

Scottish Child Abuse Inquiry

Witness Statement of

Mark DALY

Support person present: No

1. My name is Mark Andrew Daly. My date of birth is [REDACTED] 1974. My contact details are known to the Inquiry.

Professional background

2. I've been a journalist for about twenty years. I did a degree in film and media at Stirling University and a postgraduate qualification in journalism at Strathclyde University. I got a job at the Clydebank Post in 1998. I then moved to the Scotsman in 1999 and to the Daily Record in 2000. When I worked at the newspapers, I was a general reporter but I always specialised in doing investigations in my own time. Because of that, I got asked to go to the BBC to do a big undercover project. I moved to London and the BBC in 2002. I went undercover in the police in 2003 for a documentary called *The Secret Policeman*.
3. I have worked in television since that time, exclusively in investigations. I am an investigative reporter and documentary maker. I'm currently the investigations correspondent for BBC Scotland. We also do work for *Panorama* and various different platforms across the BBC. I find stories and very often stories come to me. I research them and, often, I'll have people working with me. Generally, I'm driving the journalism. I have people to help make the film. I'm involved all the way through from the gestation of an idea to the research to the best bit, which is meeting people, and then turning it into a TV programme, news piece or online piece.

Investigations Unit, BBC Scotland

4. My team is the investigations unit at BBC Scotland. It has recently been rebranded and is now called *Disclosure*. We just launched earlier this year with a run of three programmes. As well as my investigation into [REDACTED], there was a film about farming done by my colleague, Sam, and a film about a rogue surgeon done by my colleague, Lucy. Our film was the third of the run.
5. I have an editor called Shelly Joffre. There's a team of eleven or twelve journalists and three on screen reporters, like me. There are four or five producers and two or three more junior staff, like assistant producers or researchers.
6. If I'm working on a really intensive investigation, like *Sins of Our Fathers* or [REDACTED] I tend to be quite focused on one project. Sometimes, that's not possible and I need to be working across things. I also try to get things going for my next project, making a few calls, but my projects tend to be quite intensive and take over everything.
7. In my experience, the way works comes about is very old-fashioned. There are all sorts of great journalistic techniques out there nowadays, like data scraping and Freedom of Information requests. They're all great ways to get information. However, I think the best way comes from people and somebody who wants to tell you something that other people don't want you to know. More often or not, it'll be a tip and somebody will phone you up or get in touch. Over the years, I've generated a bit of a reputation so people think they can get in touch with someone like me and have an element of trust. Somebody might phone the front desk at the BBC and ask to be put through to me or the investigations team. I have my email and twitter profile, so people can get in touch that way as well
8. One out of thirty emails might be worth pursuing. You then start pursuing it. Quite often, people will say that they have a big story and they have all the evidence for it, but very rarely is that the case. I'll look at something or a colleague will look at something for a while to see whether it's got legs. Usually, I'd try and establish that before I meet with a person. We'd then talk to the editor. She'll probably say you

need this and this and this, so you go and get that and that and that. At that point, she might green light a production. It might be a network story for Panorama. Alternatively, she might decide that it's not worth a thirty or a sixty minute film, but it could be a news investigation for three or four minutes. That's what's great about working for the BBC, you have all these different platforms where you can position stories.

9. I think meeting people is the most important part of the job, especially if somebody is nervous or really does have something very important to say that could land him or her or other people in trouble. It will then really come down to the type of relationship you're able to generate with that person. The programmes are like the iceberg. All you see is the very tip.

Investigation into Fort Augustus - *Sins of Our Fathers*

Background

10. *Sins of Our Fathers* was broadcast in 2013. It had been about six months in gestation and I worked on it almost exclusively. It was towards the end of 2012 when Cardinal O'Brien got himself into a sticky situation. The Catholic Church was in the news quite a bit. I had a look at that story, but I couldn't really move it on from what Catherine Deveney had done at *The Observer*. The newsroom knew that investigations were sniffing around the Church.
11. One of our other correspondents, James Cook, got a call from a former Fort Augustus pupil. He went to interview him. He came back with the seeds of a potential story. The way the newsroom runs is that they don't get much run up time. They can be put on any story, any day. James is a good friend of mine. He said he wasn't going to be able to do anything with Fort Augustus and asked me to take a look.

