the inadequacy of the controls
2 exercised by the UK Government over the practices
3 overseas, and indeed, further than that, the inadequacy
4 of the authority which the sending societies might have
5 over practices overseas. There are clear failings in
6 the system if what was intended to have been ensured
7 through child migration was the transfer of children
8 from disadvantaged backgrounds in the UK and Scotland to
9 better opportunities overseas.

10 Q. You end up by saying that:

11 "All that said, political and financial
12 considerations, insufficient inspecting and reporting
13 and inadequate numbers of properly trained staff did not
14 make child abuse inevitable but possibly more likely."

15 A. I think that's right. If there is not a common culture
16 between the sending and receiving countries and
17 institutions, then this is the position you may very
18 well find yourself in.

19 I think the point about trained staff is absolutely
20 vital in this as well. It is very difficult to see
21 evidence of trained staff in many of these overseas
22 countries. They are smaller populations and it is
23 perhaps only becoming part of a kind of professional
24 careers overseas. Having said that, we need to
25 acknowledge that even post the Second World War, there

1 was an obligation to increase the number of trained
2 staff in the UK, including Scotland.

3 So the whole effort post-war in the UK to raise the
4 quality of care for children required proper training of
5 staff, and it is more important that they are trained
6 than that they happen to come from a religious
7 background or anything like that. That is not
8 sufficient to ensure that the professionalism as
9 child carers can be guaranteed.

10 LADY SMITH: Stephen, did you come across at all any sort of
11 methodical assessment and analysis by or on behalf of
12 the UK Government of what systems there were in the
13 receiving countries for monitoring the progress of
14 children and inspecting the institutions to which they
15 were being sent?

16 A. To the best of my knowledge, there is really nothing
17 that could be resembling what you are implying should
18 have been the case. There is no kind of consistency,
19 and the UK Government has only effectively -- if you
20 think about Australia, the UK Government can only work
21 through the UK High Commission. One of the things that
22 repeatedly comes out is how overstretched is the UK
23 High Commission. Clearly it is not only with child
24 migrants, it has a bigger brief than that. And if it is
25 placed in the position of having to report back

1 objectively on conditions in receiving institutions
2 especially, then it is going to have to send staff to
3 cross that huge continent -- we have to always remember
4 the logistical difficulties -- and the UK
5 High Commission in Canberra does not have the staff.
6 They acknowledge "We do not have the staff to do this."

7 There comes a point when actually -- I seem to
8 remember reading that their funding had been cut, not
9 just for this but the budget for the UK High Commission
10 had diminished, and that reduces their capacity to pay
11 travel expenses and have staff off-site.

12 LADY SMITH: So do I conclude that there was a significant
13 absence of knowledge on the part of the UK Government
14 and what they were doing really was keeping their
15 fingers crossed and trusting the receiving countries to
16 look after their children appropriately?

17 A. Yes, there are serious attempts to -- particularly when
18 you look at some of the draft regulations which were
19 circulated to Australia, there is an attempt to educate,
20 as it were, to: these are the sort of things we think
21 should be put into place by any receiving institution
22 and by governments that would be monitoring their
23 behaviour.

24 So they are trying to do by persuasion that which
25 they cannot do by regulation. That can work to

1 a certain extent, and I don't want to suggest that
2 Australians are not themselves anxious to improve their
3 practices, but that does require this whole business
4 about getting professionally trained staff to run the
5 business, and that means that they are trained. Trained
6 inspectors and trained carers is the heart of
7 a successful child.

8 LADY SMITH: Thank you.

9 MR MACAULAY: We are now moving on to a different chapter in
10 your report, and in particular this is the chapter, or
11 chapters, that focus on abuse. I think we discussed on
12 Friday you rely, as far as the Scottish position is
13 concerned, on evidence that has been presented to the
14 Scottish Inquiry, and I think you rehearsed that
15 evidence. I don't propose to go through that with you
16 because we have that evidence, so when we come to those
17 sections I will simply make that comment.

18 Can we begin by going to page 178 which is
19 section 20 or chapter 20. You have a heading there,
20 it's on the screen, "The Abuse of Scottish Child
21 Migrants: Determining and Defining". Here you are just
22 setting out some general proposition. You begin by
23 saying, under reference to the children that -- or some
24 of the children that you have been dealing with, that
25 these were children who had been deprived of a normal

1 home life, in large measure?

2 A. Indeed, yes, they start from a disadvantaged position.

3 The vast majority of children in Scotland live with
4 their parents and the vast majority of the children
5 living with their parents are loved by their parents, so
6 what we are dealing with are children who do not have
7 that initial advantage anyway.

8 Q. You draw attention to the Ross comment, you draw
9 attention to what Ross said, that he was told that
10 children whom life had treated badly would benefit from
11 a fresh start in a new country, but the committee
12 insisted that it was precisely such children, already
13 rejected and insecure, who might often be ill-equipped
14 to cope with the added strain of migration. That was
15 his position?

16 A. Exactly, and you can understand where that comes from,
17 it comes from an understanding of the places -- and this
18 is effectively the Home Office point of view, Ross
19 represents it very strongly. The children who are in
20 institutional care are disadvantaged, that is the first
21 point, and therefore they have had something that has
22 put them in such a situation which is not part of
23 a natural family, so in that sense they are
24 disadvantaged.

25 You can see if a child is in squalid circumstances

1 with abusive parents in an inner city in Scotland, then
2 it looks clearly advantageous for that child to be moved
3 and have a fresh start in a new country where there are
4 supposedly better opportunities. The problem about that
5 is whether it is actually frying pan into the fire
6 because you cannot -- you have to be exceedingly careful
7 to ensure that the fresh start actually is a fresh start
8 rather than just an equivalently disadvantaged
9 placement. So what is critical, I think, in the Ross
10 observation is that children who already had experienced
11 a poor upbringing are not necessarily best equipped to
12 deal with novelties and the form of care which they may
13 be receiving overseas.

14 It is an easy statement, isn't it? Bad in Glasgow,
15 it must be better somewhere else. It doesn't work that
16 way. I know parts of Glasgow, one of my best friends is
17 from Glasgow, so I hasten to stress --

18 Q. You do say, Stephen, it is clear that children, perhaps
19 many children, made good because of migration?

20 A. Indeed, yes. We have to acknowledge that. There are
21 some who are actually advantaged, there is no denying
22 that. At least, looking back, they believe that they
23 had better lives than they would have had, had they
24 remained in care in Scotland or with the families where
25 they had been not well-treated. There is no denying

1 that. That in some senses is always to be recognised.

2 The problem is there is a significant number of
3 children we know did not find that the fresh start
4 advantaged them, partly because they were already
5 damaged before they go. Their insecurities, the way in
6 which they were brought up, has affected their
7 personalities, their ways of life, their standards of
8 behaviour. The way in which many of them had been
9 housed in institutions in Scotland, many of which were
10 not actually loving places that could provide affection.
11 The places are not necessarily staffed by trained social
12 workers sensitive to the emotional needs of children.

13 So places they had left are not necessarily
14 providing them with the best advantage and they are not
15 going to repair their losses already, and then
16 transferring them to another place overseas, unless they
17 are very fortunate, many of them will still find that
18 they are not being bettered by that transfer. We
19 acknowledge the advantages that came to some, but
20 a significant number clearly were not bettered by it.

21 Q. Part of the equation is the fact that children were
22 abused in institutions both in Canada and Australia and
23 indeed elsewhere.

24 A. Yes. And let's just add to it, children were abused in

1 institutions in Scotland. Some of the reasons why
2 children volunteered to go is they thought "

3 It must be

4 better than where I am now", but that is classic frying
5 pan into the fire in some particular cases. But the
6 places to which they are sent, again, are there the
7 adequately trained professional staff providing the kind
8 of nurture these children would need, and particularly
9 if they have been damaged by their previous experiences.

10 Q. Can I then just focus on the approach you take in this
11 section or sections of the report. At 20.4 you
12 effectively say you are adopting a two-stage approach
13 here. Can you just elaborate upon what that is?

14 A. This is difficult because what we don't have is adequate
15 personal detail on all the children who were sent from
16 Scotland and we do not know whether all the children --
17 we do not know the experiences of the children who did
18 leave from Scotland. We do not even know, in some
19 cases, where those children were sent.

20 In terms of abuse, all one can really do is identify
21 the institutions where we know abuse took place, the
22 first step. And the second approach is to see whether
23 Scottish children may, not necessarily did, may have
24 gone to those places, and it is not saying those

1 children would have been abused but they may have been
2 placed at risk of abuse.

3 Q. Yes. Can we move on to chapter 21 where you look at the
4 Canadian position, and you remind us, at 21.1, that over
5 8,000 Scottish children were sent to Canada from 1870s
6 onwards, and we have heard how that was managed. We
7 have also seen Doyle's critical report and the impact of
8 that, and also the Bondfield Report and the impact by
9 that.

10 I think you do make the point that most of the
11 children from Scotland had previously been cared for by
12 Quarriers, is that right?

13 A. That is correct, yes.

14 Q. Insofar as this section is concerned, if you move on to
15 paragraph 21.4, I think there you do narrate some
16 evidence as to how children fared in Canada.
17 For example, you talk about tales of homesickness.
18 Loneliness, deprivation of education, insecurity, hard
19 work, and indeed violence as well, is that right?

20 A. Yes. I think we need to put it in perspective. There
21 is evidence that some children did experience this
22 abuse.

23 Q. You draw attention in fact to some of that evidence, and
24 in particular the House of Commons Health Committee
25 Inquiry, and there was there a record of a whole range

1 of abuses, from physical and sexual to the emotional and
2 psychological?

3 A. Indeed, that is right. Once more, we need to recognise
4 that the people who are going to provide evidence to
5 something like the House of Commons Health Committee, or
6 indeed even to this Inquiry, are more likely to be
7 children who have been abused one way or another, and
8 they are more likely therefore to see this as
9 an opportunity for them quite legitimately, quite
10 properly and quite necessarily to give voice. They wish
11 to be heard, that is why you get these pretty appalling
12 accounts of various forms of abuse.

13 I am very grateful that the Scottish Inquiry has
14 a very wide definition of abuse, wider than that which
15 IICSA had, but I think what one sees is repeatedly the
16 same kind of -- the same kind of abuse in place after
17 place after place, and there is a considerable amount
18 of this that comes out of the Canadian experiences,
19 again with the caveat that some children did well,
20 perhaps even the majority did well, but there is a large
21 enough body of children who did not experience happy
22 times through their transfer and we need to recognise
23 those. The list is very long there.

24 Q. One piece of work that I think you rely quite heavily
25 on, that is the work by Joy Parr. It is a book with

1 I think the title "Labouring Children". Can you tell me
2 a little about that? What did that work involve?

3 A. The first thing is that Joy Parr is simply -- she has no
4 actual commitment, as far as I am aware, to the idea of
5 investigating child migration, it was simply because
6 there was a lot of data here, it was a story, and she
7 was attracted by the reports and set about analysing
8 those reports. She herself concludes that probably the
9 majority of children who were sent to Canada were
10 bettered by that experience. It is a "probably". But
11 what she does do is classically, as a social historian
12 with a large amount of data, she checks a considerable
13 sample of the surviving records and analyses what they
14 are saying, so you get back some kind of positive
15 statements and you get back a number of negative
16 statements.

17 So what Joy Parr is doing, it was a very early
18 study, a very academic study, a very brief study, but
19 very, very informative indeed.

20 Q. She covers the period from 1869 to 1924. Was her
21 research done in the 1970s?

22 A. Yes, I think that is right. There is a second edition
23 later on but --

24 Q. Did she interview former migrants as part of that
25 research?

1 A. Yes. I think the people she interviewed, of course, are
2 adults.

3 Q. Yes, indeed.

4 A. So they are retrospective accounts. But it does enable
5 them to get some important sense of the legacy of their
6 experiences as children, or indeed as juveniles. By
7 talking to the adults, they talk about their previous
8 lives.

9 Q. But the importance of that having been done in the 1970s
10 means she would have sources available to her that would
11 no longer be available thereafter?

12 A. Yes. She is talking to adults, many of whom are already
13 elderly as we know.

14 Q. You also refer to Anna Magnusson's work on Quarriers as
15 well, and she too had the opportunity of speaking to
16 former child migrants and getting their stories?

17 A. Yes. I think a very important part of this whole
18 history of the study of former child migration is that
19 many of these records were at least obtained before it
20 was too late. So we do have some pretty robust data
21 I think on the experiences, good and bad, through the
22 work of Parr and Magnusson, and always the Child
23 Migrants Trust.

24 Q. You set out in paragraph 21.6 the sort of issues that
25 arose. I think we've touched on loneliness, missing

1 siblings, not being treated as a member of the family,
2 the loneliness and tedium of rural life, and the denial
3 of adequate education being a number of issues?

4 A. Indeed. And as you go down that paragraph, we see also
5 there is evidence of sexual abuse too, and girls --

6 Q. And bed-wetting seems to have been a different problem
7 for child migrants and it brought punishments?

8 A. Sorry, I missed the beginning of your sentence.

9 Q. Bed-wetting, Joy Parr mentions bed-wetting as a problem.

10 A. It goes right through so many of the accounts from the
11 children, the elderly people now giving their testimony
12 when they were children, and enuresis clearly was
13 regarded as misbehaviour, effectively. There was little
14 understanding or little willingness to understand.
15 Bed-wetting did lead to humiliating practices in many of
16 the overseas institutions and, for all I know, in
17 institutions in Scotland too.

18 Q. There is some mention of girls becoming pregnant while
19 wards of the homes in which they had been placed, and
20 they were vulnerable to predatory males?

21 A. Yes, I think that is always -- that has quite commonly
22 a bearing upon the age at which particularly girls will
23 be sent overseas. This clearly -- girls seemed to be
24 more vulnerable than boys, more vulnerable, but the boys
25 were also vulnerable.

1 Q. You also pick out this message that we have already
2 seen, that children were reluctant to report
3 ill-treatment when Canadian inspectors turned up, as
4 they did rarely, for fear of reprisals after those
5 officials had left. So that is a common theme?

6 A. It is a very common theme: a strange man -- and it would
7 be men -- turns up and asks "How are you?" Often those
8 conversations take place in the same room as the
9 notional foster parent.

10 Q. At 21.7 you draw attention to the work Joy Parr did in
11 relation to assessing the subsequent careers of child
12 migrants.

13 A. Yes.

14 Q. And if we read on, you say:

15 "In her judgment, these were the child migrants who
16 had best adapted to the situations in which they found
17 themselves."

18 So some were able to adapt and have positive lives?

19 A. Yes.

20 Q. But others were not?

21 A. That is correct. It is also noticeable that
22 overwhelmingly the assumption of the sending societies,
23 the societies that sent children to Canada, is that they
24 would be living in rural areas, that they would be
25 working as domestic servants or working as farm hands.

1 But what Parr discovered, of course, was that
2 a significant number of both men and women moved from
3 those rural environments to take up work in the cities.

4 So the whole notion that this would populate
5 underpopulated rural areas of Canada falls by the
6 wayside. They go into -- there is a list of them
7 there -- hotels, department stores, factories. Boys
8 also, similarly, largely give up being workers in the
9 countryside: labourers, factory workers and so on. So
10 there is an urban drift.

11 Q. She does make what looks like an important point, and
12 you have rehearsed that at the end of that paragraph,
13 and that is given their social origins and family
14 background, Parr concludes from her analysis that in
15 terms of employment, child migrants in Canada did better
16 than if they had remained in the UK?

17 A. It is difficult to pass a judgment on her judgment here.
18 You cannot compare what did happen with what might have
19 happened. I think given her professional reputation,
20 I would accept that as a statement --

21 Q. She links --

22 A. Sorry?

23 Q. She links it to in terms of employment, that is
24 the qualification.

25 A. Yes. I am looking at the last sentence there, referring

1 to the abuse many had endured also needs to be kept in
2 mind. And the stigma, the stigma is crucial. I think
3 it is very likely that most of those who did move to the
4 urban areas, escaping from rural Canada, disguised the
5 fact they were child migrants.

6 Q. In the next section you look at child abuse in the
7 context of foster care in New Zealand, and we have
8 already looked at how the New Zealand regime operated
9 with the involvement of Royal Over-Seas League, and you
10 mention again the Royal Over-Seas League failed to keep
11 records, and that becomes a problem when you are trying
12 to assess what happened?

13 A. Yes.

14 Q. I was about to ask you about the House of Commons
15 Select Committee, because they travelled to New Zealand
16 to consult with the Minister of Social Welfare?

17 A. Yes, and what they got in response was this statement
18 about the positive experiences of the children. They
19 adapted well and enjoyed successful lives.

20 Q. But they also had receipt of a memorandum that was
21 supplied by the British Child Migrants Society
22 New Zealand. What was the impact of that?

23 A. I am not sure of the impact of it, but the content of
24 that memorandum was that many of those former children
25 sent to New Zealand regarded their experience as adverse

1 and they did not feel like their lives had been
2 bettered.

3 Again, we are in this territory of those who are
4 most likely to come forward to say that they had not
5 experienced improvement are more likely to be -- they
6 are self-selecting, and there are some in this account
7 who said that they had had better lives but
8 disproportionately. If you ask whether you would like
9 to contribute to a report on the experience of child
10 migration, it is more likely that those who had been
11 adversely affected would come forward rather than those
12 who had not.

13 So with that caveat in mind, and it is an important
14 one, I think the list of problems that many of those
15 New Zealand children reported now late in life are
16 exactly the ones we see so many other had as well:
17 ill-treatment, neglect, relationship problems, losing
18 contact with siblings, lost identities and so on and so
19 forth.

20 I think that last sentence is a very -- I remember
21 reading this and being rather taken aback:

22 "The former child migrant who is invited to seek
23 counselling and support from the Department for Child
24 Welfare is like asking a holocaust survivor to get
25 assistance from the Gestapo."

1 It's not the sort of phrase that one can ever really
2 quite forget, and it may well have been a (inaudible)
3 statement, but it is an indication that that person
4 clearly did not regard the experience as acceptable.

5 Q. In that list that you set out in that paragraph, we
6 really see the same sort of issues that we see in
7 institutions, for example?

8 A. Yes, indeed. Sometimes you take the quotation out of
9 context, and it could be replicated almost anywhere else
10 where children had been sent.

11 Q. Even though this is a different form of scheme which
12 involved foster care?

13 A. Yes, that is right.

14 Q. But the issues look to be the same sort of issues that
15 came out of institutions?

16 A. Yes. It's pretty grim, isn't it? And this is after the
17 event. I think one would really like to know whether
18 those adults reporting about their experiences later in
19 their lives ever reported these abuses when they were
20 youngsters.

21 Q. In the following paragraph you provide some quotes from
22 the evidence to the House of Commons Committee that one
23 migrant considered that they had been exported like
24 a commodity, and there was also evidence of sexual abuse
25 and rape?

