

# Scottish Child Abuse Inquiry

## **Case Study no. 8**

### **Volume 2: Child migration schemes**

Child migration schemes legal framework and organisational practices between the late 1800s and the early 1970s

Evidential Hearings: 3 December 2019 to 21 October 2020



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# | Scottish Child Abuse Inquiry

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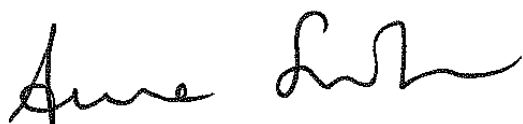
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## Foreword

During the evidential hearings, I heard of many aspects of the experiences of child migrants that were shocking and distressing. I also heard evidence about the history and practices involved in child migration that were deeply troubling. I appreciate how challenging it will have been for all witnesses, near and far, to engage with and provide evidence to the Inquiry. I am very grateful to them for their assistance and co-operation and for their valuable contributions.

In reaching the stage of publication of this findings—from detailed analysis to the final document—I have had the benefit of being supported and assisted by some quite exceptional teamwork. I would like to record my gratitude to the Inquiry counsel who led in this case study and the members of inquiry staff involved at each stage; their diligence and commitment has been remarkable.



**Lady Smith**



## Acknowledgements

We could not have achieved this important work without invaluable contributions from so many here in the UK and abroad who gave of their time, skills, and efforts tirelessly. My grateful thanks are extended to all of them, of whom there are too many to mention. They include Professor Stephen Constantine, Professor Gordon Lynch, Professor Marjory Harper, Dr Margaret Humphreys, the Child Migrants Trust, Dr Philippa White, Tuart Place, Oliver Cosgrove, Anna Magnusson, Norman Johnston, the International Association of Child Migrants and their Families, the National Records of Scotland, the National Archives of Australia, the National Library of Australia, the British Columbia Archives, the Library of Birmingham Archives & Collections, and the University of Liverpool Special Collections & Archives.



## Glossary

### **Australian Catholic Immigration**

**Committee (ACIC):** Established in 1948 as the UK branch of the Federal Catholic Immigration Committee (FCIC). The ACIC was recognised by the UK Government as an approved body that could obtain funding under the Empire Settlement legislation to distribute to UK Catholic organisations who selected children for migration to Australia. This was an unusual arrangement; the ACIC was the only non-UK organisation to receive funding under the Empire Settlement Act.

### **Bishops' Conference of Scotland (BCS):**

BCS is the forum in which the Roman Catholic Bishops in Scotland work together to undertake nationwide initiatives through their Commissions and Agencies.

**British Home Children:** A term used for child and juvenile migrants sent to Canada between 1869 and 1932 under assisted migration schemes.

### **Catholic Bishops' Conference of England and Wales (CBCEW):**

CBCEW is the permanent assembly of Catholic Bishops and Personal Ordinaries of the 22 Catholic Dioceses of England and Wales.

### **Care Leavers Australasia Network (CLAN):**

CLAN offers support to people who have grown up in institutional care in Australia and New Zealand.

### **Catholic Children's Society (Westminster)**

**(CCSW):** In 1985, the Crusade of Rescue, an organisation involved in the migration of children from England, was renamed the Catholic Children's Society (Westminster).

### **Catholic Child Welfare Council (CCWC):**

Founded in 1929, it was made up of the administrative officers of diocesan child rescue societies in England and Wales. There does not seem to have been an equivalent body in Scotland.

### **Catholic Council for British Overseas**

**Settlement (CCBOS):** Formed in 1939 by a merger of the Catholic Emigration Society and the Catholic Emigration Association. CCBOS became the primary UK Catholic body liaising with the UK Government on practical issues relating to adult and child migration. There was also a CCBOS for Scotland and Northern Ireland (CCBOS S&NI). It is not clear exactly when this was established, though it was in place by 1947.

### **Catholic Episcopal Migration and Welfare**

**Association (CEMWA):** A Catholic agency set up under the aegis of the Archbishop of Perth, Australia, to deal with matters relating to Catholic immigration of Western Australia. As the agency making applications for quotas of child migrants to be sent to Catholic institutions in Australia, CEMWA assumed custodianship for child migrants at Catholic institutions in Western Australia.

### **Child Migrants Trust (CMT):**

An organisation established by Dr Margaret Humphreys in 1987 to support former child migrants to discover their family background, reunite with family, and to raise public awareness of the long-term impact of child migration schemes. The CMT also manages the Family Restoration Fund (FRF).

**Church of Scotland Committee on Social Service (CSCSS):** The arm of the Church of Scotland engaged in the provision of social care services and specialist resources to further the caring work of the Church to people in challenging circumstances. In 2005, this aspect of the work of the Church was renamed “CrossReach”.

**Commonwealth Relations Office (CRO):** The Commonwealth Relations Office existed between 1947 and 1966. Like its predecessor, the Dominions Office (DO), it was responsible for the UK’s diplomatic relations with countries in the Commonwealth. In 1966, the CRO and the Colonial Office merged to form a single Commonwealth Office. Subsequently, in 1968, the Commonwealth Office merged with the Foreign Office to become the Foreign and Commonwealth Office. In 2020, it merged with the Department for International Development, becoming the Foreign, Commonwealth and Development Office.

**Council of Voluntary Organisations for Child Emigration (CVOCE):** A conglomeration of emigration societies established in 1951. Members included the Australian Catholic Immigration Committee, Barnardo’s, the Catholic Child Welfare Council, the Church of Scotland Committee on Social Service, and Fairbridge.

**Dominions Office (DO):** The Dominions Office was set up in 1925, and it was responsible for conducting the UK’s diplomatic relations with, amongst others, Canada, the Commonwealth of Australia, New Zealand, and the Republic of Zimbabwe (formerly Southern Rhodesia). In 1947 it was re-named the Commonwealth Relations Office (CRO).

**Family Restoration Fund (FRF):** The FRF is intended to enable former child migrants to reunite with their families by providing financial support to travel to meet family, and be involved in any significant family events. It is funded by the UK Department of Health & Social Care, and managed by the Child Migrants Trust.

**Federal Catholic Immigration Committee (FCIC):** A national Australian body created in 1947 to co-ordinate Catholic immigration across the whole of Australia under the authority of the Episcopal Conference of Australian Catholic Bishops. The Catholic Episcopal Migration and Welfare Association (CEMWA) was subsumed under FCIC.

**Independent Inquiry into Child Sexual Abuse (IICSA):** The independent inquiry for England and Wales established in 2015 to consider the extent to which State and non-State institutions have failed in their duty of care to protect children from sexual abuse and exploitation. IICSA published its interim report on child migration in 2018, and its final report in 2022.

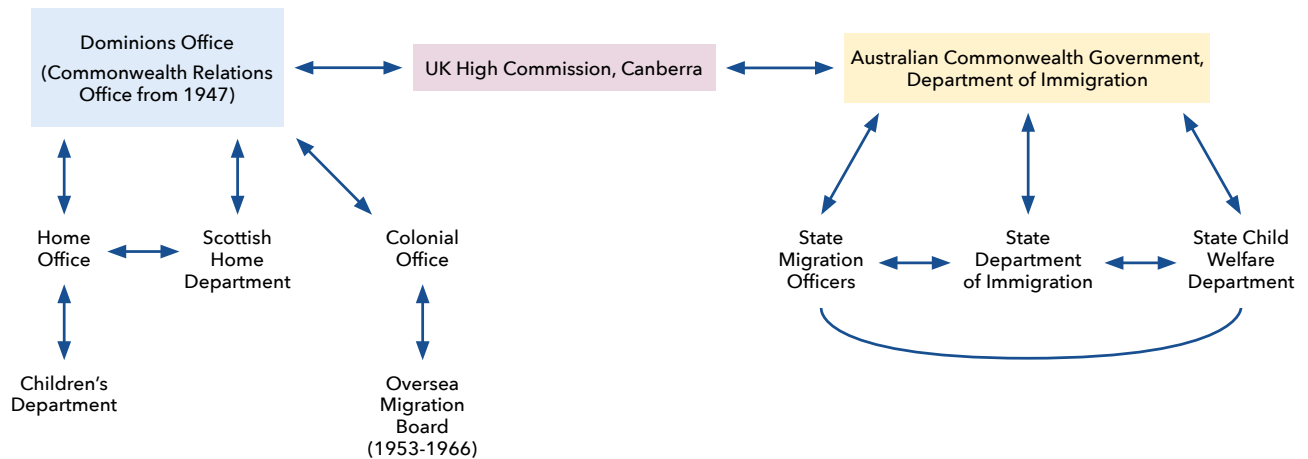
**LEM3 Form:** An official form to be completed by sending organisations in conjunction with the parent or guardian of the prospective migrant, authorising the child’s migration to Australia.

**Royal Scottish Society for the Prevention of Cruelty to Children (RSSPCC):** A child protection organisation formally founded in 1889. The Society employed inspectors who investigated allegations of neglect or abuse, and took action in relevant cases. It was granted its royal charter in 1922. In 1995, it changed its name to Children 1st.

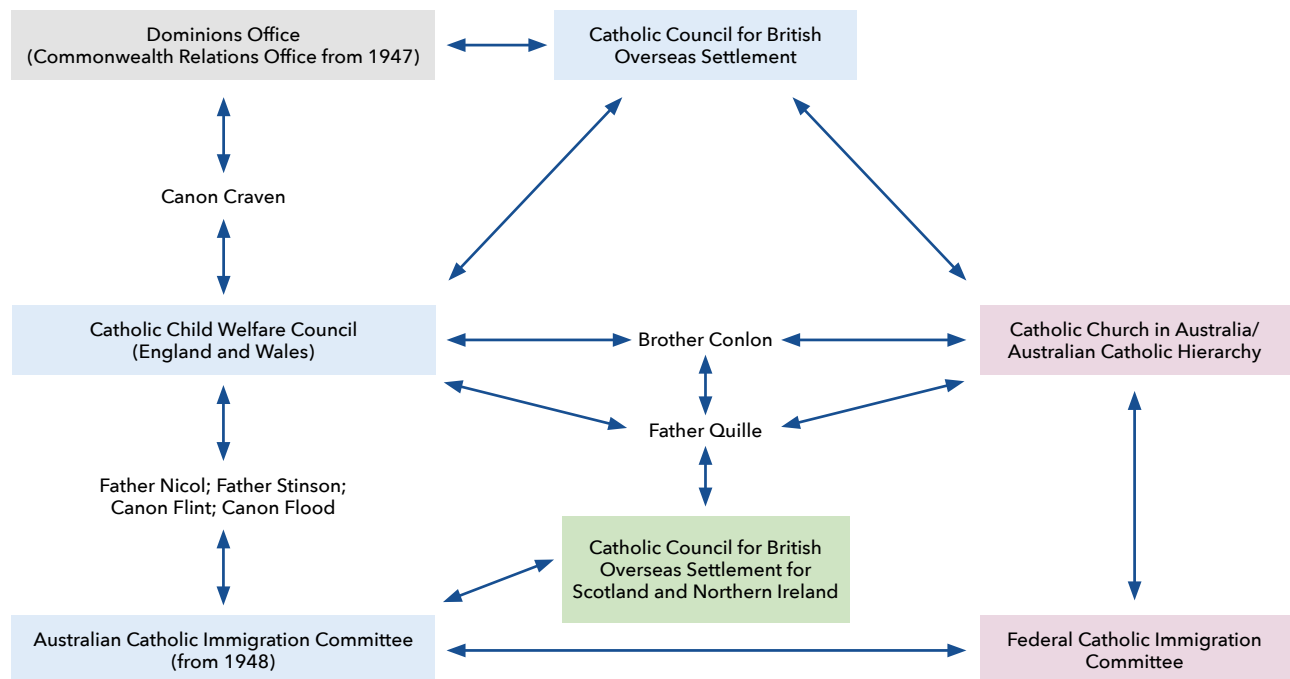
**Tuart Place:** An Australian organisation set up in 2012 by Forgotten Australians Coming Together Inc. (FACT). It provides counselling and support services to adults who were in out-of-home care during their childhoods.

# Organisational charts

## UK Government departments and links with Australia post-1945



## Catholic organisations and key individuals involved in child migration post-1945



## Key individuals

Table 1: Government officials and other key individuals referred to in this Volume

Country	Affiliation	Name	Role
UK	Home Office	John Ross	Under-Secretary, Children's Department
	Scottish Home Department	Helen Harrison	Inspector
		Sir Charles Craik Cunningham	Secretary (1948-57)
	Dominions Office/ Commonwealth Relations Office	C. Costley-White	Head of Political Affairs (1950-54) Head of Communications (1954-65)
	Clyde Committee	James Clyde	Chair of the committee
	Curtis Committee	Myra Curtis	Chair of the committee
	Local Government Board	Andrew Doyle	Poor Law Inspector
	Ministry of Labour	Margaret Bondfield	Parliamentary Secretary
	Kent County Council	John Moss	Welfare Officer
	Women's Voluntary Society	Muriel Welsford	Representative
Australia	UK High Commissioner's Office	Sir Ronald Cross	High Commissioner (1941-45)
		Walter Garnett	Secretary (1943-49) Deputy High Commissioner (1949-51)
		K.R. Crook	Official
		Anthony Rouse	Official
	Australian Department of Immigration	Reuben Wheeler	Assistant Secretary; Chief Migration Officer
		Tasman Heyes	Secretary
	University of Sydney	Caroline Kelly	Member of the Department of Anthropology
Canada	Immigration Branch, Department of the Interior	George Bogue Smart	Chief Inspector of British Immigrant Children and Receiving Homes
	Toronto School Board <i>and</i> League of Nations	Adelaide Plumptre	Chair of Toronto School Board; Officer for League of Nations
	Provincial Government of British Columbia	Isobel Harvey	Superintendent of Neglected Children

**Table 2: Organisational officials referred to in this volume**

<b>Organisation</b>	<b>Name</b>	<b>Role</b>
<b>Fairbridge</b>	Kingsley Fairbridge	Founder
	Sir Charles Hambro	Chairman, Fairbridge UK (1936-56)
	Gordon Green	Secretary, Fairbridge UK (1936-50)
	W.R. Vaughan	Secretary, Fairbridge UK (1950-64)
	E.M. Carbery	Psychiatric social worker, Fairbridge UK
	Harry Logan	Principal, Prince of Wales Farm School (c.1935-45)
	W.J. Garnett	Principal, Prince of Wales Farm School (1945-c.1950)
	Dallas Paterson	Principal, Pinjarra (1936-37)
	Lucy Cole-Hamilton	Member of staff, Pinjarra (1934-45)
	J.N. Cox	Member of the Advisory Board
<b>Northcote</b>	Lady Northcote	Benefactor
	Tempe Woods	Member of staff
<b>Barnardo's</b>	Thomas Barnardo	Founder
	P.T. Kirkpatrick	General Superintendent, Barnardo's Homes, UK
	T.F. Tucker	Assistant General Superintendent, Barnardo's Homes, UK
	Tom Price	General Manager, Barnardos Australia
<b>Catholic Church</b>	Brother P.A. Conlon	Christian Brother
	Father W.A. Nicol	Secretary, ACIC
	Father Cyril Stinson	Secretary, ACIC
	Father Patrick Quille	Secretary, CCBOS S&NI
	Norah Menaldo	Administrator, CCBOS S&NI
<b>Quarriers</b>	William Quarrier	Founder
	Claude Winters	Superintendent, Fairknowe, Canada (1915-38)
	Hector Munro	Superintendent, Bridge of Weir (1939-63)
	Romanes Davidson	General Director, Bridge of Weir (1956-74)
<b>Church of Scotland</b>	Reverend Lewis Cameron	Director, CSCSS
<b>Presbyterian Church in Victoria</b>	Reverend Andrew Boag	Representative
<b>Cossar's Farm</b>	George Carter Cossar	Founder

<b>Organisation</b>	<b>Name</b>	<b>Role</b>
<b>Whinwell Children's Home, Stirling</b>	Annie Croall	Founder
<b>Emma Stirling's Homes</b>	Emma Stirling	Founder
<b>Individuals</b>	Annie MacPherson	Founder of the Home Children scheme
	Maria Rye	Founder of the Female Middle Class migration Society

# Preface

## The Scottish Child Abuse Inquiry (“SCAI”)

SCAI’s Terms of Reference (“ToR”) require it to “investigate the nature and extent of abuse of children in care in Scotland” during the period from within living memory to 17 December 2014 and to create a national public record and commentary on abuse of children in care in Scotland during that period.

The ToR also require SCAI to consider the extent to which institutions and bodies with legal responsibility for the care of children failed in their duty to protect those children whose care was arranged in Scotland from abuse—regardless of where that abuse occurred—and, in particular, to identify any systemic failures in fulfilling that duty. Therefore, the ToR require me to include the practice of, and systems for, child migration in the Inquiry’s investigations. Accordingly, this report concerns the practice of migrating children from Scotland to locations thousands of miles away, a practice that dates back to the 19th century and continued well into the second half of the 20th century.

The requirement is to investigate sexual, physical, psychological, and emotional abuse and, at my discretion, other types of abuse including unacceptable practices (such as deprivation of contact with siblings) and neglect. There is also a requirement to make findings about the impact of abuse, and recommendations for the effective protection of children in care now and in the future.

A copy of SCAI’s ToR is at [Appendix A](#).

## Public hearings

In common with other public inquiries, the work of SCAI includes public hearings. They take place after detailed investigations, research, analysis, and preparation have been completed by SCAI counsel and SCAI staff. That stage can take a long time. The public hearings of SCAI include—importantly—the taking of oral evidence from individuals about their experiences as children in care and the reading of a selection of evidence from some of their written statements. The evidence also includes accounts of the impact of their having been abused as children in care.

The hearings for the child migration case study were interrupted by the COVID-19 pandemic. Due to the nature of the case study, some evidence was taken via video-link to enable the Inquiry to hear evidence from applicants resident outside of the UK.

I am aware that children were abused in a substantial number of institutions in Scotland and were the subjects of migration programmes that involved an outcome of abuse. It is not realistic to present every institution and instance of abuse at a public hearing; were SCAI to do so, an Inquiry, which will of necessity be lengthy, would be unduly prolonged. Accordingly, with the assistance of SCAI counsel, I will continue to identify particular institutions and matters that are representative of the issues being explored by SCAI and thus appropriate for presentation at a public hearing in “case studies.”

## Section 21 Responses

Under section 21 of the Inquiries Act, 2005, as Chair of this Inquiry, I have the power to require persons to provide evidence to SCAI. Organisations and institutions targeted by SCAI as part of its investigations have been issued with various section 21 notices requiring them to respond in writing to questions posed by the SCAI team. Information about institutional responses to the Inquiry can be found in [Appendix E](#).

## Private sessions

Applicant is the term SCAI uses for a person who tells SCAI that he or she was abused in circumstances that fall within the ToR, or for an individual who has given evidence on behalf of an individual who was abused under such circumstances.

Applicants can tell members of the SCAI team about their experiences as children in care and as child/juvenile migrants and any other relevant evidence at a 'private session'. They are supported throughout this process by SCAI's witness support team. After the private session, a statement is prepared covering those matters spoken about which are relevant to the ToR. The applicant is asked to check the statement carefully and to sign it if they are satisfied that it accurately records their evidence, but only if and when they feel ready to do so.

## Identifying and engaging with Scottish child migrants

From an early stage of the Inquiry, child migration was an announced investigation and case study. Those with any relevant information to offer were asked to come forward to assist the Inquiry.

## Engagement with key organisations

In order to ensure that as many former child migrants as possible were aware of the work of SCAI, and to obtain their assistance, the Inquiry engaged with several organisations and individuals who support and advocate for former child migrants.

In Australia, the team began its engagement with the Child Migrants Trust (CMT) in December 2016. In March 2017, Tuart Place contacted SCAI regarding several individuals they were supporting, and engagement with them commenced in October that year. The Inquiry team had constructive and helpful engagement with the Royal Commission into Institutional Responses to Child Sexual Abuse in Australia, and the Care Leavers Australasia Network (CLAN).

In Canada, contact was made with Lori Oschefski, founder of the British Home Children Advocacy and Research Association, in March 2018, seeking assistance in relation to British Home Children in Canada. The Inquiry had discussions with Sandra Joyce, co-founder of the British Home Child Group International, in October 2018.

Contact was made with the Independent Inquiry into Child Sexual Abuse for England and Wales (IICSA).

Building on previous engagement with organisations supporting former child migrants, a targeted publicity campaign was undertaken.<sup>1</sup> As a result of these public calls for evidence, the Inquiry was approached directly by former child migrants from Scotland, and their descendants.

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1 See [Appendix J](#).



## Statement taking

Statements from former child migrants and their family members were taken at private sessions held in Scotland, Australia, the USA, and Canada.

In Australia, members of the Inquiry's statement taking and witness support teams attended various locations in Tasmania, Western Australia, Victoria, Queensland, and New South Wales during two weeks in September 2018, and two weeks in March 2019. Private sessions were held and statements were taken from a total of 40 former child migrants—23 during the first visit, and 17 during the second.<sup>2</sup>

Both the Child Migrants Trust and Tuart Place provided invaluable assistance to the Inquiry. They facilitated the Inquiry's contact with applicants, provided additional support to them, and made their premises available for some of the private sessions.

A team from the Inquiry visited the USA in June 2017 and Canada in May 2019 to hold private sessions with three former child migrants who, through these sessions, provided statements.<sup>3</sup>

## This case study

The practice of migrating children without their parents, and often without the parents' or the child's consent, to distant and unfamiliar places, was abusive. I have already made that clear in Volume 1, and the findings I have made there are reinforced by the findings in this volume.<sup>4</sup> Many of the children migrated had been abused when in the care of institutions in Scotland. Many were also

abused in the institutions and families to which they were sent to in Australia, Canada, New Zealand, and the Republic of Zimbabwe (formerly Southern Rhodesia) and some were abused en route to their destinations.

For all those who were migrated, the risk of being abused at their destinations was high.

The scope and purpose of this case study was to consider evidence about:

- The migration of children from Scotland, primarily to Canada and Australia,
- The nature and extent of any relevant abuse,
- The systems, policies, and procedures relevant to child migration,
- The impact on individuals of being migrated as children, and
- Any related matters.

Under SCAI's ToR, the term 'child' means a person under the age of 18. However, in this case study, it is important to note the ages at which the law permitted children to leave school. The minimum school leaving age in 1883 was 14 years, by 1947, it was 15 years and by 1972, it was 16 years. Those over the minimum school-leaving age were classed as 'juvenile' migrants rather than 'child' migrants. As the history and practices of child and juvenile migration schemes are intertwined, with the same organisations managing child and juvenile migration schemes, juvenile migration schemes were covered in our investigations and there is some consideration of the juvenile schemes in this Volume. A detailed history of juvenile

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2 Whilst in Australia, the Inquiry's teams held private sessions and took statements from several other applicants in connection to other case studies.

3 Whilst in Canada, the Inquiry's team held a private session and took a statement from an applicant in connection to another case study.

4 Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#): Child Migrants' Experiences. Children sent overseas as part of child migration programmes between the late 1880s and the early 1970s, (March 2023).

migration schemes is provided in the report commissioned by the Inquiry and prepared by Professors Constantine, Harper, and Lynch.<sup>5</sup> For convenience, the term ‘child migration’ is often used in this volume to refer to the migration of both children and juveniles.

My findings are set out in two volumes. Volume 1—published in March 2023—covers, in detail, the histories of former child migrants who provided evidence to SCAI, or whose family members provided evidence.<sup>6</sup> Volume 2 considers the history, policy, and practices of child migration, with a focus on the Scottish context and the responses of organisations involved in child migration schemes.

Where applicants have waived anonymity, I have normally used their real names. Otherwise, in accordance with my General Restriction Order, they are referred to by their chosen pseudonyms.

I have found a number of persons to have abused children, as set out in this Volume and in Volume 1. I understand them to be deceased and have, accordingly, named them.

## Evidence

Volume 1 considers in detail the evidence of former child migrants. It presents a comprehensive account of what, on the evidence, I found to have been the

experiences of many who were migrated as children. This is to, amongst other things, ensure that their voices are now heard.

This volume considers the history of child migration, and the responses of various organisations to questions about their involvement in child migration schemes. It draws heavily on the expert evidence of Professors Constantine, Harper, and Lynch.<sup>7</sup> Reference is also made to some parts of the evidence of individual witnesses where I have found them to be particularly illustrative. They are, however, of necessity, a limited selection. The fact that a particular piece of evidence is not expressly referred to or discussed does not mean that it has not been accepted or that it has not helped to build the overall picture of the history of child migration and the systems and policies under which it was operated.

In making these findings, I have applied the standard of proof explained in my decision of 30 January 2018, namely that:

“when determining what facts have been established in the course of this Inquiry, it is appropriate that I do so by reference to the civil standard of proof, namely balance of probabilities. I will not, however, consider myself constrained from making findings about, for example, what may possibly have happened or about the strength of particular evidence, where I consider it would be helpful to do so.”<sup>8</sup>

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5 Stephen Constantine, Marjory Harper, and Gordon Lynch, *Child Abuse and Scottish Children sent Overseas through Child Migration Schemes*, Report for the Scottish Child Abuse Inquiry (January 2022).

6 See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#).

7 Constantine *et al.*, [Transcript, day 186](#): Professor Stephen Constantine, at TRN-5-000000017; [Transcript, day 187](#): Professor Stephen Constantine, at TRN-5-000000018; [Transcript, day 188](#): Professor Stephen Constantine, at TRN-5-000000019; [Transcript, day 189](#): Professor Stephen Constantine, at TRN-5-000000020; [Transcript, day 192](#): Professor Stephen Constantine, at TRN-5-000000023; [Transcript, day 185](#): Professor Marjory-Ann Denoon Harper, at TRN-5-000000016; [Transcript, day 190](#): Professor Gordon Lynch, at TRN-5-000000021; [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-000000022; [Transcript, day 197](#): Professor Gordon Lynch, at TRN-5-000000030.

8 [Standard of Proof - Lady Smith's Decision](#).

For the avoidance of doubt, I have not applied the higher criminal standard of proof in making these findings, namely proof beyond reasonable doubt.

All oral evidence was given on oath or under affirmation. Where the evidence relied on is drawn from a written statement produced by the Inquiry, the statement has been signed by the witness after having been reviewed by them and they having confirmed it as a true account.

### Leave to appear

Leave to appear was granted to the following in relation to this case study, in whole or in part:

- Barnardo's
- Quarriers
- Bishops' Conference of Scotland (BCS)
- Catholic Bishops' Conference of England and Wales (CBCEW)
- The Sisters of Nazareth
- The Christian Brothers
- The Good Shepherd Sisters
- The Church of Scotland Social Care Council (operating as "CrossReach")
- The Royal Over-Seas League (ROSL)
- The Aberlour Care Trust (LTA applied for and granted for one day only in respect of SallyAnn Kelly's evidence)
- Former Boys and Girls Abused at Quarriers
- In Care Abuse Survivors (INCAS)
- Police Scotland
- The Lord Advocate
- Her Majesty's Government (UKG)<sup>9</sup>
- Scottish Ministers (SG)

### Notice of draft of findings

Organisations received notice of relevant findings in draft form and were afforded a reasonable time to respond. I carefully considered their responses before finalising my findings.

### Numbers

The former child migrants who have provided evidence to SCAI in relation to their experiences in Canada or Australia do not represent every person who has made a complaint over the years relating to their experiences as child migrants. It must also be appreciated that many former migrants have described not only what happened to them, but also the treatment they witnessed being afforded to other children. Appendix B and C set out and analysis of:

- Evidence recovered by SCAI on the numbers of Scottish children, or children resident in Scotland, who were migrated overseas; and
- LEM3 forms available for Scottish children, or children resident in Scotland, migrated to Australia.<sup>10</sup>

The evidence of any child migrant and other witnesses who might come forward since the evidential hearings will be carefully considered by SCAI as part of a continuing process.

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<sup>9</sup> At the time Leave to Appear was granted, the UK Government was called Her Majesty's Government.

<sup>10</sup> See [Appendix C](#) for further details on the LEM3 forms recovered by SCAI.

## Executive Summary

The child migration system was abusive and it resulted in many children being abused. Much needed—but conspicuous by its absence—was the adoption of a universal policy or principle that the decision to emigrate a child, regardless of their care status, should depend on a considered and responsible view that migration would be in the child’s own interests, in his or her particular circumstances, to do so.<sup>11</sup> Abuse began at the outset, unacceptable practices being inherent in the systems and procedures applied at the stages of selecting children and making arrangements for their migration. It continued in receiving countries and institutions, where children were exposed to harsh and neglectful conditions, used as slave labour, and were physically, emotionally, and sexually abused by individuals who owed them a duty of care.

Although decades have passed since the last shipload of child migrants left our shores, and although apologies have been made, families reunited, and public inquiries conducted in other jurisdictions to examine what happened to their children, it is important to listen to and understand what happened to *all* child migrants, including those from Scotland.

As one applicant observed: “World history shows that abuse such as I suffered is going to happen.”<sup>12</sup> But if children are to be protected from abusive systems like child migration in the future, we must diligently seek to understand how the systems and

practices involved in this country’s migration of its children failed them. My findings in this Volume and Volume 1 can be summarised as follows:

- For many years, children were banished from the UK as child migrants. They have borne the scars during adulthood and those still alive continue to do so.
- Over 100,000 children were migrated over a century, from the 1860s onward. It is not possible to say how many of them originated in Scotland, but probably over 8,000 children had been sent from Scotland to Canada by the 1920s and some were sent thereafter. Over 370 children were sent to Australia from Scotland over significant periods both pre- and post-Second World War.
- Systemic failures and unacceptable practices were inherent in migration practices and they amounted to abuse. They included:
  - Permanent removal from Scotland with little or no regard to the removal of children to the care of strangers in foreign countries, to foreign cultures, foreign climates, and foreign environments;
  - Children not being appropriately prepared for transition to foreign countries, foreign cultures, foreign climates, and foreign environments, all of which were markedly different from Scotland, and of which they had no prior experience;

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11 TNA, DO35/4879, Inter Departmental Committee on Migration Policy Report, 19 October 1954, at LEG.001.004.6252.

12 See [Transcript, day 181](#): Read-in statement of “Gregs”, at TRN-5-000000012, p.147.

- Permanent removal from family left behind in Scotland;
- Sibling separation;
- Children's names being changed without their or their family's consent
- Young children being included in the migration programme;
- Children, families, and care providers being misinformed about what was proposed;
- Consents to migration being invalid;
- Little or no accurate information being given to children or their parents about their destinations;
- Flawed pre-migration medical examinations and failures to pass children's medical records to an appropriate repository abroad;
- Failures to pass non-medical records (e.g. birth certificates, details of family members, and children's residence in an institution in the UK), to an appropriate repository abroad;
- Disruption of education;
- Children not being emotionally supported in advance of departure;
- No or inadequate pre-migration checks of institutions to which children were sent;
- No practice of enquiring into whether, on the basis of reliable evidence, it was likely to be better for the individual child to be migrated than to remain.
- In at least one instance, the organisation responsible for both sending and receiving children was motivated by a perceived need to make up numbers, failing which it was at risk of repaying a substantial grant.
- By operating an "open door" policy in the UK some voluntary organisations put themselves under pressure to send children away, as migrants, to make space for the admission of new children to their institutions at home.
- Pressure came from receiving countries such as Australia, which badly wanted to increase its population with white "stock".
- As it was thought it would be cheaper to care for child migrants in the receiving countries than in the UK, cost-saving was an influential factor in decisions to migrate children in care.
- System failures at home and abroad exposed child migrants to a real risk of suffering a wide range of abuses in receiving homes and institutions.
- Many child migrants were abused at the institutions in which they were placed, as were other children; some were abused from the moment of arrival.
- Child migrants had no one to turn to.
- Inspection systems in Canada and Australia were inadequate.
- The destinations of child migrants and juveniles were thousands of miles from Scotland, often isolated in remote locations; children's sense of displacement was exacerbated in cases where they were depersonalised on arrival by, for example, their already limited possessions being taken away from them; girls' long hair being shaved off; their names changed; and all links with family and homeland being severed.
- Some parents who followed their children abroad were not allowed to remove their children from institutional care.
- The interests of parents were regarded as unimportant, as were the consequences of such an attitude for children. At least one father was misled into agreeing to his children's migration on the basis that he would be assisted and allowed to follow them; he was not.