12. That was the first time I had heard of Fort Augustus. I had a look at the interview. It was interesting. I did some rudimentary internet searches, things that are in the public domain, and found an old boys' network. I think it was called Corbie. There were forums within or connected to that, which had some interesting testimony. The old boys' forum was very pro Fort Augustus. It was all about what a great place it was and that "it might have been tough but it made us the men we are". There were certain offshoots to that which we found interesting. We started methodically getting in touch with these people. It led from point to point to point. One former pupil would know another and, before we knew it, we were speaking to ten or twelve different old boys who were telling us different things.
13. The first two people we spoke to any length were probably the Walls brothers, Christopher and David. That was when we started to think that there was something potentially quite nasty about the place. They were able to tell us about some other boys that they knew. Before long, we managed to get our hands on a school roll. We knew the names of all the boys at the school in a certain year. I think it was 1974. We started to methodically contact them all.
14. One of the interesting things about the Benedictines was that just about every single abbey with a school had had an abuse scandal. All but one in England had an abuse scandal. You become quite cynical, doing a lot of these stories, and it just didn't seem right. I'm afraid that my experience is that, in a historical sense, if you have an institution staffed mainly by religious males it is more likely than not that there's going to be abuse. That's based on my work throughout the years and based on a working knowledge of this sort of thing throughout the world. I haven't covered every story in the world, but I've read a lot about it.

Preparatory work and meetings with former pupils

15. We would go and meet people at first. We would just talk and take notes. We would come back to the office and discuss things. We'd carry on talking to them. At some point, when we got to the point that we had enough for the film, we would ask them if they were happy for us to film an interview. We didn't have that sort of conversation

early on. When I deal with people who potentially have historic abuse in their past, everything has to be on their terms. You have to handle them very gently. We would tell them it was just a chat and everything was entirely off the record until they said otherwise. We would always let them be in charge of the process which involves them. If they wanted to talk to us and just give us information, but they would never be able to go on camera then that was fine. There were many boys who felt like that. Some of them changed their minds as they got to know us.

16. Sometimes it's the right time for people. Sometimes there's just a bit of a head of steam. They've been carrying things inside them for years and somebody comes to their door and they decide that now's the time.
17. By the time we made the programme, we'd probably spoken to more than fifty former pupils. About half of them spoke of some sort of abuse, physical or sexual. Just about everybody who went to Fort Augustus got physically abused in some way. Some of them didn't categorise it as such. They would think it was just corporal punishment and they had probably deserved it because they had been naughty. If people want to take a view on that, they can. We never really did. Physical abuse is abuse, no matter when it is. We weren't talking about a gentle slap on the wrist. If a monk is pulling your shorts down and taking a birch to your bare backside, we took a view that was in the public interest. We categorised that kind of thing as abuse and if somebody wanted to talk about it on TV, we would let him. It wasn't just abuse by the adults at Fort Augustus. Lots of boys spoke about being abused by older pupils.
18. Not all of the former pupils we approached were willing to speak to us. Some of them were hostile. These were the kind of boys who you'd find were behind the old boys' network and who organised the dinner every year. They were very protective of the reputation of the school. They were, I would say, in complete denial as to what the reality of that place was. We met that a lot. There was one example in particular where I could chart his complete reversal from a staunch believer that there was nothing to see and it was just a tough school to realising that it was a hell hole.

19. Some people were more ready to discuss it right away, such as Donald MacLeod. I got an address for him and I went to see him in the south of England.
20. It can be hard to handle those situations. I don't think he was in the phone book. I went to hand deliver a letter. He answered the door. I asked him if he was Donald MacLeod, who went to Fort Augustus. He said that he was. He asked me in, we sat down and he just told me everything. For him it was the right time. He had gone through a really hard time in his life with alcoholism and trying to confront his demons. He had just about come out the back of it and wanted to talk.
21. There were others, like [REDACTED] who were never going to be able to speak on camera or on record because they were not well. I never met [REDACTED] but we spoke regularly on the phone. He died a couple of years ago. I have been meaning to get his death certificate to find out the cause of death. He was struggling with his mental health and I stayed in touch with him periodically.
22. I spent a lot of time talking to [REDACTED] and others to try and get an idea of this place. We don't put everybody we meet who wants to go on the telly on the telly. We have to make an assessment as to whether it will be good for them. We don't want to make telly at any cost. It's not how I do things. You have to try and get to know people and work out what the repercussions will be for them. We have to ask ourselves if this is what the person needs. They might think they need it, but is it really what they need?
23. After we were in touch with people, we wanted to keep the contact going throughout the investigation. We wanted them to get to know us. I don't know if every journalist feels this way, but I think you've got to give a wee bit of yourself to people if you want to get the best out of them. They need to trust us in order for the film to be as powerful as possible. Ultimately, that is what they want. If they trust us to do a good job then it will be as powerful as possible. In order to do that, it takes time and effort. We go to efforts to make them trust us and feel comfortable that they can rely on us.