1 A. Indeed, yes.

2 LADY SMITH: Stephen, towards the end of that paragraph you
3 record something one former child migrant said, a woman.
4 She had managed to educate herself and said:

5 "As a result, externally I am living a good life but
6 not in myself."

7 It strikes me it's a very succinct description of
8 what is the truth for many of the child migrants who say
9 "I did well, I have been successful", but they are
10 living with scars because of having been abused, and
11 they will never get rid of that.

12 A. Absolutely, I think this is certainly the case. And
13 there are clearly occasions when late in life, having
14 married and had children, certainly I recall
15 a particular case in which much later in life, when this
16 issue about the abuse of child migrants comes to the
17 fore, they start for the first time telling their wives
18 or their adult children what had happened to them. They
19 had never reported it before. And that is a scar. They
20 are different from what externally they seem to be.

21 My best example of that remains -- I think
22 I mentioned David Hill, I keep referring to David Hill.
23 He is the one who had this very, very successful career
24 in Australia, he wrote the book about the Fairbridge
25 children, but who found just remembering what had

1 happened to other children in Molong overwhelming,
2 absolutely overwhelming. It distressed him to give his
3 evidence to IICSA, not because he had been abused but
4 because of what he knew about the abuse of others.

5 MR MACAULAY: At 22.4 you draw attention to the New Orleans
6 Congress that took place in 2002. Remind me, did you
7 say the other day you attended that congress?

8 A. Yes, I did. I am not sure why it was in New Orleans.

9 Q. Were there former migrants who had been sent to
10 New Zealand who spoke at the conference?

11 A. Yes, that was one of the -- it is organised by the Child
12 Migrants Trust in conjunction with National Social
13 Services, and the importance of it was -- that was what
14 it was essentially about -- that there were kind of
15 academic papers about child migration delivered at that
16 conference -- a congress I think they called it -- but
17 there were a considerable number of former child
18 migrants present. One of the things I can vividly
19 remember is that they had set up what can only be
20 described as a shrine to their mothers with lit candles.

21 Q. You quote there some of the observations that were made
22 at the conference, that some of the child migrants
23 considered themselves to have been lucky, they were
24 treated humanely and were happy. However, others had
25 shocking experiences of physical and sexual abuse

1 causing much mental anguish and they remained very
2 bitter and deeply resentful. So those were observations
3 that were made at the conference?

4 A. Yes, that is right, and again it shows the different
5 recollections that people had of their experiences, but
6 it is important both those voices are heard.

7 Q. You draw attention to a survey conducted by the British
8 Child Migrants Society, a research officer who concluded
9 from his survey of 42 former child migrants that nearly
10 80% had had negative experiences?

11 A. Yes, that is right. Again, I think we are in the
12 territory those who had experienced abuse in any form
13 are more likely to be the ones who come forward in
14 response to such a survey.

15 Again, I don't want to underestimate the
16 significance of that. Many of those who did better are
17 less likely to wish to say more about their own past.
18 But many of them, and this is quite a considerable
19 number, nearly 80% of those responding to the survey
20 talked about the negative effects upon them.

21 Q. You say in the final paragraph here that you are not
22 aware of any contemporary concern about abuse in
23 New Zealand?

24 A. No, and nor by ROSL who had sent the children. There is
25 very little responses. I understand it may be the case

1 that in New Zealand an Inquiry is taking place or may
2 take place and more might eventually come out. But so
3 far, New Zealand has not contributed to this
4 consideration of child migration and child abuse.

5 Q. Stephen, in the next sections you look at a number of
6 institutions, and just reading at paragraph 23.1,
7 page 185 of the report, what you say there is:

8 "We now turn to those Scottish child migrants who we
9 know, from the 1920s to the end of the practice, were
10 sent not to live with individual families but were
11 dispatched to institutional care overseas ..."

12 And you provide us with an understanding of what the
13 numbers might have been.

14 A. That is right.

15 Q. We are now going to look at some -- at institutional
16 care in different places.

17 A. That is correct.

18 Q. At 23.2, you remind us again that most of these children
19 had been taken into care in Scotland because they had
20 lived disruptive lives.

21 A. That is right, yes.

22 Q. You remind us that the range of age was from the very
23 young to maturing teenagers.

24 A. Yes, and clearly the kind of quality and sensitivity of
25 dealing with children who are very young to maturing

1 teenagers requires a professional touch to be able to
2 identify what it is that may be troubling people from
3 that very wide age range. Very young children and
4 maturing teenagers are very different people.

5 Q. The point you make is this is an age range that would
6 pose challenges even for the well-trained and
7 experienced carers?

8 A. That's right, yes. Bringing up children is difficult
9 even for natural parents, I'm not speaking from personal
10 experience here, but, yes, it is part of bringing up
11 children that they can be difficult, and that is
12 always -- in the best of homes, that is always dealt
13 with because the overall environment is that of love and
14 care. In so many of these cases, you are dealing with
15 children who are not being looked after by people who
16 have the equivalent qualities of a natural parent. You
17 need to be seriously well-trained and sensitive as
18 a carer to deal with somebody else's child.

19 MR MACAULAY: The first institution you begin to look at is
20 Fairbridge Prince of Wales Farm School in
21 British Colombia.

22 I see we are reaching 11 o'clock. It may be better
23 to wait until after the break.

24 LADY SMITH: We will take the break now, Stephen, and move
25 on to this section after the break. Thank you.

1 (10.57 am)

2 (A short break)

3 (11.15 am)

4 LADY SMITH: Welcome back, Stephen.

5 Can I just warn at this point: because we know the
6 WebEx system tends to cut out at certain points, I think
7 we have judged 12.20 pm, would that be right,
8 Mr MacAulay? So if we will take five minutes then, and
9 then we shouldn't be troubled by the WebEx downtime.
10 Yes? I think everybody is in agreement.

11 Over to you, Mr MacAulay.

12 MR MACAULAY: Stephen, we are looking moving on to look at
13 the Fairbridge Prince of Wales Farm School in
14 British Colombia, and as you tell us in that first
15 paragraph, this farm school opened in about 1935, is
16 that correct?

17 A. That is correct, yes.

18 Q. We have a fairly precise number as to how many children
19 have been accommodated over the relatively short
20 lifespan that it had, and under reference to the work by
21 Patrick Dunae, you have calculated possibly 25 Scottish
22 children?

23 A. Yes. That is not my calculation.

24 Q. No, it's not.

25 A. It's what Dunae actually says in his report. I think we

1 had some discussion with this, as to whether or not that
2 actually did include all the children of Scottish
3 origin.

4 Q. We have a fairly firm figure there, in any event, from
5 him of 25.

6 A. Yes.

7 Q. Reading what you say about this school, it appears
8 really from fairly early on to have had what could
9 really be described as a troubled existence?

10 A. I would agree absolutely with the word "troubled", yes.

11 Q. I think it is one of the words you use which is why
12 I have used it. Early on you tell us, for example, in
13 paragraph 24.2, that there was a confirmed case of
14 sexual abuse at the school?

15 A. Yes, indeed. Yes. I think it's important to point out
16 that at least it was recognised and indeed that
17 particular duties master was dismissed.

18 Q. His successor also apparently had allegations of sexual
19 misconduct being made against him?

20 A. Yes, and seemingly he was the one who reported on the
21 misbehaviour of the previous duties master. It's
22 a bizarre story indeed.

23 Q. But he was dismissed but then reappointed?

24 A. Yes, and I can see how this comes to cause even greater
25 consternation in the social services of the state of

1 British Colombia. The reason seemingly is because it is
2 difficult to find any other staff. Well, I think one
3 might have looked better for more staff, better staff,
4 than reappointing somebody who had already had
5 a suspicion against him and been dismissed.

6 Q. You remind us we have had evidence, of course, directly
7 from applicants who were at this particular
8 establishment, and in particular Mr MacKay has given
9 evidence to the Inquiry?

10 A. Indeed, yes.

11 Q. And we have that evidence. But you point in 1944 to the
12 Isobel Harvey report, and we have already looked at that
13 in this Inquiry, but was that a turning point, do you
14 think, in the life of this particular establishment?

15 A. Oh, absolutely so, yes. The important thing about
16 Isobel Harvey, I think as it says somewhere in one of
17 those paragraphs, she is indeed one of the highly
18 professional, highly trained, highly up-to-the-minute
19 child welfare specialists. She is exactly the kind of
20 person that one would wish to have supervising any of
21 these migration operations. She is a passionate
22 advocate, as I think is the phrase I have put in here,
23 of "new child welfare thinking."

24 So this is the kind of development which has taken
25 place in parts of the UK already, child migrant

1 thinking. It is different from how it had previously
2 been. And Isobel Harvey has clearly really put out the
3 very idea that her state, as it were, British Colombia,
4 is allowing a place like Fairbridge Farm School to
5 operate. It is the institutional care that she thinks
6 is inappropriate before she begins. But her critique is
7 not based solely on antipathy to the very idea of a farm
8 school, it is what she actually then discovers when she
9 makes her investigation, when she goes to the farm
10 school and talks, interestingly, not just to the staff
11 but to the children and what she derives from that, and
12 by her movement around the institution, observing things
13 like the quality of the catering, the care, the
14 conditions in the particular cottages to which the
15 children are sent, filled her with considerable
16 concerns, and this does pick up about actual or
17 threatened sexual abuse.

18 Q. Again you set out that in paragraph 24.4, that there
19 were further allegations made in relation to a duties
20 master who had acquired a name for "fooling with the
21 girls". I think that is a quote from her report.

22 A. Yes.

23 Q. And there was another senior member of staff who was
24 charged with gross indecency, and two more staff members
25 were dismissed for making sexual advances to older

1 Fairbridge girls. So that is the picture we are having
2 of this establishment?

3 A. Yes.

4 Q. What was the reaction of the powers that be to the
5 Isobel Harvey report? By that, I mean the
6 Fairbridge Society. What was their reaction?

7 A. Yes, it is concerned, because this was a kind of fairly
8 late development, after all. The 1930s is a new
9 Fairbridge venture in an entirely different space, and
10 I think Fairbridge was pretty put out to find that this
11 particular operation has already attracted such a lot of
12 anxiety amongst professional people, professional child
13 welfare people. And it is not the only report that is
14 then made about the institution, but I think
15 Isobel Harvey's report is the one that causes
16 considerable consternation across the whole Government
17 of British Columbia. But also, since it is reported on
18 to Fairbridge back in the UK, and indeed to the UK
19 High Commissioner in Ottawa, this is a report which
20 would seem to suggest that there is something very, very
21 seriously amiss with the practices in British Columbia.

22 Q. I think Isobel Harvey, and I think this is supported by
23 evidence we have heard, was critical of some cottage
24 mothers?

25 A. Indeed.

1 Q. But not all?

2 A. Yes, I think this is actually where the testimony
3 provided by former residents at the Prince of Wales Farm
4 School is exceedingly valuable because they are telling
5 it as they experienced it.

6 Q. In particular, I think there is a particular housemother
7 whose sadistic cruelty was described I think both by
8 Roderick MacKay and also by another applicant?

9 A. Indeed, yes. I think they got the impression that some
10 housemothers were better than others, but that
11 particular person -- who I am not at liberty to name
12 because I'm not sure whether you have redacted it --
13 certainly comes in for a lot of hostile commentary.

14 Q. If we turn to paragraph 24.13, and we are moving on in
15 time, because you tell us there that in 1949 much of
16 what had disturbed Harvey in 1944 also alarmed
17 EM Carbery, a psychiatric social worker, and her report
18 also described the buildings being of poor quality,
19 equipment inadequate, toilet facilities were very
20 primitive, dormitory arrangements unsuitable, and that
21 the place was, as you have quoted, "thoroughly
22 institutionalised"?

23 A. Yes. I think it is important again just to notice the
24 description of Carbery as a psychiatric social worker,
25 she is clearly a trained professional, I assume with

1 experience, and she is concerned by what she identifies
2 as being the difficulties that children in the Prince of
3 Wales Farm School were experiencing --

4 Q. She is also critical --

5 A. Sorry.

6 Q. Carry on.

7 A. I was going to say she is damning about so many of the
8 qualities that are very primitive, the dormitory
9 arrangements. She was much taken aback by there were
10 not even washing machines:

11 "Even the Indians in the reserve have these!"

12 Which is a pretty telling comparison, I think.

13 So putting children in such an institution would
14 seem itself to be a form of abuse.

15 Q. She is also critical, if we read on in that
16 paragraph 24.13, of the aftercare support that was
17 available to children?

18 A. Indeed, that is right. One would have thought by 1949,
19 since Fairbridge in other places did offer a certain
20 amount of aftercare support, that this would have been
21 built into the practice in this really quite more recent
22 institution set up in a brand new space.

23 Q. At 24.14, you draw attention to evidence that was
24 presented to IICSA by I think the daughter of a child
25 migrant who was sent to the school and gave evidence

1 that she knew that boys and girls had been sexually
2 abused?

3 A. That is right. I think what is also important about
4 that particular piece of testimony provided to IICSA by
5 the daughter is that the mother had said, quoting from
6 this 24.14:

7 "... she would have got into trouble if she had
8 reported what she had experienced because she knew that
9 her letters home were read and censored."

10 I think that is something that happens elsewhere;
11 children cannot then risk reporting what they are
12 experiencing to the organisation that sent them or to
13 members of the family.

14 Q. As you point out, Mr MacKay gave similar sort of
15 evidence that neither he nor others dared to report the
16 abuse at the time?

17 A. That is right.

18 Q. That is a common theme I think in these cases?

19 A. Can I just refer, because I was really seriously taken
20 aback reading this, to the account of the two sisters
21 who come back to Aberdeen in --

22 Q. I was about to come to that. Could you tell us about
23 that?

24 A. These are two grandmothers who were taken into care when
25 one was aged 2 and the other just 10 months, and then at

1 the age of 5 and 4 they were sent out to
2 British Colombia, and it's this quotation:

3 "In asking how they remembered St Martha's, [REDACTED]
4 replied 'It was the only place I was really happy'."

5 I can remember reading that and being really quite
6 upset by it. These are a pair of grandmothers who
7 clearly, in their lives, they had married, they had
8 children, and now they had grandchildren. They come
9 back to this place in Scotland saying it is the only
10 place where they were happy.

11 Q. And the place they had been was a place in Aberdeen,
12 St Martha's Convent, which was run by nuns in Aberdeen?

13 A. Yes.

14 Q. If we go on to the following page, page 192. I think
15 you tell us that deliberations about the future of the
16 school were ongoing, but there was an acceptance that
17 operations would be wound down by 1949?

18 A. Yes.

19 Q. I think you set that out towards the top of that page?

20 A. Yes. The really important thing there is that it is the
21 local board of governors who recommended that it close.
22 They are persuaded that the institution of which they
23 are the governors has failed the children and,
24 therefore, because of the adverse reports that have been
25 coming in, they feel that really we should simply close

1 it.

2 Q. The point you make at 24.16 in relation to what lessons
3 could be learned, can I ask you about that? Having
4 regard to the Fairbridge experience in British Colombia,
5 what lessons could Fairbridge, as an institution, have
6 learned from that experience?

7 A. I think what should have been derived from this
8 experience is that institutional care of the form that
9 Fairbridge had been operating since before the First
10 World War was primarily problematical, and that if this
11 is what was occurring in British Colombia, in a new
12 place, newly set up, if this was the quality of care
13 children received then there may well be questions to be
14 asked about the quality of care in other Fairbridge
15 institutions in Australia. I think that is really quite
16 an important consequence that one would have expected,
17 but I don't see -- there don't seem to be any lessons
18 learned from this.

19 What one is seeing, I think, by the time the Prince
20 of Wales Fairbridge Farm closes in British Colombia, is
21 that Fairbridge is still attempting to maintain a flow
22 of children to its existing Australian institutions,
23 albeit increasingly under the one or, later, two parent
24 family scheme. There seems to be a determination by
25 Fairbridge to maintain its basic principles that

1 Kingsley Fairbridge had set up so many years before.

2 Q. And in the final paragraph of this section, you draw
3 attention to the IICSA Report, which of course focused
4 essentially on sexual abuse, and I just quote what you
5 have taken from the report:

6 "Fairbridge UK understood the need to respond
7 appropriately to reports of child sexual abuse. By
8 1945, Fairbridge UK knew that several migrants at
9 Fairbridge BC had been, and potentially were still
10 being, sexually abused. However, Fairbridge UK failed
11 to examine the wider context of these complaints of
12 sexual abuse and general ill-treatment of children which
13 it knew about. Although in some ways Fairbridge UK
14 sought to respond to the issues raised, it did not,
15 for example, implement the recommendation to have
16 trained social workers on the staff."

17 So that is the IICSA conclusion?

18 A. That's right, yes.

19 Q. In section 25 and page 193, you look at the Northcote
20 Farm School in Bacchus Marsh in Victoria, and as you
21 point out in the first paragraph, this institution
22 really was sponsored by Lady Alice Northcote, who was
23 the wife of a former Governor General of Australia --

24 A. Yes, that is correct.

25 Q. -- although really, essentially, the institution worked

1 hand-in-hand with Fairbridge?

2 A. Yes, it is Fairbridge that actually does the selecting
3 and sending, so there is very little difference in terms
4 of the set out. The way in which these farm schools are
5 operating in Australia, Northcote, Pinjarra and Molong
6 are pretty much similar.

7 Q. As you tell us, in 1937 the first party of 28 boys
8 arrived at the Northcote Farm School at Glenmore in
9 Bacchus Marsh, and by 1958 the total had risen to 273,
10 mainly boys but also some girls?

11 A. Yes.

12 Q. And this was a cottage-type set up?

13 A. That is right, so it is similar in that respect to the
14 one we have been talking about that was located in
15 British Colombia. But they're all pretty much the same
16 structure, the ones in Australia as in British Colombia,
17 they are effectively cottages.

18 And I think there is a need to strip out the notion
19 about how kind of homely a cottage is. In this country
20 a cottage sounds rather ideal, with wisteria around the
21 door. These are effectively large-ish wooden huts,
22 essentially, and there are more children accommodated in
23 a cottage than any normal family, and much, much, as
24 always, depends on the quality of the housemother and
25 the degree of support which such persons would get from

1 the principal of the colleges.

2 Q. Looking to Scottish numbers, I think we saw this when we
3 looked at numbers, we know about 15 boys that had been
4 sent there from Aberdeen?

5 A. Yes.

6 Q. And you estimate that there may have been some more,
7 possibly around 30 in all.

8 A. Yes. It is a speculative figure because Bacchus Marsh,
9 like Fairbridge, had some sort of credentials, as it
10 were, as a well-run institution, and therefore it is
11 likely that we will not be able to find any more than
12 the 15 that are named, so I simply doubled the figure.

13 Remember what I have been trying to do with the
14 figures is to inflate, within reasonable boundaries, the
15 number of children who went from Scotland overseas
16 because it leads to the conclusion, which I think I made
17 on previous occasions of these hearings, that
18 the percentage of children going from Scotland overseas
19 was, percentage-wise, lower than the percentage that
20 Scotland makes up of the position in the United Kingdom.
21 The rest of the UK sends proportionately more.