- Organisations who sent child migrants abroad failed to monitor what was happening to them at their destinations. They failed to ensure that the receiving institutions were, at the very least, adopting practices that were consistent with standards in the UK.
- Conditions were particularly harsh in some receiving institutions—bare, regimented, comfortless, and over-crowded.
- Bed-wetters were abused.
- Children were used as slave labour, including for building works and farming.
- Children were required to do heavy chores.
- At their destinations, children were physically abused; they were sexually abused; they were emotionally abused; they were subjected to unacceptable practices; and they were neglected.
- Examples of the physical abuse suffered included brutal beatings on heads and bodies with belts, straps, and other implements, such as reinforced straps and canes, pieces of timber, fists, and feet. Some of it was sadistic.
- Children were sexually abused, including by men in holy orders, some being abused in the most appalling and harmful manner.
- Children were sexually abused by members of a paedophile ring.
- Girls had to assist in caring for the elderly, including elderly men suffering from senile dementia. They had to wash their soiled sheets and they had to prepare dead bodies for burial.
- Children were denigrated, insulted, humiliated, and kept in a state of fear.
- Children were neglected. Their clothing was inadequate. They went barefoot even in winter, when they learnt to walk in fresh cow dung to warm their feet. Some had to sleep on verandas even in cold weather. The food was inadequate. They had no, or limited, access to health care. The education afforded to many of them was lamentable.
- On leaving institutional care, children were ill-prepared for adult life; for many there was little or no follow up or aftercare. They lacked the skills to cope in an outside world where, as former child migrants, they were treated as outcasts and pariahs.
- Abuse caused many former child migrants to suffer long-term psychological damage, and their lack of a proper education left them with a long-term disadvantage in the labour market.
- Whilst some children settled in the country to which they were migrated and established successful adult lives, even they remained scarred. Memories of abuse continue to haunt them and childhood severance from their roots in Scotland still hurts.
- Some surviving child migrants have now found and met family members.

Apologies articulated by the Prime Ministers of Australia and Great Britain were generally well received. A redress scheme has now been established by the UK government; it has been mostly well received.

# Introduction

## Overview

The practice of child migration from the UK has a long history. It can be traced as far back as the early 1600s, when “vagrant boys and girls”, for whom work could not be found in Britain, were indentured to the American colonies, where there was a labour shortage.<sup>13</sup> This practice became well established in the 1860s, when philanthropists began to endorse child migration as a cost-effective way to offer “waifs and strays” better prospects overseas.<sup>14</sup> Between 1860 and 1960, over 100,000 British children were shipped to overseas dominions of the British Empire.<sup>15</sup> Some estimates are higher, at over 150,000.<sup>16</sup> Insufficient record keeping practices and other factors means that the true figure will never be known.

The primary focus of child migration was on children in need and “children deprived of a normal home life”. For some of those directly involved in migration, the practice was seen as offering such children the prospect of a better life. But there were also other reasons. The political and social climate of the 19<sup>th</sup> and 20<sup>th</sup> centuries was an important context for child migration. The British Empire and Commonwealth was, at its height, a dominating political and

cultural force, comprising one-quarter of the world’s land surface. Migration had the potential to consolidate the British Empire and Commonwealth by sending “[g]ood British stock” to populate the colonies.<sup>17</sup> Some of the early proponents of child migration were well-intentioned philanthropists and agencies who believed that they were rescuing children from dire circumstances. Religious organisations, particularly after the Second World War, developed their own child migration schemes, partly in order to ensure the propagation of their particular denomination overseas. Some children who were migrated were not in care, but were sent abroad because families thought that migration overseas would give children the prospect of a better life. In their report to SCAI, Constantine, Harper, and Lynch invoked Samuel Johnson’s proverb that “the road to Hell is paved with good intentions”.<sup>18</sup> But, as they added, “good intentions do not excuse bad practice.”<sup>19</sup>

In contrast to England and Wales, evidence suggests that Poor Law institutions and, later, local authorities in Scotland did not play a significant role in the migration of children.<sup>20</sup> Instead, the main contributions to child migration programmes in Scotland were made by voluntary organisations.

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13 Constantine *et al.*, paragraph 3.1.

14 [Transcript, day 186](#): Professor Stephen Constantine, at TRN-5-000000017, pp.38-39; Barnardo’s, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.12.

15 Constantine *et al.*, paragraph 1.1.

16 Roger Kershaw, [TNA Podcast: Child emigration to Canada](#), 9 January 2009.

17 [Transcript, day 186](#): Professor Stephen Constantine, at TRN-5-000000017, p.84.

18 Constantine *et al.*, paragraph 34.1.

19 Constantine *et al.*, paragraph 34.4.

20 [Transcript, day 186](#): Professor Stephen Constantine, at TRN-5-000000017, pp.58-60; Constantine *et al.*, paragraph 3.4.

Regardless of motivation, migration exposed vulnerable children and young people to abuse and exploitation. For many, the promise of a better life in a land of opportunity was an illusion. Children became commodities. They lost their identities, and lost their family connections. Legal obligations that existed between parents and their children were overridden. The irony here is that, towards the end of the 19<sup>th</sup> century, when thousands of children were being sent overseas, legislation to prevent cruelty to children was introduced in the UK.<sup>21</sup>

### Contemporaneous criticisms

It is important to recognise that child migration as a childcare practice was simultaneously criticised and pursued.<sup>22</sup> For example, in his 1875 report into child migration to Canada, Andrew Doyle—a senior inspector for the Local Government Board in England and Wales—concluded that he was “very certain that ‘great abuses’ do ‘ensue’” from migration, due in no small measure to the lack of proper supervision after children had been distributed to different destinations.<sup>23</sup> Many vulnerable children suffered harsh treatment and different forms of abuse because of the absence or inadequacy of systems that should have existed to protect them. These failures persisted throughout the history of child migration. It is evident that the UK Government, overseas governments, and sending organisations actively promoted child migration schemes, even when the dangers were clearly laid out.

### Role of UK Government

The practice of child migration was actively supported by the UK Government. While earlier legislation, such as the 1601 Poor Law Act, laid the foundations for the transportation of children to the then colonies of the British Empire, legislation that began with the enactment of the Reformatory and Industrial Schools Act, 1891, actively endorsed child migration as a childcare practice. Then, in 1922, the Empire Settlement Act introduced state funding for child migration programmes. The 1922 Act, which provided for the state to make contributions for “facilitating settlement in or migration to any part of His Majesty’s Oversea Dominions by assistance with passages, initial allowances, training or otherwise”, was intended to subsidise adult migration to assist with post-First World War employment problems, and meet a demand for “[g]ood British stock” in the Dominions.<sup>24</sup> It was never the intention of this Act to subsidise child migration, but it nonetheless gave the Secretary of State the power to approve child migration schemes proposed by voluntary societies and other sending organisations, and to offer them public funding to subsidise child migration.<sup>25</sup> From then on, voluntary organisations, who had previously relied on donations and philanthropy to migrate children to the Dominions, could rely on the state for financial support in relation to the cost of passages and outfitting, effectively creating “state subsidised...philanthropic

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21 For example, Prevention of Cruelty to, and Protection of, Children Act, 1889.

22 Constantine *et al.*, paragraph 7.1.

23 HC/9, *Pauper Children (Canada): a Report to the Right Honourable the President of the Local Government Board, by Andrew Doyle, Esquire, Local Government Inspector, as to the Emigration of Pauper Children to Canada* [Doyle Report], 8 February 1875, at INQ-000000006, p.22 and p.30. The Report is discussed in greater detail later in this volume.

24 Empire Settlement Act, 1922, Section 1, at LEG.001.001.1300.

25 Report of the Historical Institutional Abuse Inquiry [HIA Inquiry], *Volume 2: Child Migrant Programme (Australia)* (2017), paragraph 23, p.13.



operations.”<sup>26</sup> The Empire Settlement Act, later renamed the Commonwealth Settlement Act, was renewed periodically until 1972. Child migration was not formally written out of legislation in Scotland until 1995.

## The Child Migrants Trust and Tuart Place

For many years, public knowledge of child migration faded along with its decline. But “surviving child migrants did not forget.”<sup>27</sup> Their searches to find their roots and to understand the reasons why they were chosen to be sent far away from their homeland—a selection that, for many, resulted in hardship and danger—prompted the development of a new focus on the practice.<sup>28</sup> An important pioneer in raising public awareness of child migration was Dr Margaret Humphreys, who went on to form the Child Migrants Trust (CMT) in 1987. An article she published in the 1980s about adoption and identity prompted this response in 1986 from a former child migrant in Australia:

“It’s all right looking at people who have been adopted and have got permanency in their life, but what about me? I was brought on a boat with lots of children from Nottingham...I don’t know my name, I don’t have a birth certificate.”<sup>29</sup>

This plea captured the sense of loss suffered by child migrants, and inspired Margaret Humphreys to engage in helping former child migrants on voyages of discovery

as to who they were; a journey, that for some, resulted in family reunions. Among the many awards Margaret Humphreys received, of particular note is the Order of Australia medal, awarded for her services to humanity and child migrants.<sup>30</sup> In 2011, following the UK national apology in 2010, she was honoured by being awarded the title of Commander of the Order of the British Empire (CBE) in recognition of her work for child migrants. As highlighted in Volume 1, many former child migrants who gave evidence to this Inquiry commented on the support they received from Margaret Humphreys and the CMT. “Stuart” believed that “Margaret Humphreys should be knighted and given \$1 billion for what she’s done. She’s still there. She isn’t one of those that comes in and leaves. She’s still going.”<sup>31</sup>

Also highlighted in Volume 1 were the positive experiences of many former child migrants regarding the support they received from Tuart Place and Dr Philippa White, director of Tuart Place since 2012. Tuart Place was established in Western Australia in 2010 as a resource service for former care leavers including former child migrants.<sup>32</sup>

Without the dedication and tenacity of these individuals and organisations, many former child migrants would have had nowhere to turn for support. It is a “lamentable fact” that it has taken several inquiries and the ongoing efforts of organisations like the CMT and Tuart Place to promote public interest and to create a situation where “we know more today than

26 TNA, DO35/6379, First Annual Report of the Oversea Migration Board, July 1954, at LEG.001.005.5609; [Transcript, day 186](#): Professor Stephen Constantine, at TRN-5-000000017, p.87.

27 [Transcript, day 186](#): Professor Stephen Constantine, at TRN-5-000000017, p.46; Constantine *et al.*, paragraph 1.4.

28 Constantine *et al.*, paragraph 1.4.

29 [Transcript, day 182](#): Dr Margaret Humphreys, at TRN-5-000000013, p.47-48.

30 [Transcript, day 182](#): Dr Margaret Humphreys, at TRN-5-000000013, p.49.

31 [Transcript, day 182](#): Read-in statement of “Stuart”, at TRN-5-000000013, p.206.

32 [Transcript, day 182](#): Dr Margaret Humphreys, at TRN-5-000000013, p.5.

was known at the time about the experiences of child migrants and the legacy of life of what many had endured.<sup>33</sup> What children had to endure should have been more widely known at the time. Actions to protect children should have been prompted.

The migration of children from the UK is now rightly regarded as a shameful chapter in history. Migration was itself abusive, and it resulted in many children being abused physically, emotionally, and sexually at their destinations. It also resulted in them being neglected. Many former child migrants still bear the scars today.

### **This volume**

Volume 1, which details the experiences of some Scottish children who were migrated overseas, contains my findings about the nature and extent of their traumatic experiences.<sup>34</sup>

This volume will consider the conditions, both societal and political, that allowed the practice of child migration to emerge and develop in the UK from the late 1800s to the early 1970s.

Given SCAI's ToR, the focus of this volume is on Scottish children, or children whose care was arranged in Scotland, who were migrated overseas. It should be noted that, as Constantine, Harper, and Lynch observed, the task of identifying those children is difficult for several reasons.<sup>35</sup> Child migration was a UK-wide policy and children sent overseas were documented as British children, rather than as Scottish, English, Irish, or Welsh, specifically. Also, prior to migration, some Scottish children were placed in care in other parts of the UK,

because some organisations running child migration schemes had access to residential homes in other parts of the UK. Children from other parts of the UK had also been placed in (or transferred to) care institutions in Scotland prior to migration, as when the Sisters of Nazareth transferred children from their home in Carlisle to Aberdeen.

Another complication in identifying Scottish children who were migrated is the intertwining of the history of child migration and juvenile migration. The same organisations managed child migration and juvenile migration schemes, further complicating the identification of child migrants.<sup>36</sup>

### **Organisation of this volume**

There are two distinct parts to this Volume. The first part of the Volume considers the history of child migration through a broad lens, assessing the history and practice of child migration from a UK—and specifically Scottish—perspective. It focuses on the overall development and decline of child migration, and the governmental policies that encouraged it and the effect these had in practice.

The second part considers individual organisations that migrated Scottish children (or children who were resident in Scotland). These institutional histories will feature in (broadly) chronological order:

- Quarriers, which was responsible for sending the majority of Scottish child migrants to Canada during the late 19<sup>th</sup> and early 20<sup>th</sup> centuries. Quarriers also migrated children to Australia. Some of these children were migrated under the auspices of the Church of Scotland in

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33 [Transcript, day 192](#): Professor Stephen Constantine, at TRN-5-000000023, p.153; Constantine *et al.*, paragraph 34.4.

34 Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#).

35 Constantine *et al.*, paragraph 10.1.

36 Constantine *et al.*, Appendix 1.

connection with the Presbyterian Church of Victoria in Australia.

- Barnardo's, which was responsible for sending children to Canada and Australia.
- Fairbridge, which was responsible for sending children to Canada and Australia.
- The Catholic Church, which was responsible for sending the majority of Scottish child migrants to Australia in the post-Second World War period. Children were selected from Sisters of Nazareth and Good Shepherd Sisters institutions in Scotland and sent to the Christian Brothers, Sisters of Nazareth, Sisters of Mercy, or Salesians of Don Bosco institutions in Australia.
- Scottish local authorities, who approved the migration of a few children in their care.

Throughout the institutional histories, interactions with UK Government officials and, in many cases, with Scottish Home Department officials, demonstrates government-level knowledge of improper practice on an individual institution basis. These concerns were not addressed, and some organisations known to be duplicitous were able to continue sending children overseas.

Within each organisation's history, the response to recent inquiries and redress schemes is considered, as are the organisational responses to the present Inquiry.

Due to the volume of information considered, key events and evidence are repeated throughout this set of findings to provide context to the reader.

# 1

## History of Child Migration: policy and legislation

Part 1 of the volume is divided into several historical periods, based on distinctive practices of child migration that differed over time. Broadly speaking, these periods are:

- **Pre-Empire Settlement Act (1922)** child migration, which was largely instigated and carried out by philanthropic individuals, and usually entailed sending children overseas—almost always to Canada—to be boarded out as farm workers or domestics.<sup>37</sup> Whilst there was some migration carried out by local authorities during this period, it was minimal as compared to the migration effected by the philanthropic movement.
- **The inter-war period**, which followed the implementation of the Empire Settlement Act, 1922 (“the 1922 Act”). The 1922 Act made government funding available to both local authorities and voluntary societies to carry out child migration programmes. It also enabled the UK Government to enter into funding agreements with overseas governments. In practice, this was usually with Australian state governments. During this period, new institutions were established for the reception of child migrants—mostly in Australia—marking a turning point from placing migrated children in farmsteads and households, to caring for children in institutional settings overseas. Meanwhile, child migration to Canada became more

strictly monitored, ultimately leading to the cessation of almost all child migration to Canada. The exception was the Fairbridge Society, which continued to migrate children to its farm school in British Columbia until 1948.

At the end of this period, the Australian Government began to support child migration more keenly. In preparation for the resumption of child migration schemes, the Australian Department of Immigration and the Ministry of Post-War Reconstruction commissioned Caroline Kelly—a member of the Department of Anthropology at the University of Sydney—to inspect several non-governmental agencies involved in child migration in January 1944. Concurrently, the Chief Migration Officer of the Department of the Interior, Reuben Wheeler, inspected several institutions that had been involved in child migration. Reuben Wheeler was accompanied by Walter Garnett, from the UK High Commission in Canberra. Both Kelly’s report and those by Wheeler and Garnett identified concerns.

- **The post-war period** saw the resumption of child migration, mostly to Australia. This happened despite concerns having been raised in the inter-war reports. It was also despite significant developments in child welfare policy in the UK advocating—amongst other

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37 In legal terms, there was a difference between child migration and juvenile migration. However, during the early philanthropic period of child migration this distinction was not applied or practiced. The early history thus does not distinguish between the two, and ‘child migration’ is used as shorthand for all children and juveniles migrated overseas by philanthropists or societies without their parents.

things—against the placement of children in large, impersonal institutions far away from their communities of origin. The Clyde and Curtis Reports on the provision of out-of-home care for children were both published in 1946. The Clyde Report concerned children in Scotland. Its Committee had been asked by the Secretary of State for Scotland to enquire into and advise on methods of providing for children “deprived of a normal life”. The Committee was clear that “large institution[s]” were “an outworn solution”.<sup>38</sup> The views of the Curtis Committee regarding large institutions reflected those expressed in the Clyde Report. There followed a distinct change in UK policy away from regarding institutional care as the solution, but it did not—as it should have—immediately bring about the prohibition or, at the very least, limitation of, the migration of children to large, isolated institutions overseas. The Clyde and Curtis Reports formed the bedrock of the Children Act, 1948, which included provisions that, had they been enacted, could have regulated child migration and offered greater protection to children. However, political sensitivities and tensions between the UK and Australian governments, between distinct departments within the UK Government, and between the UK Government and voluntary societies—who were still responsible for the vast majority of child migration—meant that appropriate provisions were never developed and enacted. Section 17 of the 1948 Act prevented the migration of children by local authorities without the consent of the Secretary of State but there was no parallel provision to prevent the migration of children by other organisations such as

voluntary societies who, as I have noted above, were responsible for the vast majority of Scottish children who were migrated.

During this period, further inspections and reports from Australia and Canada submitted to the UK Government told them that children were not being properly cared for overseas. The most significant of these was the report of the fact-finding mission on child migration to Australia, published in 1956. The fact-finding mission, chaired by John Ross—Under-Secretary of the Home Office Children’s Department—was critical of institutions receiving child migrants in Australia and confirmed that their practices were not aligned with the childcare standards expected in the UK after the Clyde and Curtis Reports. The Ross Report generated a lot of discussion, but no changes were implemented. Children continued to be migrated, and some were abused at their destinations.

- **The post-migration period**, which is marked by the rapid decline and ultimate cessation of child migration in the 1970s. This cessation was not Government-led, but rather based on changing attitudes towards childcare and migration. Somewhat belatedly, the Social Work (Scotland) Act, 1968, required the Secretary of State’s consent for children migrated by voluntary organisations, as had been the case for children committed by the court to the care of ‘fit persons’ since the Prevention of Cruelty of Children Act, 1894. Child migration as a childcare practice was formally abolished in Scotland by the Children (Scotland) Act, 1995. These legislative provisions were too late to prevent the damage that had

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38 [Cmd. 6911] SHD, Report of the Committee on Homeless Children [Clyde Report] (1946), paragraph 44, at LEG.001.001.1736.

already been caused to countless child migrants. Governments involved knew about the dangers child migration posed to children, but had not stopped it.

- **The modern period**, which marks the rise of governmental acknowledgements of the harm that historical child migration practices caused, and recognises their own inaction in the face of the facts. This final period includes inquiries in the UK and overseas, redress schemes, and apologies tendered by government officials. It also includes governmental responses to SCAI.

A broad-brush approach has been adopted in this division of periods: in some cases, reference is made to later or earlier developments where they are particularly relevant. Nonetheless, these periods frame a history of child migration that shows that, despite persistent governmental knowledge of the dangers of the practice and despite development of improved standards of childcare practice in the UK, child migration was actively pursued as a policy, and was only formally brought to an end long after the last child migrant had left Britain's shores.

## 1.1 Child and juvenile migration before the Empire Settlement Act

The practice of forced migration in England and Wales dates back to the Vagrancy Act, 1597, which “provided that ‘dangerous rogues’, including vagrants, should be banished overseas.”<sup>39</sup> The Poor Law, 1601, added further incentives: “all able-bodied men and women [could] be furnished with parish assistance *only after they were ‘unburdened’ of their children.*”<sup>40</sup> The law authorised the parish to indenture such children as a way of ‘unburdening’ parents. Many children as young as seven were thus indentured under the auspices of the parish.<sup>41</sup> While poor economic conditions in England made it difficult for churchwardens to indenture children locally, “the American colonies promised to fulfil both civic and spiritual obligations the churchwardens had to their parish communities and to the poor children they supervised.”<sup>42</sup> For parish leaders, America solved several problems in one fell swoop. The transportation of children to the colonies was publicly endorsed by 1616. Youth migration in England thus began in part as a solution to vagrancy and poverty that also helped to fulfil parish spiritual duties.

Before the Act of Union in 1707, Scottish Poor Law differed from the English Poor Law in that able-bodied paupers were not entitled to aid, and the majority of funds for poor relief were raised on a voluntary basis, usually through kirk sessions.<sup>43</sup> This often meant that relief, where it was offered, was insufficient. However, following the Act of Union, the history of child migration in Scotland became inseparable from the history of child migration in the rest of the UK.

### Scottish authority-approved migration to Canada

Although much of the history of child migration is shared between England and Scotland, there are some differences. The Poor Law Amendment (Scotland) Act, 1845, changed the administration of poor relief and approaches to helping the children of the poor.<sup>44</sup> It brought the institutions for the poor—previously run by the Church of Scotland—under national control, and established the Board of Supervision for the Relief of the Poor as “a central authority assigned to oversee implementation of the

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39 Barry M. Coldrey, “‘...a place to which idle vagrants may be sent’: The first phase of child migration during the 17<sup>th</sup> and 18<sup>th</sup> centuries”, *Children & Society* 13 (1999), p.33.

40 Sandra L. Dahlberg, “‘Doe not forget me’: Richard Frethorn, Indentured Servitude, and the English Poor Law of 1601”, *Early American Literature* 47(1) (2012), p.4. Emphasis added.

41 Indenture could last until age 24 for boys or 21 for girls.

42 Dahlberg, 2012, p.8.

43 Rosalind Mitchison, “The Making of the Old Scottish Poor Law,” *Past & Present* 63 (1974), pp.58-93. Mitchison notes that “there is nothing in the legal literature to explain why, how and when the Scottish poor law established the rule that the able-bodied were not entitled to relief,” but this was generally accepted if not prescribed, and functioned differently in different interpretations of the law. From the Restoration in 1660 onwards, Scots law did support the provision of work for able-bodied poor, bringing it more closely in line with English law, though this explicitly changed back to disallowing able-bodied paupers from claiming relief in the mid to late 18<sup>th</sup> century.

44 Kenneth McK. Norrie, *Legislative Background to the Treatment of Children and Young People Living Apart from Their Parents*, Report for the Scottish Child Abuse Inquiry, (2017), Part 1, Section A.

Act.”<sup>45</sup> The Board of Supervision was in place until 1894, when it was replaced by the Local Government Board for Scotland.<sup>46</sup>

Scottish poor law authorities (unlike English poor law authorities and voluntary organisations, explored below) were not keen to support the overseas migration of children in their care.<sup>47</sup> In the 49 annual reports issued by the Board of Supervision for the Relief of the Poor (covering 1845 to 1894), there is “[n]o reference to children in Poor Law care in Scotland being sent overseas”.<sup>48</sup> Indeed, in 1872, the Board’s Annual Report indicated that it would be illegal for a parish to pay to assist the emigration of pauper children in care, either to a foreign country or to a British colony.<sup>49</sup> Likewise, documents from 1912—by which time the Board of Supervision was replaced by the Local Government Board for Scotland—demonstrate that, when the Local Government Board for Scotland was approached by the Child Emigration Society (the forebear to Fairbridge), the Secretary of State for Scotland indicated that “Scottish Poor Law authorities ha[d] no power to emigrate children”.<sup>50</sup>

A similar picture emerges from local authority records. It was “very rare” for Scottish local authorities to promote the migration of children overseas as a childcare practice.<sup>51</sup> In 1913, the Children’s Committee of Edinburgh Parish Council unanimously agreed not to participate in the Salvation Army migration scheme.<sup>52</sup> Similarly, when the Salvation Army approached Highland Council about migration in 1914, no action was taken. When Highland Council was approached again a decade later, this time by the High Commissioner for Australia in connection with the “schemes for British boys for agricultural work in Australia”, it did not consider that anyone would take advantage of the scheme.<sup>53</sup> Nonetheless, in practice “pauper children [were] occasionally assisted to emigrate, the Parish Councils defraying the cost of their passage”.<sup>54</sup>

Although the Scottish local authorities were unlikely to migrate children to Canada or Australia under their own auspices, ‘philanthropic’ migration was pervasive throughout the 19<sup>th</sup> century and the early 20<sup>th</sup> century. During this time, Canada received over 100,000 children from the UK, including an estimated 8,000 from Scotland.<sup>55</sup>

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45 Helen J. MacDonald, “Boarding-Out and the Scottish Poor Law, 1845-1914,” *The Scottish Historical Review* 75 (200) (October 1996), p.197. The Board of Supervision was replaced by the Local Government Board for Scotland in 1894.

46 In 1919 the Scottish Board of Health took over responsibility for poor law administration from the Local Government Board for Scotland. Poor relief was rebranded public assistance by the Local Government (Scotland) Act, 1929, and responsibility for its administration transferred to county councils and large burghs. The Poor Law was abolished in 1948. See Constantine *et al.*, paragraph 3.3; and Norrie, 2017, Part 1, Section A.

47 See Part 2, [Chapter 2.5](#); Constantine *et al.*, paragraph 3.8.

48 Constantine *et al.*, paragraph 3.4.

49 HCPP, *Twenty-Seventh Annual Report of the Board of Supervision for the Relief of the Poor*, C.681, 1872, p.viii.

50 NRS, AF51/165, Correspondence between Secretary of State and the Child Emigration Society, at SGV.001.008.2930.

51 [Transcript, day 186](#): Professor Stephen Constantine, at TRN-5-000000017, pp.60-61.

52 Edinburgh City Council, Edinburgh Parish Council minutes, at EDI.001.001.8257-8258.

53 Highland Council, Response to section 21 notice, at HIC.001.001.0005.

54 NRS, AF51/165, Letter from Scottish Office to Secretary to the Child Emigration Society, 20 November 1912, at SGV.001.008.2932.

55 Independent Inquiry into Child Sexual Abuse [IICSA], *Child Migration Programmes: Investigation Report* (2018), paragraph 3; Constantine *et al.*, paragraph 16.1.



## Philanthropic migration to Canada

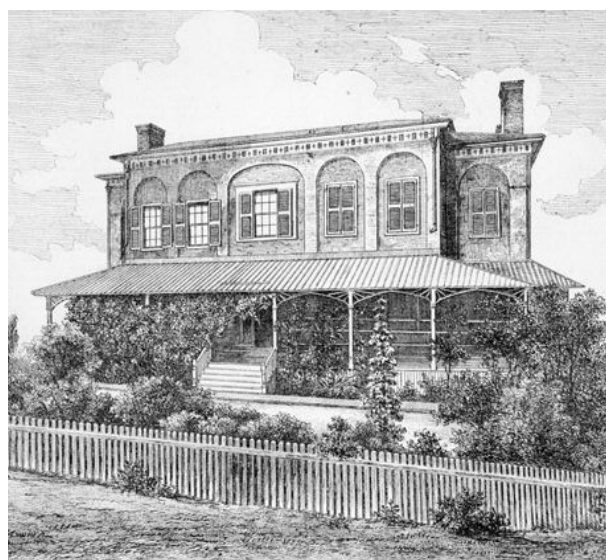
The initial objective behind the migration of children and young people in the 18<sup>th</sup> and 19<sup>th</sup> centuries was to remove from Britain 'delinquent' and convicted juveniles, who were generally accommodated in reformatories or prisons.<sup>56</sup> By the 1860s, the emphasis had "shifted from punishment to opportunity, when philanthropists, increasingly influenced by imperial rhetoric, argued that emigration was a physically and morally restorative remedy for poverty, unemployment and social deprivation."<sup>57</sup> Some of these philanthropists migrated Scottish children and juveniles—mostly to Canada—in the belief that overseas migration offered them better economic prospects than were available in the UK, "and sounder environments for their moral and spiritual redemption."<sup>58</sup>

The following section starts by considering the work of Maria Rye and Annie Macpherson, described as the "real pioneers" of child migration.<sup>59</sup> Maria Rye and Annie Macpherson began their 'child rescue' work in the second half of the 19<sup>th</sup> century, and inspired the activities of many others, including William Quarrier, who opened his first children's home in Glasgow in 1871. This is then followed by consideration of the Doyle Report, published in 1875. Andrew Doyle was a senior inspector for the Local Government Board in England and Wales who was tasked in 1874 to review the child migration work of Maria Rye and Annie Macpherson. Whilst Andrew Doyle raised several concerns about the child migration work of Maria Rye and Annie Macpherson,

philanthropists such as Dr Thomas Barnardo and William Quarrier continued to migrate children and juveniles to Canada under similar conditions until the 1920s.

## Maria Rye and Annie Macpherson

In the 1860s, Maria Rye (1829-1903), who had previously worked in the ragged schools in the UK, began to organise the emigration of young women to Canada.<sup>60</sup> The first group departed in 1868, and included four girls from Aberdeen. In 1869, she purchased a property at Niagara-on-the-Lake and converted it into a distribution home. Maria Rye travelled there with over 90 children in November 1869. Shortly thereafter, the children were placed out with families. The majority of the children emigrated by Maria Rye came from workhouses and institutions such as industrial schools. Maria Rye retired in 1896, by which time her organisation had migrated over 5,000 children to Canada.



Maria Rye's Home, Western Home, Niagara-on-the-Lake, 6 December 1879. Source: [British Home Children in Canada](#).

56 Constantine *et al.*, Appendix 1, paragraph 3.1.

57 Constantine *et al.*, Appendix 1, paragraph 3.2; see also [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-00000016, p.31.

58 Constantine *et al.*, paragraph 4.2.

59 [Transcript, day 186](#): Professor Stephen Constantine, at TRN-5-00000017, pp.78-79.

60 Marjorie Kohli, *The Golden Bridge: Young Immigrants to Canada, 1833-1939* (2003), Toronto: Dundurn Press, pp.3-85.

In the same period, Annie Macpherson (1833-1904) also migrated children to Canada. In the late 1860s, Annie Macpherson began her child-saving campaign in response to high levels of infant mortality and child slavery in London.<sup>61</sup> She viewed emigration as the answer to the homelessness she witnessed, and offered assistance to families who wished to emigrate to Canada. In May 1870, she herself went to Canada with 106 children from her London home. That same year she established her distribution home in Belleville, Ontario. In 1872, two more distribution homes were established in Knowlton, Quebec, and Galt, Ontario.<sup>62</sup> This final home "was used to train children in Canadian farming practices."<sup>63</sup> The Galt home was sold in 1882, and operations moved to Stratford, Ontario.

Annie Macpherson's homes were also used by other organisations, including Quarriers, who migrated their first children to Belleville and Galt in 1872. By 1876, Annie Macpherson had migrated over 2,500 children to Canada.

### The Doyle Report

In 1874, the Poor Law authorities sent Andrew Doyle to Canada to investigate the child migration practices of Maria Rye and Annie Macpherson, indicating that there were some concerns about their practices. Consequently, in 1875 Andrew Doyle produced a report on migration, inspection, aftercare, and supervision.<sup>64</sup> His report was highly critical of child migration at all stages of the process, particularly as practised by Maria Rye and Annie Macpherson.



Annie Macpherson's Home, Stratford, date unknown. Source: [British Home Children in Canada](#).

61 Kohli, 2003, p.90.

62 Galt was also known as "Blair Athol".

63 Kohli, 2003, p.95.

64 For a copy of the report see HCPP, HC/9, Doyle Report, 1875, at INQ-000000006.

(SIGN AND KEEP.)

399

## This Indenture

made this \_\_\_\_\_ day of \_\_\_\_\_ 189 \_\_\_\_\_

*(Pursuant to order in Council, bearing date 9th December, 1879, authorizing Marchmont Home to exercise the powers granted under sec. 129 of Cap. 135, R. S. O.)*

IS ENTERED INTO BETWEEN

**ROBERT AND ELLEN A. BILBROUGH-WALLACE,**  
Marchmont Home, Belleville, Ontario.

Guardians of \_\_\_\_\_

and \_\_\_\_\_

of \_\_\_\_\_ Township, Con. \_\_\_\_\_ Lot \_\_\_\_\_

\_\_\_\_\_ miles, N. S. E. or W. of \_\_\_\_\_ P.O. \_\_\_\_\_

County of \_\_\_\_\_

Respecting \_\_\_\_\_

To receive \$ \_\_\_\_\_ per month, for eight months for the first year, increasing annually \_\_\_\_\_

To attend Day School at least four months in the year. A Statement to be sent to the Home at the end of each year, signed by the Teacher, showing number of days the child has attended School.

Also to attend Church and Sunday School regularly.

Employers are requested to see that the children write occasionally, also that they communicate with us in event of illness, or any change of address.