24. There were some actors' voices on the programme. We would do an interview with them on the phone or face to face. We'd write back to them with a transcript or a section of their interview and ask if they were happy for us to use it. The words spoken by the actors were exact lifts from their written transcripts. There were different categories of boys who we spoke to. There were boys who were telling us about abuses and were happy to go on the record. There were also boys who were telling us about abuses and were happy for their testimony to be used but didn't want to go on the record for a variety of reasons.
25. Mainly, we used the people who wanted to be in the programme. They were the ones who were ready and who wanted to talk. We tried to accommodate all of the people who wanted to be in it. The interviews were about ninety minutes long. We went through every cough and spit with them. We then sent the interview off to the transcribers to get a full transcript. We make a paper edit of it before we go into the edit suite, where we whittle it down and put the most powerful parts of the interviews into the programme.
26. We also spoke to some lay teachers and some former monks. We didn't get anything from them. They were quite a tight unit. Quite a lot of former pupils went on to become teachers. My colleague, Murdoch, is still in touch with some former teachers. He has had some interesting contact, lending suspicion to the theory that most people knew what was going on up there.
27. As we went along, we recorded names that came up as alleged abusers and headmasters who things have been reported to. We spoke to people, collated names and tied it all together. We had a folder within our secure BBC computer system that only the team had access to. We had a list of contacts, a list of alleged victims and a list of alleged perpetrators. The list would detail where they are now, their stories, how they interlink and, crucially, who corroborates whom. We then had to establish that everyone was where they said they were at that time. We had a dozen copies of the Corbie from the fifties.

28. [REDACTED] MLL, which is not his real name, was one such person who was played by an actor and wasn't identified on the programme. We met him several times. We tape-recorded an interview with him and replicated it verbatim. I worked closely with my colleague, Murdoch. We trusted each other implicitly. We would each have responsibility for certain contributors. I took the lead with Hugh Kennedy and Donald MacLeod. Murdoch was very much looking after [REDACTED] MLL.

29. Murdoch met [REDACTED] MLL a handful of times and got to know him over several months. He was never ready to go on the record. He came from a very strict Catholic family. His mum and dad knew what had gone on because it had been reported at the time, but they found it very difficult to accept it and they didn't want it to be dredged up. He didn't feel that he could go on the record, but he wanted us to tell his story. Because [REDACTED] MLL was the only accuser of [REDACTED] MEV at that time and he also came with the [REDACTED] we had to use him in a way that was as safe as possible for him. It wasn't just about his anonymity but also about his mental health. We wanted him to feel that he'd been treated well and had a good experience with us.

30.



31. In terms of Fort Augustus, what we try and do is tell untold stories. We want to give people a voice if they want it. Also, if there are people to be held to account, then that's the point of us. The point in being a journalist is trying to make a difference. I'm not exaggerating when I say in the film that I landed in Sydney with [REDACTED] MLL words ringing in my ears. I wanted to go and confront this guy on his behalf and try and start the ball rolling for some kind of justice for him. That's the aim of the programme.

32. We had to follow the evidence. We can't create it. Nor can we over-egg it for the sake of filling a slot. We are actually very cautious in the way that we write scripts. Every single line is pored over by a lawyer. We have to have corroboration. When the programme was broadcast, we only had a single source on Father [REDACTED] MEV [REDACTED] Hugh Kennedy hadn't come forward at that point. The reason we felt able to name him was because we effectively had a [REDACTED] [REDACTED] MLL [REDACTED] To accuse somebody of being a paedophile is worse than accusing them of being a murderer. The bar is really high. We have to be able to defend the allegation in court if he sues us. We have to be able to justify it as responsible journalism.
33. [REDACTED] MLL [REDACTED] told us that he had raised his abuse with Father [REDACTED] MMF [REDACTED] We put that to [REDACTED] MMF [REDACTED] but he declined to comment further. Then Hugh Kennedy came forward. He, too, told us that he had raised the alleged abuse by [REDACTED] MEV [REDACTED] with [REDACTED] MMF [REDACTED] We went back to Father [REDACTED] MMF [REDACTED] and he had to resign from his position as [REDACTED] [REDACTED] at [REDACTED] where he was responsible for the welfare of student monks. I reported this online on [REDACTED] 2013.