22 Q. At 25.2 you draw attention to some allegations of
23 serious malpractice that had been made by one of
24 the cottage mothers?

25 A. Yes.

1 Q. Can you elaborate upon that for me. What was happening
2 here? This was in 1943.

3 A. Yes, I think this is just one of those occasions that
4 one of the cottage mothers does report -- I can't
5 remember the precise malpractice, but it was clearly
6 sufficient for this allegation to be forwarded to the
7 Dominions Office, and it is significant that the then
8 principal, Colonel Heath, does resign at the request of
9 the local trustees. That is quite important. This is
10 not imposed by London, this is the trustees recognising
11 that Colonel Heath is not managing this institution
12 adequately, even by Australian standards.

13 Q. You also draw attention to Garnett's visit and what he
14 concluded, and he was critical of the school.

15 A. Yes, he was. And he was also -- it is not unimportant,
16 actually, it's part of this story. Garnett discovers --
17 the sentence is:

18 "Under the State of Victoria's current legislation,
19 the Child Welfare Department had no legal control over
20 children's institutions, so no inspections had been
21 carried out."

22 And it is then necessary to pass the 1946
23 Immigration (Guardianship of Children) Act to put that
24 right.

25 Q. Garnett, you tell us, had a meeting with the

1 Chief Inspector of Schools, whose department did have
2 inspection powers, and that they had been very shocked
3 at the behaviour of teachers with girls at the school
4 and that led to teachers being dismissed --

5 A. That is right, yes.

6 Q. -- with criminal procedures pending.

7 A. Yes. It is worth stressing, since there are -- there is
8 sometimes an obvious absence of police inquiry into
9 allegations of institutional abuse, that in this case it
10 is the police who are brought in and do conclude that,
11 yes, an abuse had taken place and criminal proceedings
12 would follow.

13 Q. You tell us in paragraph 25.3 there were allegations of
14 sexual abuse involving, I think, four girls and
15 a teacher, but the teacher was subsequently acquitted
16 after trial?

17 A. Yes. One would assume that due process had taken place
18 and the allegations had been regarded as -- had not been
19 regarded as persuasive.

20 Q. At 25.4 I think you draw attention to the fact that
21 officials employed by the State of Victoria were aware,
22 in 1943/44, of a range of abuses to which child migrants
23 had been exposed?

24 A. Yes.

25 Q. And the inadequate inspection regime had put people at

1 risk?

2 A. Yes, so the inadequate inspection regime -- that phrase
3 needs again to be remembered. Too often there were
4 inadequate inspection regimes and the consequences are
5 the risks to the children.

6 Q. Against that background, were all the children at
7 Bacchus Marsh transferred to the Fairbridge Farm at
8 Molong?

9 A. Yes. Just remember, it is 1944 and war is on. Children
10 are not being sent. The numbers almost certainly at
11 Bacchus Marsh were lower than capacity, so in fact what
12 happens is they move them to another Fairbridge
13 institution, the Farm School at Molong.

14 Q. I think it re-opened in 1947, that is what you go on to
15 tell us?

16 A. Yes.

17 Q. But not for long, is that ...

18 A. It does go on for some time subsequent to that.

19 Q. Yes, you are right. I think in fact what happened was
20 that this lady, Miss Tempe Woods, wanted to bring in
21 some innovations based on the Curtis Committee findings
22 in relation to the staff training, and so on. Is that
23 correct?

24 A. Yes. And this is quite an interesting development,
25 isn't it? Here what we have is a woman who indeed

1 regards herself as a professional childcare person, who
2 has been trained on a course provided by the Home Office
3 back in the UK. What she attempted to do, on her return
4 to Australia, is to present the findings of the
5 Curtis Committee, how it regarded -- how the
6 Curtis Committee regarded childcare ought to be taking
7 place, references to staff training and so forth, and
8 she sets herself up as a kind of one woman education
9 guru, really, in order to explain to other workers at
10 Bacchus Marsh how children should be cared for, and
11 there is this reference to "Good reports received on
12 Molong". Then what happens is a new principal arrives
13 and, effectively, what she has been attempting to do is
14 being swept aside.

15 So here had been an opportunity, if you think about
16 it, to raise the quality of care following the training
17 provided by the Home Office of a former member of staff
18 but it doesn't go anywhere.

19 Q. And because of the new principal's attitude, I think she
20 resigns in 1950.

21 A. Yes.

22 Q. But she does write to the Home Office --

23 A. Indeed she does.

24 Q. -- drawing attentions to problems.

25 A. Yes. I think the really crucial line here is:

1 "She advised the Home Office it was of the utmost
2 importance to check that the practices at institutions
3 overseas was acceptable before allowing child migrants
4 to be sent."

5 It seems an obvious thing to expect, but evidently
6 her own experience has been how difficult it was to
7 spread the quality of care that is now the new standard
8 in the UK to an institution that is funded, remember,
9 subsidised by the UK Government, to extend those
10 practices to Australia, at least to this Bacchus Marsh
11 institution.

12 Q. And what then was the Home Office reaction to that?

13 A. Perhaps not what one might have anticipated in that the
14 outfits and maintenance agreements with the Northcote
15 trustees were re-signed in 1949 and continued to be
16 re-signed. There is no indication that everything
17 Miss Tempe Woods had tried to inculcate had been
18 followed --

19 Q. Although you do point out towards the end of this
20 section that the Ross Committee did inspect this
21 particular establishment and found it satisfactory?

22 A. Indeed, yes. So fair enough, I think somehow or other,
23 if not Miss Tempe Woods, at least Bacchus Marsh
24 organisers -- the committee did indeed raise its game.
25 So if it impressed the Ross Committee, I would take it

1 something really rather substantial had changed the
2 nature of the place.

3 Q. If we move to section 26 where you look at one of
4 the Fairbridge Farm Schools, this is the farm school at
5 Pinjarra in Western Australia. You point out in 26.1
6 that this institution opened first in 1912 but then
7 moved in 1921 to a larger site?

8 A. That's right, yes. This is Fairbridge's first
9 institution. This is when he sets out the model of what
10 he regards a farm school to be like, providing
11 opportunities for disadvantaged youngsters in the open
12 spaces of Western Australia, providing them with better
13 life opportunities than they would have had otherwise.

14 Q. It is a cottage-type set up that he has?

15 A. Yes. So we have the housemother and we have a
16 significant, but not overwhelming, number of children
17 for whom she is responsible.

18 Q. And over the period of 1912 to 1960, you consider that
19 as many as 1,521 children had been sent to Pinjarra from
20 the United Kingdom?

21 A. Yes, that figure is derived from a study of the
22 Fairbridge operations, it's that data.

23 Q. You have suggested a speculative 80 children from
24 Scotland --

25 A. Yes.

1 Q. -- to both Pinjarra and the other farm school at Molong?

2 A. That is correct.

3 Q. I think you have told us already about Garnett's
4 comprehensive review of farm schools?

5 A. Yes.

6 Q. And I am just trying to remind myself what conclusions
7 he came to in relation to Pinjarra.

8 A. His conclusions are that Pinjarra needs to be
9 investigated really because of the experiences at
10 Northcote, because the person running Northcote Farm
11 School previously had been at Pinjarra. So Garnett sets
12 out to investigate -- remember, he is the guy from the
13 UK High Commission.

14 Q. Yes.

15 A. He sets out to investigate what conditions were like at
16 Pinjarra, and does indeed discover that there are issues
17 there that need to be dealt with. We are talking still
18 about the war years, remember. There are additional
19 difficulties about managing all these places during the
20 war. But this does at least flag up Garnett, it does
21 get his concerns recognised by Gordon Green, the
22 Fairbridge Society officer in London, and a dossier of
23 complaints has been compiled, quite an extensive list of
24 rumbling anxieties about education, training and
25 aftercare.

1 Q. The reference you make to Caroline Kelly, her
2 confidential report, what was the background to her
3 carrying out that report?

4 A. What was the name again?

5 Q. You mention Caroline Kelly's report at 26.3.

6 A. She is representative of the Australian Commonwealth
7 government. So what we have here is a very unusual
8 intervention by someone working for the Australian
9 Commonwealth government and she comments on precisely
10 what she had discovered in that dossier. It is spread
11 around so that people do know in high places what the
12 practice had been in that Fairbridge Farm School, so
13 what she is concerned about is that there needs to be
14 an improvement in the quality of care.

15 It is very much the same kind of story, in a less
16 robust and forceful fashion, to that which we have
17 identified in the Harvey case in British Columbia.

18 Q. If we move on to page 197, we are still looking at
19 Caroline Kelly's report, and we read towards the top:

20 "Kelly had also commented on what she saw as the lax
21 oversight of a hostel for old boys and girls at Pinjarra
22 (presumably aged 16 and over) which stamps the committee
23 as positively ignorant of its responsibilities."

24 Then there is a quote, and I think we saw this quote
25 last week with Professor Lynch, that:

1 "Delinquency [sexual activity] is naturally not
2 unknown and there may have been cases of girls becoming
3 unmarried mothers ..."

4 Then we get the response of Mrs Joyner, who is the
5 wife of the chairman:

6 "If a girl disgraces Fairbridge she is expelled."

7 I think the point that you make here, and indeed
8 I think Professor Lynch made last week, the reference to
9 expulsion may imply a reference to girls still resident
10 at Pinjarra?

11 A. Yes. And if that were the case, then almost certainly
12 they would be in breach of the Criminal Code. These
13 children, these girls, would have been 16 or under.

14 Q. Was there any then follow-up to the recommendation that
15 had been made, that a proper investigation should be
16 carried out in connection with Fairbridge?

17 A. Yes. Insofar as there are responses, I think what is
18 happening is that Fairbridge back in the UK, Fairbridge
19 in London, becomes concerned about some of the adverse
20 reports that have been coming from -- British Colombia
21 are obviously examples, but also from the heart of their
22 operations, which is in Australia. I know what it
23 tended to do was to cause deep anxiety to Hambro as
24 Chair -- effectively, I think he is Chair of the
25 Fairbridge Society in London. He becomes really quite

1 concerned about practices overseas that don't conform to
2 the model which people in London, particularly Hambro
3 himself, believe should be the best practice, and what
4 you start to see developing is a close connection
5 between Fairbridge headquarters in London and the
6 Home Office, which is going to lead through to attempts
7 by Hambro to -- he gives reference as well to "altering
8 the constitution". This is going to raise a serious
9 issue because there is a tension between an organisation
10 like Fairbridge in London and the institutions in
11 Australia which regard themselves as almost autonomous,
12 and I think what you get is -- it's a bit like the
13 relationship between the UK Government and the
14 Government of Australia; can Fairbridge UK in London
15 order how Fairbridge practice in Australia should be
16 conducted? There is a tension there. What you get is
17 a lot of difficulties for the person trying to run the
18 home in Australia, the Fairbridge Farm School in
19 Australia, who is subjected to pressure from both sides.

20 Q. You go on at 26.5 to record a comment made by Garnett in
21 his report on farm schools which you say was endorsed by
22 Gordon Green, and Gordon Green was representing the
23 Fairbridge organisation. Was that in the
24 United Kingdom?

25 A. Yes.

1 Q. And Garnett had written that:

2 "The fact that the children sent to the farm schools
3 were children from orphanages and rescue organisations
4 in the United Kingdom has been responsible for the
5 tendencies in some quarters in Australia to look upon
6 these children as waifs and strays."

7 Then you quote from Mr Green, and I will just read
8 that:

9 "Not only have they found themselves despised as
10 outcasts from Britain, but advantage has been taken of
11 their low status to employ them at a lower wage than
12 that given to an Australian doing similar work.
13 An instance which bears out that charge is given by two
14 after-care officers who, finding an old Fairbridgian
15 doing a skilled and responsible job on a station for 7/6
16 a week asked the employer why he paid the young man that
17 wage when he paid his Australians £3 a week. The
18 unabashed reply was 'ah, but he is only a Fairbridge
19 boy ...' Prejudice certainly cannot be overcome until
20 the farm school and its pupils and proteges are given
21 a place in the community free from the handicaps of the
22 lot of the despised class."

23 That is quite a damning indictment?

24 A. It is, indeed, yes. I think it seems to be generally
25 part of the culture often -- you see similar things, it

1 should be said, even in Canada; that these children are
2 somehow slum kids who have been almost evicted from the
3 UK and have come to our country, that they are really
4 almost a subspecies. They do not have the credibility
5 as maturing youngsters who are deserving of the respect
6 that one would trust the Australian maturing youngsters
7 would be given.

8 Q. You then go on to draw attention to two particular
9 accounts, the first being from a Mrs Lucy Cole-Hamilton
10 who had worked at Pinjarra from 1934 to 1945 and she was
11 prompted in October 1947 to write to the Home Office on
12 hearing that child migration was to be resumed. What
13 was her purpose in writing?

14 A. Her purpose is because of this long experience she had
15 had in Pinjarra, some 11 years, and with the war years,
16 children not being sent out, but this noise that is
17 coming out of -- indeed even out of the Curtis Report,
18 that under certain circumstances child migration might
19 be resumed, certain circumstances, she is concerned
20 that, if this is going to happen and children are going
21 again to be sent out to Pinjarra, then the sending
22 organisation in London, Fairbridge in London, should be
23 fully aware of what it is that her knowledge of the
24 place has been like; that there is inadequacy there and
25 something needs to be done about it.

1 She has written to the Home Office as the
2 organisation which is now responsible for child
3 migration, but this is also something which is then --
4 from the Home Office this consultation with the
5 Fairbridge Council in London. So it brings to the
6 attention of Sir Charles Hambro again an account of --
7 a criticism of Fairbridge practice overseas.

8 Q. When you look at the point she makes, she is critical of
9 the accommodation, poor equipment, overcrowding and
10 indeed the quality of many of the staff?

11 A. Yes, indeed. Yes. Again we come back to the matter of
12 staff; it is trying to get trained social workers,
13 people who have been trained in the care of children, to
14 actually manage these places overseas.

15 Q. You go on to narrate that she did not think that
16 the system she knew was conducive to children's
17 happiness and she asked how supervision and inspection
18 were to be exercised when child migrants were overseas.
19 What, if any, was the reaction to this letter?

20 A. I think the reaction to the letter is that it does
21 generate a considerable set of minutes in the
22 Home Office files, and it is something that is passed on
23 to Sir Charles Hambro, and that is when he starts to be
24 talking -- we have already been trying to mention this
25 before, the matter of how much authority can London

1 exercise over institutions in Western Australia, so it
2 is part of the anxiety that is building up in London
3 about their practice, and indeed is followed by other
4 critiques, as we can see.

5 Q. You then move on to tell us about in 1949 the
6 Home Office received an even more authoritative
7 statement of concern, and this came from
8 a Mr Dallas Paterson who brought to his criticisms his
9 experiences as a former principal at Pinjarra between
10 1936 and 1937. So he is speaking from that particular
11 perspective?

12 A. Indeed, yes. It is a fairly brief period he had been
13 principal of Pinjarra but clearly he carries from that
14 experience lots of anxieties that he must have generated
15 when he was in Pinjarra, and you just go through the
16 list: selection, welfare, education, integration,
17 employment, aftercare. He had endeavoured to try to
18 improve such matters whilst he had been at Pinjarra, and
19 I don't think we have seen this but there is a report
20 written in 1936 by him. I think what is most important
21 here -- if we can read the quotation:

22 "In 1949 Paterson was particularly fierce about
23 the location of responsibility."

24 And it's that one:

25 "It cannot be over-emphasised that those taking

1 responsibility to send British children overseas must
2 [underlined] retain a sense of direct responsibility.
3 They must never be lulled into ..."

4 Q. If we move to the next page.

5 A. "... trusting any overseas authority to assume their
6 responsibility. It cannot [underlined] be delegated."

7 LADY SMITH: Yet it had in effect been delegated because the
8 UK had no means of exercising direct control.

9 A. Exactly, yes.

10 MR MACAULAY: And the final comment that Mr Paterson makes
11 there:

12 "The behaviour of Perth WA Committee towards
13 Fairbridge children and the failure of a principal to
14 protect his wards to be a warning."

15 But I think you say you are not aware of what this
16 episode is that is being referred to?

17 A. Yes, I don't know. But clearly something had been
18 shared. Just reverting, Lady Smith, to your
19 observation, the only way in which Fairbridge in the UK,
20 and this would be true about all such societies, can
21 exercise control over the practice overseas is by
22 ensuring that they are responsible for appointing the
23 principals, and that the principals share what is
24 becoming perceived as best practice in the UK and that
25 the principals have the authority, the determination, to

1 enforce those principles even if they are being resisted
2 by the local committees. And that is a hard act; an
3 isolated UK representative trying to change the practice
4 of the rest of the committee which would be made up of
5 Australians.

6 LADY SMITH: Indeed.

7 MR MACAULAY: As you tell us in the next paragraph, this was
8 one of the institutions that John Moss visited as part
9 of his 1952 tour of inspection.

10 A. Yes.

11 Q. Although we have noted already that, in large measure,
12 his report was a positive one, he is not particularly
13 positive about this establishment?

14 A. That is right, yes. So I think, if John Moss was not
15 impressed, one should take note.

16 Q. You noted here:

17 "He noted with regret that siblings were allocated
18 to separate buildings."

19 And I think we had evidence of that from other
20 sources.

21 "... but his comments on the poor provision for
22 contacts outside the farm school and the insufficiency,
23 inadequacy and difficulties in getting staff are quite
24 strongly expressed, this last sufficient to cause
25 'alarm' in the High Commission and indeed in the

1 Department of Immigration."

2 A. Yes. I think the next point in his final report, he
3 refers to staffing problems as a general problem in
4 cottage homes but it is in the final report that he
5 writes, the other wider concerns are not so forcefully
6 identified. That is, in a sense, a pity.

7 Q. Although I should point out the Ross Committee report
8 was on the whole approving of the regime at Pinjarra?

9 A. Yes. Certainly by 1956 the regime is okay, but I think
10 there are still concerns that Ross has expressed, and
11 much of it is simply because of the isolation of the
12 farm school. Go back to what Curtis and Clyde have been
13 emphasising over ten years earlier; is that where
14 children are located and being brought from overseas,
15 they should not be in isolated places, they should be
16 able to integrate easily into the local community, and
17 parking kids in rural areas 60 miles from Perth in this
18 case is not going to help them become "normal"
19 Australians, as it were, if that is what is intended by
20 their migration overseas. And surely that is exactly
21 what was intended; they would be simply absorbed into
22 Australian society.

23 Q. I am moving on a number of years to 1981, because you
24 draw attention to a cottage mother raising concerns
25 about care practices. Of course by this time the farm

1 school was operating a family scheme --

2 A. That is correct, yes.

3 Q. -- rather than a purely child migration scheme?

4 A. Yes.

5 Q. But she raised issues about the poor "and even dangerous
6 condition of buildings and facilities", "the appointment
7 of unqualified and unsuitable staff" and indeed to "the
8 current principal's lack of engagement with such
9 matters."