An accurate account to be kept by employer of the wages spent in child's clothing, &c. The account to be balanced each year, and said balance to be deposited in Saving's Bank. A copy of the account to be sent to the Home at the end of the year, showing the balance and what is done with it.

Should it be necessary in any case for the child to be returned to the Home, notice must be given a fortnight beforehand. The clothes must also be sent back in good condition and the same number.

Persons taking these children cannot transfer them to others, but are at liberty to return them to the Home, after giving notice, if they do not suit. While we, on our part, reserve the right of removing any child if we see fit, or on these conditions not being fulfilled.

Signed \_\_\_\_\_

Signed \_\_\_\_\_

Annie Macpherson's Home in Belleville, Indenture agreement with potential employers, date unknown.  
Source: [British Home Children in Canada](#).

He was critical of the selection and preparation of children, and expressed concern about the lax manner in which consent was obtained from legal guardians. He also lamented that, although pauper children who had been placed in voluntary care by family or friends had to appear before two magistrates for consent to be obtained for their migration, the same process of obtaining consent was not followed for those children who had been “rescued” from the streets.<sup>65</sup>

The transition from the UK to placements in Canada also posed problems. Andrew Doyle found there was poor supervision, care, and facilities on the ships, as well as inadequate facilities and accommodation and harsh treatment at the distribution centres.

Andrew Doyle was concerned that failures to protect children seemed to be inherent in the lack of inspections of farms and households both before and after children were placed there, and about the questionable legal basis on which children were committed to the care of the people with whom they were placed.<sup>66</sup> He concluded that “the homes in which children are placed in Canada are not [carefully] selected... and it is very certain that ‘great abuses’ do ‘ensue’.”<sup>67</sup> He provided several examples of “ill-treatment and hardship”: children sleeping in unsuitable conditions; children being left with little or no food for days as punishment for disobeying orders; children

being “horse-whipped” and flogged with such force that the marks of the flogging were still visible after a fortnight. Andrew Doyle argued that what was required for the protection of child migrants was a system of regular inspections, and the ongoing supervision of children.

Andrew Doyle concluded that Maria Rye and Annie Macpherson had failed to implement such checks and insisted that what was needed was a system of “close and systematic supervision”, to be carried out initially by independent “committees of respectable people”.<sup>68</sup>

This clearly shows that it was recognised as early as 1875 that childcare practices—both in relation to children within the UK and to British children sent overseas—needed and were expected to promote a child’s welfare.<sup>69</sup>

Andrew Doyle’s report was presented to the House of Commons in 1875. The UK Government was, accordingly, made aware of his criticisms. It is also likely that Scottish MPs were aware that William Quarrier had been sending Scottish children to Canada since 1872.<sup>70</sup>

Andrew Doyle’s concerns were taken seriously by the Local Government Board and a moratorium was imposed in 1875 on the sending of children in Poor Law institutions to Canada.<sup>71</sup> The moratorium did not apply to children in the care of voluntary societies, and voluntary organisations such as

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65 See Constantine *et al.*, paragraphs 7.1-7.2 for a more in-depth consideration of the Doyle Report.

66 Constantine *et al.*, paragraph 16.4.

67 HC/9, Doyle Report, 1875, at INQ-000000006, p.22.

68 HC/9, Doyle Report, 1875, at INQ-000000006. See also Constantine *et al.*, paragraphs 16.4-16.5.

69 This issue as to what may have been the standards of the day when child migration was in vogue was raised and debated at IICSA. A number of institutions argued that there was not adequate evidence to judge what impact historical standards of care and knowledge of the risk of abuse might have had on whether child migration exposed children to risk. This was rejected by IICSA and the standards of the day arguments have not been resurrected before this Inquiry.

70 Constantine *et al.*, paragraph 7.1.

71 Constantine *et al.*, paragraph 7.2.

Quarriers continued to engage in migration during the moratorium.<sup>72</sup> This is an important qualification, particularly from a Scottish perspective, because there is little evidence of children being migrated from Scotland by Poor Law authorities.<sup>73</sup>

In 1875, several supporters of Maria Rye in New Brunswick, Ontario and Quebec wrote what were, in effect, testimonials in support of her work and in rebuttal to Andrew Doyle's criticisms.<sup>74</sup> Maria Rye forwarded these letters to the Department of Agriculture. In December 1876, Maria Rye publicly challenged Andrew Doyle's conclusions in a letter to the President of the Local Government Board.<sup>75</sup> She asserted that "Mr Doyle's great cruelty consisted in quoting these cases [of unsuccessful placements] as representative, and not exceptional" and that these were cases of "girls returned for violent tempers, laziness, insubordination, and tendencies to immorality".<sup>76</sup> She highlighted that Canada "can take all the children we can all of us bring, and find homes for them all; the limit is ourselves and not in Canada."<sup>77</sup>

**A LETTER FROM MISS RYE.**  
*To the Editor of The Mail.*  
 Sir,—I have waited—I will not say patiently—but I have waited exactly two weeks for a visit from the medical men who have so strongly condemned this work, and I think the public should know that I have received no answer, either privately or publicly, to my challenge to name twenty children whom I have brought to this country during the last twenty years and who are physically or morally inferior to the average Canadian child.

In your leader of the 24th inst. you say that there are 100 children in Canadian orphan asylums who are described as "immigrants and foreigners." Now, in justice to this work (and there are ten such houses as this now in Canada) the names of these children should be given in full. There cannot be the very slightest difficulty in tracing the circumstances under which each child has been admitted into each Canadian orphanage, and if we are to be blamed let us be blamed, but if we are guiltless then please have the manliness to say that you have been misinformed. It is not so very long ago since the British Association held their meetings in Montreal. I remember speaking there on this question, and on my resuming my seat the late Hon. Thomas White, whose opinion we all agree to respect, rose and said that at the commencement of this work in 1869 he disapproved of the movement and watched it closely, but he was there that day to endorse our action, to withdraw his (never active) opposition and positively to say that, in his opinion, the work was equally good for Canada as for the children.

I do not think Canada need be alarmed at the workhouses sending out too many children. It took the chairman of one union and myself twelve months to get four children out of one school: would very willingly admit that reformatory children may legitimately be objected to, but there are so many obstacles in the way of their exodus that practically the subject is not worth considering.

I would ask THE MAIL to very seriously consider the result of the late articles which have appeared in its columns on this question upon the London money market and Canadian prospects there generally. Reading between the lines, John Bull will have to come to the conclusion that all that he has previously been told of this great country is a delusion and a snare, and that a country the size of Europe cannot support a population equal to London.

Yours, etc.,  
**MARIA S. RYE.**

Niagara, May 29.

Maria Rye's letter to the Editor of The Mail, Toronto Daily Mail, 29 May 1888. Source: [British Home Children in Canada](#).

72 Constantine *et al.*, paragraph. 7.2.

73 See also Constantine *et al.*, paragraph 3.4

74 Library of the Public Archives of Canada, [Further letters furnished to the Department of Agriculture by Miss Rye, in rebuttal of Mr. Doyle's Report](#), 1875, at LAC-000000001.

75 HCPP, Letter from Maria Rye to the President of the Local Government Board, 14 May 1876, at HOC-000000005.

76 HCPP, Letter from Maria Rye to the President of the Local Government Board, 14 May 1876, at HOC-000000005, p.3.

77 HCPP, Letter from Maria Rye to the President of the Local Government Board, 14 May 1876, at HOC-000000005, p.4.

In response, Andrew Doyle repeated his opinion that “no pauper children ought to be sent to Canada under Maria Rye’s present system of emigration”, and that children were not “selected, but collected, with total disregard to fitness, physical or moral, for emigration”.<sup>78</sup> He reiterated that children were sent to “unfavourable” situations where there was “a total absence of efficient responsible supervision.”<sup>79</sup>

Following sustained pressure from the UK Government, “Canada introduced safeguards and provided annual reports by inspectors on the well-being of child migrants, but only those who had previously been in Poor Law care.”<sup>80</sup> As a result, in 1887, the moratorium on child migration to Canada ended.<sup>81</sup> This shows that there was some scope for the UK Government to exercise its influence to safeguard and improve the conditions for child migrants.

Regardless of the UK Government’s position on child migration, during and after the moratorium other philanthropists—such as Thomas Barnardo and William Quarrier—became increasingly involved in the migration of children to Canada.

### Barnardo’s

Thomas Barnardo (1845-1905) first opened a ‘ragged school’ in 1867 providing children with a free education. His first home for boys was opened in 1870 in Stepney, London, to provide children with accommodation and training. A home for girls was opened

at Barkingside, Essex, in 1879. It is likely that Thomas Barnardo first sent children to Canada in 1869, under the care of Annie Macpherson.<sup>82</sup> In 1882, “the decision was made to undertake migration as a definite part of the work of [the] Homes” and the first “organised party of 61 migrants sailed from Liverpool...The lads ranged in age from 14 to 17 years”.<sup>83</sup> In 1883, Thomas Barnardo acquired a house in Peterborough, Ontario, which he used as a distribution home for girls. Barnardo’s also established a distribution home, hostel, and headquarters in Toronto; a receiving home for boys (11 to 16 years of age) in Winnipeg; and a training farm for older boys (15 to 20 years of age) in Manitoba. A Barnardo’s report from 1949 on the history of child migration stated that:

“Gradually the work divided itself into two distinct branches, the first and most important being the migration of young children who were boarded-out on payment in foster-homes in the Province of Ontario; and the migration of senior boys and girls who were placed in situations immediately on arrival in the country.”<sup>84</sup>

Between 1907 and 1912, Barnardo’s sent on average about 900 children a year to Canada.

Barnardo’s did not establish a presence in Scotland until the Second World War, although they did receive applications for admittance of Scottish children to its homes elsewhere in the UK before then.<sup>85</sup>

78 HCPP, Reply by Andrew Doyle to Maria Rye’s Report on the Emigration of Pauper Children to Canada, 14 May 1877, at HOC-000000004, p.2.

79 HCPP, Reply by Andrew Doyle to Maria Rye’s Report on the Emigration of Pauper Children to Canada, 14 May 1877, at HOC-000000004, p.2

80 Constantine *et al.*, paragraph 7.2.

81 [Transcript, day 186](#): Professor Stephen Constantine, at TRN-5-000000017, p.135.

82 Barnardo’s, History of migration of children of Dr Barnardo’s Homes, 3 February 1949, at BAR.001.005.4043.

83 Barnardo’s, History of migration of children of Dr Barnardo’s Homes, 3 February 1949, at BAR.001.005.4043.

84 Barnardo’s, History of migration of children of Dr Barnardo’s Homes, 3 February 1949, at BAR.001.005.4047.

85 Barnardo’s, Response to section 21 notice, at BAR.001.005.3328; Constantine *et al.*, paragraph 4.3. Barnardo’s had set up a home in Edinburgh in 1892, but that closed soon after due to opposition by Quarrier and the local press.

In addition, Barnardo's "admitted a great many children specifically for migration from Public Assistance Committees...and various other charitable societies which had not got their own migration schemes."<sup>86</sup> The identity of one Scottish child who was migrated to Canada from a Barnardo's home in England has been confirmed, but it is likely that other Scottish children were also migrated to Canada by Barnardo's.<sup>87</sup>

**YOUNG EMIGRANTS TO CANADA.**—The large gymnasium of Dr. Barnardo's Homes at Stepney was the scene of an interesting meeting yesterday afternoon, when 226 trained boys and lads, selected from 3,000 inmates of the homes, made their last public appearance prior to sailing for Canada to-morrow. The chairman, Mr. James Rankin, M.P., spoke from personal knowledge of the successful future certainly awaiting any boy of upright and honest character and industrious habits in the Dominion. Dr. Barnardo supplied some interesting details of the composition of the party, the first of this year, from which it appeared that not fewer than 130 of the boys had been rescued originally from a street life, and that among the party there were representatives of Guernsey, Russia, Germany, and India, as well as of 36 counties of England, Scotland, and Ireland. The older members are destined for the industrial farm of 9,000 acres now being developed in connexion with the homes in Manitoba, and upon which 200 young settlers will ultimately be placed. The younger boys will, immediately on landing, be placed out in situations already secured. The emigrants presented an admirably healthy appearance. Four thousand boys and girls have now been emigrated by the homes to Canada and other British colonies, and the failures among these have not exceeded  $\frac{1}{2}$  per cent.

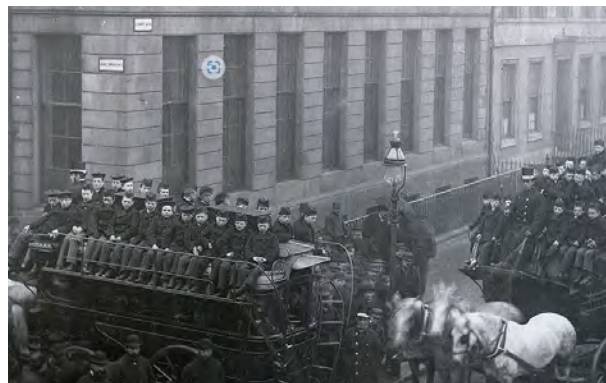
Young Emigrants to Canada, Times (London), March 27, 1889.

## Quarriers

Having opened his first Home in Glasgow in 1861, William Quarrier (1829-1903) opened a receiving home called Fairknowe in Brockville, Canada, in 1888. By this time, Quarriers had already placed 3,000 children and juveniles in Canada through the auspices of Annie Macpherson. Thereafter, a steady stream of children were sent to Canada until 1932, with a hiatus during the

First World War. By 1923, 6,607 of the 17,824 children admitted to Quarriers in Scotland had been sent to Canada.<sup>88</sup> Those statistics mean that over one-third of all children admitted to Quarriers were migrated to Canada, a statistic that confirms Quarriers's 'open door' strategy—if they were to keep their front doors open to newcomers, children also had to exiting through their back doors.

It is evident from Quarriers' annual publication—the *Narrative of Facts*—that donations were made specifically with the intention of assisting the migration policy and placed into the "Emigration Fund", which was distinct from the "General Fund" and the "Home and Foreign Missions Fund."<sup>89</sup> The 1923 *Narrative of Facts* also discloses that, between 1891 and 1923, the sum of £1,598,737 had been donated to Quarriers, testament to William Quarrier's persuasive skill in inducing contributors to donate to his efforts.



First party of Quarrier's boys migrating to Canada, 1 April 1885. Source: [The Golden Bridge: Child Migration from Scotland to Canada 1869-1939](#).

86 Barnardo's, History of migration of children of Dr Barnardo's Homes, 3 February 1949, at BAR.001.005.4048.

87 Barnardo's, Part C response to section 21 notice, at BAR-000000021, p.2. See, for example, "Young Emigrants to Canada", *The Times*, 27 March 1889, p.5. Retrieved 18 February 2022. At the time Barnardo's submitted its Part C response in 20 December 2019, it was working towards digitising its records into a searchable database. Due to the volume of records held by Barnardo's this work was predicted to take "many months, perhaps years", but once completed the database may reveal the number of Scottish children migrated by Barnardo's to Canada. Barnardo's, Part C response to section 21 notice, at BAR-000000021, p.1.

88 Quarriers, *A Narrative of Facts, 1923*, at QAR.001.008.8686.

89 Quarriers, *A Narrative of Facts, 1932*, at QAR.001.008.9083.

From the outset, William Quarrier understood the importance of careful selection of farms and households, and insisted that “[b]y systematic visitation alone, can we find out with certainty, how the children are getting on”.<sup>90</sup> Visits to the children were, however, hampered by logistical difficulties, with inspectors managing to visit only a limited number of the children placed throughout Ontario and Quebec.<sup>91</sup>

Receiving homes in Canada accepted applications from farmers and households seeking a child migrant and from early on the distribution centres “were aware of the need to assess applicants and their locations before dispatching children into their care”.<sup>92</sup> For example, the 1878 *Narrative of Facts* recorded that ministers and magistrates provided “certificates of character” for petitioners.<sup>93</sup> In reality, however, Quarriers’ assessment did not amount to much more than an informal discussion with the petitioner, and checks with the local minister.<sup>94</sup>

In March 1897, Ontario legislated to regulate the classes of children migrated, in response to trade union objections to cheap child labour imports, and to criticisms of the ‘quality’ of children being migrated.<sup>95</sup> The Act required receiving homes to apply for

a licence to operate, to be inspected by officials, to visit and inspect children in their placements, and to keep a record for each child.<sup>96</sup> William Quarrier ceased migrating children in protest against the introduction of government oversight, which he saw as an unwarranted questioning of his regime, but after his death in 1903, Quarriers resumed migration.<sup>97</sup> By then, the Quarriers’ trustees had accepted “that the 1897 Act could provide better protection for some children.”<sup>98</sup> On 22 April 1905, 102 boys left for Canada, followed by a party of 84 girls on 8 July 1905.<sup>99</sup> The reintroduction of emigration was heralded at the Quarriers Annual General Meeting in 1905:

“Mr Cameron Corbett, in moving the adoption of the report and statement of accounts, said he was heartily glad that they were carrying on once more with full vigour the emigration work in connection with the Homes.”<sup>100</sup>

When George Bogue Smart, Chief Inspector of British Immigrant Children and Receiving Homes, visited Quarriers’ distribution centre, Fairknowe, in 1917, he concluded that it was an efficient distribution home that adopted practices that safeguarded the best interests of the children for whom it was responsible.<sup>101</sup>

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90 Quarriers, *A Narrative of Facts, 1892*, p.59. For a more detailed consideration of Quarrier’s involvement in child migration to Canada, see Constantine *et al.*, paragraphs 16.8-16.18.

91 Constantine *et al.*, paragraph 16.9.

92 Constantine *et al.*, paragraphs 16.3-16.4.

93 Quarriers, *A Narrative of Facts, 1878*, at QAR.001.008.7160; Constantine *et al.*, paragraph 16.8.

94 Constantine *et al.*, paragraph 16.8.

95 Constantine *et al.*, paragraph 16.11. This Act was entitled: “An Act to Regulate the Immigration into Ontario of Certain Classes of Children”.

96 Constantine *et al.*, paragraph 16.11.

97 Constantine *et al.*, paragraph 16.13.

98 Constantine *et al.*, paragraph 16.13.

99 Quarriers, *A Narrative of Facts, 1904*, at QAR.001.008.8038.

100 Quarriers, *A Narrative of Facts, 1906*, at QAR.001.008.8054.

101 Constantine *et al.*, paragraph 16.13.



## Emma Stirling, Annie Croall, Margaret Blaikie's Orphan and Emigration Home, and Aberlour

Other voluntary organisations in Scotland also migrated children to Canada. Emma Stirling had set up a home for working mothers and motherless children in Edinburgh in 1877.<sup>102</sup> Her initiative was renamed the "Edinburgh and Leith Children's Aid and Refuge Society" in 1884, and a board of directors was appointed. Her direct involvement then diminished and her Scottish homes were left under the Society's control.

In a meeting of 6 November 1885, it was recorded that Stirling "had come to be of opinion that it would be practicable for her to take a farm in America, to which a number of the lads might be transferred under suitable & responsible supervision" and be taught farming to allow them to become independent.<sup>103</sup> In 1886, Emma Stirling became aware that the Canadian Government was prepared to give liberal grants to 'child savers', as they were known, to take children to Canada to work as farm labourers and domestic servants. In due course, she purchased Hillfoot Farm in Nova Scotia.<sup>104</sup> By then, the Society was caring for 300 children at seven institutions.<sup>105</sup>

By 1888, the Society considered that  
"no legal objection to emigration of children existed in the following classes:

1<sup>st</sup>, orphans, 2<sup>nd</sup> where parents or parent had signed the agreements, and 3<sup>rd</sup> children who were of sufficient age to choose their own domicile [that is girls of over 12 and boys of over 14 years]."<sup>106</sup>

Children then under consideration for emigration all fell under one of these categories. Furthermore, "the Directors had decided not to oppose the bringing back of any children from Nova Scotia if ordered by the Court to do so".<sup>107</sup> This would become an important decision in a case like that of the Delaney children, where Emma Stirling took three children to Canada without their father's permission, leading to a long-lasting legal case against Emma Stirling and the Edinburgh and Leith Children's Aid and Refuge.<sup>108</sup> While Emma Stirling pushed the directors to send more children to her in Canada "and offers to pay wholly for them", the directors in Edinburgh saw no way "to send any children to Nova Scotia" if they fell outside of one of the three categories noted above.<sup>109</sup> The directors further instructed their secretary to write to Emma Stirling advising her of "the necessity of allowing the young people to correspond with their parents or relatives in this country to obviate the further cause of complaint."<sup>110</sup> Therefore, as early as 1888, there was a recognition that some children were migrated contrary to agreed practices. An estimated 200 children were sent to Hillfoot through the auspices of Emma Stirling.<sup>111</sup>

102 Constantine *et al.*, paragraph 16.27.

103 NRS, GD409/1/1/(B), Minutes of meeting, 6 November 1885, at NRS.001.001.1683.

104 [Transcript, day 175](#): Patricia Delaney Dishon, at TRN-5-00000005, p.18.

105 NRS, GD409/1/1/(B), Minutes of meeting, undated, at NRS.001.001.1751; Constantine *et al.*, paragraph 16.26.

106 NRS, GD409/1/1/(B), Minutes of meeting, undated, at NRS.001.001.1755.

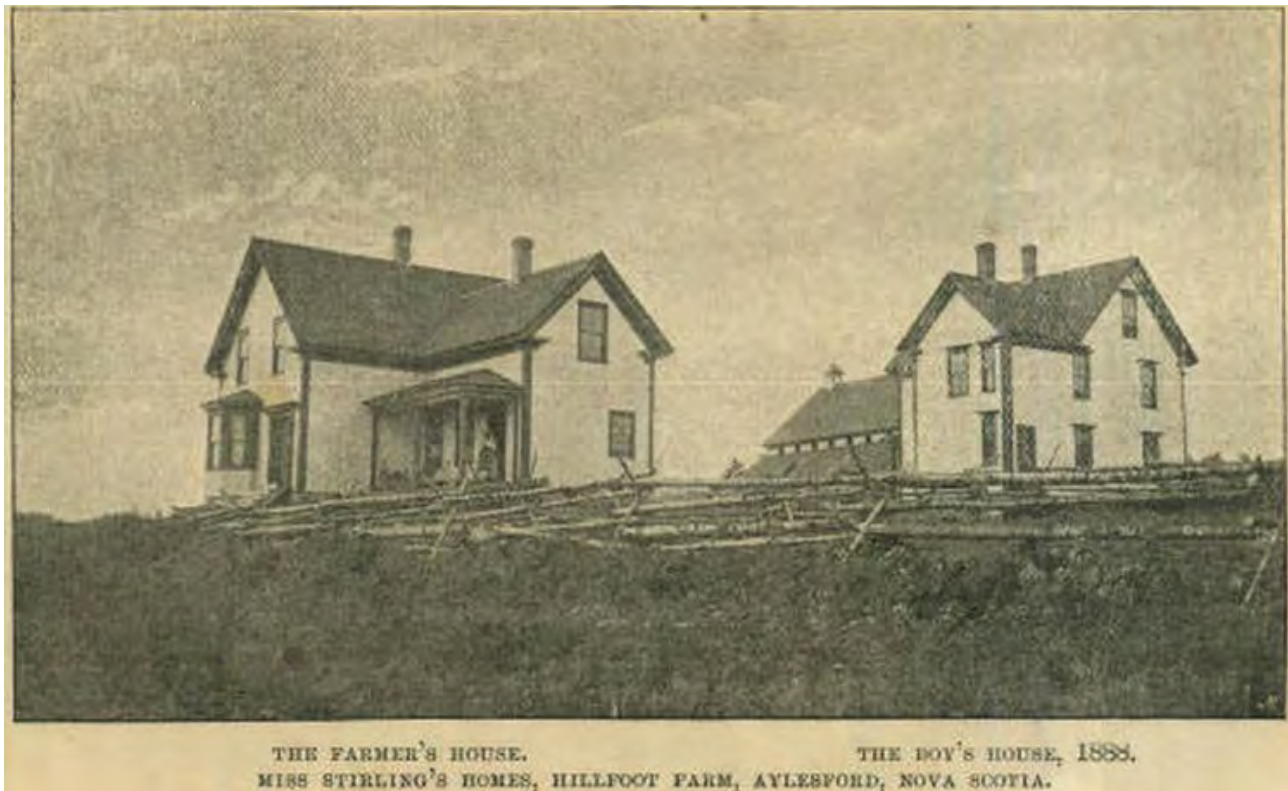
107 NRS, GD409/1/1/(B), Minutes of meeting, undated, at NRS.001.001.1756.

108 See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#), Patricia Delaney Dishon.

109 NRS, GD409/1/1/(B), Minutes of meeting, undated, at NRS.001.001.1768.

110 NRS, GD409/1/1/(B), Minutes of meeting, undated, at NRS.001.001.1768.

111 See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#), Patricia Delaney Dishon.



Emma Stirling's Home, Hillfoot Farm, 1888. Source: [British Home Children in Canada](#).

Annie Croall established Whinwell's Children's Homes, Stirling, in 1883 to care for about 40 children. In 1888, she selected the first group of children to be sent to Canada. She relied on other agencies to send and place children in Canada, including Lilian Birt's home in Liverpool, and Emma Stirling's farm.<sup>112</sup> It is estimated that 102 children were migrated from Whinwell to Canada.<sup>113</sup>

Mrs Margaret Blaikie's Orphan and Emigration Home, Edinburgh, sent 301 children to receiving homes in Canada run by Ellen Billborough.<sup>114</sup> In his autobiography, Margaret Blaikie's husband states that parents were asked for their consent for

their child's migration, unless the Blaikies perceived the parents to be "drunken and ill-doing".<sup>115</sup> Some of the accounts narrated in the autobiography indicate, however, that the Blaikies deceived parents and migrated children overseas despite the parents' opposition and protests.

Aberlour participated in the migration of juvenile boys (those over the age of 14) to Canada, but not according to a planned, consistent policy.<sup>116</sup> Aberlour's involvement was not one of active promotion and was normally driven by opportunities arising, for example, following a visit by a colonialization agent.<sup>117</sup> Juvenile migrants were migrated

112 Constantine *et al.*, paragraph 16.32.

113 Constantine *et al.*, paragraph 10.6.

114 Constantine *et al.*, paragraph 10.6.

115 Blaikie, *Autobiography*, pp.328-330, cited in Constantine *et al.*, paragraph 13.71,

116 Aberlour Child Care Trust, Response to section 21 notice, 1900-1930, at ABE.001.008.7699; [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, p.38.

117 [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, p.41.

under the auspices of the British Immigration and Colonialization Association.<sup>118</sup> In its section 21 response, Aberlour disclosed that they migrated 65 juveniles, mostly to Canada, between 1901 and 1931, though Aberlour remained involved in the migration of children beyond the mid-20<sup>th</sup> century.<sup>119</sup> There is some evidence from contemporaneous material that a form of selection process existed, and in particular there was a process whereby the sub-warden certified certain children as suitable for migration.<sup>120</sup> It is not clear what criteria Aberlour applied.

Aberlour's records confirm that no child under 14 left the orphanage to a destination outside the UK, unless as part of a family group.<sup>121</sup> There is no formal documentation available on consent, but it appears that Aberlour adhered to the wishes of the children, and migration was at the express wishes of the boys themselves or their families.<sup>122</sup> If a child was opposed to migration, Aberlour seems to have respected that decision and did not try to force the child to go.<sup>123</sup>

A child's consent to migration did not, however, necessarily lead to a positive experience. Correspondence from two migrants in the late-19<sup>th</sup> century, published in the *Orphanage Magazine*, contradicted the positive messages conveyed by other entries:

"The mind, somehow, will cross the Atlantic and wander among the dear old glens of home. I often seem to hear the roar of the Spay [sic], as it dances among the stones and rocks. Tell the lads if they can live at home to do so, if not, they should come here."<sup>124</sup>

"There is plenty of food, but it is very rough altogether. Everybody seems to be trying to save money, and they don't seem to care how they do it. However, here I am, and I mean to make the best of it. But if I ever set my foot on the soil of the old country, I shall say no more Canada for me."<sup>125</sup>

### Cossar Farms

Dr George Carter Cossar, described as "a genuine philanthropist", set up the Cossar Farm scheme, which ran from 1911 to 1929.<sup>126</sup> He migrated juvenile boys—those over the school leaving age—from deprived backgrounds mainly to Canada, but also to Australia and New Zealand.<sup>127</sup>

Initially, George Cossar opened a home for boys in Glasgow and subsequently a training farm at Kilwinning, Ayrshire.<sup>128</sup> Later, in 1922, he purchased the Craigiellinn estate in Paisley to train boys for farm work and assess their suitability for migration. When he first began sending boys to Canada, he did not have a presence there, and boys were placed directly on farms. In around 1910, George

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118 Aberlour Child Care Trust, Response to section 21 notice, 1900-1930, at ABE.001.008.7701.

119 Aberlour Child Care Trust, List of migrated children who were resident in Aberlour Orphanage, at ABE.001.008.7695; Constantine *et al.*, Appendix 1, paragraph 4.12.

120 [Transcript, day 194](#): SallyAnn Kelly, at TRN-5-000000025, pp.36-37.

121 Aberlour Child Care Trust, Response to section 21 notice, 1900-1930, at ABE.001.008.7699.

122 Constantine *et al.*, Appendix 1, paragraph 4.6.

123 [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, p.42.

124 Constantine *et al.*, Appendix 1, paragraph 4.9.

125 Constantine *et al.*, Appendix 1, paragraph 4.9.

126 [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, p.100.

127 Constantine *et al.*, Appendix 1, paragraph 12.1.

128 [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, p.101.

Cossar acquired a 700-acre farm in Lower Gagetown, New Brunswick, to which he sent his recruits. After he purchased the farm in New Brunswick, he also purchased three adjacent farms. These formed further training ground for the recruits sent to Canada.<sup>129</sup> By 1922 the farm had received 800 boys.<sup>130</sup>

Publicity relating to George Cossar's philanthropic work was circulated to Scottish local authorities with mixed success. In 1911, the Children's Committee of Edinburgh Parish Council considered a letter, likely to have been sent by George Cossar, which advocated a scheme to migrate young children aged eight to 14 to Winnipeg. Unanimously, the Committee agreed not to entertain the scheme, a decision that was ratified by the Parish Council.<sup>131</sup> George Cossar was more successful in recruiting boys for his Craigiellin training farm scheme, with some later being sent to Canada as juvenile migrants. George Cossar also recruited juvenile boys into his programmes as a result of his involvement with Quarriers, the Church of Scotland training farm at Cornton Vale, and other youth organisations.<sup>132</sup>

George Cossar's work was initially well received in Canada. In 1913, Bogue Smart—the Chief Inspector of British Immigrant Children and Receiving Homes in Canada—reported that “Mr Cossar's plan of supplying a good class of young Scotch immigrants is not only commendable but

advantageous to Canada and deserving of encouragement”.<sup>133</sup> But this view was not shared by all. Earlier in 1913, citizens of Gagetown petitioned immigration authorities in Ottawa, complaining about the criminality of juveniles migrated by George Cossar.<sup>134</sup>

In 1911, George Cossar handed over the administration of his training farm at Kilwinning, Ayrshire, to the Scottish Labour Colony, who later took the decision to offer training to boys to be farmers in Scotland, rather than for emigration.<sup>135</sup>

### **Legislative developments: 1891-1922**

Until the final decade of the 19<sup>th</sup> century, the migration of children was not directly authorised or controlled by the state. However, legislation was passed that altered that landscape. This is briefly considered below.

#### **The Reformatory and Industrial Schools Act, 1891**

In 1884, the Reformatories and Industrial Schools Commission recommended that emigration “might be advantageously used to a much greater extent than at present,” provided there was careful selection, preparatory training, and “very careful arrangements for their inspection and supervision in their new country.”<sup>136</sup> It is perhaps one consequence of this recommendation that child migration first received legislative recognition in the

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129 Constantine *et al.*, Appendix 1, paragraph 12.1.

130 Constantine *et al.*, Appendix 1, paragraph 12.18.

131 Constantine *et al.*, Appendix 1, paragraph 12.5; [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-00000016, pp.105-106.

132 Constantine *et al.*, Appendix 1, paragraphs 12.7-12.8; [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-00000016, pp.105-107.

133 LAC, RG76, vol. 568, file 811910, part 1, C-10647, Report by G.B. Smart on Gagetown Farm, 15 Sept 1913, cited in Constantine *et al.*, Appendix 1, paragraph 12.11.

134 Constantine *et al.*, Appendix 1, paragraph 12.11.

135 NRS, AF51/171, Note on Dr Cossar's Training Farm, Craigiellin, 18 December 1924, at SGV.001.008.1977.

136 HCPC, [Reformatories and Industrial Schools Commission, Report of the Commissioners together with Minutes of evidence, Appendices, and Index](#), C.3876, at p.xxx [30].