Investigation in Australia

34. Two of our principle abusers at that point had come from Australia and had returned. We knew that Aidan Duggan had offended in Australia after he left Fort Augustus. It was part of the genesis of the whole film. Aidan Duggan had been given a plum job in a parish in Sydney and proceeded to embark on four or five years of abusing one of the altar boys, John Ellis. John Ellis became a lawyer and, thirty years later, he was trying to sue the Catholic Church in Australia. He was trying to get information from Fort Augustus old boys about Aidan Duggan. We had obtained from one of our contacts a number of emails or messages from John Ellis dating back to years before we got involved. That was one of the things that helped solidify the direction of our investigation at an early stage.

35. We got in touch with John Ellis and found out about what became the 'John Ellis Clause' in Australian civil law. He had sued the Catholic Church and I think I'm right in saying that he'd lost on the basis that God couldn't be sued. It was something along those lines. That had become encased in civil law and had made it difficult for the victims of abuse in the Catholic Church in Australia to sue the Church for damages. He recently played a very big role in the Australian Commission.
36. When we went to Australia, we knew we wanted to talk to John Ellis and do some background research into Aidan Duggan. We did so much more work in Australia that didn't make it into the film. Through a third party, I had contact with another victim of Aidan Duggan in Australia, who had been abused by him there and didn't want to be identified. We also wanted to track down MEV and try and find out a bit about what he had been up to for all those years. He'd dropped off the radar for nearly twenty years. We found out that he, again, was happily ministering and filling in for priests here and there, doing children's confessions.
37. It was very difficult to get the information. The Catholic Church was useless. It was either obstructive or didn't have the information or both. I annoyed the Diocese of Sydney quite a lot, but I didn't get very far. I just went round everybody and phoned every single church or went to their doors.
38. We had eight days in Sydney. We allowed two days to do the doorstep of MEV. We had so much other stuff to do, so we thought we'd do the difficult thing first and work backwards. We needed to get that nailed, because that was what the trip was hanging on. It was important that we managed to see MEV confront him and put MLL allegations to him.
39. On the first day, we went to MEV door and we sat there for eighteen hours. We got a letter to him, to make sure he was aware of the allegations and to ask if he would come out and speak to us. At that point, we were waiting for him to come out so that we could confront him. He never came out. The next day, we were there for sixteen hours. It was from dawn till dusk, sitting outside in a car with a camera. He

never emerged. For a third day, we sat outside and he didn't emerge for six to eight hours.

40. Every day, we would return to sit at [REDACTED] MEV [REDACTED] door for at least half an hour. It was so frustrating. We'd spent a lot of the BBC's money for me and a cameraman to come to Australia.
41. We got everything else that we had set out to get, and much more, but we didn't have this confirmation. It was the very last day and our flight was at six o'clock. We'd just wrapped our final interview with a representative of the Church. We never used the interview in the programme. We also had correspondence or phone calls with the head of communications the Sydney Diocese. She did confirm that they had had no warnings whatsoever from Fort Augustus or cause to be alarmed about these monks.
42. We had been asking about [REDACTED] MEV [REDACTED] because at that point he was listed in the Sydney Catholic Church's database of retired priests. I think that was how we had got his address. In the period of us being over there, he was stripped of his priestly faculties.
43. We had to go back to the hotel and get all our gear. I said to the cameraman, who I'd worked with a lot, that we should just go back to [REDACTED] MEV [REDACTED] house one last time. He was telling me that we didn't have time. We drove down the cul-de-sac one last time. The house was shut up and the car was in the driveway. We did a three point turn to go back to the hotel and as we were driving through the street for the very last time, out came [REDACTED] MEV [REDACTED]
44. I inadvertently parked my car in his driveway. I put [REDACTED] MLL [REDACTED] to him along with [REDACTED] I tried to remain calm about it and take into account that whatever he'd done in the past, he was an old man and it must have been distressing him. We did what we had set out to do and put the allegations to him-It was, up until then, amongst the most important work that I'd done. I think he thought he'd got away with it for all these years.