10 A. Yes.

11 Q. So again we are seeing similar themes?

12 A. Yes, and this is 1981.

13 Q. It is.

14 A. By that time the information which we have derived from
15 the records indicates that child migration, as normally
16 understood, has ceased. So what we are looking at
17 really is the legacy of past practice.

18 Q. There is also this point that is made about whether or
19 not a particular individual who was carrying out
20 physical examinations of teenage girls had the medical
21 qualifications to do so?

22 A. Exactly. So there was clearly some indication here that
23 those teenage girls themselves did say that they
24 themselves complained. They would have found it a very
25 uncomfortable experience indeed.

1 Q. Come December 1981, had Fairbridge decided to cease all
2 activities at Pinjarra and the farm was sold?

3 A. Yes, and I think the consequences of the previous kind
4 of complaint was that it had been ignored, effectively,
5 by the person -- the principal, and really they simply
6 let the whole system collapse at that point. So there
7 is no kind of formal ending of it, they simply decided
8 that it wouldn't continue its activities in Pinjarra.

9 Q. And in paragraph 26.10 you draw attention to the fact
10 that six witnesses at the IICSA Inquiry spoke of sexual
11 abuse while at Pinjarra, is that right?

12 A. That is correct, yes.

13 Q. And you provide some insight into what happened. Boys,
14 you tell us, referred to being raped, and indeed obscene
15 acts by older boys and predatory adults, so that was
16 evidence provided to IICSA?

17 A. That is right, yes. It's the kind of material which
18 caused such distress to David Hill.

19 Q. You then identify evidence that was provided to this
20 Inquiry, and I will just simply move on and just point
21 out that in the following paragraphs that is what you
22 do. Quite a number of applicants have given evidence to
23 this Inquiry and you cover that up to paragraph 26.23.

24 A. Yes.

25 Q. Can I then move on to section 27, again we are looking

1 at child abuse, and here we are looking at the other
2 Fairbridge Farm School at Molong in New South Wales.
3 Was it at Molong in particular that David Hill was
4 a child migrant?

5 A. That is correct, yes. And he went -- remember, just to
6 stress it -- he went under the one parent scheme, so his
7 mother was proximate to where he was, and he does not
8 report he himself being abused, but he was aware of the
9 abuse of others. And subsequently, in the writing of
10 his very well-respected book, obtained further
11 information from children, now adults, who had been at
12 Molong.

13 Q. You rely I think in quite a significant way on his
14 contribution?

15 A. Yes. Yes, "The Forgotten Children".

16 Q. If we look at 27.1, you tell us that the building of the
17 Molong Farm School began late in 1937 with a layout
18 similar to Pinjarra, so it's a cottage-style set up?

19 A. It's exactly the same layout, yes.

20 Q. The first party, you say, arrived in March 1938 even
21 though the building works were still in progress, and by
22 September 1939, at the outbreak of war, 135 children had
23 arrived, and then another 364 arrived between 1947 and
24 1960 which made a total of 526?

25 A. Yes, quite a considerable number as you can gather.

1 Q. And as you pointed out earlier, looking at Pinjarra and
2 Molong, you thought possibly something like 80 Scottish
3 children may have been sent to those two farm schools?

4 A. Yes.

5 Q. When I looked at the Garnett Report, and I think you
6 mentioned this the other day, he contrasted the
7 atmosphere at Molong in comparison to Northcote?

8 A. Yes, at Molong, where the atmosphere "is all that could
9 be desired".

10 Q. And similarly in May 1944, the report by the Chief
11 Migration Officer, Mr Wheeler, also referred to the
12 children as appearing "happy, healthy, tidy, well-fed
13 and well-educated"?

14 A. Indeed.

15 Q. These were positive comments by both these --

16 A. Yes.

17 Q. -- individuals.

18 A. You're almost certainly going to go on to 27.3, the
19 Ross Report, "one of the better institutions".

20 Q. Then you bring us to David Hill who arrived there in
21 1959, three years after the Ross Report?

22 A. Yes.

23 Q. What was his position? What did he witness?

24 A. He sought -- the impression one gets is he observed the
25 maltreatment of some of his peers at the institution.

1 It is also important to recognise that he was
2 sufficiently disturbed by that later in life to carry
3 out his own research, so he was interviewing former
4 child migrants, gathering more data about what they had
5 experienced. He I think had been to a certain extent --
6 well, quite largely shielded from abuse because his
7 mother was in proximity, as it were. So I think that
8 protected him to a certain extent, and that I think is
9 why he felt so distressed to discover that that was not
10 the case with so many of his peers.

11 Q. Is he critical of the principal?

12 A. Yes, I think what is exposed by David Hill is a good
13 deal more about the quality of the principals of the
14 institution at Molong, and there is indeed a history of
15 abuse and of dismissals.

16 Q. The unpublished independent report, that you mention at
17 paragraph 27.5, in 1953 into children's nutrition at
18 Molong, was that a report that was uncovered by
19 David Hill?

20 A. I think that is the case. You can double-check it from
21 the reference in 955, but I think that is the case.

22 Q. It is certainly referenced in his book, "The Forgotten
23 Children"?

24 A. That's right.

25 Q. And there was evidence that maggots were floating in

1 stewed mutton, and so on. That came out of the report
2 itself that he unearthed?

3 A. That's right.

4 Q. So far as sexual abuse is concerned, you set out at 27.6
5 there were cases of sexual abuse going back to 1940?

6 A. Indeed, yes, and involving, as it says, [REDACTED]
7 [REDACTED] the farm school at Molong which
8 is [REDACTED].

9 Q. That was a man by the name of [REDACTED] who had
10 to resign?

11 A. Yes, what it's important to notice here on this occasion
12 is Sir Charles Hambro is rather concerned that this
13 pressure is being exerted on this particular principal,
14 Beauchamp. It is the first that he had been aware of it
15 and it is the local committee which had become
16 concerned. So this was one of the occasions when
17 a local committee, in a sense not unlike that which was
18 about to occur in British Colombia, a local committee
19 was getting knowledge of things that they deemed to be
20 inappropriate. What has to happen is for the
21 Fairbridge Society in London to get the detailed report
22 from its, as it were, officers in Sydney.

23 Q. The following quote that we have, I think that is taken
24 from David Hill's book, "The Forgotten Children".
25 Perhaps I will just read that:

1 "It was now known that immoral and perverted
2 practices have been indulged in on a serious scale, that
3 there have been visits by boys to girls' dormitories in
4 the night, that there have been even visits by boys at
5 night to a female member of the principal's house staff,
6 and that there had been some free association between
7 boys and girls on the farmlands in at least doubtful
8 circumstances."

9 So, again, that is material that David Hill has
10 unearthed?

11 A. That's right, yes. Remember, lots of this would come by
12 his interviewing former child migrants, former
13 colleagues or people equivalent at the farm schools. In
14 other words, things it is reasonable to say had not been
15 sufficiently disclosed at the time.

16 Q. The next paragraph you I think talk about Beauchamp's
17 termination of his employment, albeit that the chair of
18 the Fairbridge Society only reluctantly accepted that he
19 should resign?

20 A. Yes.

21 Q. But you make the point, perhaps harking back to the
22 British Columbia situation, that:

23 "It is therefore worth noting, alongside what was
24 known by 1940 about sexual misbehaviour in British
25 Columbia, that officials in the High Commission and in

1 the Dominions Office had also been alerted to the risk
2 of sexual abuse in institutions in Australia to which
3 child migrants had been and would be sent."

4 So not only do you have the British Colombian
5 experience, you also have the position in Molong where
6 sexual abuse appears to have been taking place?

7 A. Yes. And indeed it is worth noticing that the local
8 Child Welfare Department becomes involved, but only
9 because a minister had heard of these abuses.

10 Q. We then come to the appointment of Mr RBA as
11 principal, and we have Hill's comments in relation to
12 what he was like at 27.7. Can you take us through that,
13 Stephen, as to how Hill remembered Mr RBA as
14 principal?

15 A. He remembers him actually as, in many respects, rather
16 an agreeable man. He was quite aware of his foibles, as
17 it were, but it could also be more than a foible, he was
18 also feared and he could be very brutal. Somewhere
19 I think in that paragraph there is a reference -- or the
20 paragraph below -- to him using a hockey stick to beat
21 children with.

22 Q. Yes.

23 A. And some rather --

24 Q. I think it is paragraph 27.8:

25 "His inappropriate use of a hockey stick with which

1 to beat children was considered no longer an issue as
2 RBA, having been so instructed, had agreed not to use
3 it any more."

4 A. The point about this that is important is that, again,
5 it is the Fairbridge Council in Sydney which does raise
6 its concerns with the Child Welfare Department. So in
7 this respect, Fairbridge Council in Australia is
8 concerned by what it has been hearing and does indeed
9 then invite the Child Welfare Department to come in:
10 this follows allegations made by a recently appointed
11 person.

12 Now, there is an inquiry about this, and the Child
13 Welfare Department, having investigated it, in its
14 judgment dismisses these allegations. But it does turn
15 its attention to the hockey stick issue, and otherwise
16 I think what it does is say matters can continue as they
17 had been. It is a matter of concern as to whether there
18 would be any reputational damage to Fairbridge's
19 operations, but note the Child Welfare Department had
20 conducted it:

21 "... with care and minimum publicity, and there had
22 been no publicity in the papers here and I do not think
23 there will be."

24 So preserving the reputation of the institutions is
25 really quite an important element within all this story.

1 If you do not have -- if you are not able to maintain
2 a good reputation then children may not be sent to your
3 institution, and the money would therefore dry up.

4 Q. In the previous paragraph, just to pick this up, and
5 again this comes from David Hill, no doubt from
6 information he obtained from former migrants in his
7 research, that girls who worked as domestic helpers in
8 RBA ' house spoke in later life about their discomfort
9 with RBA ' habit of having them bring his early morning
10 cup of tea whilst he was naked in bed?

11 A. Yes.

12 Q. So that is information I think Mr Hill received --

13 A. He would have got that from the girls, now women, to
14 whom he had spoken.

15 Q. If we move on to 27.10, we are moving into 1959 where
16 the New South Wales Child Welfare Department has
17 received complaints of a parent of two children at
18 Molong and they uncovered many instances of cruelty?

19 A. Yes. Noticeably here, of course, we are now in the
20 years in which, because there are not -- Fairbridge has
21 not been able to recruit children alone to go overseas,
22 we are in the one or two parents scheme whereby the
23 children are accompanied by their parents, and
24 I think --

25 Q. We have this information by a girl who was there in

1 1959, aged 4, who told Hill she was sexually abused when
2 she was 5, she also suffered brutality from
3 a housemother, and she was flogged because she wet the
4 bed.

5 A. Yes, yes, it's -- so often we encounter the lack of
6 understanding of the causes of enuresis.

7 The next sentence quite seriously has haunted me
8 throughout this Inquiry about the girl:

9 "At the age of six ..."

10 Do you want to read it or shall I?

11 Q. I'll read it:

12 "At the age of six, her punishment included having
13 her head pushed down the toilet and then the toilet
14 being flushed."

15 So that was a dreadful experience.

16 A. Yes. The Child Welfare Department confirms the veracity
17 of what she later told David Hill.

18 LADY SMITH: Yes. Dreadful.

19 Stephen, we will take a five-minute break now in the
20 hope we avoid WebEx cutting us out and it will behave
21 when we get back, I think.

22 (12.19 pm)

23 (A short break)

24 (12.25 pm)

25 LADY SMITH: Welcome back again, Stephen. If you are ready

1 we will carry on. Mr MacAulay.

2 MR MACAULAY: We are still in Molong, Stephen, and we are
3 looking at paragraph 27.11 of your report on page 208.
4 Again you are drawing attention to what David Hill has
5 researched, and in particular that he makes reference to
6 some other cases of physical or sexual abuse by staff.

7 A. That is correct, yes.

8 Q. He provides information about who the abusers were and
9 what happened.

10 A. Yes.

11 Q. Bed-wetting --

12 A. It is disturbing to see that an after-care officer had
13 to be sacked. There is the reference to the dairy man
14 and his physical violence, the garden supervisor who
15 clearly again was a sexual abuser, and then there are
16 all the kind of general misdemeanours, until you come to
17 something which was -- this was a late-added piece of
18 information, the Sydney Morning Herald referring to
19 the ... Yes, it's the boy who was beaten by a staff
20 member for bringing the cows in late for morning milking
21 and thereafter spent two years lying on his back in a
22 Sydney hospital. That does sound to me like a criminal
23 assault and one would like to know --

24 Q. Of course it goes further than that, because the boy,
25 this same boy, apparently had been sodomised by the [REDACTED]

1 [REDACTED] at Molong.

2 A. It just gets ... Well, nothing more needs to be said,
3 does it?

4 Q. You do draw attention to what happened in 1963.

5 A mother had accompanied her children to Molong and
6 withdrew them after just four days. What prompted that
7 action?

8 A. I think what it was, she certainly discovered on arrival
9 with her children under this one parent scheme that this
10 was, in her judgment, having come -- I'm not quite sure
11 where her origins were, but what she recognises is this
12 is absolutely not the place that she thought she was
13 bringing her children to. She identifies things like
14 the poor meals. Clearly even in that brief stay of four
15 days she was alert to bed-wetting, the bedding, barefoot
16 children, physical cruelty. That one about a cottage
17 mother washing out the mouth of a 4-year-old girl with
18 soapy water because she did not eat her dinner quickly
19 enough. And then she draws attention -- the name has
20 been redacted but --

21 Q. RBA ?

22 A. Yes, it is actually RBA :

23 "Some children can be tiresome and have to be taught
24 a lesson."

25 Q. That was his response when she drew attention to these

1 complaints?

2 A. Yes.

3 Q. But I think you do tell us that eventually RBA was
4 obliged to resign, but not until 1966 and largely over
5 personal matters, though with a catalogue of
6 mismanagement and misbehaviour going back over ■■■ years?

7 A. Yes, the personal matters really do not relate to his
8 running of the institution or any form of abuse. But,
9 yes, there is this catalogue. It's remarkable in some
10 ways that he was able to stay so long.

11 Q. Did David Hill also unearth allegations made against
12 another principal who was forced to retire in 1969
13 following allegations against him of a number of cases
14 of sexual abuse?

15 A. Yes. The institution is about to close itself, but it
16 is alarming that yet another principal has been found --
17 there are allegations of sexual abuse against him.

18 Q. So at 27.14, do you say:

19 "In summary, the Fairbridge Council of New South
20 Wales and the Fairbridge Society in London were aware of
21 allegations of physical and sexual abuse against members
22 of staff at ... Molong."

23 A. That is right, yes.

24 Q. You make the point later on that there is no evidence
25 that the police appear to have been involved in any way?

1 A. That is right, yes.

2 Q. Is there evidence there that Fairbridge's concern was
3 with reputational issues and, in particular, with
4 whether or not there would be public scandal?

5 A. Yes, I think that is generally the case and
6 understandably the case about so many of the sending
7 institutions and receiving homes, that they are trying
8 to maintain outwardly a reasonable reputation for their
9 practices, and therefore anything that suggests that the
10 police might become involved is more likely to end up in
11 the newspapers and therefore damage the reputation of
12 the sending and receiving organisations. So avoiding
13 public scandals is, I am afraid, almost part and parcel
14 of so many institution operations and not just those
15 relating to child migrants.

16 LADY SMITH: Stephen, can you remind me of the period over
17 which the practices that David Hill documents were
18 taking place. '40s to '60s, something like that?

19 A. Yes, it is both --

20 LADY SMITH: And as you highlight on a number of occasions,
21 the State Welfare Department were made aware but they
22 didn't take action.

23 A. They certainly didn't take sufficient action. What one
24 could say is they are informed, or they monitor,
25 actually, in some instances what subsequently happens.

1 But they really waited, it seems for me, for Fairbridge
2 or any other organisation in which these matters had
3 been raised to deal with it themselves. Broadly
4 speaking, given again the broad kind of imperatives
5 behind child migration, their concerns are not to stop
6 child migration, so trying to, as it were, keep the
7 investigations that they are involved in rather than
8 publicise them is part of the broader practice. They do
9 not want to damage the sending of children overseas
10 because that is a major political commitment of the
11 Australian Government.

12 LADY SMITH: Thank you.

13 MR MACAULAY: Subsequent public inquiries into the abuse of
14 child migrants concluded that Fairbridge child migrants
15 had indeed been abused, and you draw attention to the
16 House of Commons Health Committee who had the
17 institution described as "worse than a prison".

18 A. Yes.

19 Q. And there were stories of sexual abuse as well. You
20 also draw attention to the Australian Senate Inquiry,
21 and also to IICSA witnesses who referred to sexual abuse
22 at Molong?

23 A. Yes.

24 Q. Is that right?

25 A. Yes. It is noticeable, isn't it, that after these

1 practices had stopped and the abused have grown up, they
2 respond to these invitations to address public inquiries
3 and tell it as they experienced it.

4 Q. You then look at some of the IICSA conclusions at 27.16.
5 You have made the point already that the pre-war
6 problems arising in Canada should have indicated that
7 the child migrant scheme did expose children to the risk
8 of sexual abuse.

9 A. Yes, yes, and that Fairbridge UK failed to respond
10 appropriately to the pattern of the information it was
11 receiving about sexual abuse.

12 Q. And then in conclusion we read towards the bottom:

13 "In light of all this evidence, the Inquiry
14 concludes that Fairbridge UK did not take sufficient
15 care to protect its child migrants to Canada and
16 Australia from the risk of sexual abuse. Over many
17 years, Fairbridge repeatedly failed to offer any support
18 or reparations to those former child migrants who had
19 suffered abuse."

20 That was the final conclusion by IICSA?

21 A. That is correct.

22 Q. In the final paragraph you make mention of a class
23 action that was launched by 150 former residents of
24 Molong, and I think you tell us that eventually there
25 was an out of court settlement in connection with that,

1 along with a full and unqualified apology?

2 A. Correct, a very considerable court settlement:

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 Q. Can we then look at section 28, where your focus is on
7 the Rhodesia Fairbridge Memorial College within the
8 context of child abuse. You begin at paragraph 28.1 by
9 saying:

10 "We know that 276 children were sent from the UK to
11 the Rhodesia Fairbridge Memorial College between 1946
12 and 1956."

13 Was that essentially the life span of the college?

14 A. Indeed, yes.

15 Q. It lasted ten years.

16 A. Indeed.

17 Q. Or thereabouts. You say this was a converted former RAF
18 base and children were accommodated in what had been the
19 barrack buildings, initially boys only. So is it more
20 like the institutional type of place rather than
21 a cottage?