Reformatory and Industrial Schools Act, 1891. The 1891 Act contained only one main section, which granted the managers of reformatory and industrial schools the following power:

“If any youthful offender or child detained in or placed out on licence from a certified reformatory or industrial school conducts himself well, the managers of the school may, with his own consent, apprentice him to, or dispose of him in, any trade, calling, or service, or by emigration...and such apprenticing or disposition shall be as valid as if the managers were his parents.”<sup>137</sup>

The 1891 Act gave managers of reformatories and industrial schools (‘school managers’) the legal right to send children overseas. Whether a child should be given the option of migration was at the discretion of the managers and depended on their assessment of the child’s conduct. The option of migration was accordingly presented as a benefit, as a reward that the child had earned. It was not a child welfare measure. Furthermore, children could be migrated as soon as they joined the school, which was sometimes as young as the age of six.<sup>138</sup> The managers of Redhill Reformatory School “always looked upon [emigration] as the best way of rewarding boys of good character”, with three to four per cent of the school’s residents being sent overseas in 1893.<sup>139</sup> Redhill even had “an emigration class...

for boys about to leave the country, who go through the different workshops and learn much that is useful to an emigrant.”<sup>140</sup> The reformatory in Glasgow had forged a “valuable...emigration connection...with the Northern States of America”, indicating that the emigration provisions in the Act were regularly in use.<sup>141</sup>

The only oversight of the school manager’s decision to migrate a child was that the Secretary for Scotland had to give his consent.<sup>142</sup> The role of the Secretary for Scotland in such cases was therefore to review a proposal for migration (likely to have been based on information provided by the school manager), and agree or disagree with the proposal. It is unlikely that the Secretary for Scotland carried out any independent investigations into the matter.<sup>143</sup> Although child migration was a UK-wide policy, the Secretary for Scotland had the power to give or withhold consent to the migration of individual children in reformatory and industrial schools. This gave the Secretary for Scotland the opportunity to influence the practice of child migration, which often was not taken.

During the Second Reading of the Reformatory and Industrial Schools Children Bill in the House of Lords in June 1891, Lord Monkswell, who was presenting the Bill, explained that the Bill was “very short and simple, but the changes it proposes

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137 Reformatory and Industrial Schools Act, 1891.

138 [Transcript, day 124](#): Professor Kenneth Norrie, at TRN.001.001.6566, p.62

139 John Watson, “[Reformatory and Industrial Schools](#)”, *Journal of the Royal Statistical Society* 59 (2) (1896), p.297.

140 [Watson, 1896](#), p.297.

141 [Watson, 1896](#), p.297.

142 The post of Secretary for Scotland was created in 1885. In 1926, the post was upgraded to Secretary of State for Scotland. It is likely that the reference to the Secretary of State in the 1891 Act is to the Secretary of State for the Home Office. The section was only extended to Scotland by a late amendment during the second parliamentary reading of the bill, with no change in the language of the section itself.

143 Norrie, 2020.

to make in the law are great.”<sup>144</sup> That was because “[t]he Bill proposes to abolish the right of parents of children in Industrial and Reformatory Schools...to have those children home again at the end of their period of detention”.<sup>145</sup> Emigration was thus introduced as an option to “prevent [children] being contaminated by their old companions and associates.”<sup>146</sup> The Act thus sought, in part, to prevent children being returned to those who were seen as inadequate parents. Initially, the Bill did not extend to Scotland, a position that was changed by an amendment made during the second parliamentary reading of the bill.

The emigration provision within the Act was intertwined with the provision of aftercare and employment for children who reached school-leaving age. This reflected provisions in earlier legislation regulating industrial and reformatory schools, which enabled the managers to decide what career path would be the most appropriate for such a child.<sup>147</sup> The inclusion of migration as a kind of apprenticeship route represented explicit state acknowledgement of the appropriateness of the migration of children as a childcare and aftercare practice. The grafting of emigration onto a provision designed to promote career paths was clearly flawed. The rationale of preventing children from being restored to inadequate parents, to whom it denied the “power to exercise a veto on their [child’s] being

apprenticed”, was certainly misplaced when children caught by the emigration provisions were young children—sometimes very young children—destined to be transported overseas, mainly, at that time, to Canada.<sup>148</sup>

The migration of children from reformatory and industrial schools also required the child’s consent. Whether and how this was to be obtained, and whether it was valid consent, is not explained. Furthermore, under Scots law of the time the legality of a boy under the age of 14 or a girl under the age of 12 consenting to their own migration is uncertain because of the concept of ‘pupillarity’ in Scots law. According to this concept, any boy under the age of 14 and any girl under the age of 12—‘pupil children’—had no capacity to consent to their own migration.<sup>149</sup> There appears to be no evidence that any differences between Scots common law and the law in England and Wales were considered, despite the fact that UK legislation defined children as boys under the age of 14 and girls under the age of 16.<sup>150</sup> As a result, although the UK-wide legislation permitted the migration of children with their consent, Scots law would have meant that any girl under 12, and any boy under 14, were not capable of providing valid consent. It thus seems likely that many cases of the migration of Scottish children under that age were not, at that time, lawfully pursued.<sup>151</sup>

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144 *Hansard*, “[Reformatory and Industrial School Children Bill \(No.125.\) Second Reading](#)”, 5 June 1891, c.1696.

145 *Hansard*, “[Reformatory and Industrial School Children Bill \(No.125.\) Second Reading](#)”, 5 June 1891, c.1696.

146 *Hansard*, “[Reformatory and Industrial School Children Bill \(No.125.\) Second Reading](#)”, 5 June 1891, c.1698.

147 Industrial Schools Act, 1866, section 28; Reformatory Schools Act, 1866, section 19; [Transcript, day 124](#): Professor Kenneth Norrie, at TRN.001.001.6576.

148 *Hansard*, “[Reformatory and Industrial School Children Bill, Second Reading](#)”, 5 June 1891, c.1700.

149 [Transcript, day 124](#): Professor Kenneth Norrie, at TRN.001.001.6586.

150 Although not separately defined by the 1891 Act, its definition of a ‘child’ would have been subject to that found in the Prevention of Cruelty to, and Protection of, Children Act, 1889, where it appears as boys under 14 and girls under 16.

151 This distinction applied in Scots law until the enactment of the Age of Capacity (Scotland) Act, 1991, when the age of legal capacity for both sexes was raised to 16.

Although the consent of the Secretary of State was required from the inception of the 1891 Act, the power given to managers to select children was conferred on people who were not likely to have had any real knowledge or understanding of what lay in wait for such children overseas. Moreover, there was no mechanism to monitor and oversee the wellbeing and progress of the children at their destinations.<sup>152</sup>

### The Act in practice

Because of the paucity of records for a number of Scottish industrial and reformatory schools, there is little evidence of the extent of migration from such schools in Scotland. Constantine, Harper, and Lynch provided a broad estimate, concluding that 400 juveniles might have been migrated from Scottish reformatory and industrial schools.<sup>153</sup> However, records from some schools are informative about the approach they took to migration after the implementation of the 1891 Act.

Kibble Reformatory School provides the most comprehensive archival evidence of juvenile migration from a reformatory school. Their records indicate that, between 1899 and 1959, 120 Kibble pupils were sent overseas, 81 of whom went to Canada, 38 to Australia, and one to New York.<sup>154</sup> All but one of Kibble's migrants were aged 14-21. The age of one of its migrants is unknown as his date of birth was not recorded. Except for the reference to a boys' home in Montreal as a receiving institution, boys were placed with their employers and, mostly, those employers were farmers. Kibble recorded many of the placement locations and these

records have been made available to the Inquiry.

A minute from a meeting of the trustees of Kibble, dated 13 September 1899, discloses:

"The Secretary explained that he had been in communication with Mr Macharg, Clerk to the Juvenile Delinquency Board, and also the Canadian Government agent in Glasgow as to the emigration of boys from the Institution to Canada. The Canadian agent was willing to provide places now for three boys at St John's New Brunswick and arrange for situations (if the boys first sent out prove successful) for three or four of the boys annually."<sup>155</sup>

This entry from 1899 seems to record the earliest instance of Kibble's juvenile migration programme, and shows that the recruitment process depended upon representations made by an agent of the Canadian Government.

Kibble's records reflect that thought was generally given as to whether a pupil would be an appropriate candidate for migration; that they took into consideration the consent of children as well as parents; that there were medical checks on the physical fitness of potential migrants; and that they followed the 1891 Act's requirement to obtain the Secretary for Scotland's approval in order to migrate children and juveniles overseas.<sup>156</sup>

Kibble's records indicate that pupils and families alike viewed the prospect of migration as an attractive opportunity to move away from influences that could have had a damaging impact on prospective

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152 Norrie, 2020, p.323.

153 Constantine *et al.*, Appendix 1, paragraph 17.1.

154 Kibble Education and Care Centre, Response to section 21 notice, at KIB.001.001.0026.

155 Kibble Education and Care Centre, Minutes - Trustees, 13 September 1899, at KIB.001.001.0646; Kibble Education and Care Centre, Response to section 21 notice, at KIB.001.001.001.0011.

156 Kibble Education and Care Centre, Response to section 21 notice, at KIB.001.001.0012.

migrants, and that pupil and family consent to migration was readily given. For example, in the case of one candidate it was recorded that “the lad wishes to emigrate to British Columbia and his parents are desirous that he should go.”<sup>157</sup> Other entries similarly note that boys were “anxious”, “desirous”, or “keen” to emigrate, and that parents were often “only too willing” or “very agreeable” to their children’s migration. In one case, it was noted that “[t]he father does not take enough interest in the boy either to approve or object to this plan.”<sup>158</sup> Other records show that the Secretary for Scotland “discharged” boys for migration, both to Canada and to Australia.<sup>159</sup>

Kibble did not have a presence overseas, which meant that it relied on the representations made as to how its migrants would be treated. In its section 21 response, Kibble confirmed that there was no information within its archive to indicate that inspection or reporting in relation to placements took place.<sup>160</sup> However, an analysis of the Kibble records suggests that information for 100 of the 120 pupils it migrated was received and preserved.

Kibble found no documentation outlining the policy and procedure for migration. Kibble has drawn attention to a reference in a minute of a meeting of the Kibble Education Committee on 13 December 1927 that stated: “A number of these [boys] were

desirous of proceeding to the Colonies, and it was agreed to delay consideration of these cases until the Committee had had opportunity of considering the whole policy of emigration.”<sup>161</sup> This indicates that, by 1927, the overall ‘policy’ was coming under question.<sup>162</sup> The records disclose that the primary purpose of migration was obtaining employment for pupils. That mirrored the duty that Kibble considered itself to have in relation to pupils discharged in Scotland.<sup>163</sup>

### **The Prevention of Cruelty to Children Acts, 1889-1904**

The Prevention of Cruelty to, and Protection of, Children Act, 1889, provided that:

“Any person over sixteen years of age who, having the custody, control, or charge of a child, being a boy under the age of fourteen years, or being a girl under the age of sixteen years, [who] wilfully ill-treats, neglects, abandons, or exposes such a child, or causes or procures such child to be ill-treated, neglected, abandoned or exposed, in a manner likely to cause such child unnecessary suffering, or injury to its health, shall be guilty of a misdemeanour”.<sup>164</sup>

The Act allowed the court to remove the child from any perpetrator convicted of such an offence, including a parent, and for that child to be committed to the care of a “fit

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157 Kibble Education and Care Centre, Response to section 21 notice, at KIB.001.001.0016.

158 Kibble Education and Care Centre, Response to section 21 notice, at KIB.001.001.0019.

159 Kibble Education and Care Centre, Response to section 21 notice, at KIB.001.001.0021.

160 Kibble Education and Care Centre, Response to section 21 notice, at KIB.001.001.0009.

161 Kibble Education and Care Centre, Response to section 21 notice, at KIB.001.001.0009.

162 Kibble Education and Care Centre, Response to section 21 notice, at KIB.001.001.0009. Kibble does not suggest that the use of the word “policy” here referred to a codifying document, but simply reflected that the migration of juveniles was a course of action considered by Kibble as a possible option.

163 Kibble Education and Care Centre, Response to section 21 notice, at KIB.001.001.0010.

164 Prevention of Cruelty to, and Protection of, Children Act, 1889, section 1, at LEG.001.001.2220. For a more detailed overview of this Act’s provisions, and their application, see [Norrie, 2017](#), pp.4-6.



person”.<sup>165</sup> The Act also allowed the police to take into custody, without warrant, any person found to have committed an offence under the Act, and to take the child against whom an offence had been committed to a “place of safety”.<sup>166</sup>

The 1889 Act was later replaced by the Prevention of Cruelty to, and Protection of, Children Act, 1894, which added mental harm to the list of punishable offences.<sup>167</sup> Another significant addition was that children gained the right to seek refuge in a place of safety.<sup>168</sup> It is clear from the provisions of these Acts that by the end of the 19<sup>th</sup> century there was a societal awareness of, and concern about, the various forms of harm to which children could be exposed, and a commitment to protect them from such exposure.

Section 6(5) of the 1894 Act added a provision that gave a ‘fit person’ in whose care a child had been placed the right to send children overseas—again with the consent of the Secretary of State, or the Secretary for Scotland—provided that “it appears to him to be for the benefit of a child”.<sup>169</sup> The welfare of the child was, therefore, a paramount consideration in decisions about whether to migrate the child.

In contrast to the migration provision for children in industrial and reformatory schools in the 1891 Act, this provision did not require the child’s consent. In addition, the 1894 Act did not cover children placed in institutional care by means other than courts.

Section 6(7) of the Prevention of Cruelty to Children Act, 1904, in the main repeated the emigration provisions of the 1894 Act. However, in an important change, the 1904 Act expanded the range of ‘fit persons’ to whom a child could be committed by a court. Under the 1904 Act, the child could be

“committed to the custody of a relation of the child, or some other fit person, *including any society or body corporate established for the reception of poor children* or the prevention of cruelty to children, named by the court”.<sup>170</sup>

As before, for children caught by the 1904 Act, the consent of the Secretary of State was required, but the consent of the child or a parent was not. These provisions still applied only to children formally placed in care by the court.

### **The Children Act, 1908**

The Children Act, 1908, largely reproduced the migration regimes set out in the 1894 and 1904 Acts in relation to children in need of protection. The migration provision in relation to children in reformatory and industrial schools that was first introduced by the 1891 Act was reproduced in section 70 of the 1908 Act. As before, children in reformatories and industrial schools, unlike children under the care of a ‘fit person’, had to consent to their migration. A child, for the purposes of the 1908 Act, was defined as a person under 14 years of age.

The rules continued to differ in accordance with whether the child was the subject of a court order, and whether the child was

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165 Prevention of Cruelty to, and Protection of, Children, Act 1889, section 5, at LEG.001.001.2223.

166 Prevention of Cruelty to, and Protection of, Children, Act 1889, section 4(1), at LEG.001.001.2222.

167 Prevention of Cruelty to, and Protection of, Children Act, 1894, section 1, at LEG.001.001.2731.

168 Prevention of Cruelty to, and Protection of, Children Act, 1894, section 5(2), at LEG.001.001.2735.

169 Prevention of Cruelty to, and Protection of, Children Act, 1894, section 6(5), at LEG.001.001.2736.

170 Prevention of Cruelty to Children Act, 1904, section 6(1)(c), at LEG.001.001.2201. Emphasis added.

accommodated in a reformatory or industrial school, or by a voluntary organisation. Many children accommodated by voluntary organisations were not subject to court orders and, for the purposes of migration, continued to be at the mercy of the voluntary organisations with no compulsory state control.

### The migration of children in care by means other than a court order

As discussed above, legislation controlling child migration that emerged in the late 19<sup>th</sup> century applied only to children placed in care by way of a court order. Children placed in institutional care by other means were not covered by these statutory provisions. In fact, it was not until 1968 that some state control over the migration of children placed in institutional care by means other than the courts was implemented, and that applied to Scotland only.<sup>171</sup>

This raises the question: under what legal authority could voluntary societies migrate children overseas?

### Parental consent

During the late-19<sup>th</sup> and early-20<sup>th</sup> centuries, some organisations—such as Quarriers and the Whinwell Home—seem to have regarded parental consent as justification for the migration of children. An emigration agreement form used by Quarriers (then named the Orphan & Destitute Children's Emigration Home, Glasgow), dated 26 February 1873, contained this passage:

"I [father] make application to have my [child]...received into the above-named Home [Orphan & Destitute Children's Emigration Home] with a view of being emigrated to Canada, if thought suitable, under the care of William Quarrier or his Agent or Agents, in proof whereof I hereby affix my signature."<sup>172</sup>



Quarrier's, Emigration form of Agreement, 26 February 1873.

171 See [Social Work \(Scotland\) Act, 1968](#).

172 Quarriers, Agreement between a child's relative and Quarriers, 26 February 1873, at QAR.001.009.3927.

In later application forms for admission into Quarriers, the consent to emigration was part of the general application admission form.<sup>173</sup> This consent clause featured in Quarriers' admission forms until at least 1923.<sup>174</sup>

Similarly, when children were admitted to the Whinwell Home in Stirling, parents or guardians had to "sign the agreement, giving the Principal power to send the child to any situation either in this country or abroad."<sup>175</sup> A similar clause appeared in Barnardo's admissions forms.

In later years, the Fairbridge Society also required parents to sign a form consenting to the migration of their children, and to Fairbridge assuming the "functions of guardian" to the child in Canada or Australia.<sup>176</sup>

The form of consent being relied on by such voluntary societies may not have been valid because, in Scots law

"[t]here's a general principle...that what we call the *patria potestas* is non-delegable: you can't give your children away, you can't give up your own parental responsibilities, it's not lawful, it's not legally competent for a parent to say, 'I transfer all my responsibilities to somebody else.'"<sup>177</sup>

It is important to note that the *patria potestas* was an inalienable right held by the father of a legitimate child, at least in relation to

a 'pupil child'—that is, a girl under 12 years of age, or a boy under 14 years of age.<sup>178</sup> Conversely, the mother of an illegitimate pupil child had an "absolute" right to custody, which could not be transferred to anyone else.<sup>179</sup> Accordingly, before 1891, neither individuals nor organisations could not "just take somebody else's child and send them away permanently to another country".<sup>180</sup> Nor could they be confident that, even if parents had provided signed consent, it was valid as a matter of law.

### Acting in *loco parentis*

Professor Norrie questioned whether individuals and voluntary organisations could attain the right to migrate a child by claiming to be acting *in loco parentis*.<sup>181</sup> He was, in my view, right to do so. That is because being *in loco parentis* did not remove the parental rights vested in the child's parents. Parental rights protected the child and were in the interests of the child's welfare, and it was important that they remained with the parent(s) unless and until the law removed them.<sup>182</sup> Section 5(2) of the Prevention of Cruelty to and Protection of Children Act, 1889, provided that any 'fit person' acting *in loco parentis* was responsible for the child's maintenance, a provision that reinforced the protective nature of the statutory provision. It is difficult to understand how the duty to maintain a child could be fulfilled if the child was transported overseas.

173 Quarriers, Form of Application, 21 October 1910, at QAR-000000040, pp.1-4.

174 Quarriers, Response to section 21 notice, at QAR.001.008.0057-0058.

175 Stirling City Council, Whinwell Home, Annual Report, 1914, Children Eligible for Admission, at STC.001.001.0621; See also Stirling City Council, Application Form of Admission, at STC.001.001.0674.

176 Constantine *et al.*, paragraph.13.52; originally quoted in David Hill, *The Forgotten Children: Fairbridge Farm School and its Betrayal of Britain's Child Migrants to Australia* (2008), North Sydney: Heinemann, Random House.

177 Transcript, day 124: Professor Kenneth Norrie, at TRN.001.001.6566.

178 Norrie, 2020, p.320; See also Norrie, 2017.

179 *Macpherson v Leishman* (1887) 14 R 780 at 782; *Brand v Shaws* (1888) 15 R 449 at 454.

180 Transcript, day 124: Professor Kenneth Norrie, at TRN.001.001.6566.

181 Norrie, 2020, p.322.

182 Norrie, 2020, p.322.

Professor Norrie firmly rejected the notion that any individual acting *in loco parentis*—including, in the vast majority of early cases, managers and ‘fit persons’—had a legitimate right to approve a child’s emigration.<sup>183</sup> When asked what legal authority voluntary organisations like Quarriers had to transport a child to Canada, Professor Norrie responded in the following way:

“I rather suspect the very shaky legal authority that was relied upon was the fact that nobody challenged the practice. Remember the sort of children that we are dealing with: if it’s a parent who has placed a child with Quarriers, knowing that the intent is to send the child to Canada, that parent is highly unlikely then to challenge the process. But a large number of these children are children whose parents had abandoned them, so the parents in practice, not in law but in practice, have no interest in challenging them [and]...Relying on his authority as representing the Crown as *parens patriae*, the Lord Advocate would have no interest in challenging a decision relating to the welfare of the child.”<sup>184</sup>

Whether parents were interested in challenging migration or not, the reality was that no person in an official capacity had jurisdiction to challenge child migration as a childcare practice. Voluntary organisations believed that their efforts benefitted the child, and it seems very likely that others were also blinded to the risks, assuming all would be well.<sup>185</sup> Developments from 1922 onwards secured the persistence of such attitudes and assumptions.

## Child and juvenile migration before the Empire Settlement Act: An overview

By the early 20<sup>th</sup> century, the migration of children and young people had been legally practiced in various guises for three centuries. Initially, migration was a form of punishment. By the mid-19<sup>th</sup> century, philanthropists had latched on to the idea of child migration as a salve to destitution and corruption for orphans or the children of paupers, thus initiating a major phase of child migration, whereby they sent children to placements, mostly in Canada, where they would work on farms or in domestic positions.

Legislation in the UK only served to confirm the suitability of child migration as a childcare practice when the 1891 and 1894 Acts and their successors empowered managers of homes and ‘fit persons’ to migrate children overseas. The legislation paid little heed to the legal capacity of institutions or individuals to act *in loco parentis* while the children to whom they had a duty of care were thousands of miles away from their oversight, nor to the capacity of children—often very young children—to consent to their own migration, both legally and intellectually. It did not distinguish between English law and Scots common law in relation to distinctions between classes of children and concepts of parental duties.

Regardless of the true legality of child migration, the concerns that surrounded the practice from its earliest days, and the general unwillingness of local authorities to support it as a policy, by the 1930s over 100,000 children had been migrated to Canada—including an estimated 8,000 from

183 Norrie, 2020, p.322.

184 [Transcript, day 124](#): Professor Kenneth Norrie, at TRN.001.001.6568.

185 [Transcript, day 124](#): Professor Kenneth Norrie, at TRN.001.001.6569.

Scotland—largely through the auspices of unregulated philanthropists and voluntary organisations.<sup>186</sup> While some may well have fared better in Canada than they would have done had they remained in the UK, many others faced abuse, poor treatment, stigmatisation, and unwarranted shame, which has sometimes resounded down the decades and centuries.<sup>187</sup> Nonetheless, the practice of child migration continued to be pursued enthusiastically over the following decades by voluntary organisations and governments. Children continued to be exposed to abuse.

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186 Library and Archives Canada, "[Home Children, 1869-1932](#)". Retrieved 30 November 2022; Constantine *et al.*, paragraph 16.1.

187 See for instance the accounts of Judy Neville and Patricia Delaney Dishon in Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#).

## 1.2 Child and juvenile migration, 1922-1946

The period 1922 to 1946 constitutes a distinctive era in the history of child and juvenile migration. The start of this period saw the enactment of the Empire Settlement Act, 1922, under which philanthropic migration schemes previously funded by private contributions could now apply for government funds. Meanwhile, the post-First World War economic crisis that hit Canada and concerns about the impact of child and juvenile migration on the Canadian workforce led to the cessation of almost all child migration to Canada. The end of this period saw the Australian Government making preparations for the resumption of child migration to Australia, despite a number of concerns being raised about the suitability of the institutions for receiving child migrants.

### Legislative Developments: 1922-1946

The Empire Settlement Act, 1922, marked the beginning of the UK Government's financial support for child migration societies and programmes. Using the provisions of this Act, voluntary organisations that had relied primarily on private donations to fund their schemes could now access government funds to migrate children and juveniles.

Around the same time, legislation that was intended to protect the welfare of children and young people continued to develop, in Scotland most notably through the Children and Young Persons (Scotland) Act, 1932. Through this Act and its successors, regulations were imposed upon the standards of care for children in the care of the state—standards that should have applied

equally to children in the UK and those who were sent overseas.

However, as with much of the earlier legislation, these laws applied only to children placed in care through court orders, and not to children who were placed voluntarily. By the end of the period, children in the care of the state could only be migrated with their own consent, together with that of their parents (where practicable) and the Secretary of State. But children in voluntary care remained vulnerable to migration without due process.

### The Empire Settlement Act, 1922

The legislation outlined in previous sections approved child migration as a childcare practice, but the Empire Settlement Act, 1922, more explicitly endorsed it by providing financial support to the practice and that was significant. The UK Government had not officially considered an overseas settlement policy until 1919, when an official Government Emigration Committee, appointed by the Secretary of State for the Colonies, suggested that migration from the UK to other parts of the Commonwealth would “promote the economic strength and the well being of the Empire as a whole and of the United Kingdom in particular.”<sup>188</sup>

Subsequently, in 1921, following a conference involving officials and representatives from the UK, Canada, Australia, and New Zealand, it was recommended that there should be “[i]ntergovernmental co-operation in a comprehensive long-term policy of land settlement and directed migration.”<sup>189</sup> Later

188 TNA, DO35/6379, First Annual Report of the Oversea Migration Board, July 1954, at LEG.001.005.5608.

189 TNA, DO35/6379, First Annual Report of the Oversea Migration Board, July 1954, at LEG.001.005.5608.

in the same year, this recommendation was accepted by prime ministers and representatives of the UK, the Dominions, and India at the Imperial Conference. This formed the backdrop to the Empire Settlement Act, 1922, which

“empowered the United Kingdom Government to co-operate with any oversea Government or with public authorities and public or private organisations either in the United Kingdom or elsewhere in the Commonwealth in carrying out agreed schemes to provide joint assistance to suitable emigrants from the United Kingdom who intended to settle in any part of the Commonwealth.”<sup>190</sup>

After the 1922 Act was passed, the UK Government entered into various Assisted Passage Schemes with the Governments of Canada, Australia, New Zealand, and the Republic of Zimbabwe (formerly Southern

Rhodesia). Such agreements meant that local authorities and voluntary organisations were now provided with financial assistance towards the cost of passages and outfitting of migrants.<sup>191</sup>

The primary purposes of the 1922 Act were to address a post-First World War unemployment problem by subsidising the emigration of adults and families, and to strengthen an empire that “appears to be beginning to crumble”.<sup>192</sup> Although the 1922 Act did not mention children specifically, it gave the Secretary of State the power to approve child migration schemes proposed by voluntary organisations or other sending organisations, and to offer them public funding to subsidise child and juvenile migration.<sup>193</sup> This state subsidising legitimised the practice “in the eyes of child migration societies and at large.”<sup>194</sup>

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190 TNA, DO35/6379, First Annual Report of the Oversea Migration Board, July 1954, at LEG.001.005.5608-5609.

191 TNA, DO35/6379, First Annual Report of the Oversea Migration Board, July 1954, at LEG.001.005.5609.

192 [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, p.34.

193 [HIA Inquiry](#), 2017, paragraph 23, p.13; Empire Settlement Act, 1937; Commonwealth Settlement Acts, 1952, 1962, and 1967.

194 [Transcript, day 186](#): Professor Stephen Constantine, at TRN-5-000000017, pp.87-88.



## Empire Settlement Act, 1922

### (12 & 13 Geo. 5.) CHAPTER 13.

An Act to make better provision for furthering British settlement in His Majesty's Oversea Dominions.

[31st May 1922]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

#### 1

- (1) It shall be lawful for the Secretary of State, in association with the government of any part of His Majesty's Dominions, or with public authorities or public or private organisations either in the United Kingdom or in any part of such Dominions, to formulate and co-operate in carrying out agreed schemes for affording joint assistance to suitable persons in the United Kingdom who intend to settle in any part of His Majesty's Oversea Dominions.
- (2) An agreed scheme under this Act may be either:—
  - (a) a development or a land settlement scheme; or
  - (b) a scheme for facilitating settlement in or migration to any part of His Majesty's Oversea Dominions by assistance with passages, initial allowances, training or otherwise;and shall make provision with respect to the contributions to be made, either by way of grant or by way of loan or otherwise, by the parties to the agreed scheme towards the expenses of the scheme.
- (3) The Secretary of State shall have all such powers as may be necessary for carrying out his obligations under any scheme made in pursuance of this Act:

Provided that—

  - (a) the Secretary of State shall not agree to any scheme without the consent of the Treasury, who shall be satisfied that the contributions of the government, authority, or organisation with whom the scheme is agreed towards the expenses of the scheme bear a proper relation to the contribution of the Secretary of State; and
  - (b) the contribution of the Secretary of State shall not in any case exceed half the expenses of the scheme; and
  - (c) the liability of the Secretary of State to make contributions under the scheme shall not extend beyond a period of fifteen years after the passing of this Act.



Since the Act and its successors involved the HM Treasury spending taxpayers' money on child migration, it became necessary to implement a system of proper accountability. This resulted in formal agreements being drawn up between the UK Government—in practice the Dominions Office pre-1947, and the Commonwealth Relations Office (CRO) post-1947—and voluntary societies. Organisations were required to be approved in order to benefit from the legislation. The approval system had the potential to provide a mechanism for closer supervision of the activities of organisations engaged in child migration, but that did not happen.<sup>195</sup> Instead, the Act served to encourage sending and receiving organisations to establish institutions in Australia and elsewhere to which they could send children they currently cared for in the UK.

In Australia, individual states also entered into immigration agreements with the UK Government under the 1922 Act. These agreements primarily dealt with the subject of subsidies, but also considered the numbers of children being migrated.<sup>196</sup>

The 1922 Act was renewed periodically until 1972. The regular renewals provided “officials in Whitehall repeated opportunities to review past practice before renewal” but they failed to take such opportunities.<sup>197</sup>

### **The Children and Young Persons (Scotland) Acts, 1932 and 1937**

In line with the Children Act, 1908, the 1932 Act still permitted ‘fit persons’ and school managers of approved schools—the successors of reformatory and industrial schools—to arrange the emigration of a child, but it introduced important changes regulating the migration of children under the care of a ‘fit person’. Section 19(7) of the Act provided that the power invested in the ‘fit person’ to migrate children who had been placed in their care by the court was now subject to the child’s own consent. Consequently, only children who had the capacity to consent could be migrated. Under Scots law at the time, this would have been girls aged 12 or over and boys aged 14 or over.<sup>198</sup> The 1932 Act stipulated for the first time that parents were to be consulted on their child’s migration, unless it was not practical to do so. This meant that, prior to giving consent to the migration of a child, the Secretary of State for Scotland had to be satisfied that the child had agreed to, and that the parents had been consulted on, the plan for migration.<sup>199</sup>

Although the Secretary of State still had to approve the migration of children, in reality that responsibility fell to a delegated official. In 1933, the powers of the Secretary of State for Scotland were transferred “insofar as they related to children and young persons committed to the care of an education authority” to the Scottish Education Department (SED).<sup>200</sup>

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195 For a discussion on how this approval system worked in practice, see [Transcript, day 190](#): Professor Gordon Lynch, at TRN-5-000000021, pp.19-21.

196 Senate Committee on Community Affairs, *Lost Innocents: Righting the Record - Report on Child Migration* (Commonwealth of Australia, 2001), paragraphs 2.36 and 2.40.

197 Constantine *et al.*, paragraph 6.5.

198 [Transcript, day 124](#): Professor Kenneth Norrie, at TRN.001.001.6586.

199 By virtue of the Children and Young Persons (Scotland) Act, 1932 (Transfer of Powers) Order, 1933 that power was transferred to the Scottish Education Department, SR&O 1933, no.821.

200 [Norrie](#), 2017, p.341.

The Care and Training Regulations, 1933, further developed the duty on approved school managers. Regulation 19 provided that managers of approved schools “shall endeavour to secure the written consent of both parents” and “shall not ignore an objection to disposal raised by parents... unless the circumstances are such that it is definitely in the interests of the boy or girl that the objection shall be overruled.”<sup>201</sup>

The Children and Young Persons (Scotland) Act, 1937, largely repeated the provisions of 1932 Act.<sup>202</sup> The ‘fit person’ migration provision continued to require the child’s consent for migration, as well as consultation with parents, unless it was not practical to do so.<sup>203</sup> Similarly, the duty on managers of approved schools replicated the provisions of the 1932 Act that required the written consent of the child and included a consultation process with parents.<sup>204</sup> Again, for the purposes of the 1937 Act, a child was defined as a person under the age of 14 years.<sup>205</sup> However, under Scots law, children under the age of minority (a boy under 14 and a girl under 12) had no legal power of consent.<sup>206</sup>

The difference in the migration provisions for ‘fit persons’ and approved school managers meant the processes continued to vary depending on how a child was categorised. Children placed in care by means other than a court order continued to be unprotected by these provisions.