Abusers - Fort Augustus

45. We heard about abuse by Father [REDACTED] MFE [REDACTED], Father [REDACTED] MFF [REDACTED], Father [REDACTED] MEW [REDACTED], Father [REDACTED] MEZ [REDACTED], Father [REDACTED] MFA [REDACTED] and Father Aidan Duggan from more than one source. We had one source for Father [REDACTED] MEV [REDACTED] along with [REDACTED] MLL [REDACTED]. We also had the names of two [REDACTED] SNR [REDACTED] [REDACTED] MKT [REDACTED] and [REDACTED] MMF [REDACTED]. Those names all came up in the course of our research for the programme.
46. That list expanded, post transmission, as people phoned in. The phone was ringing off the hook. I think the running total at the end was forty or fifty former pupils speaking of abuse. We did a number of news stories about that. I did about a dozen stories about Fort Augustus after the transmission of the film. I did another few news pieces in very quick succession, including an online piece about Father [REDACTED] MEY [REDACTED] on [REDACTED] MEY [REDACTED] was another Australian monk, who we subsequently alleged was an abuser. [REDACTED] He had popped up a lot in the course of our Australian research, but at that point we didn't have any allegations about him at that point.
47. [REDACTED]. They all trained at the New Norcia Abbey in Western Australia. Aidan was [REDACTED] MEV [REDACTED]'s mentor. I suspect that [REDACTED] MEV [REDACTED] was abused by Aidan. [REDACTED] MEY [REDACTED], then Aidan, then [REDACTED] MEV [REDACTED] all ended up at Fort Augustus. All of them ended up being punted back to Australia because of allegations of abuse, although none of that was reported to the police. They were all back in Sydney for a while. They all effectively lived out their time in Australia, ministering without any hindrance. That was one of the things we made a big deal about in the film. People in Fort Augustus knew why this lot were getting punted back to Australia, but never let on. That was the Catholic Church back then.
48. After the programme went out, we received from calls from people we had tried to get in touch with but couldn't find. There were other people we hadn't heard of who

came forward to tell us it had happened to them too. I think the most prolific abusers were [MFA], Aidan Duggan and probably [MEY] too. They were amongst the most named. [MFA] although possibly not a rapist in the same way as Aidan Duggan and [MEV] were alleged to have been, was notorious for assaulting boys by fondling them, getting them in his office and finding ways of being alone with boys. He was an opportunistic, predatory groper. [MEY] was similar.

49. Just about everybody spoke of the violent extremities of Aidan Duggan. The red mist would descend upon him. What he was described as doing to Christopher and David Walls in the film was done to various other people. I don't think the physical abuse was limited to certain boys. Whilst the majority of boys were being physically punished, some were singled out for separate treatment, whether they were naughty or not. The behaviour towards those boys changed over a certain period of time. It would become tender. The boy would become confused. That's what happened to Hugh Kennedy. He was brutally physically punished by [MEV] over a long period of time. It then stopped and [MEV] became considerate and caring. That seemed to be the ploy. The fact that we were hearing the same testimony about the three Australians made us think that it wasn't just random guys with the same tactics but potentially something more organised.
50. There were two principle accusers of [MEV] [MLL] and Hugh Kennedy, who came forward after the film. Others came forward about Father [MFC]. We had looked very closely at [MFC] during our research. We had one accuser, but we couldn't interview him because he was in prison. More came forward after the programme and I think we did name him in the end. [MFC] and [MEV] were interesting to us because they were still alive.
51. When I was in Australia, I managed to find out where [MEY] was. He was in a nursing home. Once we got enough evidence to put allegations to [MEY], we got a letter hand delivered to him. He died later that day, which I found very frustrating. He was 83. I'd like to think he got the letter.

Fort Augustus – further investigations by BBC

MYV investigation

52. The story of MYV had been covered by MYV twenty years beforehand. We searched for every single mention of Fort Augustus. One of the very few mentions of Fort Augustus in previous cuttings was Father MYV having been sent there. We also knew that the abuser of MYV, Richard White, had been sent to Fort Augustus after the school closed. After the school had closed, it became a bit of a repository for problem priests. It became a theme of the programme that rather than deal with things the correct way, the Church just sent priests to wherever, whether that be Australia or Fort Augustus.
53. We started to look in more depth at the MYV case. Towards the end of the programme, we featured a photograph with Father MYV at Fort Augustus. I don't remember where we got that photograph from. We tried to speak to several of the people who had been in the photograph, such as Archbishop Conti and Bishop Gilbert. I approached them and told them that they had attended an event at Fort Augustus. I asked if they knew that the abbey was essentially harbouring criminals.
54. Both Conti and Gilbert denied knowing either MYV or White or knowing what they had done. Conti said he became aware of the allegations against MYV when they appeared in the media, which was on MYV 1997. We managed to establish that the photograph had been taken two weeks afterwards. We asked Conti and Gilbert again if they were aware the MYV was a sex offender and neither of them were available for comment. They still aren't.
55. The case of MYV had been investigated by the police at the time. We tracked down one of his victims and interviewed him, anonymously at that time. That set a whole lot of things in motion. Another of MYV victims came forward to me. I did a subsequent story about MYV other victim being given a £10,000 hush payment, which appeared online on MYV I think that precipitated in