22 A. Yes, very much. It is effectively -- the way to market
23 it is it's like -- I did not go to a public school, it
24 is like sending children to a public school, except that
25 they don't go home in vacations and their parents don't

1 visit them, but that is the model. It is effectively
2 a public school financed from outside to generate a new
3 breed of well-trained whites to run a black African
4 society. The attraction that is being offered is that
5 they will be members of the white elite, and you can see
6 how some parents in the UK, and that includes Scotland,
7 may well be attracted by this option. They are not
8 going to be able to get their children into any other
9 kind of public school in the UK, possibly even more
10 difficult, but they certainly feel there would be
11 advantages for their children if they went to this
12 rather grandly described Rhodesia Fairbridge Memorial
13 College.

14 Q. As far as Scottish numbers are concerned, as you set out
15 at paragraph 10.9, you know of eight Scottish children,
16 and the best you can suggest is possibly ten Scottish
17 children were sent, but that is difficult because there
18 are few contemporary records left?

19 A. That is correct, that is the problem. It is not at all
20 clear how the records came to be burnt. One of
21 the books on this subject itself couldn't figure it out
22 as to why there had been these strange fires. Maybe
23 accident, maybe design. I think I would opt for
24 accident to be on the safe side. But it does make it
25 very difficult to construct what was happening within

1 the college, that is why we ended up with
2 autobiographical accounts as our source.

3 Q. There again you are referring to the "Windows" book that
4 contains a number of autobiographical reports?

5 A. Yes.

6 Q. So far as that evidence is concerned, is there evidence
7 there of uncomfortable and unhappy memories with lasting
8 ill effects?

9 A. Yes, it comes over quite strongly. Just in some of
10 those quotations from the autobiographical statements in
11 "Windows", several of them certainly refer to, well, a
12 sense of nastiness, harsh punishments, teachers who
13 clearly are given to fits of red-faced rage, picking
14 boys up with one hand. It goes on. I think what you
15 see here is a good deal of evidence of physical abuse as
16 would be abnormal even by the standards of the day.

17 Q. You do quote, I think this is taken from "Windows", that
18 one former pupil states:

19 "I have never been able to accept that the severity
20 of these corporal punishments were warranted by the
21 offences that regularly provoked them ... neither will
22 I accept that it was simply the times we lived in."

23 The point he is making is, looking to the nature of
24 the punishment or the physical punishment, they went
25 beyond what might be seen as corporal punishment per se.

1 A. Indeed. I think in any reasonably organised school
2 there are obligations upon teachers who inflict corporal
3 punishments to have punishment books to record what they
4 have done and why, and the degree of physical
5 punishment, corporal punishment, is strictly limited,
6 strictly restricted. All well-organised schools who do
7 still -- did still use corporal punishment ought to be
8 by law, certainly in the UK, adhering to those
9 requirements.

10 Q. If we look at paragraph 28.6, you there draw attention
11 to some evidence that was presented to the
12 IICSA Inquiry, and in particular that a witness, when
13 she was resident at the college, had been sexually
14 abused by the father of a family to whom she was sent
15 for weekends and holiday placements, so that evidence
16 was before IICSA?

17 A. Yes, that's right.

18 Q. And there was also I think another case that concerned
19 the sexual abuse of a child migrant boy?

20 A. Yes. The important thing perhaps in relation to 28.6 is
21 that of course Moss himself had visited the college, and
22 he had been a little -- he had been concerned that the
23 children placed out for holiday placements, that
24 references had not been collected about the persons who
25 would be responsible for those children during those

1 holiday placements. The principal at the time thought
2 this would be inappropriate intrusion. Moss thought it
3 was necessary, and I think what then follows is perhaps
4 some indication that Moss was on this occasion right,
5 that references should have been ...

6 What follows in 28.6 is also very disturbing stuff.

7 Q. You look at a publication with the title "A Son of the
8 Empire: Britain's Unwanted Children", and the account
9 there given by I think the author, who was migrated to
10 the college in 1948, and his memoirs that record
11 episodes of violence, of first formers being hung up by
12 their arms by a fifth former and their testicles being
13 smeared in boot polish. That is his description of what
14 was going on.

15 A. Yes. Again, just to take note that George Bowley was
16 not a Scottish boy but he was in a place where Scottish
17 boys went, so it seemed pertinent to our understanding
18 of the culture of the place to acknowledge that example.

19 Q. He also recalls the school padre who was notorious for
20 his sexual molestation of young boys.

21 A. It is pretty grim reading, isn't it?

22 Q. This particular individual was transferred to another
23 school in Northern Rhodesia where he was also jailed for
24 sexually assaulting minors?

25 A. Yes, the point being that when boys told the stories

1 about the abuse by this padre to the headmaster, their
2 accounts were dismissed. In other words, they were
3 regarded as malicious. Whereas I think the evidence
4 subsequently about what happened when this padre was
5 moved elsewhere confirms exactly what the boys had said,
6 that he indeed was a serial sexual abuser of boys.

7 Q. Does the author also disclose that he himself had been
8 molested and raped by another boy at the college?

9 A. Indeed, yes. And that is not unknown in some of the
10 other testimonies, that older boys could indeed be, and
11 sometimes were, abusers of younger boys.

12 Q. I think you also draw attention to emotional and
13 psychological abuse with children being disparaged as
14 "slum kids" or "guttersnipes", or their mother not
15 loving them, and language like that?

16 A. Yes, yes. Bear in mind that many of the pupils at the
17 college would not have been from care homes, and so
18 exactly the way in which -- you know school kids can
19 take it out on other kids because they are different.
20 I think what they had been identified as, slum kids and
21 guttersnipes, it is very hard for those children to cope
22 with that kind of insult.

23 LADY SMITH: Stephen, just thinking back to you giving us
24 the impression that the Fairbridge Memorial College in
25 Rhodesia was a bit different, but children were

1 migrated, yes?

2 A. Yes.

3 LADY SMITH: With government funding, UK Government funding?

4 A. There was some UK Government money behind this, as
5 I recall, yes.

6 LADY SMITH: Did they get back home at the end of their time
7 at the college or not?

8 A. A very good question. I have not seen that answered.
9 I think the impression I have, the college does close,
10 so any children there would somehow have had to be
11 relocated. They may well have gone to other parts of
12 Africa. Many will have, as it were, graduated and
13 indeed have fulfilled the expectations of them and
14 become members of the white elite.

15 The difficulty I think about the "Windows" accounts
16 is that it does tend to concentrate upon the impression
17 the college made upon them while they were there.

18 Again, as --

19 LADY SMITH: I am just wondering, given that there is
20 evidence that in the case of some children their UK
21 parents had chosen to send them there, so it would be
22 a bit more like, as you say, a UK boarding school,
23 I assume they would have been able to go back to the UK
24 when they finished school. But what about the children
25 from institutions in the UK?

1 A. Yes.

2 LADY SMITH: Would they have been in the same category?

3 We don't know.

4 A. I do not know the answer to that. Certainly if they had
5 parents who sent them -- a lot of the pitch is towards
6 the parents, the business about going to a public school
7 guaranteed a professional job in Africa. Almost
8 certainly if they -- it might be one of those terrible
9 stories in which the number of children in the
10 institutions simply starts to diminish (inaudible:
11 distorted) They may complete, in constrained
12 circumstances, their education at the college, but there
13 has to come a point where some will be left, and you
14 simply cannot operate if you don't have the finances to
15 keep it going. If they have parents back home, maybe
16 they are sent back home. If they come from institutions
17 in the UK, I -- (inaudible: distorted) back to the
18 institutions.

19 But there is no -- I cannot recall any testimony
20 from a child saying "and then I went back to the local
21 authority home" or to any other kind of Barnardo's in
22 the UK.

23 LADY SMITH: Thank you.

24 MR MACAULAY: Certainly the author, George Bowley, who you
25 mentioned, "A Son of the Empire: Britain's Unwanted

1 Children", he was born in Brighton and he was placed in
2 a Local Authority home in 1943 and then migrated to the
3 college, so ...

4 But I suppose the answer to the question, that
5 question, may be in the book, "Windows", to see what the
6 autobiographical accounts tell us on that issue.

7 A. It may well be. If that is the case, I apologies for
8 not actually picking up the point.

9 Q. We can look at it. I think we have it in the Inquiry.

10 Can I then move on to section 29, where you looking
11 at child abuse in the context of the Salvation Army and,
12 in particular, the Riverview Training Farm in
13 Queensland. You begin by telling us at paragraph 1:

14 "We have little information on the numbers and still
15 less on the experiences of young migrants sent to
16 Australia by the Salvation Army before 1939."

17 But you make the point they were almost certainly
18 mainly juvenile and not child migrants at that time?

19 A. Yes.

20 Q. But you go on to say:

21 "In 1948, the Salvation Army sought to revive the
22 programme, and from 1950 to 1960 received funding to
23 send 91 child migrants from the UK to Australia ... and
24 we have established that all were sent to Riverview."

25 So we have a ten-year lifespan for Riverview during

1 that period.

2 A. Yes, that is right.

3 Q. And from the Scottish perspective, you have suggested
4 what you describe as a speculative maximum of about 20
5 may have been Scottish?

6 A. That is right.

7 Q. Just looking at the set up, and we will come on to Moss
8 and Ross in a moment, but are we looking again more at
9 the institutional type establishment rather than
10 a cottage establishment?

11 A. Yes, yes. This is -- it is a kind of building with
12 farms attached. It is not I think a kind of cottage
13 style, one in the kind of Pinjarra model, this is
14 a larger institution. But the children are effectively
15 there to learn the trade of being farm workers, and so
16 they are sent out to neighbouring farms. They have
17 a training farm. It has to be restored post-war,
18 because so many of these places had become dilapidated
19 during the war years, and you do get the impression that
20 some children were there very briefly before being moved
21 on to farm work.

22 Q. If we look at John Moss' report, he concluded that in
23 particular in account of aftercare, the aftercare was
24 very good, and the manager "clearly a very good man for
25 the job". So on the face of it, that looks a relatively

1 positive assessment?

2 A. Yes. I think John Moss is indeed impressed, and the
3 aftercare I think is an important one. He clearly had
4 talked to the farm manager. I don't get the impression
5 that he spoke to any of the current boy residents.

6 Q. Then if we come to the Ross Committee inspection, their
7 report is negative?

8 A. Very much so, yes. It is difficult to believe they are
9 talking about the same place.

10 Q. I think, as we saw when we looked at the report, at the
11 time of the inspection itself there was only one child
12 migrant in residence?

13 A. Yes, that is right. The point about the Ross Committee
14 observations on this, there may only be the one child
15 resident but they know that other children had passed
16 through and 55 UK child migrants had been sent there
17 between 1950 and 1955.

18 But very briefly there, I think this is part of how
19 the system was operated. The children would arrive, get
20 to a certain extent settled in, and then would be placed
21 out on farms. So there is a kind of acceleration of the
22 whole process: they arrive, they must be given some sort
23 of training, and then they are dispatched to be
24 I suppose effectively looked after by Australian
25 farmers.

1 Q. I think we already noted that the Australian
2 Royal Commission into Institutional Responses to Child
3 Sexual Abuse did devote a case study, case study number
4 5, to Riverview. You mention that at 29.3.

5 A. That's right.

6 Q. And that they heard evidence from former residents who
7 had been there from the late 1950s and they referred to
8 physical abuse and cruelty, emotional and psychological
9 abuse, humiliating treatment for bed-wetting, being told
10 their parents did not love them, as well as sexual
11 abuse. So a whole catalogue of abuses identified by the
12 case study conducted by the Australian Royal Commission.

13 A. Yes. Note it says:

14 "Testimony has been provided by former residents who
15 had been there from the late 1950s."

16 What we know is that so far as children went from
17 the UK, from Scotland, that would cover some of those
18 who were last arrivals. So the abuse that is identified
19 by the Australian Royal Commission could well have been
20 experienced by children sent latterly. And also note
21 the reference to Captain Lawrence Wilson who was on the
22 staff between 1957 and 1959, the most serious sexual
23 offender.

24 Q. There's a sentence at the end of that paragraph:

25 "We are particularly aware in this case study report

1 that Captain Lawrence Wilson, recognised by the
2 Salvation Army to have been one of the Salvation Army's
3 most serious sexual offenders in Australia, is alleged
4 to have committed sexual offences whilst on the staff at
5 Riverview between 1957 and 1959."

6 A. Yes.

7 Q. These witnesses, in giving their evidence, also refer to
8 the impact that the abuse they suffered had on their
9 lives?

10 A. Yes. It is the kind of impact that, the more one looks
11 at these testimonies, the more familiar it sounds,
12 "a kind of borstal", "not what they had expected".

13 Q. You remind us at paragraph 29.4 that child migrants did
14 raise concerns about their lives at Riverview, and
15 I think we saw this referenced before, as it being like
16 "a kind of borstal"?

17 A. That is right, yes. Can I just add there is a line
18 there that again is worth pointing out. Commissioner
19 Ebbs in the Salvation Army in the UK writes to a senior
20 officer in Sydney:

21 "Responses may provide reassurances but there
22 followed no inspection by anyone from the UK."

23 In a well-organised organisation you would expect,
24 if somebody had received such a critical account,
25 somebody would have taken the trouble to go out to

1 Australia to see what actually was going on in this
2 place.

3 The Salvation Army had a high reputation in
4 Australia, as indeed in the UK, and this would seem to
5 be a blow to their reputation, but they don't seem to
6 have taken proper records that one has seen, any serious
7 intervention to check up for themselves. There is no
8 independent inspector sent out from the UK by the
9 Salvation Army to Riverview to see what actually was
10 occurring.

11 Q. Was one of the difficulties, as you set out in that
12 paragraph, that the Salvation Army around the world may
13 have seen themselves as independent legal entities?

14 A. That is right.

15 Q. With a large degree of autonomy?

16 A. Yes. But again it comes back to the fact -- again back
17 to the broad issue: the UK is an autonomous state, as is
18 Australia. But if you are sending children from the UK
19 as migrants to a Salvation Army place, even if that is
20 operating as an independent entity, these are your
21 children, you send them, and you should be retaining
22 responsibility for their well-being.

23 Q. You point out that the IICSA Inquiry was told that
24 the Salvation Army records in the UK do not provide
25 evidence of contemporaneous knowledge of any allegations

1 or incidents of sexual abuse. That is what the
2 Salvation Army's position was.

3 A. Yes, which is slightly odd, isn't it, because if you go
4 back to what is in 29.4:

5 "... in 1956, two child migrants raised concerns
6 about Riverview ..."

7 Sorry, the text just moved.

8 Q. "... raised concerns about Riverview being a kind of
9 borstal, which understandably was not what they had
10 expected, and these complaints were reinforced in 1958
11 when a further seven boys raised matters."

12 A. Those reports one would have thought -- yes, this led to
13 Commissioner Ebbs and the Salvation Army in the UK
14 writing to a senior officer in Sydney, so nobody goes
15 but they write to a senior officer in Sydney and they
16 get reassuring responses, but no follow-up inspection by
17 anyone from the UK.

18 Q. You say in the final paragraph on this section at 29.6
19 that:

20 "An important concern for the Army in Australia in
21 dealing with allegations of abuse may have been to
22 protect its external reputation."

23 And I just wondered what drew you to make that
24 comment?

25 A. I think because the Salvation Army did indeed have

1 a good reputation in Australia, as in the UK, for its
2 Salvation Army work. It is the church missionary, and
3 I think it does attract a lot of support in the
4 United Kingdom and indeed I am assuming in Australia as
5 well. So the external reputation of the Army is
6 something that is important to the institution.

7 It is not unique to the Salvation Army, of course,
8 and we see it in respect of Fairbridge, amongst other
9 organisations. But the best of the institutions, to
10 protect their reputation, would deal with these issues
11 and might even publicise what it is that they are doing
12 to ensure that any stories that are publicised, they can
13 respond by saying "This is what we have done in order to
14 guarantee better circumstances in the future. We have
15 learned something".

16 Q. You point at the end to a point made by the
17 Forde Inquiry in its 1999 report that external agencies,
18 such as Child Welfare Departments, appear to have:

19 "... deferred to the moral authority of religious
20 organisations rather than intervening strongly in their
21 work to protect children."

22 So there was a degree of moral authority that
23 religious organisations may have had that, as it were,
24 prevented or at least meant that Child Welfare
25 Departments held back somewhat?

1 A. Yes, I think that commonly occurs. That somehow or
2 other there is an assumption that if you are -- from
3 a religious perspective, if the directives you are
4 receiving effectively come from on high, then these are
5 institutions that you would assume would be
6 well-conducted and would be able to manage their
7 practices appropriately.

8 So it is very hard to challenge, from a secular
9 perspective, the authority of religious organisations,
10 and the Salvation Army happens to be one of them. You
11 see how it can extend to other sending organisations as
12 well.

13 LADY SMITH: We have seen many examples of a religious
14 organisation getting in effect the benefit of
15 an assumption that they will do no wrong, they will have
16 done no wrong, they can be trusted, and they ought not
17 to be interfered with by secular organisations, even if
18 it is a government.

19 A. Yes.

20 LADY SMITH: Maybe particularly if it is a government in
21 that era.

22 Mr MacAulay, it is after 1 o'clock.

23 Stephen, we will take the lunch break now and we
24 will see you again at 2 o'clock, I hope. Thank you.

25 A. You will indeed. Thank you.

1 (1.02 pm)

2 (The short adjournment)

3 (2.00 pm)

4 LADY SMITH: Welcome back, Stephen. I hope you have been
5 able to draw breath and have a rest?

6 A. Indeed, I am pleased to say.

7 LADY SMITH: Good. And you're ready to return to answering
8 Mr MacAulay's questions?

9 A. Yes.

10 LADY SMITH: Mr MacAulay.

11 MR MACAULAY: I am able to say we are making good progress.

12 I'm about to move on to section 30 of your report and
13 that that is a section that deals with child abuse in
14 connection with Barnardo's Mowbray Park Farm School at
15 Picton in New South Wales.

16 As you point out in the first paragraph, Barnardo's
17 had three receiving homes in New South Wales. There is
18 the Picton school which is, you tell us, 60 miles from
19 Sydney. There is also Burwood which I think we know is
20 a suburb of Sydney?

21 A. Yes.

22 Q. And also Greenwood at Normanhurst which is also a suburb
23 of Sydney?

24 A. Yes.

25 Q. As you point out in the next paragraph, we know that

1 Scottish children were emigrated to Australia by
2 Barnardo's between the wars but only after they had been
3 to England, and before Barnardo's opened its first
4 permanent branch in Scotland.

5 I know you focused on a number of 19, but I think
6 last week we did identify Barnardo's accepts there were
7 more children than that migrated from Scotland?

8 A. Yes, that is correct.

9 Q. But we can clarify that with them when they give their
10 evidence. You point out that so far as Barnardo's is
11 concerned, and this Inquiry, we have only one applicant
12 who has provided evidence in connection with Picton?

13 A. Yes.

14 Q. You tell us at 30.3 that the Ross Committee inspected
15 two of the Barnardo's homes, Burwood and Normanhurst,
16 but not Picton?