## Consent

The 1932 Act introduced important changes regulating the migration of children under the care of a ‘fit person’, providing that the migration of children placed in care by a court order required the child’s consent—as had been the case for children in reformatory and industrial schools since 1891.<sup>207</sup> Regardless of the law or policy in relation to obtaining a child’s consent, there are significant and troubling questions as to whether a child could fully comprehend the full implications of migration, and whether they were ever able to give properly informed consent. Any process reliant for its validity on the consent of a child is, inevitably, fraught with difficulty. That difficulty is exacerbated when regard is had, in the case of migration, to the enormity of what was proposed and the absence of clear guidance, full and truthful information, and proper support being afforded to the child within a child-centred approach.

Although Scottish children who had reached the age of minority—that is, girls over the age of 12 and boys over the age of 14—had the legal capacity to give consent, many children’s consent to migration was obtained on a false basis. As the histories presented in Volume 1 so clearly show, the history of child migration is dominated by conditions that reduced a child’s real consent almost to an irrelevance. The state did not address that failure. That was a stain on the nation’s conscience, and it was perpetuated by the delay in any acknowledgement of the abuse associated with what became a state-sponsored policy of child migration.

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201 Children and Young Persons (Scotland) Care and Training Regulations, 1933, section 19, at LEG.001.001.2882.

202 [The Children and Young Persons \(Scotland\) Act, 1937](#), fourth schedule.

203 [The Children and Young Persons \(Scotland\) Act, 1937](#), section 88(5).

204 [The Children and Young Persons \(Scotland\) Act, 1937](#), second schedule, paragraph 7.

205 [The Children and Young Persons \(Scotland\) Act, 1937](#), section 110(1).

206 [Transcript, day 124](#): Professor Kenneth Norrie, at TRN.001.001.6586.

207 Reformatory and Industrial schools were replaced by approved schools and remand homes by the 1932 Act. Approved schools were in operation in Scotland until 1968.

## The decline of child and juvenile migration to Canada

The Empire Settlement Act, 1922, had “put in place a much more supportive legislative framework and financial support” for child and juvenile migration.<sup>208</sup> In the case of juvenile migration in particular, financial support could be sought to offset the costs of training in the UK, and juveniles’ travel and establishment as employees in their destinations. This

“enabled increasing numbers to go overseas, while the greater security offered under schemes which earned the approval of Government allayed the fears of parents, and attracted a type of boy who would not ordinarily have considered seeking a career overseas.”<sup>209</sup>

However, shortly after the Act was implemented, concerns about the selection of child and juvenile migrants and the impact of migration on the labour market in Canada, combined with childcare philosophies that stressed the importance of keeping families together, resulted in greater scrutiny of child and juvenile migration schemes.<sup>210</sup>

Two reports produced in 1924 and 1925—the first by an English delegation and the second by Canadian officials—raised particular concerns about the migration of young children. But children’s welfare was neither the only nor, perhaps, the main concern: Canadian citizens were increasingly concerned about the ‘quality’ of child and

juvenile migrants, claiming that they were deficient, deprived, or degenerate. Trade unionists in Canada, on the other hand, criticised the practice of child and juvenile migration “on the grounds that cheap labour was being imported”, leaving less work for Canadian nationals.<sup>211</sup> The Canadian Government enacted legislation that prohibited the migration of unaccompanied children under the school-leaving age.<sup>212</sup> This ultimately led to the cessation of almost all child migration to Canada—with the exception of the Fairbridge scheme, further considered below.

## The Bondfield Report, 1924

In the period up to 1924, concerns had been raised in Canada about the impact of child and juvenile migration on the Canadian workforce, and the suitability of young migrants for the work to which they were sent. As a result, the Canadian Department of Immigration invited the UK Government’s Oversea Settlement Committee to carry out an investigation of the child migration system. Consequently, a delegation headed by Margaret Bondfield, Parliamentary Secretary in the Ministry of Labour, visited Canada in 1924.<sup>213</sup> The subsequent report was generally positive and the delegation was satisfied that, on the whole, emigration societies took great care in the placement of children. It did, however, emphasise the importance of ensuring that the emigration societies themselves inspected homes in which children were placed, instead

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208 Constantine *et al.*, Appendix 1, paragraphs 3.3 and 3.4.

209 A.G. Scholes, *Education for Empire Settlement: A Study of Juvenile Emigration* (Longmans, London, 1932), pp.75-76, cited in Constantine *et al.*, Appendix 1, paragraph 3.4.

210 Constantine *et al.*, Appendix 1, paragraphs 22.1-22.5.

211 [Transcript, day 185](#): Professor Marjory Harper, at TRN-000000016, p.194.

212 The exception to this was the Fairbridge Society, who conversely opened the Prince of Wales Farm School on Vancouver Island in 1935. This is discussed further below.

213 [Cmd. 2285] British Oversea Settlement Delegation to Canada, *Report to the Secretary of State for the Colonies, President of the Oversea Settlement Committee appointed to obtain information regarding the System of Child Migration and Settlement in Canada* [Bondfield Report] (December 1924), at CMT.001.001.0074-0093.

of relying solely on references obtained from third parties. The delegation further recommended that when a society found a home unsuitable they should inform other societies.



British Oversea Settlement Delegation to Canada, 1924, Report to the Secretary of State for the Colonies [Bondfield Report].

Notably, while the Committee had originally been formed in response to economic concerns about the impact of child and juvenile migration on the Canadian workforce, the resultant report considered broader child welfare concerns. It suggested that younger children were those most likely to be exposed to abuse through issues such as underpayment, overworking, and deprivation of education. Accordingly, the

main criticism made by the Committee concerned the sending of young children to Canada, and it recommended against the migration of children under the age of 14. This was accepted by the UK Government and, in 1925, the Canadian Government ruled that children under the age of 14 would not be admitted unless accompanied by their parents. As had happened after the Doyle Report raised concerns, the UK Government acted to reach an agreement with Canada to reduce the risk of children being abused or mistreated.

It should be noted that the Bondfield Committee's concerns did not extend to juvenile migrants—children over the school-leaving age—but instead recommended “the migration of such children be definitely encouraged.”<sup>214</sup> Consequently, juvenile migration continued unimpeded, and the division between ‘child’ and ‘juvenile’ migrants began to have a material impact. In reality, the fact that juvenile migrants were over 14 years old did not mean that they were any less exposed to abusive treatment. Some of them encountered verbal, sexual and physical abuse, isolation, and labour conditions that constituted a form of slavery.<sup>215</sup>

### The Plumtre Report, 1925

In 1921, the Committee on Immigration and Colonization of the Social Service Council of Canada had raised concerns about the inadequate supervision of child migrants by the Canadian Government officials.<sup>216</sup> These concerns were exacerbated by the well-publicised suicides of two juvenile migrants in 1923 and 1924. Partly as a consequence of these factors, the Committee carried out its

214 [Cmd. 2285] Bondfield Report, 1924, at CMT.001.001.0093.

215 Constantine *et al.*, Appendix 1.

216 Barnardo's, Report on Canada's Child Immigrants [Plumtre Report], Social Service Council of Canada, 1925, at BAR.001.005.9338-9381.

own year-long investigation into the methods of selection, distribution, and supervision of child migrants, in the same year in which the Bondfield Delegation visited Canada. This resulted in the publication of the Plumtre Report in 1925.

The Plumtre Report was critical of several child and juvenile migration practices, concluding that children and young people were often sent to inappropriate homes, and were at risk of abuse and exploitation. It found inspections to be inadequate and recommended that inspections should be carried out by trained social workers. It agreed with the Bondfield Delegation's recommendation that children under the school-leaving age should not be admitted unless accompanied by their parents. It would be surprising if a copy of this report was not made available to the UK Government, particularly as the Committee met with the Bondfield Delegation to share information it had collected.<sup>217</sup>

Thus, from 1925, the migration of younger children to Canada had stopped. After that time, the vast majority of unaccompanied children migrated to Canada had reached the school-leaving age, and were therefore classed as juvenile migrants.

### **Economic depression**

Ultimately, it was the economic depression of the inter-war years and changes in the labour market, which brought to an end the long history of child migration from the UK to Canada.<sup>218</sup> By the late 1920s, Canadian immigration authorities were encouraging migration societies to pause their activities,

particularly over the winter months.<sup>219</sup> As the economic depression deepened, it "rendered assisted migration an economic burden rather than an asset to the Empire".<sup>220</sup> As Professor Harper noted, the increasing hostility toward juvenile migration "is another reflection of how the primary concern of the recipients of many of these migrants was an economic concern, it wasn't a welfare concern."<sup>221</sup>

As a result of the concerns raised by reports, new legislative restrictions on classes of migrants accepted into Canada, and the economic depression that hit particularly hard in North America, the philanthropic organisations that had been among the pioneers of child and juvenile migration in previous years began to adapt their practices and, ultimately, discontinue their Canadian migration schemes.

### **Philanthropic migration to Canada post-Empire Settlement Act, 1922**

#### **Cossar Farms**

Dr George Cossar handed over the administration of his training farm at Kilwinning, Ayrshire, to the Scottish Labour Colony in 1911. Then, in 1922, George Cossar communicated with the Board of Agriculture for Scotland in order to secure funding under the terms of the Empire Settlement Act. As a result, in early 1922 George Cossar purchased the Craigiellin estate at Gleniffer Braes, Paisley, "for the purpose mainly of affording to city boys of the poorer classes some experience in farming and gardening with a view to testing their suitability for migration as

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217 Barnardo's, Plumtre Report, 1925, at BAR.001.005.9346.

218 Marjory Harper, "Cossar's Colonists: Juvenile migration to New Brunswick", *Acadiensis*, 28(1)(1998), p.50.

219 Harper, 1998, p.61.

220 Harper, 1998, p.64.

221 [Transcript, day 185](#): Professor Marjory Harper, at TRN-000000016, p.195.

farm workers to His Majesty's Oversea Dominions."<sup>222</sup> George Cossar also secured funding that allowed him to run Craigiellinn, and to support the migration and overseas settlement of his recruits.<sup>223</sup> The farm's council claimed that it required a further £1,000 annually—on top of the existing funding—to keep the scheme running.<sup>224</sup> George Cossar "continued to make public appeals for funds and to receive private donations", and expected his recruits to make a contribution towards their maintenance and training.<sup>225</sup> For example, in February 1924, George Cossar wrote to the Scottish Office enclosing a report on his training farm for boys. The purpose of this letter was to appeal to the Scottish Office for funding under a scheme for remedying unemployment, though George Cossar noted that his organisation already received some assistance from the Oversea Settlement Committee.<sup>226</sup> John Lamb at the Scottish Office replied in March, noting that the Secretary for Scotland could "hold out no hope of financial assistance being given in addition to that afforded by the Oversea Settlement Committee."<sup>227</sup>

Craigiellinn initially offered accommodation for 25 boys, and the first were admitted in September 1922.<sup>228</sup> By 1928, the premises had been extended, and 1,076 boys had been admitted to the training farm. Of these, 535 were later migrated to Canada, 199 to Australia, and some to New Zealand.<sup>229</sup> It should be noted that, whilst George Cossar had hoped to set up a training and distribution farm in Australia in the same way as he had done in Canada, he never accomplished this and it is unclear how boys sent to Australia were supported once there.<sup>230</sup>

George Cossar believed that the Craigiellinn scheme provided

"a double benefit, because it is helping the individual boys, and opening up a career for them, and at the same time building up and developing those great Commonwealths on which the prosperity and indeed the existence of these Islands depends."<sup>231</sup>

This captures the notion espoused by other philanthropists of the need to remove boys at an impressionable age from deleterious environments, while also preserving the Empire.<sup>232</sup>

222 NRS, AF43/235, Draft agreement between the Secretary of State for the Colonies and Craigiellinn Boys' Farm, at SGV.001.009.7042; and Letter from G.F. Plant, Oversea Settlement Office, to the Secretary, Board of Agriculture for Scotland, 13 March 1923, at SGV.001.009.7041.

223 NRS, AF43/235, Draft agreement between the Secretary of State for the Colonies and Craigiellinn Boys' Farm, at SGV.001.009.7042.

224 NRS, AF51/171, Agricultural Training Farm at Craigiellinn, Leaflet c.1924, at SGV.001.008.1938.

225 Constantine *et al.*, Appendix 1, paragraph 12.3.

226 NRS, AF51/171, Letter from George Cossar to Mr Adamson (Scottish Office), 7 February 1924, at SGV.001.008.1990. A draft of the agreement between the Secretary of State for the Colonies and Craigiellinn Boys' Farm is available at NRS, AF43/235, Draft agreement between the Secretary of State for the Colonies and Craigiellinn Boys' Farm, at SGV.001.009.7042.

227 NRS, AF51/171, Letter from John Lamb (Scottish Office) to George Cossar, 24 March 1924, at SGV.001.008.1988.

228 NRS, AF51/171, Report by the Council to the First Meeting of Craigiellinn Boys' Farm Association on 21 December 1923, at SGV.001.008.1940.

229 Harper, 1998, p.55; see also Constantine *et al.*, Appendix 1, paragraph 12.18.

230 Constantine *et al.*, Appendix 1, paragraph 12.18.

231 Constantine *et al.*, Appendix 1, paragraph 12.2.

232 [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, pp.104-105.

George Cossar's farm at Lower Gagetown in New Brunswick, Canada, continued to receive recruits from his Scottish centres, including the new Craigiellin Training Farm. Until 1926, Gagetown "was wholly owned and run by Cossar himself", and thereafter "it was subsidized and directed by a Council of Management in Scotland, assisted by a Canadian committee, though Cossar himself continued to provide most of the funding."<sup>233</sup>

Despite George Cossar's moral conviction, concerns continued to be raised about his work in Canada. In 1924, a former matron of Lower Gagetown wrote to the chief medical officer in Fredericton, New Brunswick, listing a catalogue of problems with the farm.<sup>234</sup> The managers were not suited for the care of the boys. Facilities, including the sanitary arrangements, were inadequate. When new management was brought in, the succeeding superintendent was criticised by Canadian immigration authorities for deficient selection of farming placements and for indenturing boys with their employers.<sup>235</sup>

Nonetheless, in 1928 the government in New Brunswick made George Cossar's farm in Gagetown "responsible for processing all the province's assisted juvenile immigrants", making Gagetown the 'Provincial Training Centre' for the reception, distribution, and placement of all boys sent from the UK to New Brunswick under any assisted passage agreement, not just those sent from George Cossar's farms in Scotland.<sup>236</sup> While this responsibility came with additional

federal funding, George Cossar lost some independence, for not all the migrants sent to Gagetown thereafter had undergone training at Craigiellin, a major part of his initial scheme.<sup>237</sup> Other problems faced by the scheme included that, in 1925, the British Immigration and Colonisation Association (BICA) (see below) had "decided to send all its delinquent boys" to George Cossar's farm at Gagetown, instead of repatriating them to Scotland, thereby striking a further blow to George Cossar's reputation.<sup>238</sup>

In July 1930, George Cossar's scheme faced further significant criticism from the Canadian Immigration Department in St John, New Brunswick, criticism that reflected the many complaints that had been previously raised. The representative of the department had no doubt that boys were being exploited by employers, partly because George Cossar's scheme sent boys out without there having been adequate inspection of prospective employers and employment agreements. Some boys sent from Cossar Farms in Scotland were found to be undertaking unpaid road work for employers, in addition to the farm work they had been employed to carry out. Other failures included the unsupervised movement of boys between different employers.<sup>239</sup> That same year, the Canadian government's emigration agent in Glasgow accused George Cossar of selecting juveniles who were delinquent or medically unfit.<sup>240</sup> Some of the boys sent by George Cossar to Canada were deported

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233 Harper, 1998, p.53.

234 LAC, RG76, vol. 568, file 811910, part 1 (C-10647), Letter from Waugh to Melvin, 14 November 1924, cited in Constantine *et al.*, Appendix 1, paragraph 12.12.

235 [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, pp.110-112.

236 Harper, 1998, p.60.

237 Harper, 1998, p.61.

238 Harper, 1998, pp.56-57.

239 Constantine *et al.*, Appendix 1, paragraph 12.14; [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, pp.112-114.

240 Constantine *et al.*, Appendix 1, paragraph 12.16.

for a variety of reasons that included criminal convictions and vagrancy.<sup>241</sup>

In 1933, an official within the Canadian Immigration Department in St John, New Brunswick, observed that George Cossar “means well but does not know how to go about it.”<sup>242</sup> That statement, together with comments attributed to George Cossar as to his intentions, suggest that George Cossar was indeed well-meaning. However, good intentions are all too often not enough. They can co-exist with—but do not excuse—systemic failures. Scottish juveniles endured neglect and exploitation as a result of George Cossar’s naivety and systemic failures. While George Cossar no doubt offered many children productive lives overseas and rescued them from situations of deprivation and the prospect of unrelenting hardship in Scotland, I am satisfied that the failures identified exposed Scottish juveniles to lives of hardship overseas.

New Canadian regulations introduced in 1929 resulted in many boys from George Cossar’s Scottish farms being rejected for migration and brought his migration scheme to an end. In December that year, the Lower Gagetown farm was destroyed by a fire and later converted into a training centre for unemployed boys in Canada.<sup>243</sup> Between 1911 and 1929, George Cossar had, however, been responsible for dispatching around 1,200 juveniles overseas.<sup>244</sup>

## British Immigration and Colonization Association (BICA)

The British Immigration and Colonization Association (BICA) was incorporated in 1921 to encourage and sponsor the migration to Canada of male juvenile migrants from farming families.<sup>245</sup> Its creation was inspired by what Professor Harper described as “defensive imperialism”, by which she meant the preservation of the British Empire at a time when its existence was under threat.<sup>246</sup>

Between 1924 and 1931, the BICA was responsible for the migration of approximately 5,500 boys to Canada.<sup>247</sup> BICA established a distribution centre in Montreal in 1924, and a training farm at the same location in 1927. After a period of time at the BICA centres, juveniles were placed out on farms in various locations in Ontario and Quebec.<sup>248</sup> Whilst BICA continued its operations until 1941, very few boys were migrated after 1931.

Available evidence suggests that approximately 550 Scottish boys were migrated to Canada under the auspices of BICA. From its inception, BICA used George Cossar as its Scottish recruitment agent.<sup>249</sup> Some of the trainees at George Cossar’s Craigiellinn farm scheme were migrated under the auspices of BICA, and George Cossar arranged for the migration of self-funded boys from well-off families

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241 Constantine *et al.*, Appendix 1, paragraph 12.11; [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, p.108.

242 Constantine *et al.*, Appendix 1, paragraph 12.16; [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, p.115.

243 Constantine *et al.*, Appendix 1, paragraph 12.18.

244 Constantine *et al.*, Appendix 1, paragraph 12.1.

245 [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, p.70.

246 [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, p.72.

247 Constantine *et al.*, Appendix 1, paragraph 8.2; [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, p.70.

248 Constantine *et al.*, Appendix 1, paragraph 8.1.

249 Constantine *et al.*, Appendix 1, paragraph 8.2.



via the BICA scheme.<sup>250</sup> The two schemes were so intertwined that the Department of Immigration and Colonization grouped them together when reporting on inspections.<sup>251</sup>

There was contemporaneous criticism of BICA's operations. In 1925, Bogue Smart, Chief Inspector of British Immigrant Children and Receiving Homes, corresponded with BICA directors. He complained that boys spent too long at the distribution centre in Montreal, that some boys had simply disappeared, and that inadequate attention was devoted to the selection of juveniles for farming work, as there were boys who refused to work on farms. He raised the issue of "a large number of chronic bedwetters."<sup>252</sup> The manner in which placements were managed was subject to criticism. Bogue Smart concluded that BICA "should not be permitted to bring any more boys to Canada until there is evidence that the boys under their supervision at present are receiving satisfactory care."<sup>253</sup> The clear message here is that the boys were not being cared for satisfactorily.

BICA's operations continued to be bedevilled by criticism from the Canadian immigration authorities for inappropriate placements, premature deaths—one being the suicide of a Scottish juvenile—poor record keeping, and poor management.<sup>254</sup>

The Canadian authorities appear to have viewed the BICA scheme as one "tailored for farmers who wanted cheap labour rather than tailored to the advantages and opportunities it was going to give the recruits."<sup>255</sup> The fact that some juveniles who migrated under the BICA scheme returned to the UK, either voluntarily or by deportation, is a telling indictment of the BICA scheme's failure.<sup>256</sup>

Professor Harper observed that,

"of all the institutions I have looked at this Scheme of British Immigration and Colonization Association comes out with probably one of the most negative reputations. It seems to have attracted particular problems, or engendered particular problems."<sup>257</sup>

The scheme was flawed, poorly managed, and exposed juvenile migrants to lives of despair and loneliness, where escape to the cities or back to the UK became the chosen alternative to mishandled placements.<sup>258</sup>

### Other schemes affecting juveniles

Although there are occasional references to Scottish juveniles being sent to Kenya, South Africa, and the Republic of Zimbabwe (formerly Southern Rhodesia), the available evidence discloses that most were sent to Canada, Australia, and New Zealand.<sup>259</sup> Schemes for juveniles were not directed at those "in need" or "deprived

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250 [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, p.73.

251 Constantine *et al.*, Appendix 1, paragraph 8.3.

252 Constantine *et al.*, Appendix 1, paragraph 8.5; [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, p.76.

253 Constantine *et al.*, Appendix 1, paragraph 8.6.

254 Constantine *et al.*, Appendix 1, paragraph 8.8; [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, pp.79-82.

255 [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, p.81.

256 [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, p.87.

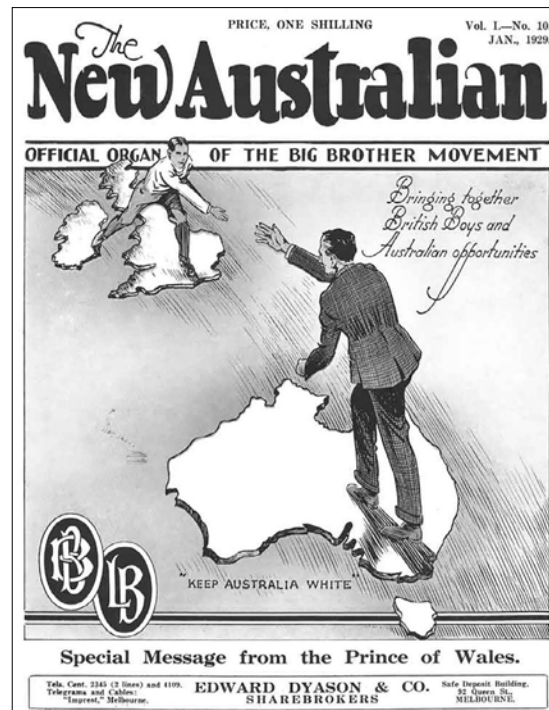
257 [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, p.87.

258 Constantine *et al.*, Appendix 1, paragraphs 21.6-7; CrossReach, Response to section 21 notice, at COS.001.001.0640; CrossReach, Part C response to section 21 notice, at COS.001.001.0446.

259 Constantine *et al.*, Appendix 1, paragraph 21.2.

of a normal home life”, although children who had been in care were included. For instance, the Barwell Boys Scheme and schemes promoted by the Boy Scouts Association mostly recruited juveniles from the community.<sup>260</sup> Organisations such as the Boy Scouts Association were essentially facilitators, sending juveniles to establishments managed by other organisations.<sup>261</sup>

Another such scheme was the Big Brother movement, established in 1925 to facilitate the migration of male juveniles to Australia. The Big Brother Movement recruited juveniles from different sources, including public and secondary schools. This scheme was principally aimed at children who were already well set-up in life, for whom migration could provide better economic opportunities.<sup>262</sup> However, there is some evidence that some Scottish juveniles who were in care applied under the scheme to migrate to Australia.<sup>263</sup> Contemporaneous records demonstrate that the Big Brother Movement faced several difficulties. For instance, the minutes of the Annual General Meeting of the Big Brother Movement in Tasmania in 1961 reported difficulties associated with “isolation, inadequate preparation and poor supervision”.<sup>264</sup>



Big Brother Movement flyer, 1929. Source: [NAA](#).

### Quarriers

William Quarrier had temporarily ceased migrating children to Canada in protest against the introduction of government oversight in 1897.<sup>265</sup> Following his death, Quarriers’ trustees resumed the operation and, on 22 April 1905, 102 boys left for Canada, followed by a party of 84 girls on 8 July 1905.<sup>266</sup>

In the earlier years, it appears that Quarriers relied solely on charitable donations to fund its child and juvenile migration scheme. From 1922, however, Quarriers was able to benefit from grants under the Empire Settlement Act. It also received grants from the Canadian Government, and local authorities reimbursed costs relating to the migration of children they had placed with Quarriers.

260 [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, pp.53-55.

261 [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, p.65.

262 [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, p.24 and pp.57-58.

263 [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, pp.59-62.

264 Constantine *et al.*, Appendix 1, paragraph 6.10.

265 Constantine *et al.*, paragraph 16.13.

266 Quarriers, *A Narrative of Facts, 1904*, at QAR.001.008.8038.

## Memorandum of Conditions on which Children are Placed Out

(I) No child of wage age may be paid less than an average of \$10.00 per month; girls seldom get more than \$18.00 in the country, and boys seldom over \$25.00. The wage for boys is arranged so that less is paid for the winter than for summer months. In urban centres \$25.00 to \$30.00 may be required for more experienced girls. The ages of our wards range from 14 or 15-years to 21 years.

(II) Church and Sunday School must be attended regularly and no child should be expected to walk to church continually, when the distance is more than one and a half miles. Where at all possible the child should be taken with the family. In any case a good example is essential.

(III) The child should be entitled to all statutory holidays, or the equivalent in lieu thereof.

(IV) A child must be provided a separate bed for its exclusive use; a separate room is most desirable. If necessity requires otherwise the matter should be referred to us for consideration.

(V) The children's mail, coming or going, must not be interfered with by anyone. Perfect liberty must be allowed the child to correspond with friends privately, without letters being opened or read by any third party.

(VI) Girls should not be required to do what is generally regarded as only a boy's or man's work. They shall not be left in any place with only men folk about.

(VII) Hospital and medical expenses, unless incurred under circumstances which would make the employer liable, may be deducted from the wages.

(VIII) Engagements may be terminated by giving notice two weeks beforehand. The Statutes provide that any person, who has taken a child from the Home, and is unable or unwilling to carry out the agreement under which the child is placed, must, at his own expense, return the child safely to the Home.

(IX) Those having the children must send every six months an account examined and signed by the child, of expenditure, WITH STOREKEEPER'S BILLS, showing clothing and boots bought and monies advanced as spending money and the balance in cash (not by cheque unless payable at par, but by postal or express order) to the Superintendent, who will deposit the sum and send the child a pass-book, which shall be returned with future remittances.

N.B.—Bicycles or articles other than clothing and boots are not to be purchased without our consent. Dealers or employers may be held liable for the amounts involved. Storekeeper's bills alone will be accepted for amounts spent for the child. No charge will be allowed for second-hand clothing. Girls' accounts must be settled in June and December, boys' in April and October.

(X) The child must not be transferred to another party or removed from the district without the consent of the Superintendent.

(XI) In the event of sickness, or should the child leave without consent, the employer shall at once notify the Superintendent, and in the latter case use every means to trace the child.

(XII) A sum of \$4.00 must be sent the Superintendent before the child will be sent. To save delay a remittance of this amount should be sent with the application form. If we cannot supply you we will refund the amount. This amount is not to be deducted from the child's wages. The placement, travelling and other expenses to your station are covered by it.

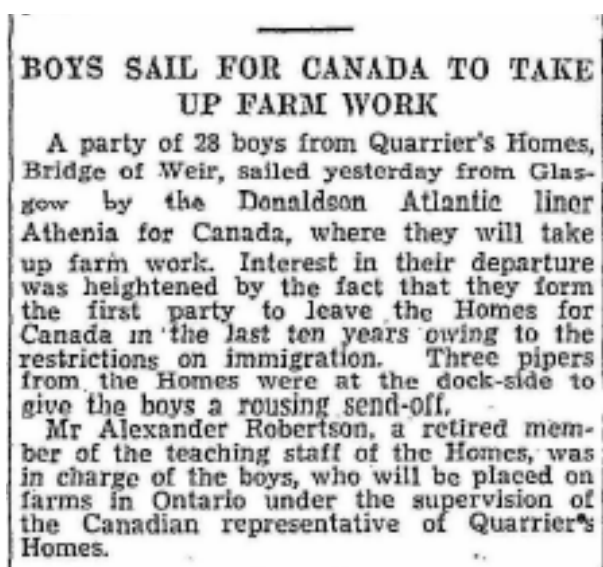
(XIII) Any officer of the Home shall have full liberty to visit the child, examine clothing, bedroom, etc., and to remove the child if he sees fit.

**TEAR OFF AND KEEP FOR REFERENCE**

Initially, both children and juveniles were migrated by Quarriers, but

“from the early 1920s virtually all migrants to Canada were juveniles, not children, following age restrictions imposed by the Adolescent School Attendance Act in Ontario in 1921 and the recommendations of the Bondfield Report in 1924 that the state-funded migration only of those over school-leaving age should be allowed.”<sup>267</sup>

Most of those migrated were boys.



Boys sail for Canada to take up farm work, *The Scotsman*, 16 April 1938.

The flow of juvenile migrants continued through the 1920s. In 1933, Quarriers' *Narrative of Facts* explained that “this year Canada closed her ports to all immigrants. Even the well-bred, well-trained boys from 'Quarrier's' were not wanted.”<sup>268</sup> In 1934, Quarriers sold its distribution home at Fairknowe, and only siblings of those

already in Canada were sent thereafter. In 1938, a final group of 28 children were sent to Canada.<sup>269</sup> With the outbreak of war in 1939, the long history of child migration from Quarriers to Canada came to an end. By then, Quarriers had migrated over 7,000 children to Canada.<sup>270</sup>

### Barnardo's

Barnardo's migration activities, which had begun in 1869, were discontinued during the First World War. After they resumed, Barnardo's received funding for migration activities from the UK and Canadian Governments under the Empire Settlement Act agreement, “covering the full cost of passages and railways fares in Canada by joint grants amounting to [£5.10s.] per head”, as well as a grant from the UK Government covering the costs of outfits, up to £3 per head.<sup>271</sup>

Subsequently,

“the action taken by the Canadian Government after the adverse Report of the Bondfield Deputation of 1924 on the boarding-out of young children, together with the general restriction of migration resulting from the post-war economic depression, stemmed the flow of young migrants.”<sup>272</sup>

Barnardo's adopted the Bondfield Delegation's recommendation that only children over 14 should be migrated, but there was nonetheless some migration to Canada of children under that age. In 1925, Barnardo's had taken over the Liverpool Sheltering Home

267 Constantine *et al.*, Appendix 1, paragraph 16.2.

268 Quarriers, *A Narrative of Facts*, 1933, at QAR.001.001.2735.

269 Quarriers, Response to section 21 notice, at QAR.001.008.003; Numbers migrated since 1900: information taken from *Narrative of Facts* and Scroll Diaries, at QAR.001.007.8046.

270 Quarriers, Written Closing Submissions, at QAR-100000031. See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#), “Mary Scott Pearson”.

271 Barnardo's, Memorandum on the Migration Work and Policy of Dr Barnardo's Homes, at BAR.001.005.4041.

272 Barnardo's, History of migration of children of Dr Barnardo's Homes, 3 February 1949, at BAR.001.005.4047.

established by Louisa Birt—the sister of Annie Macpherson—where boys were sent before being migrated to Canada.<sup>273</sup>

In 1939, Barnardo's migrated its final group of "21 senior boys and 7 girls" to Canada where, as in earlier years, they were boarded out. Migration was suspended when war broke out in 1939.<sup>274</sup> By then, Barnardo's had migrated approximately 30,000 children to Canada.<sup>275</sup> In 1940, Barnardo's reported that, even before the Second World War disrupted the scheme, their Canadian migration work had been slowed by the "downward trend of population in Britain, the reluctance of parents and relations to part with their children, and the high standard of restriction placed on intending migrants" to Canada.<sup>276</sup> Also, Barnardo's posited that "the Dominions do not appreciate fully the advantage of a steady flow of young migrants whose training and after-care are under the most careful supervision."<sup>277</sup> However, even while accepting that migration to Canada could not continue on the same scale as it had in the earlier years and that better opportunities were available to boys in the UK than had previously been the case, Barnardo's continued to push to "re-open our migration work", proposing "to concentrate the work exclusively in the Province of Ontario".<sup>278</sup> These appeals were not successful.<sup>279</sup>

## Aberlour

Aberlour continued to migrate some of its boys over the age of 14 to Canada throughout the 1920s under the auspices of what was known as the Canadian Pacific Scheme.<sup>280</sup> There is no evidence that Aberlour benefitted from any state funding whether under the 1922 Act or otherwise. It is likely that Aberlour funded the migration of juveniles itself, as part of its general fundraising activities.<sup>281</sup>

Contemporaneous evidence suggests that Aberlour's intentions in engaging in juvenile migration, at least in the 1920s, were influenced by promoting the best interests of boys who had reached the school-leaving age and were about to enter employment. This is exemplified by an extract from the *Aberlour Orphanage Magazine* from July 1928: "Our boys...will be able to look forward to a future independence and will make for themselves an honest career, and at the same time will help to build up the wealth and prosperity of the country."<sup>282</sup>

Aberlour's criteria for the selection of boys for migration is unclear. From the mid-1920s, Aberlour would have been required to comply with the conditions imposed by Canadian legislation in relation to the height and age of migrants. If any formal reports of placements and inspections were

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273 Barnardo's, Response to section 21 notice, at BAR.001.005.3331.