another push being given to a police investigation that had been dormant. I did several stories about [MYV] after *Sins of Our Fathers*. [MYV] [REDACTED]

56. I door-stepped [MYV] for the [REDACTED] interview. We have to give people information about what is being said when we are asking for a response. The only time we are given permission to door step people is if they have failed to respond or they have failed to respond adequately. The first step would be to write, phone or email them. They usually get several attempts before we are given permission by a senior editorial figure in the BBC.
57. [MYV] had written a cheque to a man who said he had been abused by [MYV] as a boy. The man had taken a photocopy of the cheque. [MYV] didn't deny giving the man the money. He accepted that he didn't ask for it back, even though it was said to be a loan. The Catholic Church said it was private business and nothing to do with the Church.
58. Bishop Maurice Taylor provided a statement for *Sins of Our Fathers*. A very brave parish priest, called Father Gerry Magee spoke out on the programme. He was disgusted at the way he felt things had been dealt with by the Church. When I went to the Catholic Church for comment about some of the things that we were saying and I told them that Gerry Magee was on the record with us, their communications department performed a dark arts manoeuvre. They said that Gerry Magee had mental health problems and that he wasn't trustworthy. They tried to undermine him. They wouldn't put any of that on record, but they wanted to put doubt in my head.
59. The Church's communications department initially denied that Bishop Maurice Taylor had told parishioners that [MYV] had been on a sabbatical. They lied about it. We went away and found the evidence for it. We went back and said that we had found the evidence and that we were going to say that they were lying. Eventually, they accepted it.

Dom Richard Yeo

60. When we came back from Australia, we interviewed Dom Yeo, Abbot President of the English Benedictine Congregation. Usually, the last thing we do is interview the head of the body that we are making allegations about. Prior to interview, he was given a full list of the allegations. He obfuscated his way through a lengthy interview, as he did with his interview with the Inquiry. At least he sat down with me, which is more than most do. He had to accept a number of things. For example, he was personally aware of Richard White having been deposited in Fort Augustus, despite serious allegations having been made.
61. He had to admit that he had failed to do any significant investigation at all into any of the claims that had been made. People like Christopher and David Walls and maybe Donald MacLeod had been in touch with the Benedictines before talking to the BBC. They were looking for some correspondence, contact, justice. The Benedictines hadn't done anything and they couldn't really say what was in the records.
62. We had previously asked for details as to why the likes of Duggan and [REDACTED] MEV were sent to Australia without any warnings being given. He took the hit for the stuff that was unavoidable, but the survivors we spoke to felt that his apology was a bit mealy mouthed. He apologised if any abuse had happened and provided the typical response, "We're very sorry, it shouldn't have happened, we've changed."

Police investigation into Fort Augustus

63. I think a police investigation into Fort Augustus had begun some weeks or months earlier. I think it was ramped up after our film because more and more people came forward.
64. I am continuing to do journalism on the [REDACTED] MEV case. It's five and a half years since the police first knew about him and he remains [REDACTED]
[REDACTED]
[REDACTED] We've done a plethora of stories about that. I

wonder if it hadn't been for the BBC annoying [REDACTED] so much about this case whether anything would have happened?

65. Hugh Kennedy's story is horrendous in terms of how [REDACTED] have handled things. He can't get any information. He is dependent on journalists, keeping the pressure on. Otherwise, he thinks nothing will happen.

66. It's the same with [REDACTED] MFC [REDACTED]
[REDACTED]
[REDACTED] What I hear from survivors is that they don't understand why cases like this aren't given priority in order to get them in a court.

67. [REDACTED] MLL has never felt able to go to the police because of the psychological stress it would put on him. Knowing how much psychological stress one must go through, I don't blame him. I just don't think these people are looked after well enough.