17 A. Unfortunately, that is true.

18 Q. And you have said that before; that that was
19 an unfortunate omission.

20 A. Yes.

21 Q. Because, as you tell us at 30.4, there appears to have
22 been some trouble at Picton in 1951?

23 A. Correct.

24 Q. What was that trouble about at that time?

25 A. It is very unclear, I don't think there is very much

1 information about it that I can certainly recall, but
2 I think it was really what should have been regarded as
3 an alert. There had been some form of abuse I think had
4 been identified. But it should have put Barnardo's on
5 the alert as to what might have been happening at
6 Picton.

7 Q. But then a serious issue, a very serious issue came to
8 light in 1958, and in particular there were allegations
9 of sexual misconduct possibly at Normanhurst but
10 certainly at Picton. Can you tell me a little bit about
11 that, what was involved here, can you help on that?

12 A. Yes. The most important thing here is that Price, who
13 was responsible for Barnardo's operations in Australia,
14 had acquired this information that something had
15 happened, been alerted by a friend, note not a colleague
16 at the farm school, that Picton boys working outside the
17 farm school were being sexually abused by a farmer. And
18 I think the critical thing then is as soon as receiving
19 that information, Price took proper action. There was
20 no attempt to disguise this fact. He alerts the New
21 South Wales Director of Child Welfare, explaining what
22 it is that he had been informed about, and that these
23 were criminal offences, and you get the whole
24 description of it.

25 It does say that the alleged offences had occurred

1 four years previously, but he does bring in the police.
2 I think that is important again. It is a clear
3 statement by Price that this is a police matter and
4 hence it does lead to arrests. There are also arrests
5 of former members of staff at Picton. So this is
6 a transparent response bringing in other public
7 authorities who have responsibility for dealing with
8 criminal behaviour and that is what this is.

9 So that is the first step in terms of the response.
10 Price takes the right action immediately.

11 If we scroll down, we see what is going to happen.
12 Australian authorities are alerted, and what then is
13 going to happen is that the New South Wales Director of
14 Child Welfare, he is informed, and so are the lead
15 representatives of Barnardo's and the attorneys. The
16 Barnardo's attorneys contact Barnardo's in London and at
17 once it is decided that there will be no further child
18 migrants sent by Barnardo's to this institution until it
19 has been thoroughly investigated.

20 It is also immediate that what Barnardo's does is
21 that it organises a party representing Barnardo's in
22 London to come to Australia, they are going to inspect
23 this on the spot.

24 There is one statement here which I think deserves
25 writing into the record:

1 "Sir Norman Strathie told the council that on
2 hearing of the news, he had made it clear to Mr Price
3 and Australian officials that Barnardo's regarded its
4 duty to the state and to the public as being of more
5 importance than the preservation of 'their own good
6 name'."

7 In other words, it is prioritising the interests of
8 the children, the child migrants, above the reputation
9 of Barnardo's. Naturally they want this to be cleared
10 up as soon as possible. They want to be able to respond
11 appropriately. And that is what then is set about being
12 done.

13 It is reported on to senior figures in the
14 Australian administration, and what then gathers are all
15 the important personnel who should be involved in this
16 investigation from Barnardo's and from the Australian
17 side of the story. The Home Office is informed, the
18 public relations office is informed. Everybody who
19 needs to know is told. There is no attempt at
20 a cover-up.

21 Q. I just want to pick up this piece of correspondence. It
22 is in paragraph 30.6, about halfway down. You say:

23 "Mr Lucette ..."

24 We have heard of him in the past. He was the
25 General Superintendent of Barnardo's. He had written to

1 the Home Office on 3 July 1958 after having an interview
2 the previous day, enclosing another copy of his letter
3 for the attention of the Commonwealth Relations Office.

4 And this is what is important:

5 "He reported that he had learned that there had been
6 'serious sexual perversion and malpractice occurring
7 between staff and boys, chiefly at our Picton Farm
8 School in New South Wales but also between some
9 employers and the boys we have placed with them'."

10 The point there is he is implicating not just
11 outside sources such as employers, he is actually
12 implicating the school in the abuse?

13 A. Yes, "malpractice ... between staff and boys".

14 Q. I think there was then an investigation and perhaps you
15 could tell us what the outcome of that was?

16 A. Can I first draw attention to the first line in 30.7:

17 "When these allegations first became known to
18 Mr Downer, the Minister of Immigration, he had at once,
19 on 20 June, banned any further child migrants being sent
20 to Picton and Normanhurst."

21 It goes on:

22 "It would be better to have no child migration at
23 all than to risk corrupting youths, possibly for the
24 remainder of their lives."

25 It is a remarkably strong statement by the Minister

1 of Immigration. I think I have indicated sometimes in
2 this Inquiry that there can be a challenge between the
3 roles of immigration authorities wanting to bring
4 children in and the role of carers for children who may
5 have other reasons for not wanting them to come in.
6 Here you have the Minister of Immigration simply saying:
7 until we have sorted this out and found out what
8 happened, no more children will be sent to Picton or
9 Normanhurst.

10 Q. And although, as you have indicated, the authorities
11 were properly concerned, and you have pointed us to the
12 quote about the duty to the state and the public as
13 being more important than the preservation of their own
14 good name. Nevertheless was it apparent that there was
15 some concern on the part of Barnardo's that this could
16 have reputational damage, cause reputational damage?

17 A. Oh, of course, yes, they were deeply concerned about
18 their reputational damage, but that is why they wished
19 to carry out a thorough investigation as rapidly as
20 possible to find out what had occurred.

21 A significant number of people do make that journey
22 from the UK to Australia to carry out the investigation
23 on the spot, to meet with the authorities on the spot.
24 This is not an exchange of letters or anything like
25 that; they will gather together as a single group to

1 consider what had occurred and what must be done in
2 order to prevent a recurrence of it.

3 Q. If we look at 30.8, we see how this progressed. Do we
4 see there on 24 July, 1958 there was a meeting at the
5 High Commission attended by Lucette, Charles Price and
6 Barnardo's attorney:

7 "... at which they stressed that Barnardo's had
8 taken prompt action, that they had not attempted to
9 conceal the matter and that the incidents had taken
10 place after the boys involved had left Picton. And that
11 because of this, steps would be taken to improve
12 aftercare services."

13 That is a little bit different to what Mr Lucette
14 had written to the Home Office earlier about, in that he
15 suggested that I think -- (overspeaking)

16 A. There is certainly a (inaudible: distorted) taking
17 place, but I think it still remains to their credit that
18 they are saying a thorough investigation must take
19 place.

20 I think the evidence upon which Price had raised
21 this matter may have been insufficient, unreliable,
22 incomplete, something of that order. I think there is
23 an element of possible spin but, nevertheless, I think
24 credit where it is due. They are aware, Barnardo's,
25 that this may well damage their reputation and it may

1 well affect their funding, but nevertheless,
2 nevertheless, there needs to be a thorough
3 investigation.

4 Q. Then after further investigation, was in fact the ban
5 that had been imposed lifted?

6 A. Yes. There had been pressure upon the Minister of
7 Immigration really from the beginning by other agencies
8 to resume child migration, but that is resisted until so
9 far as the Minister of Immigration is persuaded that the
10 matter has been thoroughly dealt with. That is also
11 true about the UK Government as well. They also need to
12 know this has been resolved before they will allow child
13 migrants to be sent, and of course Barnardo's as well.

14 Q. So --

15 A. In the end, they are all in agreement that
16 an investigation has taken place, there is no longer
17 an issue, and only then, only then, will child migration
18 resume --

19 Q. And that is what happened. Child migration did resume?

20 A. After a fashion. I think if you continue down, what you
21 will actually see is that the sending of children from
22 Barnardo's to Picton is brought to a halt as
23 a consequence of this, and it is brought to a halt by
24 Barnardo's themselves. They reach the judgment that
25 Picton is no longer the kind of institution that they

1 wish to sustain. It is a farm school in a remote area.
2 What they have determined to do is to close Picton and
3 instead to concentrate their efforts for childcare in
4 smaller institutions in or near larger communities. In
5 other words, the children who are being looked after
6 by -- the Barnardo's children being looked after in
7 Australia will mix with Australian children. That is my
8 reading of what they have decided needs to be done.

9 Q. Indeed, Picton closed the following year in 1959?

10 A. Yes.

11 Q. There was some press coverage, I think you tell us that
12 at 30.11, but in the first article I think that is
13 mentioned there, Barnardo's were not named?

14 A. Yes.

15 Q. But then on a further, subsequent article there is
16 a short report on the conviction and imprisonment for
17 five years of a Walter Etheridge, who had pleaded guilty
18 to 11 charges involving youths between 15 and 19, but
19 the report stated these offences took place after he had
20 been employed at Picton, that's the top of page 224. We
21 can read that.

22 A. That is right.

23 Q. So that is the first time Barnardo's were actually
24 explicitly associated with these events --

25 A. Yes.

1 Q. -- in the press?

2 A. Yes. I think you can also see, if you follow that down,
3 there's a note from a Department of Immigration official
4 to Wheeler stating that it appeared:

5 "... in an inconspicuous section of the newspaper
6 and that undesirable publicity may not result after
7 all."

8 In other words, I think this is an attempt by the
9 Australian side of the story, the officials in this
10 particular state, really encouraging Barnardo's to
11 continue to resume their practices of sending children
12 to Picton, but that is no longer what Barnardo's opts to
13 do.

14 Q. As you point out, it is notable, though, that the actual
15 charges and the related press coverage really focused on
16 the events outside the farm school, notwithstanding what
17 Lucette had said in his 3 July letter?

18 A. Yes, yes.

19 Q. So I think you tell us in paragraph 30.12. And the way
20 Barnardo's managed this can be seen in a very positive
21 light, is that correct?

22 A. It's in a very positive light. I am not denying there
23 is some kind of possible, possible, we don't know for
24 sure, massaging of the information that is put in the
25 public domain, but I think it is most important to

1 stress that Barnardo's representatives go to Picton,
2 meet with people at high level, they side effectively
3 with the Department of Immigration against indeed some
4 of the Child Welfare Department's operators. They do
5 say "This is not acceptable and we need to address it",
6 and that is what they do.

7 I think it comes as a surprise to New South Wales
8 that in fact the further consequence of this experience
9 is the closure of the farm school.

10 Q. At the end of this section, at 30.14, you make reference
11 to the applicant who has given evidence to this Inquiry
12 who had been at Picton and the comments he makes and the
13 criticisms that he makes, but what you point out is that
14 he doesn't mention the 1958 crisis in his statement.

15 A. Yes, I have no explanation why he does not.

16 Q. Can I then move on to section 31 where you are looking
17 at the Dhurringile Training Farm in Tatura, Victoria.
18 As you tell us at the beginning there, in January 1949
19 the Presbyterian Church of Victoria launched an appeal
20 for funds to establish an institution to accommodate
21 child migrants from the United Kingdom and, as we
22 already discussed, the Reverend Boag operated as its
23 recruiting agent in Scotland?

24 A. Yes.

25 Q. And the farm opened and you give us a description of the

1 institution, and it is an institutional set up?

2 A. It is indeed, yes. As it says here, it had once been
3 used to hold German prisoners of war and needed
4 renovation. It took some time to get the renovations
5 done but it is then approved by the UK Government as
6 a destination fit to receive child migrants.

7 Q. We know children were migrated from Scotland to this
8 particular institution?

9 A. Yes, it's the Presbyterian Church connection. The
10 Church of Scotland social service.

11 Q. We already discussed the Quarriers connection and the
12 groups that were sent in the 1960s.

13 A. Yes.

14 Q. Did you give us a figure for how many Scottish children
15 you thought might have --

16 A. We got 26 from Quarriers.

17 Q. Would all the Church of Scotland children, the children
18 that migrated through the auspices of the Church of
19 Scotland, would they have gone to Dhurringile?

20 A. That is my understanding of this, yes. It is Quarriers'
21 way of sending children to an institution.

22 Q. And I think in your table you had a total of 83. But in
23 addition to that 83, one has to add on -- there were in
24 particular two groups, I think, that went out in the
25 1960s?

1 A. Yes.

2 Q. But it would appear, looking to the dates that you give,
3 that Dhurringile closed in 1964, so it existed roughly
4 for about 14 years or so, is that about right?

5 A. Yes, that is right. I think one of the puzzles about it
6 all of course is it closed in 1964, or was it -- yes,
7 five had been sent in 1963, so --

8 Q. I think we know that when Ross went there before, in
9 1956, there is only one child migrant in situ?

10 A. Yes. It's simply that five were sent in '63, and the
11 institution closed in '64.

12 Q. Yes. The Ross Committee was particularly critical of
13 this particular establishment?

14 A. Indeed, yes. In quotation we see so many of the
15 inadequacies of the place: the isolation, the location
16 is isolated, the building rambling and inconvenient,
17 showers and lavatories inadequate, and so on, bare and
18 comfortless.

19 There is very little about Dhurringile that Ross's
20 committee finds acceptable.

21 Q. On the following page, 227, you set out this conclusion
22 about it being essentially deplorable and contrasting
23 that to the description of a splendid opportunity. That
24 was in the letter that we have seen before.

25 A. Yes. The (inaudible: distorted) spiel is incompatible

1 with the realities of the place.

2 Q. In paragraph 3.4 you mention an SED inspection of
3 Quarriers.

4 LADY SMITH: 31.4?

5 MR MACAULAY: I am obliged.

6 At paragraph 31.4 you mention an SED inspection of
7 Quarriers in 1965 and that information did look at
8 documents relating to Dhurringile.

9 A. Yes. Nothing has yet come up on the screen.

10 Q. Sorry, paragraph 31.4.

11 (Pause).

12 A. Just so we can proceed ...

13 Q. I will move on. I was hoping to put the file on the
14 screen, just to -- it's SGV.001.005.0001, which is the
15 Scottish Education Department file in connection with
16 this inspection. (Pause).

17 Perhaps I will just read from where I was going to
18 read. I am looking at page SGV.001.005.0028 where there
19 is a section in the inspection report dealing with
20 emigration, and here the number given is 22 boys have
21 gone to Australia in the last four years:

22 "The boys were sent in the first instance to
23 Dhurringile Rural Trading Farm in Melbourne."

24 There is a discrepancy there in the numbers, between
25 the numbers that we have been given and that particular

1 number.

2 A. Yes.

3 Q. But if we read on, on page 0029:

4 "The file held by Quarriers Homes contains only one
5 report on the physical conditions of Dhurringile."

6 And that is dated 25 August 1960 and it is made by
7 the wife of the Church of Scotland minister who had
8 accompanied the children to Australia and had seen
9 Dhurringile.

10 The report describes the house as:

11 "... an old mansion needing paint and a few repairs
12 but providing comfortable living and care for the boys."

13 So that is what was on file. I think that is what
14 you mention in your report, that particular --

15 A. That is right.

16 Q. The inspection report goes on to say that:

17 "It is not sufficient information on the home's file
18 to judge criteria for selection of possible emigrants.
19 Reports on the boys who emigrated in a party of 11 boys
20 in February 1960 are attached. These reports were given
21 in March 1963."

22 So it would appear, and this is in an appendix, that
23 Quarriers had received, I think some two or three years
24 after -- three years after the boys had been sent,
25 reports on the boys?

1 A. Right, yes. Sorry, I still have no text on the screen.

2 Q. I understand that.

3 LADY SMITH: We have had a problem with the system freezing
4 but I think it's ... No, it has not warmed up yet. We
5 will try to find out what is happening.

6 Mr MacAulay, in the meantime, you can make some
7 progress, can you?

8 MR MACAULAY: I think so.

9 Under reference to paragraph 31.4, I have looked at
10 that Scottish Education Department inspection of
11 Quarriers and taken some points out. But you go on to
12 say at 31.5 that:

13 "Subsequent public inquiries have recorded
14 allegations of serious abuse at Dhurringile."

15 And again you mention the House of Commons committee
16 was told of abuse and its lasting effects, and what you
17 have quoted is:

18 "We heard evidence of sometimes severe
19 ill-treatment, even to the extent of one of our
20 eyewitnesses expressing relief that he was now
21 terminally ill."

22 So that is a source of evidence.

23 A. Yes.

24 Q. You then tell us that in 2001, the Australian Senate
25 Inquiry also named Dhurringile as among the locations

1 where it had been informed that sexual abuse took place.

2 A. Yes.

3 Q. You also draw attention to the Northern Ireland Inquiry
4 where witnesses gave evidence, three witnesses, and they
5 were very critical of the care they received.

6 A. Yes. So I think what one can deduce from the answers,
7 there was some alerting at the time to the poor standard
8 at Dhurringile, and subsequent witnesses to inquiries
9 have reported the same but making it even more clearly
10 that this was not acceptable as a place to which they
11 should have been sent.

12 Q. You also draw attention to evidence given to IICSA by
13 a witness and the description:

14 "... a brutal, cold place, a terrifying Victorian
15 Gothic mansion like the sort you see in horror movies."

16 And this boy was, as a boy, endlessly bullied. He
17 was tied up with barbed wire and he suffered various
18 forms of abuse, including sexual abuse.

19 A. Yes. Those are accounts by a child at the time having
20 been badly damaged, badly abused by older boys. I think
21 that is correct.

22 Q. You then in the greater part of this section identify
23 a number of persons who have been in touch with this
24 Inquiry. I don't propose to read through that material.
25 That takes us from paragraph 30.18 through to

1 paragraph 31.17.

2 Then that then takes me to section 32. You still
3 don't have this on the screen. We are now looking at
4 Christian Brothers institutions.

5 A. Right.

6 Q. Do you have your hard copy to hand?

7 A. Sorry, no. I have been so reliant on the quality of
8 what I have been able to see.

9 LADY SMITH: I have just heard, Stephen, that our document
10 viewing system for the Inquiry, it goes under the name
11 Nuix, has crashed. We have reported it and we will just
12 have to wait and see what happens. I hope it is able to
13 come back soon.

14 Perhaps if you don't take it too quickly with
15 Stephen, Mr MacAulay, and I know we need to get through
16 the rest of the report, but since Stephen doesn't have
17 the text, allow for the fact that he is having to
18 concentrate on what you are saying and not just what he
19 is seeing in front of him.

20 MR MACAULAY: Yes. You now start to look at four
21 Christian Brothers institutions, and I think we
22 discussed before, Stephen, that children could be
23 transferred from one place to another depending on age?
24 A. That is right, yes. So there is a sort of graduation
25 system, though not all the children seem to go to where

1 they ought to have been placed, seemingly because of the
2 overcapacity of children in the place already. So
3 certain young children who should have gone to the first
4 of the earlier institutions end up in a place that's for
5 older boys, and there may be reverse traffic. So it is
6 trying to put the boys spread around in places, but
7 normally speaking it should start with those of a young
8 age, and then they graduate to places that are better
9 able to -- seemingly better able to deal with older
10 boys. They are only boys we are talking about.