274 Barnardo's, *The Barnardo Book* (1955) at BAR.001.005.4067.

275 Barnardo's, History of migration of children of Dr Barnardo's Homes, 3 February 1949, at BAR.001.005.4047; Barnardo's, Response to section 21 notice, at BAR.001.005.3328; Barnardo's initial Section 21 response stated that no children had been migrated from Scotland. See Barnardo's, Part C response to 21 notice, at BAR.001.001.0507.

276 Barnardo's, Memorandum on the Migration Work and Policy of Dr Barnardo's Homes, at BAR.001.005.4043.

277 Barnardo's, Memorandum on the Migration Work and Policy of Dr Barnardo's Homes, at BAR.001.005.4043.

278 Barnardo's, Memorandum on the Migration Work and Policy of Dr Barnardo's Homes, at BAR.001.005.4044.

279 The 1955 *Barnardo Book* notes that migration to Canada had not been resumed after the Second World War: Barnardo's, *The Barnardo Book* (1955) at BAR.001.005.4067.

280 Aberlour Child Care Trust, Response to section 21 notice, 1930-2014, at ABE.001.008.8061.

281 [Transcript, day 194](#): SallyAnn Kelly, at TRN-5-000000025, pp.59-60.

282 [Transcript, day 194](#): SallyAnn Kelly, at TRN-5-000000025, p.44.

made, no records are available.<sup>283</sup> There is contemporaneous evidence from the *Orphanage Magazine* that the sub-warden went to Canada in 1928 to 1929, and personally visited former Aberlour boys who were then working on farms.<sup>284</sup>

The 1930 *Orphanage Magazine* recorded that two boys sailed to Canada in July of that year, but “[a]fter this period, Aberlour ceased to participate in the migration of boys to Canada.”<sup>285</sup> Three years later, the *Orphanage Magazine* stated that “the door to emigration is closed”, but Aberlour offered no explanation for this final development.<sup>286</sup>

A minute of August 1938 records a visit and letter from Mr Reid, a Fairbridge representative. Consistent with its previous approach whereby Aberlour only migrated juveniles, it was “decided that...it was not practicable to take away numbers of children under twelve, but that the scheme might be considered if Fairbridge were willing to receive children at fourteen or upwards.”<sup>287</sup>

It appears that Aberlour respected the wishes of children, and inspected and monitored placements. The lack of extant records makes it difficult to identify whether there were any policies or procedures, or whether these were followed in practice. Aberlour acknowledges that its historical records do not contain any evidence of formal policies and procedures relevant

to juvenile migration, and that children’s individual case records frequently lacked the details that could have allowed for a better insight into how migration was managed.<sup>288</sup> I am satisfied that Aberlour carried out a thorough examination of all relevant available records and extracted the information that is relevant to its involvement in juvenile migration.

### Fairbridge Prince of Wales Farm School

In 1935, when other institutions’ activities in Canada were dwindling or had already ceased entirely, the Fairbridge Society opened its Prince of Wales Farm School in British Columbia, which provided accommodation exclusively for British children. The Fairbridge Society was successful in obtaining support for this scheme from the Canadian Government, the Provincial Government of British Columbia, and the UK Government. That was a significant achievement at a time when the Canadian Government’s enthusiasm for child migration had effectively ended, and institutional care was seen by the British Columbia’s Directors and Superintendents of Social Welfare, and by many social workers in the province, as an anachronism.<sup>289</sup> A total of 329 children from the UK were sent to Fairbridge Prince of Wales Farm School over the following years, including at least 25 Scottish children, three of whom have given evidence to SCAI.<sup>290</sup>

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283 Constantine *et al.*, Appendix 1, paragraph 4.7.

284 Aberlour Child Care Trust, Response to section 21 notice, 1900-1930, at ABE.001.008.7701; *Aberlour Orphanage Magazine*, 1929, at ABE.001.008.7736.

285 Aberlour Child Care Trust, Response to section 21 notice, 1930-2014, at ABE.001.008.8061.

286 Aberlour Child Care Trust, Response to section 21 notice, 1930-2014, at ABE.001.008.8061.

287 Aberlour Child Care Trust, 1938 minute book extract, 25 August 1938, at ABE.001.008.8076. See also [Transcript, day 194](#): SallyAnn Kelly, at TRN-5-000000025, pp.63-64.

288 Aberlour Child Care Trust, Written Closing Submissions, at ABE-000000007, p.2.

289 Constantine *et al.*, paragraph 16.39.

290 Constantine *et al.*, paragraph 16.38; IICSA, 2018, paragraph 3, p.6. See [Case Study no. 8, Volume 1](#), “Scott”; Hugh Taylor; and Roderick Donaldson Mackay.

Fairbridge, the only organisation still sending children to Canada after the Second World War, faced criticism for both its Australian and Canadian migration practices. By 1943, following a report that disclosed criminal charges against former Fairbridge boys, and significant numbers of pregnancies amongst unmarried former Fairbridge girls, it is clear that the Dominions Office knew “that there were serious grounds for concern” at Fairbridge in British Columbia, but these concerns were largely disregarded by officials in the UK.<sup>291</sup>

In 1944, a report from a former employee of the Fairbridge Farm School, disclosed many inadequacies at the school.<sup>292</sup> This led to an investigation by Isobel Harvey, the Provincial Government’s Superintendent of Child Welfare.

Isobel Harvey notified other state authorities of her concerns.<sup>293</sup> In April and May 1944, she wrote to the Immigration office in Ottawa to notify them that Fairbridge was in breach of British Columbia’s Protection of Children Act. She made her concerns known to the District Superintendent of British Columbia’s Immigration Branch of the Department of Mines and Resources, who subsequently wrote to the Director of Immigration in Ottawa to relay these concerns.

Isobel Harvey’s follow-up report, dated August 1944, was critical of all aspects of the school including the quality of care and accommodation; education and training; and the supervision and aftercare provided to

the children.<sup>294</sup> She became aware of several instances where children had been found in each other’s bedrooms, and of staff behaving inappropriately towards girls at the school. In her view, this behaviour was serious enough to merit police investigation.<sup>295</sup> She concluded that the school was not “fulfilling Kingsley Fairbridge’s ideals as it should.”<sup>296</sup>

In September 1944, British Columbia’s Deputy Provincial Secretary, P. Walker, sent a copy of Isobel Harvey’s report to his colleague at the Immigration department following a meeting with the local Fairbridge committee, at which Isobel Harvey was present.

The Fairbridge Farm School wound down its operations from 1948, ceasing to operate in 1951, following concerns of sexual abuse. There were many lessons to be learned from what had transpired at the Fairbridge Farm School in British Columbia by all involved, in particular by the Fairbridge Society, since it continued migrating children to Australia, and the UK Government departments responsible for overseeing the migration of children. There is no indication that any such learning occurred.

### **The rise of child migration to Australia**

Many of the concerns raised about child migration to Canada concerned the boarding-out of children into private homes, which posed significant practical hurdles to inspection and monitoring of the children. In contrast, child migration to Australia relied primarily on institutional care, often

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291 Constantine *et al.*, paragraph 16.40.

292 Constantine *et al.*, paragraph 24.3-24.4.

293 Constantine *et al.*, paragraphs 24.3-24.4.

294 Prince’s Trust, Report on study made of Fairbridge Farm School during the month of August 1944 [Harvey Report], at PRT.001.001.2720. See Scottish Child Abuse Inquiry, [Case Study no. 8, volume 1.](#), Roderick Donaldson Mackay. He found that, despite being very critical of the Farm School more broadly, the report rated his own Cottage—in which he suffered abuse—highly.

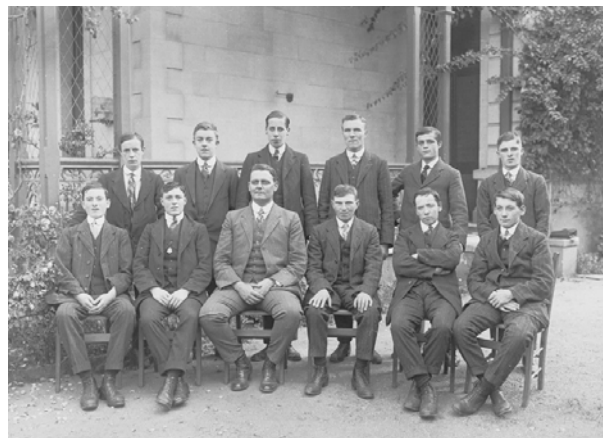
295 Constantine *et al.*, paragraph 24.4.

296 Prince’s Trust, Harvey Report, 1944, at PRT.001.001.2728.

in farm schools where boys were trained for farm work and girls were trained for domestic work. The farm school, as a form of institutional care for child migrants, was pioneered in Australia by Kingsley Fairbridge.<sup>297</sup>

Until the end of the Second World War, the Australian Government did not have “a strong policy investment in child migration”.<sup>298</sup> Instead, child and juvenile immigration schemes in Australia were largely managed by individual states. For example, the Immigration Amendment Act, 1913, “empowered the South Australian State to introduce an apprenticeship programme”, and outlined the conditions under which boys aged 15 to 19 could be granted passage to Australia—with the consent of a parent or guardian—in order to take up farm work.<sup>299</sup> That same year, South Australia advertised a scheme that offered assisted passages to South Australia for “respectable boys between the ages of 15 years and 19 years [juveniles] who are physically capable of and wish to take up farm work with a view to eventually becoming farmers.”<sup>300</sup> This scheme was taken advantage of by, for instance, Kibble Reformatory School.<sup>301</sup> However, it was restricted to boys of working age—over 15, in this case—and applied not to organisations but to individuals, with funding coming from the South Australian state and not the Federal or UK Government. In 1915, the Western Australian Government also

began to provide financial assistance for migration schemes.<sup>302</sup>



Group of Kibble boys who arrived in South Australia on 11 October 1913 at the Domestic Helpers’ Home, Norwood. Image courtesy of the History Trust of South Australia Glass Negatives Collection, no. 1017. Source: [Kibble](#).

Kingsley Fairbridge was the first to establish a farm school in Australia to provide care exclusively for child migrants.<sup>303</sup> The Fairbridge Farm School in Pinjarra, Western Australia (‘Pinjarra’), was established in 1912 and received its first child migrants from the UK the following year.<sup>304</sup> Initially, Fairbridge’s child migration scheme was entirely dependent on voluntary donations, but from 1915 it also received financial support from the Australian Government.<sup>305</sup> Furthermore, Fairbridge received funding from the UK government for its child migration scheme initially through an agreement with the Oversea Settlement Committee shortly after the First World War and, from 1923, through

297 For a more detailed consideration of the receiving institutions in Australia and their practices with regards placement, inspections and aftercare, see Constantine *et al.*, Chapters 17, 25-27, and 29-33, and Appendices 2-4.

298 [Transcript, day 190](#): Professor Gordon Lynch, at TRN-5-000000021, p.129.

299 Constantine *et al.*, Appendix 1, paragraph 3.5.

300 Kibble Education and Care Centre, Opportunity for Boys to become Farmers, at KIB.001.001.0707.

301 Kibble Education and Care Centre, Response to section 21 notice, at KIB.001.001.0027.

302 [Senate Committee on Community Affairs](#), 2001, paragraphs 2.44-46.

303 For a more detailed consideration of the receiving institutions in Australia and their practices with regards placement, inspections and aftercare, see Constantine *et al.*, Chapters 17, 25-27, and 29-33, and Appendices 2-4.

304 See Constantine *et al.*, Chapter 26; [IICSA](#), 2018, paragraph 2.2.1.2.

305 Constantine *et al.*, paragraph 17.3.





The dining hall at Fairbridge Farm School, Molong, c. 1938-1973, courtesy of BBC Cornwall. Source: [Find & Connect](#).

the Empire Settlement Act. In 1938, a second Fairbridge Farm School opened in Molong, New South Wales, having secured funding through arrangements with the state and federal government, as well as the UK Government.<sup>306</sup>

Further child migration schemes were set up in the 1920s and 1930s.<sup>307</sup>

In 1926, the Royal Over-Seas League (ROSL) set up a migration committee, and the next year began to sponsor child migrants to be sent to the Fairbridge Farm School.

Barnardo's initially sent children to the Fairbridge Farm School in Western Australia,

with its first group of 'senior boys' (over the age of 14) going to Pinjarra in 1921, and its first group of 'senior girls' being sent in 1923. From the founding of the Fairbridge Farm School in Western Australia in 1921 to February 1949, Barnardo's "sent 232 boys and 176 girls out to Western Australia".<sup>308</sup>

In 1929, Barnardo's opened its own Farm School at Mowbray Park, Picton, which could provide farm training for 100 migrant boys aged eight to 15 years old.<sup>309</sup> In 1938, Barnardo's opened Burwood Home, Sydney, for migrant girls and, in 1951, opened Greenwood in Normanhurst.

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306 Constantine *et al.*, paragraph 17.3. In 1940, the Principal of Molong was dismissed in relation to concerns "which included some relating to inappropriate sexual behaviour": [IICSA](#), 2018, paragraph 4.10a.

307 In 1913, Whinwell Home, Stirling, sent children to Fairbridge and continued to do so until at least 1934. See Constantine *et al.*, paragraph 17.6; in the Annual Report for 1934, it is reported that six Whinwell children had been selected for emigration to Fairbridge, Pinjarra, three of whom had already departed: see NRS, ED57/1398, Educational Trust, 189001954 (Whinwell Children's Home), at SGV.001.009.7251.

308 Barnardo's, History of migration of children of Dr Barnardo's Homes, 3 February 1949, at BAR.001.005.4048.

309 Barnardo's, History of migration of children of Dr Barnardo's Homes, 3 February 1949, at BAR.001.005.404; [IICSA](#), 2018, paragraph 2.1.7.



Barnardo's Home, Burwood, c.1938/1958. Photograph from the Remmers collection. Source: [NARDY: old boys and girls reunion club](#).

In 1932, Lady Alice Northcote established a trust to assist child migration from any part of the UK to Australia. Consequently, in 1937 the Northcote Farm School opened in Bacchus Marsh, Victoria, with Fairbridge operating as the recruiting agency.

Quarriers sent its first group of child migrants to Australia in 1939. A total of 17 children, both boys and girls, were sent to the Burnside Presbyterian Orphan Homes at Parramatta in New South Wales.<sup>310</sup> Funds for the migration of these children came from Australia, rather than from the UK Government.<sup>311</sup>



Quarriers Homes, The Evening Telegraph, 4 January, 1950.

From as early as 1925, the Catholic Church in Scotland had been keen to send Catholic children from the UK to Australia to ensure the "spread of Catholicity".<sup>312</sup> The Catholic Church began their child migration schemes

310 Quarriers, Response to section 21 notice, at QAR.001.008.0012.

311 [Transcript, day 190](#): Professor Gordon Lynch, at TRN-5-000000021, p.26.

312 Sisters of Nazareth, Chapter Book minutes, 1925, at NAZ.001.007.8914-8916. See also Constantine *et al.*, paragraph 4.6.

to Australia in earnest in 1938-39, when “the Archbishop of Perth collaborated with the Christian Brothers to bring 110 boys from the United Kingdom to residential institutions operated by the [Christian] Brothers”.<sup>313</sup> This scheme was overseen by Brother Conlon, an Australian Christian Brother who visited the UK in 1938 with other representatives of Catholic organisations to publicise schemes and select children for migration, primarily from Sisters of Nazareth residential homes.<sup>314</sup>

Just as the door to Canada was closing for many children who were in care in institutions in the UK, a window was opening on migration to Australia, now funded by Governments in the UK and overseas. Whilst the outbreak of the Second World War put a pause on its acceleration, it did not staunch it entirely.

### Early warning signs

As in Canada, criticisms of the institutions caring for child migrants in Australia emerged early on. For example, in 1942 Sir Ronald Cross, the UK High Commissioner in Australia, inspected the Christian Brothers farm school at Tardun. This inspection is particularly significant because, before then, there had been

“little by way of independent inspections by UK Government officials of receiving institutions in Australia, and up to the outbreak of war there had been a presumption in the Dominions Office that

child migration was an almost entirely positive process”.<sup>315</sup>

Sir Ronald Cross’s report challenged that presumption, highlighting several concerns about Tardun, including that several boys “had the appearance of ragamuffins” and “the accommodation and arrangements are extremely rough”.<sup>316</sup> Sir Ronald Cross concluded that “conditions at Tardun are not entirely satisfactory”.<sup>317</sup> His four-page report was submitted to the Dominions Office in London.<sup>318</sup>

In May 1943, the UK High Commission was informed by the Fairbridge Society that a cottage mother had made an allegation of malpractice at Northcote Farm School, Bacchus Marsh.<sup>319</sup> This led to the resignation of Colonel Heath, the Principal, and a visit by Walter Garnett, an experienced officer from the UK High Commissioner’s Office.<sup>320</sup> Walter Garnett raised concerns, shared by the Northcote trustees, about inadequate selection; the supervision, training, and conditions at the farm; employment opportunities in the area; staffing and management; and opportunities for children to adapt to life in Australia. Children placed in employment were doing poorly and others had become ill because of conditions at the farm dairy. Walter Garnett was concerned that, because legislation in the state of Victoria meant that the Child Welfare Department had no legal authority

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313 Gordon Lynch, “Catholic Child Migration Schemes from the United Kingdom to Australia: Systemic Failures and Religious Legitimation,” *Journal of Religious History* 44 (2) (2020), p.276.

314 Lynch, 2020, p.276; Constantine *et al.*, paragraph 13.17. The Sisters of Nazareth also operated homes at Geraldton and Camberwell, to which girls were sent from Nazareth Houses in the UK.

315 Transcript, day 190: Professor Gordon Lynch, at TRN-5-000000021, p.40.

316 TNA, DO35/1138, Sir Ronald Cross’s visit to St Mary’s Agricultural School [Cross Report], Tardun, October 1942, at LEG.001.004.4488.; Transcript, day 190: Professor Gordon Lynch, at TRN-5-000000021, pp.36-38; IICSA, 2018, paragraph 1.7.

317 TNA, DO35/1138, Cross Report, 1942, at LEG.001.004.4487.

318 TNA, DO35/1138, Cross Report, 1942, at LEG.001.004.4488-4490.

319 TNA, DO35/1138, Letter from Walter Garnett to R.A. Wiseman, 4 June 1943, at LEG.001.002.0667; Constantine *et al.*, paragraph 25.2; Transcript, day 190: Professor Gordon Lynch, at TRN-5-000000021, p. 46.

320 William Garnett had been part of the Bondfield delegation to Canada in 1924.

over children's homes, no inspections had been undertaken. He was concerned about the control that the Northcote trustees in London had over the school. He was concerned about a report that disclosed that teachers at the local school (who had since been dismissed) were awaiting criminal proceedings in relation to allegations of sexual offences against girls at the school. Walter Garnett passed his findings onto the Dominions Office in London.

In May 1944, Walter Garnett again visited Northcote Farm School along with Reuben Wheeler, the Australian Government's Chief Migration Officer, as part of an Australian-led review of the farm schools that had received child migrants from the UK before the Second World War. During the visit, Reuben Wheeler learnt of allegations of sexual abuse at Northcote Children's Farm School involving a teacher, and girls in bed with "old boys".<sup>321</sup> The report referred to the poor appearance of the boys, "unhomely" cottages, inadequate staffing numbers, and poor training. The report, which recommended yearly inspections by each government, was passed to the Dominions Office.<sup>322</sup>

In October 1944, Walter Garnett was tasked with reviewing the purpose and performance of various institutions receiving child migrants in Australia following reports of

malpractice at the Northcote Farm School that he had found earlier that year.<sup>323</sup> He was critical of a number of systemic failures, including some in relation to aftercare and staff selection. He was particularly critical of institutions run by the Christian Brothers.

In the same year, Caroline Kelly, a member of the Anthropology Department of the University of Sydney, was commissioned by the Australian Department of Immigration and the Ministry of Post-War Reconstruction to report on institutions receiving child migrants. In her 1944 report, she referred to likely sexual abuse at Pinjarra. Several professionals and former staff with whom Caroline Kelly spoke to referred to "the rotten state of affairs there" and "disturbing stories".<sup>324</sup> Many knew about what had happened, including the Governor of South Australia, but "were loath to act because the welfare of the scheme might well be damaged by adverse publicity with the resultant loss of public interest and financial backing".<sup>325</sup> Caroline Kelly recommended that there ought to be a full investigation of the facts before any further funds were made available to Pinjarra. No such investigation was carried out despite the contents of the report being known to the Australian Commonwealth Government, as well as the UK High Commission and the Dominions Office.<sup>326</sup> The abuse continued.<sup>327</sup>

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321 TNA, DO35/1138, Confidential report following my visit to Northcote Children's Farm School, 8/9 May 1944, at LEG.001.004.3973-3978; Confidential report following my visit to Barnardo's Farm School at Mowbray Park, Pictou, N.S.W., 21 May 1944, at LEG.001.004.3979-3981; Confidential report following my visit to the Fairbridge Farm School at Molong, N.S.W. [Wheeler Report, May 1944], 19 May 1944, at LEG.001.004.3982-3986. See also *IICSA*, 2018, paragraph 4.10e.

322 TNA, DO35/1138/4, Fairbridge Farm School W.Australia: Suggested Visit of Walter Garnett to School at Pinjarra, Confidential report on visit to Northcote Children's Farm School [Garnett Report, May 1944], 8/9 May, 1944, at LEG.001.004.3973-3978; Constantine *et al.*, paragraph 25.3; *IICSA*, 2018, paragraph 4.10e.

323 Constantine *et al.*, paragraph 17.9; Appendix 2, paragraphs 2.5-2.7

324 NAA, A436 1945/5/54, Child Migration: A Survey of the Australian Field by Caroline Kelly [Kelly Report], at NAA-000000028, pp.43-46.

325 NAA, A436 1945/5/54, Kelly Report, 1945, at NAA-000000028, p.46.

326 Constantine *et al.*, paragraphs 26.3-26.4; and Appendix 2, paragraph 2.8.

327 See Scottish Child Abuse Inquiry, [Case Study no. 8, volume 1: "Gregs"](#). "Gregs" spoke to the Inquiry about the sexual abuse that he faced at Pinjarra from another boy in the late 1950s, and also cited earlier sexual abuse that had occurred at the institution.



Fairbridge Farm School, Pinjarra, July 1990. Photograph by Betty Smith. Source: [State Library of Western Australia](#).

In April 1944, Fairbridge's General Secretary in London had raised concerns with the Dominions Office about serious failings at Pinjarra.<sup>328</sup> In September 1945, the Chair of Fairbridge UK wrote to the Home Office and Dominions Office raising the Society's concerns "about the limited authority it could exercise over the managers of its farm schools."<sup>329</sup> In 1946, the Fairbridge Society's General Secretary submitted a report to the Dominions Office following his fact-finding mission to Australia that emphasised "the need for an improvement in the care which child migrants should receive."<sup>330</sup>

These early inspections and reports began, therefore, to provide the Dominions Office with quite detailed knowledge about the problems in receiving institutions, and alerted them that child migrants were at risk of being abused. These early warning signs were not heeded, however, and child migration to Australia continued largely unimpeded.

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328 Constantine *et al.*, paragraphs 17.10-17.11

329 Constantine *et al.*, paragraph 7.10; TNA, DO35/1139, Letter from Sir Charles Hambro to Dominions Office and Home Department, 7 September 1945, at LEG.001.002.1088-1090.

330 Constantine *et al.*, paragraph 7.11.

## Post-war policy

In December 1944, the acting Prime Minister of Australia, Francis Forde, announced that the Commonwealth Government had approved a scheme under which it would set up the “machinery” to bring into Australia “an average of 17,000 children yearly”.<sup>331</sup> These children were to be British and “alien” children. It had a “first target figure [of] 50,000 child migrants in the first three post-war years” with an “estimated expenditure of more than £26,000,000 in the first 8 years, excluding building and building maintenance costs.”<sup>332</sup> Such a policy was motivated by the post-war worry that “[i]f we do not populate Australia we will lose it,”<sup>333</sup> hence the promotion, by Arthur Calwell, Australia’s First Minister for Immigration, of the slogan: “populate or perish” after the end of the Second World War, during which Australia had been on the verge of being invaded by Japan.<sup>334</sup>

A Commonwealth Immigration Advisory Committee was set up by the Minister for Immigration and Information with a brief that included assessing the proposal to bring 50,000 children, particularly ‘war orphans’, to Australia over a period of three years. However, following an investigation that included a tour of European countries and discussions with British representatives, the Committee reported on 27 February 1946 that “[t]his scheme is quite impracticable

for the simple reason that there are no war orphans available in any numbers for a scheme of this kind.”<sup>335</sup>

By that time, the estimated cost of the scheme was £64-71 million, a figure that now accounted for the construction and maintenance costs of the scheme.<sup>336</sup> These factors led the Committee to conclude that a “much more reasonable plan” would be to encourage those organisations already engaged in child migration to continue their work.<sup>337</sup> Consequently, at a Conference of Commonwealth and State Ministers held on 19 August 1946, it was agreed that the proposed scheme for the introduction of 50,000 children from the UK and Europe should not be pursued, and that child migration should be encouraged under the auspices of approved voluntary organisations instead. The voluntary organisations identified were Fairbridge Farm Schools, Northcote Farm School, Dr Barnardo’s Homes, and also “new organizations in process of formation such as Church Organizations”.<sup>338</sup> This only served to fuel the second phase of child migration, spearheaded by the Catholic Church.

## The Immigration (Guardianship of Children) Act, 1946

The Immigration (Guardianship of Children) Act, 1946, marked a significant development in the Australian Government’s

331 TNA, DO35/1134, 17,000 Child Migrants a Year Australian Plan Announced, 7 December 1944, at LEG.001.003.4336.

332 TNA, DO35/1134, 17,000 Child Migration, 7 December 1944, at LEG.001.003.4335. The £26,000,000.00 set aside by the Australian Government to support child migration would be the equivalent of approximately £924,339,000.00 today according to the National Archives’ [Currency converter: 1270-2017](#).

333 [Transcript, day 186](#): Professor Stephen Constantine, at TRN-5-000000017, p.55.

334 [Transcript, day 186](#): Professor Stephen Constantine, at TRN-5-000000017, p.55.

335 NAA, A446 1960/66717, Report of the Commonwealth Immigration Advisory Committee, 27 February 1946, at NAA-000000048, p.14.

336 In today’s value this would be the approximately between £2.2-2.5 billion pounds according to the National Archives’ [Currency converter: 1270-2017](#).

337 NAA, A446 1960/66717, Report of the Commonwealth Immigration Advisory Committee, 27 February 1946, at NAA-000000048, p.14.

338 TNA, DO35/1134, Immigration Decision of Premiers’ Conference, 20 August 1946, at LEG.001.003.4321.

responsibility towards child migrants. Prior to the 1946 Act there was no Australian Government legislation governing the migration, settlement, and guardianship of migrated children.<sup>339</sup> Thereafter, the Commonwealth Ministry of Immigration became the formal guardian of children migrated to Australia without their parents or guardians. These responsibilities were usually delegated to states' child welfare officials. Receiving organisations were the custodians of the child migrants, with responsibility for their day-to-day care. In the case of child migration via Catholic schemes, custodianship would sit with the bishop of the diocese where the receiving institution was located, the Federal Catholic Immigration Committee, or, in the case of Western Australia, the Catholic Episcopal Migration and Welfare Association (CEMWA).

### **Child Migration to the Republic of Zimbabwe (former Southern Rhodesia) and New Zealand**

The Rhodesia Fairbridge Memorial College was established by the London Council for the Rhodesia Fairbridge Memorial Association. Although connected to the Fairbridge Society, it operated separately from it.<sup>340</sup> Between 1946 and 1956, 276 children were sent there from the UK, including approximately 10 from Scotland.<sup>341</sup> The College closed in 1962.

The College's records disappeared, and no reports exist of it being inspected. However,

“it is reasonable to suppose that officers of the Southern Rhodesian government did visit, inspect and report...if only to reassure parents and sponsors, and the colonial treasurer, that the college was value for money.”<sup>342</sup>

The only surviving report on the college was produced by John Moss when he visited it in 1954 in an unofficial capacity. John Moss was not impressed with what he found. He was critical of the practice of sending children from the College to private households that had not been vetted or inspected, and the lack of aftercare arrangements.<sup>343</sup>

In 1949, the ROSL initiated a scheme to send child and juvenile migrants to foster homes in New Zealand. From the available records it appears that, of the 549 UK children sent to New Zealand via this scheme, approximately 40 were from Scotland.<sup>344</sup> This scheme differed from others as it was fully funded by the New Zealand Government, and children were placed with foster carers.

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339 [Transcript, day 190](#): Professor Gordon Lynch, at TRN-000000021, pp.85-96.

340 [IICSA](#), 2018, paragraph 8.

341 Constantine *et al.*, paragraph 18.1.

342 Constantine *et al.*, paragraph 18.1.

343 [IICSA](#), 2018, paragraph 52; Constantine *et al.*, paragraph 18.1.

344 Constantine *et al.*, paragraph 18.2; Royal Over-Seas League, Parts A and B response to section 21 notice, at ROL.001.001.0001-0014; NRS, ED11/384, Homeless Children: Emigration Schemes, 1947-1955, at SGV.001.004.4633.

# Ruggles

## John's Sailing Orders!



# Ruggles

## OUR GUEST

Mr. CYRIL BAVIN, O.B.E., Over-Seas League, Over-Seas House, St. James's, London, S.W.1



# Ruggles

## Home From Home





# Ruggles

**OUR GUEST:** Mr. M. C. SMITH, New Zealand House, Strand, W.C.2.

WE NEED ADDITIONAL POPULATION IN NEW ZEALAND— PARTICULARLY **YOUNG** MIGRANTS WHO'LL GROW UP AS NEW ZEALANDERS!

AND IT IS A LAND OF OPPORTUNITY?

OF COURSE... ESPECIALLY WHEN A BOY GOES TO, SAY, A FOSTER FATHER WITH NO CHILDREN OF HIS OWN AND A LARGE FARM TO LEAVE SOMEONE ONE DAY!

"...APART FROM THE 'FOSTER PARENT SCHEME' WE HAVE A 'WORK SCHEME' WHICH IS FOR BOYS IN THE 15-17 AGE GROUP WHO WANT TO LIVE AND WORK IN NEW ZEALAND, ESPECIALLY ON THE LAND..."

THEY'RE SENT TO 'LIVE IN' WITH FARMERS AND, OF COURSE, PAID DURING THEIR TRAINING

I WONDER WHAT PARENTS THINK OF ALL THIS?

# Ruggles

**OUR GUESTS:** Mrs. E. JACQUES, Pulleys-avenue, East Ham, London, E.6. Mrs. A. BUCKINGHAM, Station-road, Castle Donington, Nr. Derby.

WHAT DO YOU THINK, MAISIE?— WOULD YOU LET THE TWINS GO TO FOSTER PARENTS IN NEW ZEALAND?

IF I FELT AS MRS JACQUES FEELS I SHOULDN'T HESITATE...

THREE OF MY CHILDREN HAVE GONE... WE KNEW WE WOULD MISS THEM TERRIBLY BUT WE'VE NEVER REGRETTED OUR DECISION TO GIVE THEM THE CHANCE WE COULDN'T AFFORD

"...AND MRS BUCKINGHAM—THREE OF HER FIVE CHILDREN HAVE GONE TOO"

IT'S NOT GOODBYE FOR EVER!— THEY CAN ALWAYS COME HOME AGAIN...