68. Once survivors come forward, I can't stress enough how dissatisfied, almost to a man, everybody has been once they're in the hands of the criminal justice process. The police make a big deal of coming out and seeing somebody, even if the perpetrator is dead. They'll take a statement from them and then often they never hear from the police again.

69. [REDACTED]
[REDACTED] MEV was arrested on [REDACTED] 2017 pursuant to an extradition request from the United Kingdom. [REDACTED]
[REDACTED]

70. We accept that as a part of our job and the after-care that is required. We don't feel we can bring somebody in and get them to bear their soul, even if it is in their interests, and then just walk away from them. That is exactly what happens in the criminal justice system. There is so much to be learned by the police and the Crown. They could really learn a thing or two about how to deal with people from the Inquiry as well as ourselves. I'm amazed they don't lose more prosecutions by people just getting sick of it and walking away.

Ongoing contact with former pupils of Fort Augustus

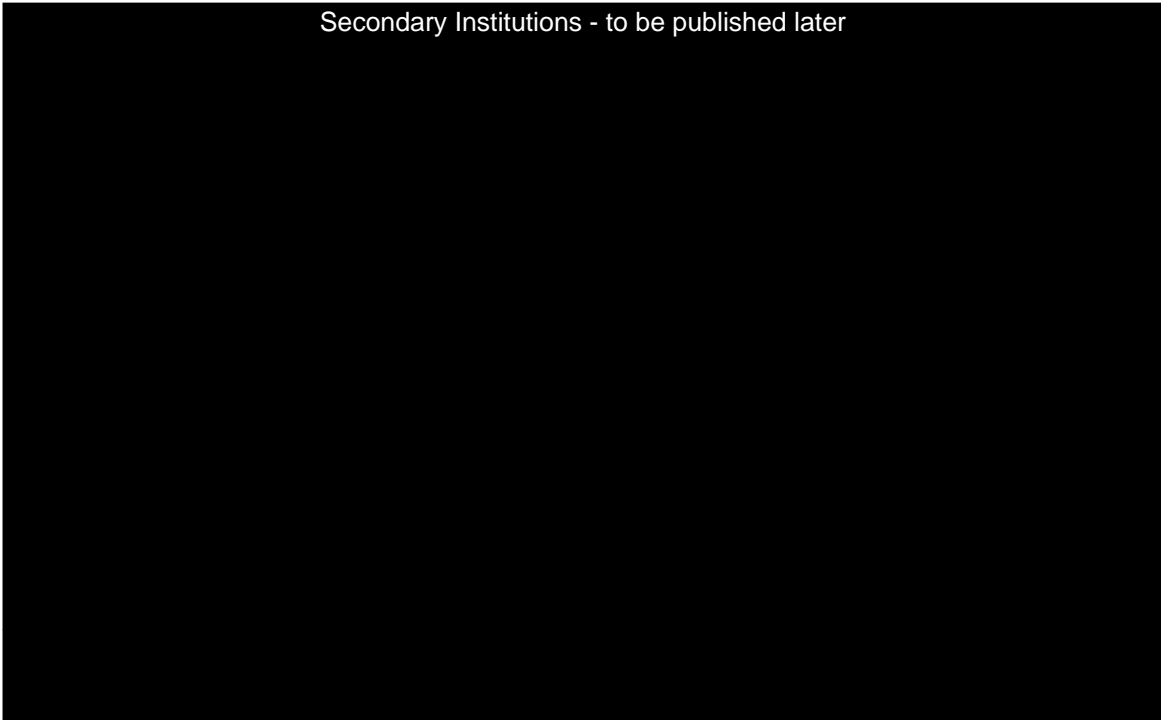
71. I'm periodically in touch with all of the people I met for the film, as is Murdoch. It's the decent thing to do. Every now and again, I get a phone call. I spoke to Hugh Kennedy a couple of weeks ago and Donald MacLeod a couple of weeks ago. I was in touch with David Walls and Christopher's family a couple of months ago. I'm probably in touch without half a dozen and my former colleague, Murdoch, north of twenty. Some of those relationships will result in future stories, like Hugh Kennedy, some of them won't. It's just the right thing to do.
72. We have heard that the Benedictines are seeking to settle with a lot of people at the moment. I'm not clear as to whether these settlements require a non-disclosure agreement. I would hope not. I don't blame people reaching the twilight of their lives from wanting to reach an agreement.