11 Q. I think what you tell us in that first paragraph is in
12 the period 1938 to '39, United Kingdom child migrants,
13 possibly numbering 111 or possibly 114, had been sent to
14 these four establishments and, post-war, others arrived
15 among the 946 child migrants sent to all Catholic care
16 homes in Australia from 1947 to 1965.

17 A. Yes.

18 Q. So it's quite a significant number that would have been
19 accommodated by these four institutions?

20 A. Oh, indeed, it is a seriously large number of children
21 that are sent from Catholic institutions in the UK, and
22 therefore from Scotland, into the care of the
23 Christian Brothers.

24 Q. As you have just said, these four institutions only
25 accommodated boys. You thought it included at least 49

1 from Scotland and almost certainly there were more than
2 that?

3 A. Yes, yes. Again, we do not have absolute security about
4 the numbers, some of this is derived from witness
5 statements, and indeed what some of the witness
6 statements said about other boys that had accompanied
7 them.

8 Q. Can I just pick up some points about the history of
9 these places. If we look at Castledare first of all,
10 that had opened in 1929, and originally its purpose was
11 to care for Australian youngsters with learning
12 difficulties?

13 A. Yes. Can I just stress this: the Christian Brothers as
14 an organisation is essentially a teaching organisation,
15 and that is the brief that it acquired from its original
16 foundations in Ireland, so the Christian Brothers have
17 this reputation as teachers. So what we are really
18 talking about in that instance is that Australian boys
19 would be taught by Christian Brothers in that first
20 institution, with or without the presence of child
21 migrants.

22 I think we have a screen coming up.

23 Q. As you tell us, Stephen, this place, Castledare, was
24 taken over by the Christian Brothers in 1934 and then
25 became a children's home providing primary school

1 education?

2 A. Yes.

3 Q. If we can move on then to page 235 of the report. If we
4 scroll down a little bit.

5 We are looking at Castledare which is now on the
6 screen. As we have discussed already, this
7 establishment would cater for the youngest children who
8 would then progress to Clontarf or, according to
9 aptitudes, to Tardun or Bindoon.

10 A. Yes.

11 Q. So as Clontarf is concerned, that had been opened as
12 a care home in 1901 in an isolated area, there were
13 major refurbishments in 1930 and a chapel built, using
14 the boys as labourers, in 1940/41, and you say:

15 "Post-war, the number of boys at Clontarf rose to
16 280, including child migrants."

17 So that was a large establishment?

18 A. Indeed, yes. Some of that is possibly the consequence
19 of the war years, again. It's actually movement of boys
20 from one place to another. So it becomes very
21 overcrowded in Clontarf immediately post-war.

22 LADY SMITH: Yes, 280 little boys at primary stage.

23 A. Say no more.

24 MR MACAULAY: Then you mention St Mary's at Tardun, which is
25 200 miles north of Perth. That was opened in 1928 as

1 a home to which initially boys at Clontarf would be
2 transferred in order to learn farming skills, and
3 post-war it came to include child migrants.

4 Then finally St Joseph's Farm and Trades School,
5 Bindoon. It was established by the Christian Brothers
6 in 1936 on a homestead site next to Perth. So that
7 gives us a background as to the different schools.

8 What follows in this section in particular relies to
9 some extent on a work by Dr Barry Coldrey. Can you tell
10 me a little bit about his work?

11 A. Yes, Barry Coldrey is -- I met Barry Coldrey, I don't
12 know whether he is still alive, so I will say is
13 a Christian Brother. He had no connections with the
14 Christian Brothers' operations in Western Australia but
15 he was a Christian Brother. What he did was he wrote
16 a book about the Christian Brothers' operations, which
17 does include a kind of sensitive account of what their
18 practices were, does acknowledge certain difficulties in
19 the place, and reaches independent conclusions to that
20 extent.

21 I am emphasising "to that extent", because I think
22 you will be aware that what he also provides is
23 a curious manuscript commentary upon the book, called
24 "The Smear", in which he acknowledges that some of what
25 he had written in the book was toned down, and what you

1 find in "Reaping the Whirlwind", this manuscript, is
2 a kind of running commentary on some of the things he
3 had written in the book, and reaching much firmer, overt
4 conclusions about the degree of abuse that took place in
5 those institutions.

6 Q. You develop some of this in this report. But more
7 particularly, Professor Lynch does develop this in
8 an article that he produced which we will look at next
9 week.

10 A. Yes. Yes, Professor Lynch became, to my relief, I have
11 to say, seriously involved in doing the numbers game on
12 this and identifying the transfer of not just children
13 from one institution to another, but also the members of
14 staff from one institution to another. I think the
15 conclusions that he reaches that are published in that
16 journal article on the Kent University website is
17 an exemplary piece of work.

18 I think what he does describe very lucidly, and
19 demonstrates graphically, is the connections which led
20 to some of the Christian Brothers who had been abusers,
21 recognised as abusers, being moved to another
22 institution where, because in some cases the children
23 had also been moved, the same abuser turned up to abuse
24 the same child again, and I think it is that that is so
25 disturbing about what Professor Lynch has discovered.

1 And also because there was a sense in which this was
2 known to all the abusers involved and they were not
3 going to break ranks. It is very difficult to crack
4 into this kind of group of abusing individuals.

5 A lot of this is sexual abuse but we are also aware
6 of a good deal of physical and emotional abuse as well.

7 Q. We will look at that in a moment. But you go on to
8 refer us to I think reports that we have already seen.
9 Sir Richard Cross, for example, visited St Mary's Tardun
10 in 1942, and although he had some positive things to say
11 about it, in the main really he does not find the place
12 particularly satisfactory.

13 A. That is right. Part of the explanation lies in the
14 circumstances of the war, but I think he clearly has
15 reservations about this particular institution,
16 strong --

17 Q. Walter Garnett, at 32.5, again he went to Tardun and he
18 was also relatively negative in connection with Tardun?

19 A. Yes, he comes from the UK High Commission and so he is
20 carrying out what turns into a longer review of
21 institutions in Australia, particularly
22 Western Australia. He is one of the persons who does
23 represent the UK Government in the High Commission and
24 does visit these places and comes up with some pretty
25 negative opinions.

1 Q. At 32.7 you draw attention back to John Moss' inspection
2 or inspections, and in the main, although he talks about
3 St Mary's being very isolated, he is relatively positive
4 in connection with these four schools?

5 A. Yes, it just seems consistent with the views that Moss
6 was on the whole expressing about all the places, not
7 just in Australia, that he visited. Yes, there were
8 some problems with some places, but on the whole he was
9 still substantially in favour of child migration, and it
10 appears, I think, in his assessment of the quality of
11 these places.

12 I don't get the impression that he was the kind of
13 person -- and this is only my impression, I have no
14 documentary evidence of this -- who actually talked to
15 the boys.

16 Q. That brings us on to the Ross fact-finding mission
17 confidential reports, and you deal with them at
18 paragraph 32.8. As you have already pointed out, he
19 only visited three out of the four Christian Brothers
20 institutions, he didn't go to Tardun?

21 A. Yes, and that I think is, shall we say, unfortunate.
22 I think what one would have liked is a full deck of
23 cards about the four places. But his views about
24 the three he did visit are invariably -- it was
25 a committee, remember. Ross is invariably very

1 critical. Some of the statements in the confidential
2 reports are very, very condemnatory.

3 Q. Indeed. For example, in relation to Bindoon, I think
4 the comment is that really it was hard to find anything
5 good to say about the establishment?

6 A. Yes. I think importantly there, as it has moved up the
7 screen, tellingly:

8 "The appearance and demeanour of the boys did
9 nothing to modify the poor impression that
10 the establishment made on the members of the mission."

11 Q. And the principal at the time was a Brother MDJ, and
12 I think you say something about him subsequently in this
13 report.

14 A. Yes. More to the point, I think many of the people
15 giving testimony had a lot to say about Brother MDJ.

16 Q. Having looked at these contemporaneous accounts, you
17 then look at retrospective accounts and, in particular,
18 the research by Barry Coldrey. And as you have pointed
19 out already, although he was a Christian Brother, he had
20 no connection with the Christian Brothers involved in
21 these institutions?

22 A. That is correct.

23 Q. Then if we move on to page 239, he does provide
24 a description of Brother MDJ I think in his work.
25 What does he tell us about him?

1 A. I am just looking for his words. Are we on the right
2 page?

3 Q. Towards the top of page 239. The sentence begins:

4 "In Western Australia this seems to have been
5 brutally exemplified by Brother MDJ, a dominant
6 figure from the 1920s to the 1950s, who externally seems
7 to have earned an admirable reputation, but internal to
8 the institutions, which he came to dominate, he was
9 a man of ferocious temper, cruelty and violence."

10 This is coming from Coldrey himself?

11 A. This is coming from a Christian Brother but not one from
12 Western Australia.

13 Q. Coldrey also reports on sexual abuse in the book, in the
14 scheme.

15 A. He does, he does. He does say in his subsequent
16 commentary on the book that he had toned down some of
17 his observations about abuse in writing the book.

18 Q. I will come to that. But focusing on the book itself,
19 he does touch upon sexual abuse in the book?

20 A. Absolutely he does, yes.

21 Q. As you tell us in that paragraph, he concluded that
22 child migrants were more vulnerable to sexual abuse than
23 Australian-born children in care. And he refers to
24 strong evidence that five Brothers were multiple
25 offenders and six others had also admitted an offence

1 against a teenager.

2 Can I just ask you about this. We do have the book
3 and indeed the other article in the Inquiry, but can you
4 tell me about his sources? What were Coldrey's sources
5 for these conclusions?

6 A. I think it probably comes from a combination of
7 documentary evidence about the fabric of the building,
8 it probably comes from conversations with senior figures
9 in the institutions, and I think it also quite possibly
10 comes from children but I couldn't swear to that at all.
11 But I think there is -- since he does later on say he
12 toned it down, I think he had collected from a variety
13 of sources an insight into the operations of these
14 places.

15 Q. Did he also have good access to archival material that
16 was being stored on behalf of the Christian Brothers in
17 Rome?

18 A. I can't swear to that, I can't recall that, but it may
19 well be true. If you have information to that effect it
20 would be well worth stressing it, because otherwise
21 these places tend to be, as it were, focused entirely on
22 what institutional records say in the institution, if
23 you can get access to them, if they have survived.

24 I suspect some of Coldrey's information comes from
25 conversations with people at these institutions, not all

1 of whom, it should be said, are as brutal or as much
2 paedophiliac as others were.

3 Q. So as you say in the next paragraph:

4 "Coldrey's book was a revelation but he had toned
5 down some of his findings. More graphic and troubling
6 detail is contained in a substantial unpublished
7 manuscript ..."

8 That is '"Reaping the Whirlwind": The
9 Christian Brothers and Sexual Abuse of Boys in
10 Australia'. This is a pretty dramatic piece of work?

11 A. It is indeed, yes. What it does do is provide that
12 which he acknowledged he had omitted from the book
13 itself. And I think what he does then go on to imply is
14 that there were, if one is allowed to say this, there
15 were paedophiliac rings operating within the
16 Christian Brothers institutions, the four of them.

17 Q. He gives examples. He names a Brother MHZ, who he
18 reckoned molested at least 50 boys at Bindoon and
19 Clontarf, some of his assaults being "of the most
20 revolting kind".

21 A. Yes.

22 Q. He is also specific about other Brothers --

23 A. Indeed.

24 Q. -- and the nature of their abuse.

25 A. He names names.

1 Q. Yes.

2 A. I think that has proven to be -- certainly
3 Professor Lynch found it invaluable for doing the kind
4 of cross-referencing to indicate in his essay, of which
5 you are aware --

6 Q. Yes.

7 A. -- and that movement indicated a degree of complicity
8 between different Christian Brothers as to what their
9 practices were. He reaches a kind of conclusion that
10 they have some kind of control over each other, or that
11 those who have been the worst abusers are not going to
12 tell tales because they would themselves end up being
13 accused by their co-abusers.

14 Q. You then look at other retrospective investigations.
15 There is the interim report of the Select Committee into
16 Child Migration in Western Australia, you look at that
17 at 32.12, and that report refers to physical, emotional
18 and sexual abuse by the Christian Brothers?

19 A. Indeed. The frustration for the members of the
20 Select Committee, as we have already mentioned, was that
21 the Select Committee could not complete its business
22 because the legislative council came to an end. What
23 they do include in their report is the wish that there
24 would be further enquiry made in order to identify still
25 more of the malpractice particularly in relation to

1 physical, emotional and sexual abuse.

2 Q. Moving on in time, you also mention the House of Commons
3 Health Committee investigation, and you set out there
4 certain evidence that had been presented to them. For
5 example, brothers and sisters were separated, boys were
6 wrongly told their parents were dead, education
7 provision was inadequate.

8 And if we move on, this is where we get the quote
9 that has already been mentioned, at 32.14:

10 "It is hard to convey the sheer weight of the
11 testimony we have received. It is impossible to resist
12 the conclusion that some of what was done there was of
13 a quite exceptional depravity, so that terms like
14 'sexual abuse' are too weak to convey it."

15 Strong words.

16 A. Very strong words indeed, and clearly based upon the
17 testimony that the Committee's inquiries have revealed.

18 Q. Here you also again mention the Australian Senate
19 Inquiry, and you say it had much to say in its report on
20 the experiences of child migrants sent to Australia, and
21 in particular the Christian Brothers, and again there
22 are accounts of sexual abuse provided to that Inquiry.

23 A. Yes, indeed, sexual and physical abuse, and many other
24 of those forms of abuse that the Scottish Inquiry would
25 regard as emotional abuse, psychological abuse.

1 Q. The findings as far as Australia is concerned, if we
2 then look at the Australian Royal Commission, and it had
3 a particular case study into the four Christian Brothers
4 institutions and their involvement with sexual abuse.

5 A. Yes.

6 Q. You then, from paragraphs 32.25 onwards, set out
7 evidence that has been provided to this Inquiry,
8 including the evidence provided by Frederick Wooltorton
9 Smith, who provided a very graphic account of his
10 experiences at the hands of the Christian Brothers.

11 Again, I don't propose to take you through the
12 detail of that, we have that evidence and Lady Smith
13 will deal with that. But as it happened, we have had
14 quite a number of applicants who experienced abuse at
15 the hands of the Christian Brothers who have come
16 forward to this Inquiry.

17 If we turn to page 260 at paragraph 32.55. Page 260
18 of the report, and if we scroll down to 32.55 ...

19 A. Yes, that is on screen.

20 Q. So there you provide a short summary as to what is
21 evident from the witness statements by former child
22 migrants from Scotland and elsewhere and from the
23 reports of other recent inquiries that
24 Christian Brothers, including those with senior
25 responsibility in their institutions in

1 Western Australia, were aware of cases of child abuse in
2 all its forms and others should have been made aware.

3 So that is your conclusion?

4 A. Indeed, yes.

5 Q. Perhaps in contradistinction to what you were saying
6 earlier about Barnardo's, were any reports made to the
7 police contemporaneously, as far as you could see?

8 A. That does not seem to have been the case. Indeed, there
9 is a senior police figure who I think was very close to
10 Brother MDJ, and certainly children, child migrants,
11 who ever came in contact with outside authorities, and
12 who in those circumstances had reported anything
13 remotely resembling abuse, were effectively told that
14 they were lying and they were sent back to the
15 institution where they were undoubtedly punished.

16 Q. On the following page in the final paragraph in this
17 section at 32.57, what you say is that:

18 "In sum, children who attempted to disclose abuse
19 faced disbelief, punishment and, in some cases, even
20 renewed sexual abuse from the person in whom they had
21 confided."

22 And there is evidence of that?

23 A. Yes, indeed. Indeed. I see Coldrey's name again being
24 mentioned. It is just worth perhaps quoting his --

25 Q. I think Coldrey there is that Coldrey's examination of

1 the evidence led him to conclude that:

2 "... a 'sex ring' operated within and between these
3 Christian Brother institutions with members known to and
4 providing cover for each other."

5 A. That is right.

6 Q. It paints a bleak picture.

7 A. I entirely agree with you there, very strongly. It does
8 indeed create a very bleak picture. If I can add to
9 that: a very bleak picture of institutions that are
10 supposedly self-regulating are not externally inspected
11 to any serious extent and where the police are not
12 brought in when clearly criminal actions are known to
13 have taken place.

14 It is as if the four institutions and the
15 Christian Brothers in Western Australia, and I stress
16 Western Australia, I'm not talking about the
17 Christian Brothers elsewhere, that they are operating in
18 distinction from the broad society of Australia, and
19 they seem to be entirely self-isolating from any sense
20 of obligation to the secular world that they are
21 surrounded by.

22 Q. Can we then move on, Stephen, I think to the final
23 substantial section, section 33 on page 262. This is
24 a section that you devote to a number of Catholic
25 institutions, I think six altogether, that you are aware

1 that child migrants from Scotland had been sent to.

2 A. Yes.

3 Q. So if you just look at your list on that page. You
4 mention first of all St John Bosco Boys Town in Tasmania
5 and you mention two Scottish applicants, I won't mention
6 their names.

7 And you say:

8 "We also learned from other witness statements that
9 one lady and her older sister and five other girls were
10 dispatched from the Good Shepherd Orphanage at Colinton
11 to be cared for by the Sisters of Mercy."

12 And that is at St Vincent de Paul Orphanage in South
13 Australia.

14 A. Yes.

15 Q. Then we read about St Joseph's Orphanage in Subiaco,
16 that was the Sisters of Mercy, and you say you are aware
17 of other Scottish girls also sent to that institution.

18 Then you mention Nazareth House Geraldton, where you
19 know of Scottish girls being sent there, to a home run
20 by the Sisters of Nazareth.

21 A. They are the Poor Sisters of Nazareth. I am not too
22 alert to the distinction between the Sisters of Nazareth
23 and the Poor Sisters of Nazareth, but they are
24 identified as the Poor Sisters of Nazareth.

25 Q. And you also mention, if we move over to the next page,

1 Nazareth House, East Camberwell, also run by the Poor
2 Sisters of Nazareth. And the final place you mention
3 where children were sent was St Joseph's Orphanage
4 Neerkol, and again that was a Sisters of Mercy
5 establishment?

6 A. Yes.

7 Q. You think that in total, so far as these establishments
8 were concerned, that some 48 child migrants may have
9 been sent there from Scotland?

10 A. I have on screen that of the 31 Scottish children sent
11 to the six institutions, we know of several who --

12 Q. Ah, yes.

13 A. So it's 31 out of the 48.

14 Q. Out of the 48.

15 We have already touched upon this, 33.3, where the
16 home at Subiaco -- sorry, you say:

17 "An Australian report in 1947 did not provide the
18 information on staffing that the UK officials might
19 legitimately have expected, but it was officially
20 approved, as was the St Vincent de Paul Orphanage, by
21 Walter Garnett, but only on the basis of reports sent by
22 state immigration and child welfare officials."