MY ELDEST BOY IS ON A FARM... ONE OF THE GIRLS IS AT HIGH SCHOOL— THEY'RE HAPPY! AND WHO KNOWS? WE MAY GO OUT AND JOIN THEM ONE OF THESE DAYS!

## VIEWPOINT

### CHILD EMIGRANTS ?

**I**T is most surprising to us that none of the adoption or children's welfare societies in this country seems to favour the emigration of British children to the Dominions.

There are hundreds of lovely homes in Australia and New Zealand where under-privileged British children would be cared for with love and affection and given every chance of a happy and successful career. But these institutions will not assist us.

Would not many parents who are finding it difficult to maintain their children be glad to give them this wonderful opportunity?—Cyril Bavin, Hon. Migration Secretary, Over-Seas League, St. James's, London, S.W.

HOME RULE

ROSL, Ruggles' Ship Cartoon and Viewpoint by Sir Cyril Bavin, Daily Mirror, 24-29 March, 1952.

Muriel Welsford's visit to Australia and New Zealand on behalf of the Women's Voluntary Society in 1950 provided further information about this scheme.<sup>345</sup>

### **Child and juvenile migration, 1922-1946: An overview**

Although the Empire Settlement Act had the potential to support child and juvenile migration to Canada as much as to anywhere else, changing social conditions and attitudes meant that the flow of child and juvenile migrants to Canada slowed significantly between the wars and, by 1939, had all but stopped entirely. While Canada was concerned about the impact of migration on its own workforce, Australia was only too eager to encourage a population boom by importing young people from Britain to bolster its workforce and 'stock'. The scales tipped from favouring Canadian migration, as had been the case for the early philanthropists, to favouring Australian migration and institutional accommodation.

Meanwhile, there had been increasing awareness of the need to protect children and young people from abuse and neglect ever since the 1894 Protection of Children Act. Corporal punishment in particular was under question in the 1930s. Quarriers was concerned by "excessive corporal punishment" in 1937, and the *Barnardo Book* of 1944 gave instructions to superintendents regarding the usage of corporal punishment.<sup>346</sup> Other legislative and policy developments in the UK from the 1930s demonstrate that childcare

practice demanded certain standards for accommodation, diet, education, and labour.<sup>347</sup>

The proliferation of reports over a short period raising concerns about practices in Australia, and the fact that all were submitted or known to government officials in the UK, indicates that there was probably quite extensive, governmental knowledge about the conditions that British children were being subjected to in Australia. But, no government-led action was taken. Contemporary voices that expressed concern about child migration practices were largely ignored. Concerns were never properly considered by UK Government officials. If they had been, a clear pattern of mismanagement and disregard for the welfare of children would have emerged and, in turn, ought to have led to more stringent conditions being imposed on the organisations involved in child migration. Each of these reports was instigated not by officials in the UK, but officials overseas (albeit acting in the interests of the UK Government). It is hard to resist the conclusion that, once children had left the shores of Britain, the government back home no longer took an active interest in their welfare.

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345 TNA, MH102/2334, Muriel Welsford, Visit to Australia and New Zealand - Suggested Visits to Children emigrated from UK [Welsford Report], 1950, at LEG.001.003.1718-1743.

346 Constantine *et al.*, paragraph 9.4.

347 In particular, the Children and Young Persons (Scotland) Care and Training (Scotland) Regulations, 1933. See [Norrie](#), 2017, Section A, ii.

## 1.3 Child migration, 1946-1972

### Developments in childcare practice in the UK

Developments in the proper understanding of children and their needs that had emerged in the inter-war period were consolidated in the post-war period. The experiences of children evacuated from cities at risk of bombing during the Second World War highlighted the importance of maintaining emotional bonds with family and community for the sake of their wellbeing. Concerns emerged about “the fragmented nature of child care legislation and out-of-home care provision” and there was increased recognition

“that this fragmented administrative system for oversight and management of children’s out-of-home care was inefficient and posed certain risks to children because it also led to a fragmented approach to inspections”.<sup>348</sup>

These concerns came to the fore with the establishment of two committees of inquiry in 1945, one for Scotland—the Clyde Committee—and one for England and Wales—the Curtis Committee.<sup>349</sup> Their findings and recommendations were crucial in the development of new legislation that “substantially increased involvement by the state in the running of the institutions, homes and placements” that provided out-of-home care for children and young people, and which was part of a number of measures recognising the role of the state in safeguarding the wellbeing of its citizens, including children.<sup>350</sup>

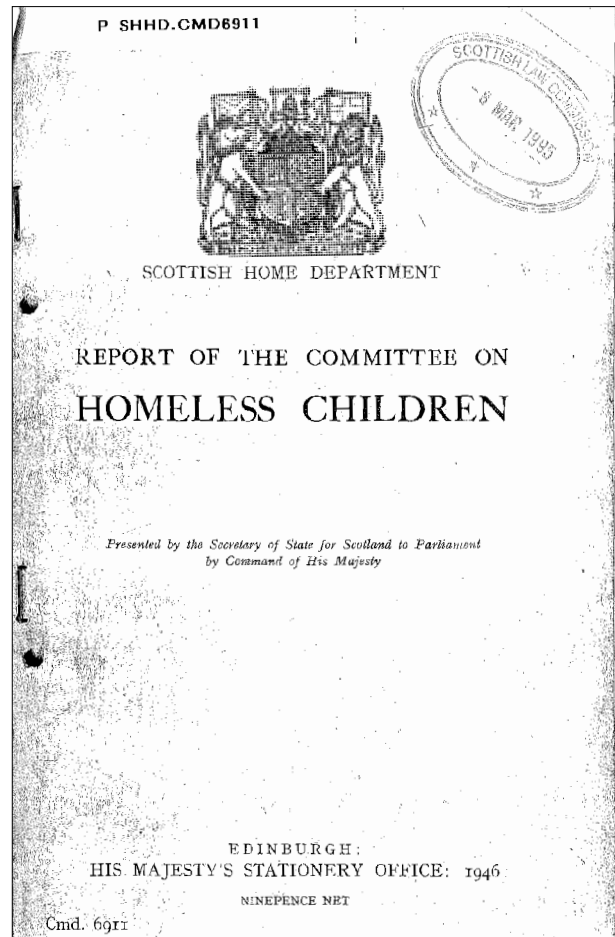
348 [Transcript, day 190](#): Professor Gordon Lynch, at TRN-000000021, pp.16-17.

349 [Norrie](#), 2017, p.45.

350 [Norrie](#), 2017, pp.54-55

351 [Norrie](#), 2017, p.55.

### The Clyde Report, 1946



Report of the Committee on Homeless Children [Clyde Report], 1946.

As Professor Norrie observed,

“by the outbreak of the Second World War the provisions in Scotland under which children and young people could be accommodated away from home by state action were multifarious, and the regulations governing the various types of accommodation diverse and, in places, inconsistent.”<sup>351</sup>

The Scottish Committee on Homeless Children was established in 1945 by the Secretary of State for Scotland to “enquire into existing methods of providing for children who...are deprived of a normal life with their own parents or relatives” and to consider what measures should be introduced to ensure these children were “brought up under conditions best calculated to compensate them for the lack of parental care.”<sup>352</sup> The Committee was chaired by James Clyde, K.C.

The Committee consulted with government departments, local authorities, and voluntary organisations. The report described the different mechanisms by which children and young people “deprived of a normal life” were placed in out-of-home care, drawing attention to the different regulatory frameworks within which these mechanisms operated, and the “bewildering range of different Government departments” responsible for their oversight.<sup>353</sup>

The Clyde Report was silent on the issue of child migration. This appears to be an obvious omission given the fact that organisations involved in such migration, either at that time or thereafter, made representations to the Committee. Maybe it was thought that Scotland would no longer participate in child migration after the Second World War.<sup>354</sup> Nonetheless, some of the Clyde Committee’s findings and recommendations are of particular significance to the history of post-Second World War child migration from Scotland

because they clearly indicated the standards of care expected in Britain at that time. These were:

- Home and family: the importance of home and family for children’s wellbeing was recognised, and foster care was viewed as the preferable mode of out-of-home care because it could offer “the nearest approximation to family life”.<sup>355</sup> In addition, children should not be separated from their siblings.<sup>356</sup>
- Community: children should not be boarded-out on crofts or in remote rural areas, where they had no contact with other children or the local community, the facilities and conditions were poor, and children could not learn a trade. Children were at risk of being overworked on the crofts where boarding-out was, in some cases, “regarded as an industry”.<sup>357</sup>
- Institutional care: large institutions were seen as an “outworn solution”, and children should be accommodated in cottages where no more than 12-15 children resided.<sup>358</sup> Cottages should resemble family homes as much as possible and should not be in isolated, rural communities to allow children to access education and the local community.
- Standards of care: the food should be nutritionally sufficient and varied. Children should have access to personal belongings and be provided with toys and books. Children should attend a school outside the home. Proper supervision, inspection, and aftercare for children were paramount.<sup>359</sup>

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352 [Cmd. 6911] Clyde Report, 1946, at LEG.001.001.1736.

353 Norrie, 2017, p.46.

354 Constantine *et al.*, at paragraph 7.7.

355 [Cmd. 6911] Clyde Report, 1946, at LEG.001.001.1749.

356 [Cmd. 6911] Clyde Report, 1946, at LEG.001.001.1757-1758.

357 [Cmd. 6911] Clyde Report, 1946, at LEG.001.001.1754.

358 [Cmd. 6911] Clyde Report, 1946, at LEG.001.001.1748.

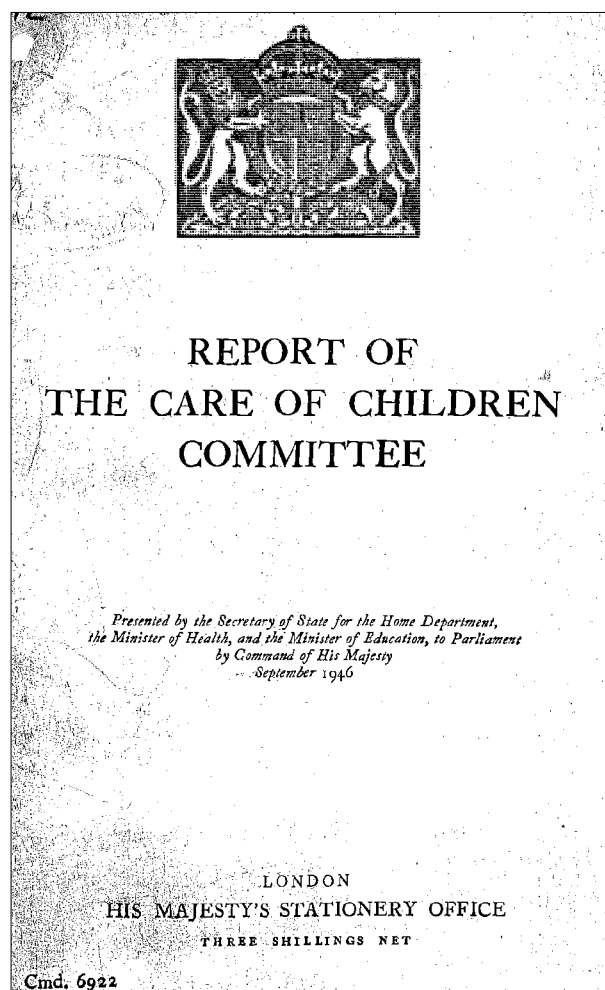
359 [Cmd. 6911] Clyde Report, 1946, at LEG.001.001.1749-1754.

- Staff training and qualifications: staff should be trained in childcare. Foster care should be properly regulated. The selection and recruitment of carers needed to be improved.
- System oversight: the “piecemeal” nature of the system of childcare meant that “the regulation and supervision of homeless children have become dissipated” amongst different bodies and departments with overlapping responsibilities.<sup>360</sup> Oversight should be the responsibility of one department.

While silent on the topic of child migration, it seems clear that any continuation of the practice should have been only in accordance with the standards envisaged by the Clyde Report being afforded to child migrants, not only at home but also at their destinations.

### The Curtis Report, 1946

Unlike the Clyde Committee, the Curtis Committee was made aware that the emigration of children would continue, albeit on a small scale.<sup>361</sup> In their submission to the Curtis Committee, Barnardo’s indicated that it planned to send small groups of children and juveniles to Canada.<sup>362</sup> Barnardo’s did not, however, inform the Committee that it was also planning to send children to Australia, a plan that had been discussed with the Dominions Office in 1944 and 1945, nor that it had secured a substantial loan from the Dominions Office towards the construction of its farm school at Mowbray Park, Picton.



Report of the Care of Children Committee, [Curtis Report], 1946.

Being unaware of the UK Government’s role in supporting the resumption of child migration, and assuming that if the migration of children was to be resumed it would be on a small scale, the report devoted only one paragraph and one related recommendation to child migration:

“We understand that organisations for sending deprived children to the Dominions may resume their work in the near future. We have heard evidence as to the arrangements for selecting children for migration; and it is clear to us that their

360 [Cmd. 6911] Clyde Report, 1946, at LEG.001.001.1748.

361 See Constantine *et al.*, paragraphs 7.9-7.10

362 See Constantine *et al.*, Appendix 2, paragraph 1.9; Barnardo’s, Memorandum on the migration work and policy of Dr Barnardo’s Homes, at BAR.001.005.4041.

effect is that this opportunity is given only to children of fine physique and good mental equipment. These are precisely the children for whom satisfactory openings could be found in this country, and in present day conditions this particular method of providing for the deprived child is not one that we specially wish to see extended. On the other hand, a fresh start in a new country may, for children with an unfortunate background, be the foundation of a happy life, and the opportunity should therefore in our view remain open to suitable children who express a desire for it. We should however strongly deprecate their setting out in life under less thorough care and supervision than they would have at home, and we recommend that it should be a condition of consenting to the emigration of deprived children that the arrangements made by the Government of the receiving country for their welfare and after care should be comparable to those we have proposed in this report for deprived children remaining in this country.”<sup>363</sup>

The reference to children’s welfare is reiterated in the one recommendation made in connection with the migration of children: “The emigration of deprived children should be subject to the condition that the receiving Government makes arrangements for their welfare and supervision comparable to those recommended in this report.”<sup>364</sup>

These standards included a preference for boarding out, or for smaller cottage-style institutions where boarding out was not possible; siblings should not be separated;

family contact should be encouraged; children should receive an education and have opportunities to engage with the local community; those involved in childcare should receive training; regular inspections should be undertaken; and aftercare should be improved.<sup>365</sup> In short, if children *were* to be migrated, the child’s desire to migrate ought to have been a pre-condition, and the care that they were to receive had to adhere to the modern standards recommended.<sup>366</sup>

The Curtis Report drew attention to a post-war shift regarding corporal punishment and forms of abuse such as punishment for bedwetting, and what might today be considered emotional abuse:

“In condemning corporal punishment we do not overlook the fact that there are other means of enforcing control which may have even more harmful effects. We especially deprecate nagging, sneering, taunting, indeed all methods which secure the ascendancy of the person in charge by destroying or lowering the self-esteem of the child.”<sup>367</sup>

The Clyde and Curtis Reports in 1946 marked a turning point in approaches to the provision of out-of-home care for children within the UK.

The UK Government accepted the Curtis report in March 1947, and in the same year responsibility for children’s out-of-home care was transferred to the Home Office. It is therefore reasonable to expect that Home Office officials were aware of the standards of care proposed by the Curtis Report (and by the Clyde Report), and what was

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363 [Cmd. 6922] Report of the Care of Children Committee [Curtis Report] (1946), at LEG.001.001.8898.

364 [Cmd. 6922] Curtis Report, 1946, at LEG.001.001.8903

365 [Cmd. 6922] Curtis Report, 1946, at LEG.001.001.8899-8903.

366 Constantine *et al.*, paragraph 7.11.

367 [Cmd. 6922] Curtis Report, 1946, at LEG.001.001.8890.

expected from governments receiving child migrants.<sup>368</sup>

Members of Parliament were certainly aware of the Curtis Report's recommendations. During a parliamentary debate on the Children Bill, Dr Somerville Hastings MP (Barking), who had served on the Curtis Committee, argued that

"children should emigrate only if they really want to go and are over 14 or 16 years, and that as good arrangements have been made for their supervision in the Dominions or elsewhere as would be made under this Bill in their home country."<sup>369</sup>

Wilson Harris MP (Cambridge) added that:

"To send a child of 14 to 16 away from these shores to some distant country, whether in the Dominions or outside, is to submit that child to what is sometimes a rather alarming experience. It is, therefore, of the utmost importance that the fullest attention should be given both to the selection of the children at this end and to their reception at the other."<sup>370</sup>

He went on to suggest that:

"It is not enough to ask whether a child is a suitable subject for emigration, and whether it is a boy or girl who is likely to face new surroundings with equanimity and adapt itself to the new environment in which it finds itself. It is rather a question of whether emigration is the best thing which can be done for the child itself. It seems to me that the matter is not always put in that order."<sup>371</sup>

The Joint Under-Secretary of State for Scotland, Thomas Fraser, concurred that:

"The Home Secretary or the Secretary of State for Scotland would wish to be assured, however, that proper care was to be taken of the young people after they went overseas before they would permit the emigration of the children. They would want to know that it was in the interests of the young persons to go, and, if they were satisfied on that, they would also want to be assured that the young people would be cared for if they went to the Dominions."<sup>372</sup>

In the debate, concern was expressed that a child may be too young to form an informed view in order to consent to migration.<sup>373</sup>

In the course of the Second Reading of the Bill in the House of Lords, the Earl of Scarborough, having welcomed the prospect of regulations to oversee the migration of children, argued that such regulations should

"contain a provision that any voluntary society which sent children to the Dominions should retain a continuing responsibility for them when they had gone overseas and for so long as they remained under a grown-up age. I think that it would be disastrous if any voluntary society were allowed to get into the position of being a mere recruiting agent for children, and for handing them over to someone else in the Dominions over whom the parent society would have no control or for whom it would have no responsibility. For that reason, I

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368 Constantine *et al.*, paragraph 9.1.

369 *Hansard*, "Children Bill", HC Deb., 7 May 1948, vol. 450, c. 1627. The reference to children aged 14 to 16 being emigrated seems to proceed on the mistaken understanding that this represented the ages at which children were to be considered for emigration.

370 *Hansard*, "Children Bill", HC Deb., 7 May 1948, vol. 450, c. 1645.

371 *Hansard*, "Children Bill", HC Deb., 7 May 1948, vol. 450, c. 1645.

372 *Hansard*, "Children Bill", HC Deb., 7 May 1948, vol. 450, c. 1691.

373 *Hansard*, "Children Bill", HC Deb., 7 May 1948, vol. 450, c. 1653.

would place first in importance insistence that the parent society in this country should continue to have a continuing responsibility when the child goes overseas.”<sup>374</sup>

The Earl of Scarbrough proposed that the regulations should ensure migrated children received an education, were able to choose their individual career paths, and that “great attention should be paid to [their] after care.”<sup>375</sup>

In a subsequent debate in the House of Lords, Lord Llewellyn drew attention to the Curtis Report’s recommendation “that children should not be emigrated willy-nilly without much inquiry as to their physical condition or the kind of conditions to which they were going in the Dominion or perhaps somewhere else.”<sup>376</sup>

This drew an important assurance from the Lord Chancellor on behalf of the Government:

“I am able to give the noble Lord the assurance for which he asks. I can give an assurance that the Home Office intended to secure that children shall not be emigrated unless there is absolute satisfaction that proper arrangements have been made for the care and upbringing of each child.”<sup>377</sup>

Each of these Parliamentary extracts demonstrates an explicit recognition that

sending children overseas was associated with significant risk and that proper systems and regulations had to be in place to counter such risks, as well as an implicit agreement with the Curtis Report recommendation.

Furthermore, there had been prosecutions in cases of child abuse and instances where child abuse had been reported in the press.<sup>378</sup> Such reporting demonstrates that society at large understood child abuse to be both morally wrong and unlawful. Sending institutions should have understood contemporaneous standards and ensured that, for the sake of protecting against child migrants being abused, they were adhered to.

### **UK response to Clyde and Curtis**

A memorandum dated 20 August 1947 indicates that the Home Office broadly intended to follow the recommendations of the Curtis Report, and that they tended to “discourage” the migration of children.<sup>379</sup> Several reasons were advanced in support of that approach, including the difficulty of obtaining adequate information about the establishments to which children would be sent, and the general “standards of child care accepted in the Dominion.”<sup>380</sup> The Home Office highlighted that in the UK there was a “vigilance and interest, and a reforming spirit” in connection with childcare.<sup>381</sup> This memorandum expressed the views of the Home Office itself. As Mark Davies said when

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374 *Hansard*, “[Children Bill](#)”, HL Deb., 10 February 1948, vol. 153, c. 962. The Earl of Scarbrough had a connection to the Fairbridge Society.

375 *Hansard*, “[Children Bill](#)”, HL Deb., 10 February 1948, vol. 153, c. 962.

376 *Hansard*, “[Children Bill](#)”, HL Deb., 13 April 1948, vol. 155, c.37

377 *Hansard*, “[Children Bill](#)”, HL Deb., 13 April 1948, vol. 155, c.37.

378 The *Hansard* debate of 10 February 1948 cites the Dennis O’Neill case, in which a boy boarded out by a local authority died. Following an inquest and subsequent trial, the foster father was convicted of manslaughter, and the foster mother with wilful ill-treatment, neglect, and exposure likely to cause suffering and injury. *Hansard*, “[Children Bill](#)”, HL Deb., 10 February 1948, vol. 153, c. 914-915.

379 Department of Health, Memorandum by Janette M.W. Maxwell (Home Office), 20 August 1947, at UKG-000000050, p.139.

380 Department of Health, Memorandum by Janette M.W. Maxwell (Home Office), 20 August 1947, at UKG-000000050, p.139.

381 Department of Health, Memorandum by Janette M.W. Maxwell (Home Office), 20 August 1947, at UKG-000000050, p.139.



he gave evidence to the Inquiry on behalf of the UK Government, the Home Office “appeared to be staffed with people who had the welfare of children as their key interest”.<sup>382</sup> However, although the Home Office had “knowledge of and input into the general operation” of child migration schemes, and had some contact with the organisations running these schemes, it only “provided high level guidance” to sending organisations.<sup>383</sup> This meant that the Home Office had limited influence on the operation of child migration schemes, and the standards of care child migrants received overseas. It was the Commonwealth Relations Office (CRO) (previously the Dominions Office) who had the greatest influence on the operation of child migration schemes and the standards of care child migrants received overseas as it was responsible for the approval of institutions to which child migrants were to be sent, for the approval of applications for funding and for liaising with receiving governments, generally through the UK High Commissioner. However, the CRO’s primary concern, as the departmental title indicates, was to continue to promote relations among commonwealth countries. The contrasting views of these two departments is clearly captured by the Home Office memorandum dated 20 August 1947 stating that its “approach to the question of emigration differs from that of the Commonwealth Relations Office...[who] encourage [child migration] without giving much attention to the individual children involved.”<sup>384</sup>

In 1945, two years before the start of discussions between the Home Office

Children’s Department and the CRO, the Provisional Council for Mental Health—an umbrella organisation that included the Central Association for Mental Welfare and the Child Guidance Council—submitted recommendations to the Dominions Office (which in 1947 became the CRO) for the appropriate standards to be followed if child migration was to be resumed.<sup>385</sup> The recommendations were based on the Council’s “experiences of the effects of war-time evacuation schemes on children’s mental health” and, amongst other things, emphasised the ongoing responsibilities of sending organisations to both child migrants and their relatives in the UK. The proposed standards provided officials in the Dominions Office with a clear understanding of the current thinking regarding good childcare practice. Consequently, it might have been expected that the Dominions Office and, later, the CRO, “had some awareness of the need to bear in mind good practice in child welfare through their administration of child migration schemes” before these discussions with the Home Office started.<sup>386</sup>

As Mark Davies explained, “the Australian Government was very keen to have children migrate to help them sort of rebuild after the war”, resulting in the depiction, and subsequent use, of children as “good white stock”.<sup>387</sup> It was wholly unacceptable and inappropriate to use children in this way; they were being treated, in effect, as political commodities. This was recognised by the Home Office at the time. Nevertheless, they failed to follow through with their child-centred policy, and concerns expressed were

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382 [Transcript, day 198](#): Mark Davies, at TRN-5-000000029, p.29.

383 [Written statement of Mark Davies](#), paragraph 27, at UKG-000000049; [Transcript, day 198](#): Mark Davies, at TRN-5-000000029, p.20.

384 Department of Health, Memorandum by Janette M.W. Maxwell (Home Office), 20 August 1947, at UKG-000000050, p.139.

385 See TNA, DO35/1133, Letter from O. Niemeyer to R.L. Dixon, 12 June 1945, LEG.001.003.4298-4309; Constantine *et al.*, Appendix 2, paragraph 2.1.

386 Constantine *et al.*, Appendix 3, paragraph 2.1.

387 [Transcript, day 198](#): Mark Davies, at TRN-5-000000029, p.31.

overridden by policy decisions designed to promote UK/Australian relationships, at the expense of children's welfare.<sup>388</sup>

A subsequent Home Office memorandum dated September 1947 addressed the issue of the standards of care expected in the migration of children overseas.<sup>389</sup> This memorandum repeated several of the principles of child welfare covered by the Curtis Report.<sup>390</sup> It highlighted the importance of the following principles:

- Affection and personal interest;
- Stability;
- Opportunity; and
- Homely environment.

The memorandum emphasised that the care of a migrated child should not pass entirely out of the "hands of the parent organisation in this country".<sup>391</sup> Organisations must retain a "continuing responsibility" by appointing a suitably qualified "liaison officer" to regularly visit establishments overseas. The memorandum emphasised the importance of the appointment of staff of "good calibre" following careful selection.<sup>392</sup> As in other contemporaneous material, the careful selection of children for migration is highlighted, a process that should have involved experienced social workers. Unless these standards were available overseas,

"it would be difficult to justify proposals to emigrate deprived children".<sup>393</sup>

This document highlighted the criteria the Home Office saw as being necessary if a policy of child migration was to be pursued. In its closing submissions, the UK Government accepted that the expectations in this memorandum were communicated to voluntary and church organisations involved in child migration, particularly in Western Australia.<sup>394</sup> However, whilst indicating the Home Office's views on childcare standards overseas, the memorandum had no legal weight. The reality of the situation was that the Home Office did not take part in the selection process and there was no effective mechanism whereby these criteria could be enforced or imposed in practice.<sup>395</sup> The CRO had far more power to affect practice in the Dominions than the Home Office, even though in theory the Home Office was required to work with the CRO in advising as to the suitability of the receiving institutions. As the first memorandum of 20 August 1947 highlights, the differing views of the Home Office and the CRO on the question of child migration ultimately meant that, whilst the Home Office was clear about the standards of childcare that ought to have been afforded to child migrants, it "did not take significant action to reduce the level of migration."<sup>396</sup>

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388 [Transcript, day 198](#): Mark Davies, at TRN-5-000000029, p.32.

389 NAA, K403/W59/63, Memorandum on Emigration of Children Who Have Been Deprived of a Normal Home Life, September 1947, at NAA-000000027.

390 [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-000000022, pp.13-14.

391 NAA, K403/W59/63, Memorandum on Emigration of Children Who Have Been Deprived of a Normal Home Life, September 1947, at NAA-000000027, p.1.

392 NAA, K403/W59/63, Memorandum on Emigration of Children Who Have Been Deprived of a Normal Home Life, September 1947, at NAA-000000027, p.2.

393 NAA, K403/W59/63, Memorandum on Emigration of Children Who Have Been Deprived of a Normal Home Life, September 1947, at NAA-000000027, p.1.

394 UK Government, Written closing submissions as represented by the Department of Health and Social Care, paragraph 16, at UKG-000000084.

395 [Written statement of Mark Davies](#), paragraph 64, at UKG-000000049.

396 Department of Health, Memorandum by Janette M.W. Maxwell (Home Office), 20 August 1947, at UKG-000000050, p.139; [Written statement of Mark Davies](#), paragraph 44, at UKG-000000049

## The Children Act, 1948

The Clyde and Curtis Reports became the platform for the Children Act, 1948, which endorsed many of the recommendations of these reports. In doing so, the 1948 Act recognised that the state was responsible for the welfare of the country's children. In particular, it recognised that local authorities had an important role to play in child welfare. Sections 17 and 33 of the 1948 Act specifically pertained to the migration of children, section 17 with regard to local authorities' migration practices, and section 33 with regard to voluntary societies' activities.

In the 1948 Act, 'guardian' was defined as "a person appointed by deed or will or by order of a court of competent jurisdiction to be the guardian of a child", except where the context otherwise required.<sup>397</sup> The definition of 'guardian' in the 1948 Act did not include, for example, staff members of voluntary organisations caring for children, nor those recruiting children for migration. There is no doubt that, as a matter of law, no context should have been regarded as justifying the relaxation of the strict statutory definition of guardian in section 59(1) when the migration of children, and particularly young children, was being considered under the 1948 Act.

### Section 17

Section 17 concerned the "[p]ower of local authorities to arrange for emigration of children", and provided as follows:

"(1) A local authority may, with the consent of the Secretary of State, procure or assist in procuring the emigration of any child in their care.

(2) The Secretary of State shall not give his consent under this section unless he is satisfied that emigration would benefit the child, and that suitable arrangements have been or will be made for the child's reception and welfare in the country to which he is going, that the parents or guardian of the child have been consulted or that it is not practicable to consult them, and that the child consents:

Provided that where a child is too young to form or express a proper opinion on the matter, the Secretary of State may consent to his emigration notwithstanding that the child is unable to consent thereto in any case where the child is to emigrate in company with a parent, guardian or relative of his, or is to emigrate for the purpose of joining a parent, guardian, relative or friend."<sup>398</sup>

Under section 17, local authorities could now migrate a child in their care, subject to the consent of the Secretary of State, or the Secretary of State for Scotland for Scottish children. Section 17 also provided that the relevant Secretary of State had to be satisfied that suitable arrangements had been made or were to be made for a child's reception and welfare in the receiving country. That provision reflects the Curtis Report's recommendation as to the standard of care that had to be available in the host country, and what was said during the Parliamentary debates.<sup>399</sup>

Section 17 provided that, where a child was too young to consent, the relevant Secretary of State may do so on their behalf. The Act did not clarify when a child may be too young to "form or express a proper opinion", although, in Scotland at least, evidence indicates that this was commonly

397 [Children Act, 1948](#), section 59(1).

398 [Children Act, 1948](#), section 17(1) and (2).

399 See [Chapter 1.3](#).

understood to be about 10 years old, despite the principle of Scots law whereby ‘pupil children’ could not validly provide consent.<sup>400</sup> Importantly, the Secretary of State’s power to consent could only be granted if the child was to be emigrated with a parent, guardian, or relative, or was to emigrate to join such persons “or [a] friend”. The vast majority of children migrated from residential institutions were not migrating to join a parent, guardian, or relative. The Act did not define who would be considered a ‘friend’, but—according to principles of statutory interpretation—when read alongside the categories of ‘parent, guardian or relative’, properly construed a ‘friend’ would have to be a close connection with the migrated child. This would exclude the staff of a receiving institution. This legal interpretation appears to have gone unobserved.<sup>401</sup>

When local authorities did migrate children, it was in response to individual requests rather than as part of a pro-migration policy, and it seems that they followed the legislation.<sup>402</sup> For instance, in 1949 Edinburgh City Council was considering the migration of two unrelated boarded-out children “under the auspices of the Australian Catholic Migration Scheme.”<sup>403</sup> The Secretary of State’s consent was sought and was given for one child, but refused for the

other, who was considered too young to give consent to migration and “the child would not emigrate in company with a parent, guardian or relative or for the purpose of joining a parent, guardian, relative or friend.”<sup>404</sup> In 1962, Aberdeen Town Council, recorded that one boy expressed a desire to migrate through the Barnardo’s scheme. His parents consented, and the Committee agreed to seek the Secretary of State for Scotland’s consent.<sup>405</sup>

The consent provisions in the Children Act, 1948, prompted officials in the Scottish Home Department (SHD) to consider, albeit somewhat belatedly, the principles to be followed when a child was put forward for migration by a local authority.<sup>406</sup> In March 1951, several non-binding “rough and ready” principles were thus identified based on cases of emigration, like those above, that had been dealt with previously under section 17 of the 1948 Act.<sup>407</sup>

- Each case should be considered individually and must accord with the terms of section 17.
- No child under the age of 10 should ordinarily be migrated because he could not be considered to provide informed consent. This extended in most instances to children under the age of 14.

400 See NRS, ED11/410, Minute sheet, 5 March 1951, at SGV.001.003.8001.

401 In 1951, a Scottish Home Department memo outlining general principles to be followed in emigration under section 17 of that Act stated that “the term ‘friend’ must apply to an individual and not a society or body of persons e.g. a society which makes arrangements for child emigration.” This suggests that, prior to this memo, voluntary societies had been claiming to be a ‘friend’. NRS, ED11/410, Principles followed in emigration cases under section 17 of the Children Act, 5 March 1951, at SGV.001.003.8002.