Secondary Institutions - to be published later

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Public Response to *Sins of Our Fathers* [REDACTED]

125. The response from the public is direct nowadays. [REDACTED] is the type of story that generally gets universal positive response. Who is not on board for exposing paedophiles? *Sins of Our Fathers* did provoke a bit of a Catholic backlash. It's usually directed at me, as I'm front facing the programme.

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Secondary Institutions - to be published later

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Secondary Institutions - to be published later

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Hopes for the Inquiry

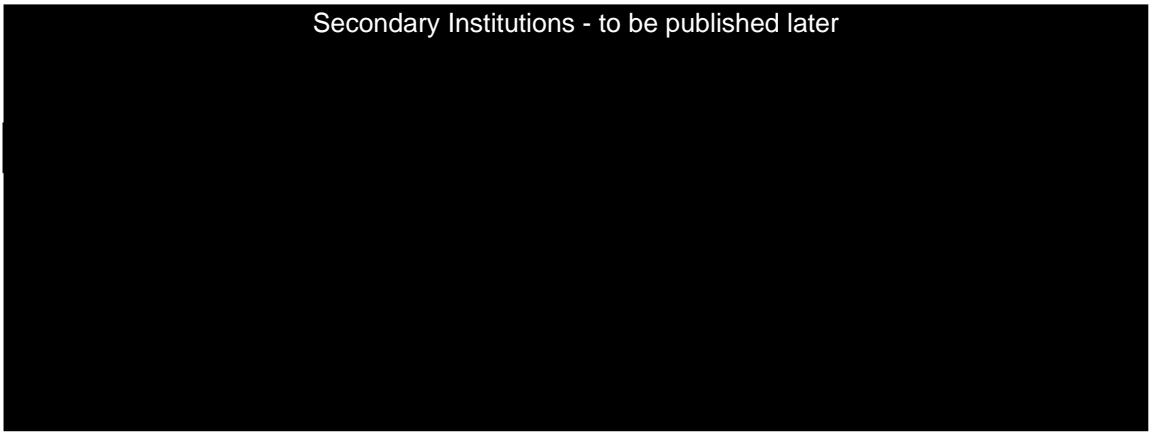
130. First and foremost, I hope that the survivors that I know and, more widely, those that I don't will end up thinking that the Inquiry was worthwhile. I hope they feel like they've had their day. I hope that they feel better and that they feel it's been a

worthwhile process. I also hope that they feel that the Inquiry will contribute to change that is needed to prevent things like this from happening ever again.

131. I hope that the institutions responsible are properly held to account and shown up for what they are. I want them to be shown up for how they've dealt with things over the years. The Catholic Church should be thoroughly ashamed of the way it has dealt with survivors over the years. It should be big enough to stand up and say, "This is what we did for all these years. We're no longer hiding behind secrecy. We're no longer trying to stifle survivors from speaking out. We're no longer paying people off to keep them quiet. We welcome people coming forward and we are going to change." I'm sure the same goes for every other institution out there, but I've been most closely associated with the Catholic Church.
132. The institutions should be seriously held to account. Despite there being bishops apologising a few days after my programme and having the occasional survivor in to say sorry, survivors don't yet feel recognised by the Catholic Church. Hugh Kennedy feels like he's been completely ostracised. The Walls brothers were shunned by their local bishop. Incredibly, these are all still men of faith but it's not being repaid. They are men of faith despite the Catholic Church, not because of it. They need to repair that. I know the Pope occasionally says sorry and they say the right things, but for whatever reason it just doesn't seem to translate. I hope that this Inquiry finally, and for the last time, manages to get the Church to admit to what it has been and to tell us what it is going to be.

133.

Secondary Institutions - to be published later



They should change the culture of these organisations to care about these people rather than trying to keep them quiet.

134. One of the most important things that I hope comes out of the Inquiry is what happens to survivors after they make complaints to the police, how they are looked after and how they are kept informed about the process, or not. It's sadly lacking, in my experience. What I hear from survivors is that they don't understand why cases like MFC and MEV aren't given priority in order to get them in a court. They think that [redacted] would just rather time ran out and they just died. It would be easier and cheaper. That's the impression they are left with by the way the [redacted] handles things. [redacted] MEV [redacted] going to give evidence to the Inquiry about the way they handle these things? They should because in my view, an explanation is required.

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

Signed.....Mark Daly [redacted]

Dated4th march 2019..... 6/3/2019