23 So are you suggesting there the approval was based
24 essentially on state welfare information?

25 A. That is right, yes. There is not anything like

1 an investigation of the quality of these places by the
2 UK High Commission acting on behalf of the UK Government
3 and, by implication, acting on behalf of the sending
4 societies.

5 Q. I think you have mentioned before that so far as
6 Nazareth House Geraldton is concerned, the UK
7 authorities did not even know that from 1947 child
8 migrants were being sent there and it was only granted
9 retrospective approval in 1949?

10 A. Yes. It is quite remarkable, isn't it? It is not as if
11 child migration was a new phenomenon in Australia and
12 yet these particular institutions behave as if they are
13 autonomous.

14 Q. You go on to say that John Moss, in his inspections, he
15 was positive, really, in connection of all six of these
16 institutions during his 1951 tour of Australia?

17 A. Yes. Very brief statements but nevertheless positive.

18 Q. But you point out again at 33.5 that the Ross
19 fact-finding commission in 1956 only visited four of
20 these. And in the confidential reports, although there
21 were some favourable points being made, generally
22 speaking, the impression created was not a favourable
23 one?

24 A. That is correct, yes. It is unfortunate that Ross did
25 not visit the same six. We might have been able to make

1 serious comparisons between the two, between Moss and
2 Ross.

3 Q. You then look, if we move on to page 265 at
4 paragraphs 33.7 onwards, at evidence that has been
5 provided to the Inquiry by applicants. For example, you
6 mention to begin with Mr Christopher Booth, who has
7 given evidence about his time at St John's Bosco Boys
8 Town, Hobart, and you go on to summarise other evidence
9 that has been provided to this Inquiry.

10 At 33.11, page 266 -- if we scroll down a little
11 bit. There you draw attention to a research thesis by
12 Diane Parker with the title "Institutional Experiences
13 of Female Child Migrants in Western Australia". Is she
14 identifying these particular institutions or just
15 St Joseph's Orphanage, the one you mention there?

16 A. St Joseph's Orphanage Subiaco is the one she is
17 concerned about. The connection between herself and
18 St Joseph's Orphanage is her mother had been placed
19 there. So she is an adult academic researcher. There
20 is this concept of total institutions which she applies
21 which is not (inaudible) social science. She regards
22 Subiaco effectively as a total institution. In other
23 words, it is closed, there is surveillance by officers
24 of the institution, there are (inaudible: distorted)
25 institutionalisation, it is about identity.

1 Her sources include some of the few surviving
2 archived records, but uniquely, and remember this is
3 an academic researcher, she obtains evidence derived
4 from individual and group interviews with eight now very
5 elderly women in these places, one of whom happens to be
6 her mother.

7 Q. You set out in the following paragraphs what her
8 research has produced and it is very critical of the
9 regime at this establishment.

10 A. Yes, yes. The notion of total institutions relates in
11 other areas of research to places like prisoner of war
12 camps and --

13 LADY SMITH: Sorry, can we go back, because we lost your
14 sound for a few moments.

15 Can you repeat the question, Mr MacAulay?

16 MR MACAULAY: I think I put to you this author's research
17 has produced a critical analysis of what the regime was
18 like.

19 A. Yes. That is correct, yes. And as I think I said, it
20 is based upon some of the documented material, but
21 a good deal of it derives from interviews she conducted
22 with elderly women in the institution, including one who
23 was her own mother.

24 Q. We are told that, for example, the treatment included in
25 one instance certainly the burning of a girl's hand on

1 a stove just because she had been naughty?

2 A. Yes.

3 Q. And again we see this trend of disparaging comments
4 being made, like, for example, the last sentence in that
5 main paragraph:

6 "Most of the interviewees came to perceive their
7 identity as child migrants as one of shame, 'They were
8 always calling us dirty migrants' ... and the stigma was
9 internalised for life."

10 A. Yes. I think this kind of emotional degradation of the
11 children, psychological degradation, comes out in the
12 language which is used of them. These are deprived
13 children who are sent overseas and are received into the
14 care of people who clearly are not caring.

15 Q. The author goes on, and you have quoted this in the
16 following paragraph, to quote an interviewee who
17 remembers a nun telling her that she was:

18 "... being punished by God, that I was just like my
19 mother, dirty, and that I was filth, and that I was
20 going to die ..."

21 A. Yes.

22 Q. Again, very sad from the perspective of the person who
23 was being told that sort of information.

24 A. Indeed.

25 If it is acceptable, can I take you down to the

1 bottom of that paragraph. 33.14. It is the sentence
2 that begins "Two respondents ..."

3 Q. Yes.

4 A. Sorry, can you go up a bit. It's the bottom. Just
5 before turning the page it begins.

6 LADY SMITH: It is the sixth line of 33.14, I think,
7 isn't it?

8 A. I think so, yes.

9 What this is about is that this researcher taped the
10 interviews she had with these elderly persons, did
11 transcripts of them, and then provided her respondents,
12 as any good researcher would do, with a copy of the
13 transcript.

14 Let me quote it:

15 "Two respondents who had initially participated
16 willingly in the research project, and had agreed to
17 have their interviews recorded, then withdrew having
18 read the transcripts sent to them. On inquiry, they
19 referred to a 'fear of getting into trouble'. Their
20 fear, it seems, was of ..."

21 And we need to go to the top of the next page:

22 "... being punished by God 'in retaliation for the
23 negative things they had said in regard to Catholicism,
24 the nuns and the clergy'. The transcript and the
25 recordings were accordingly destroyed and not used in

1 the thesis."

2 Q. I suppose that just highlights the legacy that that form
3 of degradation can have on the psyche?

4 A. Yes. Effectively it is telling these girls, who have
5 become women, who have become elderly ladies, that they
6 are being punished by God for some malpractice of their
7 own. They are sinners. And if they do worse by telling
8 what had happened to them, then they will go to hell.

9 LADY SMITH: There is also there a theme of them being told
10 that it is wrong, it is a sin, to criticise Catholicism
11 or to criticise nuns or to criticise the clergy.

12 A. Yes.

13 MR MACAULAY: My Lady, do you intend to take a break?

14 LADY SMITH: To keep WebEx happy, if nothing else, we will
15 take five minutes now and then return.

16 (3.09 pm)

17 (A short break)

18 (3.18 pm)

19 LADY SMITH: Home run, Mr MacAulay, is that right?

20 MR MACAULAY: That is the expectation, my Lady.

21 LADY SMITH: I think we are ready, not that we want to rush
22 you at all, Stephen.

23 Yes.

24 MR MACAULAY: Before the break we had been looking at the
25 Diane Parker thesis. If we move on to page 268 of your

1 report, again you set out a summary and analysis of the
2 evidence that has been provided to the Inquiry by
3 a number of different applicants, and that proceeds for
4 a number of pages.

5 I want to take you now to paragraph 33.22 on
6 page 271. You devote a section here to St Joseph's
7 Neerkol, which of course we know was run by the Sisters
8 of Mercy, and in particular I think you mention, as you
9 have mentioned before, that the Children's Commission of
10 Queensland had reported on the abuse at Neerkol, but you
11 think it is appropriate to review its substance here
12 again.

13 You say:

14 "Copies of four inspection reports had been examined
15 by the Commission, dated 1949 to 1959. Three of these
16 inspections had been carried out by state officials and
17 one by a Commonwealth government officer. They were
18 positive about the care and conditions. However, among
19 approximately 100 former residents who had contacted the
20 Inquiry, the 'vast majority' were alleging 'abuse and
21 neglect'."

22 And there are various reminiscences set out.

23 So here you are looking at evidence that was
24 provided to this particular Inquiry by former child
25 migrants at Neerkol?

1 A. That is correct, yes, and the distinction we are drawing
2 is between what was, following the reviews at the time,
3 producing a good copy and what subsequently appears once
4 oral testimony is taken is exceedingly bad reviews of
5 the places where these children had been sent, and there
6 is a list of quotations there which are all rather grim.

7 Q. At 33.23 again you are looking at a retrospective
8 analysis, and that is the Forde Inquiry. Again, the
9 Forde Inquiry, I should tell us, looked at Neerkol and
10 made some serious criticisms of the regime?

11 A. Yes, yes.

12 Q. I think you point towards the bottom of page 272 that,
13 apart from the physical and emotional abuse that we have
14 become accustomed to seeing being recorded, there was
15 also testimony concerning sexual abuse by male workers,
16 by visitors and by priests.

17 A. I am afraid that is the case, yes.

18 Q. You give an example of complaints being made at the time
19 and you quote this, from a girl who had tried to escape
20 and had recorded the consequences:

21 "I said to [the inspector] 'I don't want to go back
22 there! You know, they lock me up you know! And I'm
23 there cracking it and crying.' I said 'The [staff
24 member] hurts me and everyone else', and then I told him
25 about the [sexual abuse] and do you know what he did

1 when I told him? He turned round and said 'Don't you
2 dare talk so vulgar, you vulgar little girl' and he
3 slapped me across the face."

4 So that is an account of a response being made to
5 a complaint being made at the time?

6 A. It doesn't encourage -- if that girl shared that
7 experience with any other girls, it doesn't encourage
8 the children to make such reports to visiting
9 inspectors, if there were such persons.

10 Q. You also mentioned that the Commission of Inquiry into
11 Abuse of Children in Queensland Institutions also looked
12 at Neerkol and painted a picture of a regime dominated
13 by abuse?

14 A. Indeed.

15 Q. And finally the Royal Commission into Institutional
16 Responses to Child Sexual Abuse had a case study
17 specifically focusing on children at Neerkol and, like
18 the Forde Inquiry, the Royal Commission recognised that
19 some nuns and employees inflicted cruel and excessive
20 punishments of children in their care. Is that correct?

21 A. Yes, indeed. I think again there is a sentence there
22 that is worth recognising, about the children:

23 "They also recalled either never seeing state child
24 welfare inspectors or not being allowed or encouraged to
25 speak to them if they did."

1 Q. If we move on to 33.27, page 274, again to the
2 Royal Commission, twelve individuals reported the sexual
3 abuse they had experienced and the abusers included
4 priests as well as nuns and employees?

5 A. Yes, and I think there is another of those lines that
6 shriek off the page:

7 "Abusers were reported to have made use of their
8 religious authority to prevent disclosures of abuse,
9 telling the children that they had abused that it must
10 be okay because God had allowed it or that telling
11 anyone about the abuse would be a mortal sin that would
12 condemn the child to hell."

13 Q. At 33.28 we have an account of one former resident who
14 reported having been anally raped on a regular basis
15 over two or three years by a priest associated with
16 the orphanage, and this person informed the
17 Royal Commission that he had told one of the Sisters
18 that he was bleeding following such an assault, and the
19 response was that he was cleaned up and given a nappy to
20 wear to capture the bleeding.

21 A. It does leave me speechless frankly.

22 Q. You then in the last few paragraphs refer to evidence
23 that has been given to this Inquiry, either directly or
24 indirectly. I now want then, Stephen, for you to turn
25 to page 276 where you have a two-page section headed

1 "Conclusions", section 34. I just want you to take us
2 through that and pick out the particular points you
3 would like to make.

4 A. Yes. I suppose my opening sentence at 34.1 in which
5 I say:

6 "A study of child migration and child abuse may
7 bring to mind the proverb that 'the road to hell is
8 paved with good intentions'."

9 And I go on to indicate why I think that is actually
10 misleading. It is not a road to hell, it is actually
11 a road to Canada, Australia, New Zealand
12 Southern Rhodesia. We need to keep this focused on
13 those cases. We also need to acknowledge that many are
14 or at least were convinced that they were indeed rescued
15 from poverty or neglect or abuse. They believed that
16 they were better off by going overseas. It is important
17 to say again what I have said earlier today; that some
18 believe they benefited from their experiences of having
19 been migrated. We need always to acknowledge that.

20 I go on to say that the recorded voices the council
21 are satisfied are less numerous in the reports of public
22 inquiries than those who actually suffered, and that is
23 completely understandable. I think there is also then
24 this -- since I am playing with the words "good
25 intentions", the good intentions may be going beyond

1 God's work, as it were, that not all the organisations
2 were conspicuously religious in their promotions, that
3 it cannot all be regarded as being God's work and that
4 one of the issues that one has encountered, and it comes
5 out really quite strongly in some of the reports, is
6 that there is a competition between the different
7 religious faiths. The Catholics are concerned to
8 increase the number of Catholics in Australia, because
9 that is what they believe Australia needs. The Church
10 of England's response to that had been that they were
11 doing likewise God's work by anglicising the population
12 of Australia. So there are these kind of competing
13 additional views. It is not just in the institutions of
14 the children, it is the institutions in these larger
15 institutional or religious faith ambitions.

16 Then there is also the point that one of
17 the consequences of this is largely a disregard of what
18 the funding of operations are actually intended to do,
19 which is to transfer children properly to another place.
20 But I think the last bit of my qualifications is that
21 there is an imperial agenda here too; that children are
22 becoming again vehicles in a larger agenda, not just
23 a religious agenda but it is actually an imperial and
24 a colonial agenda too, and it is a moot point as to
25 whether you regard the white colonisation of Australia

1 or the providing of a larger population to areas of
2 rural Canada or in Southern Rhodesia as being good
3 intentions. There are judgments that can be made as to
4 whether these justify putting the children at the risk
5 and leading to the abuse that so many of them
6 experienced.

7 Q. Then moving on to the final page of this report,
8 page 277. You followed through your theme on your play
9 on the notion of good intentions. What do you tell us
10 there?

11 A. That good intentions do not excuse bad practice. It is
12 a cliché to say so; that one may have good aspirations,
13 good intentions, they may be in their own respects
14 worthy, but if you think you have good intentions, you
15 need to back up the good intentions by good practice,
16 and good practice in the period that we are talking
17 about becomes increasingly child-focused. It is about
18 trying to provide the best -- if children are going to
19 be sent overseas, then they need to be properly
20 protected, inspected, cared for. Anything that falls
21 below the standards of the day, and I keep stressing
22 that aspect, that then those are failures of the
23 practice. The practice has to be at the highest
24 possible level with the resources that are available.

25 Sending children overseas that are not properly

1 prepared for it or informed about where they are going,
2 why they are going, children who are being sent to
3 places where there is not the provision for the care
4 which they believe they are going to get and, as
5 an outsider, you believe they should be providing and
6 which many of the voluntary societies also think the
7 children should be cared for, if that is not being
8 provided, then there is another failure.

9 One of big failures is always going to be
10 government. It was in the opportunities of the
11 UK Government never to have provided support for child
12 migration. That is an add-on to what had been an adult
13 migration or family migration scheme, but if it is going
14 to be done, and then you have to ensure that what is
15 being regarded post-1945 at least, if not earlier, as
16 being proper support for the children you are sending.

17 Q. You draw attention also in that main paragraph to the
18 point you have made already, that the dispersal of child
19 migrants over the vast spaces of Canada and Australia
20 always posed huge inspection challenges for government
21 officials locally and for officers of the UK
22 High Commission.

23 A. I think that is of critical importance here. The simple
24 logistics of space come into the account here. I don't
25 know what kind of maps they have been using in the

1 United Kingdom but any -- it was a very simple
2 calculation that I did about the distances that were
3 involved in sending children to Ontario, for instance,
4 or into Quebec, where the children are scattered around
5 over vast, vast spaces. If you are going to do that,
6 you need to have a large, large number of inspectors,
7 independent inspectors, who are able to carry out proper
8 reviews, proper conversations with the children and
9 people who are able to get the children to speak openly
10 about what they have been experiencing. So simply the
11 logistics of the scheme in retrospect seem to me
12 seriously deficient.

13 Q. You talk about training, as you have done on a number of
14 occasions, and you also go on to say how reports back to
15 the UK were often absent, intermittent or deficient and
16 not necessarily adequately responded to when they were
17 received. You also mention the instinct of adults to
18 disbelieve children, I think particularly within the
19 context of religious organisations. You say:

20 "It is a lamentable fact that we know more today
21 than was known at the time about the experiences of
22 child migrants and the legacy for life of what many had
23 endured."

24 And you make that point simply because it is only in
25 a retrospective context that what happened has been

1 ventilated?

2 A. I think that is correct. I think I would say that it
3 should have been known at the time but, in retrospect,
4 it is only later on that we are being better informed
5 about what these children went through.

6 Q. Can I ask you then, Stephen, finally to read your final
7 paragraph at 34.5.

8 A. "As a final observation, it is evident from the variable
9 amounts of evidence deployed in this report that much of
10 what we know about the abuse of child migrants (and
11 child migration generally) depends a good deal on the
12 quality and quantity of the written records kept
13 contemporaneously, subsequently preserved, and latterly
14 made available to public inquiries and to former child
15 migrants or their representatives. Retrospective oral
16 and written witness testimony by a diminishing number of
17 former child migrants or their representatives has also
18 been important during recent investigations. Not only
19 has voice been given to the voiceless, and that is
20 important, but knowledge is needed in order to learn
21 lessons from the past."

22 MR MACAULAY: Very well, Stephen. On that note, thank you
23 very much indeed for the huge amount of work that you
24 have put into this report, you and your colleagues, and
25 for enduring the marathon evidential experience that you

1 have had to experience in giving your evidence to this
2 Inquiry.

3 A. I am very happy.

4 MR MACAULAY: Thank you very much indeed for that.

5 A. Thank you very much indeed. Just to add that your
6 ability to get me to talk has been much welcomed.

7 Thank you.

8 MR MACAULAY: Thank you for that.

9 A. My Lady, can I add before we disappear ...

10 MR MACAULAY: There's just a point I have to make, Stephen.

11 Some questions have been submitted and I have
12 arranged that these questions, or those that I have not
13 already covered, will be put to Professor Lynch next
14 week.

15 LADY SMITH: Very well. So just to confirm there are no
16 outstanding applications for questions today and now?
17 There's nobody coming in over WebEx.

18 Stephen, what did you want to say?

19 A. I wanted to say thank you to yourself. I have much
20 appreciated the guidance you have given me and the
21 comments you have made. When you are talking so much,
22 it is nice to be made to reconsider certain things, so
23 it is very much appreciated. It has been an
24 extraordinarily rich experience, thank you.

25 LADY SMITH: It would have been wonderful to have you here

1 but circumstances have prevented that. However,
2 can I assure you the screen is a big one and we have had
3 a very clear picture of you and good sound which has
4 helped enormously.

5 It simply remains for me to say what sounds really
6 inadequate, thank you, but echoing what Mr MacAulay has
7 already said, I do know just how much work went into
8 this and I am deeply, deeply grateful to you.

9 I hope you are now able to get more than just
10 a lunch break rest or a tea break rest and put your feet
11 up. Thank you very much.

12 A. Thank you. Goodbye.

13 LADY SMITH: Very well. I will rise now until tomorrow
14 morning.

15 (3.37 pm)

16 (The Inquiry adjourned until 10.00 am on Wednesday,
17 30 September 2020)

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