402 Constantine *et al.*, paragraph 13.9.

403 Edinburgh City Council, Response to section 21 notice, at EDI-000000001, p.3.

404 Edinburgh City Council, Response to section 21 notice, at EDI-000000001, p.3. The child for whom the Secretary of State gave consent for migration was joining a sibling who was migrated to Australia in 1947. It should be noted that the migration of siblings at different times was counter to the Clyde Report’s recommendation against the separation of siblings.

405 Aberdeen Town Council, Council meeting minutes, 2 July 1962, at ABN.001.001.1460. The decision of the Secretary of State is unknown.

406 NRS, ED11/410, Homeless Children: Consents to emigration under section 14 of the Children Act, 1948, at SGV.001.003.8000.

407 NRS, ED11/410, Minute sheet, 5 March 1951, at SGV.001.003.8001.

- Young children may be migrated with or in order to join a parent, relative, friend, or sibling, and children of the same family should not be separated.
- The terms “guardian” and “relative” had to be interpreted in accordance with the definitions in section 59 of the Act. The term “friend” must apply to an individual and not a sending society.<sup>408</sup>

The accompanying notes identified specific cases where consent had been given or withheld for the migration of children in local authority care. The SHD official who annotated this document hoped that these principles were “water tight” and would not require further revision.<sup>409</sup>

Even these examples speak to practices that varied according to individual circumstances and the approach of the individual local authority. While there is evidence to suggest that local authorities complied with legislative requirements, not all records disclosed the procedures regarding consent, and it is likely that some children were migrated without the required consent having been obtained. The principles did not refer to parental consultation. Nor did they consider whether conditions at receiving institutions would comply with the assurance by the then Lord Chancellor, during the parliamentary debate on 13 April 1948, that proper arrangements would be made for the care and upbringing of each child.

Furthermore, the proportion of children affected by the section 17 provisions was low because of the relatively minor role played by Scottish local authorities in child migration, in contrast to the major role played by voluntary organisations.<sup>410</sup>

### Section 33 of the 1948 Act

Section 33 of the 1948 Act conferred power on the Secretary of State to make regulations that would have enabled the state to exercise control over the migration of children by those who were responsible for the vast majority of migrations, namely voluntary organisations. Section 33 provided:

“(1) The Secretary of State may by regulations control the making and carrying out by voluntary organisations of arrangements for the emigration of children.

(2) Any such regulations may contain such consequential and incidental provisions as appear to the Secretary of State to be necessary or expedient, including, in particular, provisions for requiring information to be given to the Secretary of State as to the operations or intended operations of the organisation and for enabling the Secretary of State to be satisfied that suitable arrangements have been or will be made for the children’s reception and welfare in the country to which they are going.”<sup>411</sup>

408 NRS, ED11/410, Principles followed in emigration cases under section 17 of the Children Act, 5 March 1951, at SGV.001.003.8002.

409 NRS, ED11/410, Principles followed in emigration cases under section 17 of the Children Act, 5 March 1951, at SGV.001.003.8002.

410 [Transcript, day 198](#): Mark Davies, at TRN-5-000000029, p.17.

411 [Children Act, 1948](#), section 33.

However, such regulations never materialised. Professors Constantine, Harper, and Lynch have given detailed consideration to the reasons for this in their report.<sup>412</sup>

The SHD was well aware of the opportunity presented by section 33 and they participated in numerous discussions over the years following the coming into force of the 1948 Act.

In June 1948, a SHD memorandum stated “the Home Office will let us have their preliminary ideas on the matters which will [be] included in the [section 33] regulations shortly”.<sup>413</sup> Delays ensued.<sup>414</sup>

Children continued to be migrated, including Scottish children, despite growing concerns and the absence of regulations applicable to voluntary organisations. In October 1949, T.M. Warton at the SHD wrote to W.B. Lyon at the Home Office Children’s Department requesting an update on the regulations. He told Lyon that

“[w]e receive from time to time applications for emigration to Australia under the auspices of a Roman Catholic organisation known as the Australian Immigration Committee. We have given

consent to the emigration of a few children under the Committee’s scheme, but we do not feel entirely happy about the arrangements made.”<sup>415</sup>

Despite its concerns about the Catholic child migration scheme, the SHD still permitted Scottish children to be migrated.

In April 1950, the Home Office explained that no progress had been made recently with the drafting of the section 33 regulations, but they hoped to resume work on the regulations within a few weeks.<sup>416</sup> By July 1950, “[r]egulations dealing with emigration arrangements by voluntary organisations were at the first draft stage”. However, the Home Office had to contend with reconciling the opposing views of the Advisory Council in England and Wales and of voluntary organisations.<sup>417</sup> The Advisory Council felt there should be fairly strict supervision of the voluntary organisations, but those organisations were resistant to there being any regulation of their migration activities at all.<sup>418</sup> The Home Office seems to have been reluctant to upset them. By late August 1950, the Home Office was no further forward than “approaching the stage of preparing draft regulations”.<sup>419</sup>

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412 See Constantine *et al.*, Appendix 3. Note that in the summer of 1947, the Home Office Children’s Department became aware that some organisations planned to resume child migration to Australia and, in June 1947, a memorandum set out some of the Home Office’s initial thoughts on child migration. Later that summer, in response to a request by the Fairbridge Society, the Home Office produced a memorandum setting out what standards of care were expected of child migration schemes. This was shared with the Fairbridge Society and it was suggested that it should be shared with other interested organisations in Australia. See Constantine *et al.*, Appendix 3, paragraphs 2.5-2.6.

413 NRS, ED11/306, Memorandum by J.R. Gordon (SHD), 20 June 1948, at SGV.001.003.7364.

414 NRS, ED11/306, Memorandum by J.R. Gordon (SHD), 14 September and 17 December 1948, at SGV.001.003.7364.; NRS, ED11/306, Letter from C.G. McConnell (Home Office) to Mr Rowe (SHD), 2 November 1948, at SGV.001.003.7529.; and NRS, ED11/306, Memorandum by J.R. Gordon (SHD), 2 April 1949, at SGV.001.003.7365.

415 NRS, ED11/384, Letter from T.M. Warton (Scottish Office) to W.B. Lyon (Children’s Department, Home Office), 4 October 1949, at SGV.001.004.4612.

416 NRS, ED11/306, Memorandum by J.R. Gordon (SHD), 28 April 1950, at SGV.001.003.7522.

417 Following the recommendation made by the Curtis Report an Advisory Council on Child Care for England and Wales was established to advise the Home Office on current policy and practice issues. A similar Advisory Council was set up in Scotland, to advise the SHD. Both Advisory Councils were consulted during the process of drafting section 33 regulations. See Constantine *et al.*, paragraph 12.5; and Appendix 3, paragraph 2.12.

418 NRS, ED11/306, Note of discussion at the Home Office on Monday 31 July [1950], at SGV.001.003.7520.

419 NRS, ED11/306, Memorandum by J.R. Gordon (SHD), 28 August 1950, at SGV.001.003.7368.

In the face of the delay in the drafting of section 33 regulations, J.R. Gordon of the SHD suggested that “we should obtain more details of the activities of emigration societies in Scotland”.<sup>420</sup> Specifically, he asked:

“1) Does the Scottish body have a formal say in which children will go? 2) Do they actually arrange transport, escorts etc. 3) Does responsibility for the arrangement rest on a C[ommi]ttee or official in Scotland; if not, where does responsibility lie? 4) Are the Scottish body in direct contact with the organisation overseas? 5) Are the Scottish body merely agents who put an English body in touch with possible child emigrants.”<sup>421</sup>

He identified three relevant Scottish organisations: the Church of Scotland (in relation to Dhurringile and Kildonan); the Roman Catholic Church, through the Australian Catholic Immigration Committee and who had a representative at the Catholic Inquiry Office in Edinburgh; and the Royal Over-Seas League which gave some help to the Big Brother Movement.<sup>422</sup>

Enquiries into each of these bodies were carried out, and “Reports on activities of Australian Catholic Immigration Committee’s Regional Office and the Overseas League” were filed in September 1950.<sup>423</sup> J.R. Gordon later noted that “the Catholic Church in Scotland is clearly an organisation in its own

right for emigration purposes”, while “the position of the C[ommi]ttee of officials of the Church of Scotland in connection with the Presbyterian Church of Victoria scheme is less clear”, though it was possible that the General Assembly “may be asked to approve of the Church itself being the organising body in Scotland.”<sup>424</sup>

Shortly after, in October 1950, H.M. Rowe, at the SHD, wrote to H.H.C. Prestige at the Home Office, explaining that:

“the Presbyterian Church of Victoria, Australia, in connection with the emigration scheme associated with the Dhurringile Training Farm, have arranged that three persons on the staff of the Social Service Committee of the Church of Scotland should act as a Committee in Great Britain on behalf of the Presbyterian Church of Victoria.”<sup>425</sup>

H.M. Rowe added that he had recently come to expect that the “Regional Office for Scotland and Northern Ireland of the Australian Catholic Immigration Committee”, who operated in Scotland, would also come under the regulations, “although the relationship of the Regional Office to the Committee’s headquarters in London has not yet been wholly clarified.”<sup>426</sup> It is revealing that, before making these inquiries, the SHD “thought we should have only an academic interest in these regulations as it seemed

420 NRS, ED11/306, Memorandum by J.R. Gordon (SHD), 28 August 1950, at SGV.001.003.7368-7369.

421 NRS, ED11/306, Memorandum by J.R. Gordon (SHD), 28 August 1950, at SGV.001.003.7369.

422 NRS, ED11/306, Memorandum by J.R. Gordon (SHD), 28 August 1950, at SGV.001.003.7369-7370.

423 NRS, ED11/306, Memorandum by W. Smith (SHD), 21 September 1950, at SGV.001.003.7371.

424 NRS, ED11/306, Memorandum by J.R. Gordon (SHD), 26 September 1950, at SGV.001.003.7371.

425 NRS, ED11/306, Letter from H.M. Rowe to H.H.C. Prestige, 14 October 1950, at SGV.001.003.7511.

426 NRS, ED11/306, Letter from H.M. Rowe to H.H.C. Prestige, 14 October 1950, at SGV.001.003.7511. An earlier memo from another SHD official noted, however, that Norah Menaldo, of the Regional Office for Scotland and Ireland of the Australian Catholic Immigration Committee, had informed him that “[t]his Regional Office...has the final say as to which children go to Australia...It appears then that the actual arrangements are the joint responsibility of both the Scottish and English Offices... The Scottish Office is not merely an agent.”; NRS, ED11/306, Memorandum by W.M. Smith (SHD), 21 September 1950, at SGV.001.003.7516. Given references to Norah Menaldo, it is likely that the ‘Regional Office’ actually refers to the Catholic Council of British Overseas Settlement for Scotland and Northern Ireland.

that all national organisations dealing with emigration have their headquarters in London, or at least in England".<sup>427</sup>

In January 1951, a revised draft of the proposed regulations was sent to the SHD and to the CRO.<sup>428</sup> In May 1951, the SHD wrote to the Home Office asking for an update.<sup>429</sup> The Home Office had "not yet received the comments of the Commonwealth Relations Office [CRO] on the draft" and warned that it may be some time before the draft could be considered in light of the CRO's comments.<sup>430</sup> By October 1951 there were still no updates, and the SHD wrote to the Home Office "wondering if you have yet had any comments from the Commonwealth Relations Office on the draft proposals".<sup>431</sup> There is no evidence of a reply being received.

In November 1951, the Home Office sent an annotated draft of the regulations to the SHD. T. Martin, an SHD official stated that the SHD's interest was "somewhat academic since it will be the Home Office who will be very largely responsible for the administration of the regulations when made."<sup>432</sup> When T. Martin wrote his memo, he believed that there was "no organisation with headquarters in Scotland participating in, or organising, emigration schemes", although he acknowledged that Scottish children were and would continue to be emigrated by voluntary organisations whose headquarters were outwith Scotland.<sup>433</sup>

T. Martin wrote to the Home Office, raising several concerns in relation to the draft regulations:

"No standards are laid down (apart from escort ratios) for the carrying out of the various activities for which the voluntary organisations will be responsible...The information given by the organisations about their activities in other countries will be almost worthless unless checked by Government or Federal agencies in the other countries...an annual report to the organisation in this country rather seems to imply that the organisation is continuing in some way to be responsible for the child. Such a continuing responsibility on the part of the British organisation is not, I think, specifically laid down...Who is in fact responsible legally in the other country for the child's maintenance and welfare - the institution in which he may be placed, the foster parents with whom he may be boarded out, a body acting as agent for the voluntary organisation or the Government of the country to which he goes?"<sup>434</sup>

Despite having raised these questions, in February 1952, T. Martin wrote to the Home Office stating that the SHD did "not have any specifically Scottish view on the proposed Regulations". This seems to have been largely on the basis that no relevant voluntary organisations had headquarters in Scotland, taking no account of, for instance, Scottish

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427 NRS, ED11/306, Letter from H.M. Rowe to H.H.C. Prestige, 14 October 1950, at SGV.001.003.7511.

428 NRS, ED11/306, Letter from H.H.C. Prestige (Home Office) to H.M. Rowe (SHD), 4 January 1951, at SGV.001.003.7483.

429 NRS, ED11/306, Letter from H.M. Rowe (SHD) to H.H.C. Prestige (Home Office), 8 May 1951, at SGV.001.003.7480.

430 NRS, ED11/306, Letter from H.H.C. Prestige (Home Office) to H.M. Rowe (SHD), 23 May 1951, at SGV.001.003.7478.

431 NRS, ED11/306, Letter from T. Martin (SHD) to H.W. Savidge (Home Office), 9 October 1951, at SGV.001.003.7470.

432 NRS, ED11/306, Memorandum by T. Martin, 22 November 1951, at SGV.001.003.7378.

433 NRS, ED11/306, Memorandum by T. Martin, 22 November 1951, at SGV.001.003.7379.

434 NRS, ED11/306, Letter from T. Martin (SHD) to H.W. Savidge (Home Office), 29 November 1951, at SGV.001.003.7459-7461. At the time, the SHD appears to have considered the CCBOS S&NI a regional office of the CCBOS more broadly, as opposed to its own organisation.



regional offices such as the Scottish Office of the CCBOS S&NI, which was “not merely an agent”.<sup>435</sup>

In August 1952, the Home Office wrote to the SHD confirming that the draft regulations were now “sufficiently final to be given to our legal folk” for, essentially, formatting and formalising.<sup>436</sup> In January 1953, the Home Office informed the SHD that “[w]e are now considering a tentative first draft from our Legal Adviser which it is clear will need a good deal of tinkering.”<sup>437</sup>

Silence ensued, and 14 months later, it was noticed that the relevant file had been overlooked. A memorandum in SHD records stated “[t]his file seems to have fallen asleep in the midst of the excitement about the Moss report...we should I think prod H O [Home Office] on these Regs.”<sup>438</sup> That day, W.S. Kerr wrote to the Home Office asking for an update. It took three months for the Home Office to reply:

“It is unlikely that the Regulations will be made at any early date. Experience has shown that the arrangements made by voluntary organisations are reasonably satisfactory and, while a fairly stable draft of the Regulations has now been reached, the present intention is to let it lie unless any urgent need to apply Regulations arises. The Commonwealth Relations Office and some of the Commonwealth Governments have the whole question of encouraging emigration under review, and it is thought wiser to await the

outcome which may result in changes of policy and powers.”<sup>439</sup>

W.S. Kerr entered a memorandum into the records summarising the key points raised by this letter, adding that “[t]his is not a big problem so far as Scotland is concerned, and you will no doubt agree that there is no need for us to run in front of the Home Office.”<sup>440</sup> It may not have felt like a “big problem” to government, but it was a big problem to the children, including Scottish children, who were still being migrated overseas to unsatisfactory and potentially abusive destinations without regulation, often to isolated locations.

After six years of drafting, and despite the existence of a comprehensive draft set of regulations, they were not progressed. Children continued to be sent from Scotland overseas. The SHD did not challenge the Home Office’s view that regulations were not necessary at that time.

Although a policy decision not to introduce these regulations was not taken until 1954, the extensive consultation process involved in connection with the drafting of regulations did alert institutions involved in migration to the standards of care that were expected. Various drafts of regulations had, in the course of a consultation process, been sent to the Council of Voluntary Organisations for Child Emigration (CVOCE), a conglomeration of emigration societies that included the Church of Scotland Committee on Social Service.

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435 NRS, ED11/306, Memorandum by W.M. Smith (SHD), 21 September 1950, at SGV.001.003.7371; NRS, ED11/306, Letter from T. Martin (SHD) to H.W. Savidge (Home Office), 16 February 1952, at SGV.001.003.7441.

436 NRS, ED11/306, Letter from H.H.C. Prestige (Home Office) to H.M. Rowe (SHD), 2 August 1952, at SGV.001.003.7401-7402.

437 NRS, ED11/306, Letter from H.L. Oates (Home Office) to T. Martin (SHD), 16 January 1953, at SGV.001.003.7399.

438 NRS, ED11/306, Memorandum by J.L., 12 March 1954, at SGV.001.003.7386. The Interim Report produced by John Moss is also contained within this file, at SGV.001.003.7421.

439 NRS, ED11/306, Letter from C.P. Hill (Home Office) to W.S. Kerr (SHD), 9 June 1954, at SGV.001.003.7396. It is likely that review of emigration policy that the official was referring to was that being carried out by the Interdepartmental Committee on Migration of 1954, which is further considered below.

440 NRS, ED11/306, Memorandum by W.S. Kerr, 10 June 1954, at SGV.001.003.7386.

Professor Lynch suggested that “there was no reason in principle why the voluntary organisations couldn’t have adhered to those standards, even if they weren’t introduced as formal regulations”.<sup>441</sup> I agree.

The final version of the draft regulations is set out in [Appendix K](#).

### **Post-Second World War Concerns Reports, memos, and views expressed by organisations and individuals**

Amidst the discussions about the draft regulations some organisations raised concerns about the practice of child migration generally.

#### **Liberal Party Organisation Committee Report on the Curtis Committee**

In May 1947, the Liberal Party Organisation Committee published a report summarising and commenting on both the Clyde and Curtis Reports.<sup>442</sup> Whilst noting that “deplorable notions of child care” were prevalent amongst “exporting and receiving agencies”, the Committee agreed with the Curtis Report that migration might be suitable for some children.<sup>443</sup> The Committee added that children should only be migrated if they had provided informed consent, and the authorities were “satisfied that it is in the interests of the particular child to go”, and that children, both boys and girls, received

an education and freedom to choose their occupation. The Committee recommended that “there should be no emigration of children who have parents able to make a reasonable provision for them”.<sup>444</sup> The Committee condemned “in the strongest terms efforts to tempt the ambitions of parents for their children by advertisements of lands where the sun is always shining, and by the argument that there is no future for this country.”<sup>445</sup>

They stated their view that, whilst Canada had a “fine system of child welfare”, in other parts of the British Commonwealth “the standards of education, opportunities for scholarships, careers, the provisions for young workers and other aspects of child care are below” the standards expected in the UK.<sup>446</sup> Consequently, the Committee recommended that “there should be an official inter-governmental enquiry into the whole system of placement in residential jobs and of after-care, with special attention to schemes for compulsory savings of wages by young workers in the receiving country.”<sup>447</sup>

In response to the Committee’s report, the Women’s Liberal Federation wrote to the Home Office in April 1948 urging them to set up an inter-Governmental Commission of Enquiry to “examine the whole system of the emigration of deprived children to British Dominions and overseas.”<sup>448</sup>

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441 [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-000000022, p.52.

442 TNA, MH102/1562, Liberal Party Organisation Committee on the Curtis Committee, Nobody’s Children: A Report on the Care of Children Deprived of Normal Home-lives, at LEG.001.002.9730-9764.

443 TNA, MH102/1562, Liberal Party Organisation Committee on the Curtis Committee, Nobody’s Children: A Report on the Care of Children Deprived of Normal Home-lives, at LEG.001.002.9758.

444 TNA, MH102/1562, Liberal Party Organisation Committee on the Curtis Committee, Nobody’s Children: A Report on the Care of Children Deprived of Normal Home-lives, at LEG.001.002.9758.

445 TNA, MH102/1562, Liberal Party Organisation Committee on the Curtis Committee, Nobody’s Children: A Report on the Care of Children Deprived of Normal Home-lives, at LEG.001.002.9758.

446 TNA, MH102/1562, Liberal Party Organisation Committee on the Curtis Committee, Nobody’s Children: A Report on the Care of Children Deprived of Normal Home-lives, at LEG.001.002.9759.

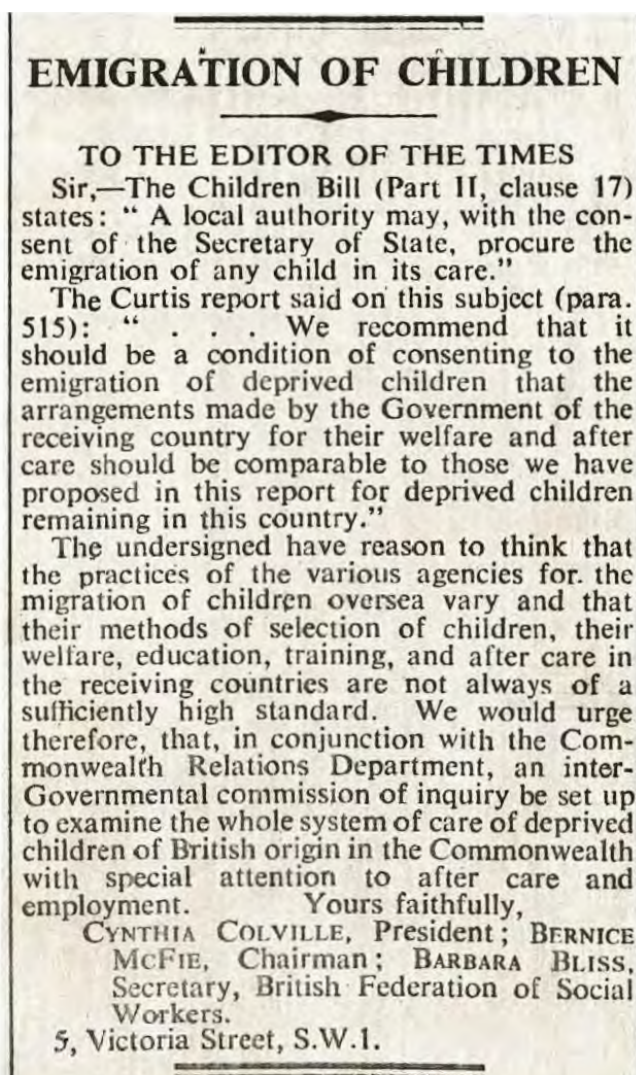
447 TNA, MH102/1562, Liberal Party Organisation Committee on the Curtis Committee, Nobody’s Children: A Report on the Care of Children Deprived of Normal Home-lives, at LEG.001.002.9759.

448 TNA, MH102/1562, Letter from Women’s Liberal Federation to Rt. Hon. J. Chuter Ede, MP, 27 April 1948, at LEG.001.002.9729.

## British Federation of Social Workers

The British Federation of Social Workers wrote a letter to *The Times* on 24 March 1948. The Federation echoed the recommendations of the Curtis and the Liberal Party Organisation Committee Reports, and suggested that a prerequisite to the continuation of child migration schemes should be to ensure that arrangements made by the receiving country for the care and welfare of these children were comparable to those proposed for the UK. The letter reiterated the concerns stated by the Liberal Party Organisation Committee

that “the practices of the various agencies for the migration of children overseas vary and that their methods of selection of children, their welfare, education, training, and aftercare in the receiving countries are not always of a sufficiently high standard”, and repeated the call for an inter-governmental commission of inquiry to be established “to examine the whole system of care of deprived children of British origin in the Commonwealth with special attention to after care and employment.”<sup>449</sup>



Emigration of Children, British Federation of Social Workers' Letter to the Editor of The Times, 24 March 1948.

449 “Emigration of Children”, Letter to the Editor, *The Times*, 24 March 1948, at CMT.001.001.0442.

The Women's Liberal Federations and the National Council of the Young Women's Christian Association (YWCA) made similar calls to the Secretary of State for Home Affairs for a Commission of Enquiry to be set up "to examine the whole system of the emigration of deprived children... with particular reference to conditions and after-care arrangements in the receiving Country that these may not fall below the standard of this Country."<sup>450</sup> The issue of an Inter-Government Committee featured in correspondence between the Home Office and the Commonwealth Relations Office. On 28 September 1948, a Home Office official wrote to the CRO noting that:

"The production in public of bad examples of emigration would be likely to do nothing but harm. In the first place everyone who has had contact with emigration already knows that there have been bad instances of care and after care in emigration in the past, and in the second place everyone knows that there will in future be power in the Secretary of State to supervise the provision made."<sup>451</sup>

The reference to supervision by the Secretary of State had little relevance to children migrated who were not in local authority care in the absence of the unfulfilled plan to enact section 33 regulations of the 1948 Act.

There is no evidence that any heed was taken of the concerns raised, and the inter-governmental commission was not established.

In June 1948, the British Federation of Social Workers also produced a pamphlet emphasising the importance of careful selection of children for migration.<sup>452</sup> This was shared with the Home Office.

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450 TNA, MH102/1562, Letter from Miss Curwen, National General Secretary of the YWCA, to Chuter Ede, Secretary of State for Home Affairs, 11 May 1948, at LEG.001.002.9727; Letter from Margaret Harvey, Secretary of the Women's Liberal Federation, to Chuter Ede, Secretary of State for Home Affairs, 27 April 1948, at LEG.001.002.9728.

451 TNA, MH102/1562, Letter from D.M. Rosling to R.C. Cox (CRO), 28 September 1948, at LEG.001.002.9724.

452 TNA, MH102/1562, Child Emigration: Importance of Careful Selection, The British Federation of Social Workers, June 1948, at LEG.001.002.9723.

# CHILD EMIGRATION

## IMPORTANCE OF CAREFUL SELECTION

The British Federation of Social Workers in compiling this pamphlet has drawn on the experience of members who have been engaged in the selection of children for emigration. It is put forward in the hope that it will be of value to emigration societies, local authorities and voluntary societies who are responsible for child emigration.

We are concerned in giving our views on the principles of selection for child emigration, not with the question of the advisability of emigration schemes in general.

Every emigration society should have a selection committee including professional social workers.

The society should delegate the investigations to professional social workers who are trained in home visiting and the taking of case histories.

The first consideration in selection should be whether emigration is best for a particular child and not whether the child is suitable for emigration. It should be borne in mind that it is a very serious matter to break a child's home ties, however slender they may be. As a general rule a child should not be accepted for emigration unless his brothers and sisters can accompany him. A child's own home is more important to him than good material conditions.

It is essential that a personal visit be paid to the home to see the child and the parents or guardians.

A full history of the child and his family should be obtained and it is imperative that the child himself and his parents or guardians understand the implications of emigration. Most important of all, the child should not feel he is being sent away as a means of easy disposal by authorities or because he is unwanted by parents or relatives.

A personal visit should also be paid to the school and a written report obtained. There may be other people who know the child whose advice might be helpful. A diagnostic report should also be obtained from a child guidance clinic locally if possible.

All these reports should be considered by the selection committee and if they appear to be suitable, the child and his parents or guardians should be subsequently invited for interview.

At this interview it should be decided whether the child should be accepted, subject to a satisfactory medical report.

An equally full investigation, including a visit to any responsible relations, is needed if the child is in the care of the local authority or in a voluntary home.

A copy of the case history should be sent overseas for the use of those in charge of the child. This should include full details about the family circle in this country, which may be of great interest to the child in later life. Every effort should be made to keep the child in touch with relations and friends.

Adequate arrangements for escort should be made and should not be left to chance selection.

No child should be allowed to leave this country until legal guardianship is established.

The British Federation of Social Workers, 5 Victoria Street, London, S.W.1, will be pleased to answer enquiries amplifying the reasons for the opinions expressed in this leaflet and to advise on the employment of social workers.

*June, 1948.*

## Women's Group on Public Welfare

In 1951, the Women's Group on Public Welfare—founded in 1938 by Margaret Bondfield, the author of the Bondfield Report about child migration to Canada—issued a report that criticised child migration as a practice, stating that “the main consideration in selection [should be] not only whether the child is suited for emigration but whether emigration is best suited to his particular needs.”<sup>453</sup> It stated that organisations sending the children should not be able to “divest themselves of responsibility for that [migrated] child's subsequent welfare.”<sup>454</sup> The report made a number of other recommendations, including better preparation of children destined for migration, careful selection processes, accommodation being provided in cottage-style homes, and full reports on children's progress to be regularly made and sent back to the sending organisations.<sup>455</sup>

The group was a highly respected body of childcare professionals and this report was issued with the intention of informing the drafting of the proposed section 33 regulations. The report could have “contributed to Home Office discussions about regulating child migration”, but its recommendations were ignored.<sup>456</sup>

The report was also known to at least some of the parties engaged in child migration—and may have precipitated the formation of the Council of Voluntary Organisations

for Child Emigration (CVOCE).<sup>457</sup> Members of CVOCE included the Australian Catholic Immigration Committee, Barnardo's, the Catholic Child Welfare Council, the Church of Scotland Committee of Social Service, the Fairbridge Society, and the Royal Overseas League.<sup>458</sup> In one of its earlier meetings, in March 1951, CVOCE members considered the recommendations of the Women's Group report.<sup>459</sup> They agreed that “[t]he main consideration” should be “whether emigration is best suited to [the child's] particular needs” and it was their view that most of the report's recommendations were “already being practised or would be adopted.”<sup>460</sup> As is now known, that did not happen.

## Lucy Cole-Hamilton, Dallas Paterson, Tempe Woods, and E.M. Carbery

Between 1947 and 1950, the Home Office received several memos raising concerns about the quality of care provided to child migrants at Fairbridge's Australian institutions.

Lucy Cole-Hamilton had been a member of staff at Fairbridge, Pinjarra, for 11 years, between 1934-1945. In 1947, she wrote to the Home Office, having seen reports in the press about the resumption of child migration. Her letter raised many questions for the Under-Secretary of State to consider, concerning—among other things—the quality of accommodation, supervision, inspections

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453 *Child Emigration, a Study made in 1948-50 by a Committee of the Women's Group on Public Welfare* [WGPW Report] (National Council of Social Service, London, 1951), at LIT-000000002, p.59.

454 WGPW Report, 1951, at LIT-000000002, p.20

455 WGPW Report, 1951 at LIT-000000002.

456 Constantine *et al.*, paragraph 7.19.

457 Constantine *et al.*, paragraph 7.20.

458 Constantine *et al.*, Appendix 3, paragraph 2.29.

459 Prince's Trust, Minutes of Meetings for Council of Voluntary Organisation for Child Emigration from formation (March 1951) to January 1955, at PRT.001.001.8148.

460 Constantine *et al.*, paragraph 7.20.

at Pinjarra, and aftercare practices.<sup>461</sup> She asked how children's individuality would be safeguarded and how they would be supervised in a different country. She also queried the guardianship of the children, and the membership of the Fairbridge Committee in Perth. Lucy Cole-Hamilton also noted that "[t]he question of suitable staff has always been most difficult", and asked how they would be selected, and whether they would be adequately paid.<sup>462</sup> She ultimately doubted whether the system was "conducive to the children's happiness or welfare in a great many ways, nor indeed to the State's."<sup>463</sup>



Fairbridge Farm School, Pinjarra, child migrant tilling with rotary hoe, 1954. Photograph from Western Australia Government photographer collection. Source: [State Library of Western Australia](#).

The Home Office replied later the same month, acknowledging that the institution "is known to be unsatisfactory in some respects",

but that Fairbridge representatives "are now discussing with the Australian Society plans for the future organisation" of Pinjarra and other institutions in Western Australia.<sup>464</sup> While not providing any answers to her questions, the Home Office representative told Lucy Cole-Hamilton that she "can be assured, however, that they are matters which the Department wish to see substantially altered and that the Fairbridge Society are fully aware of the Home Office view."<sup>465</sup>

Subsequently, at the invitation of the Home Office, a meeting took place between Lucy Cole-Hamilton and Home Office officials. The note of the meeting recorded that, while Lucy Cole-Hamilton was working at Fairbridge:

"No effort was made...to mix the children with local children or families; very few children went out to school & girls automatically passed to domestic services, boys to farming. The equipment of the cottage was very poor...The cottages were grossly overcrowded - 24 children living where at most there was space for 12...Staff on the whole were of low quality...there were constant changes of staff at short notice...Miss Hamilton felt that supervision from London was v[ery] necessary, and that the responsibility of administrating the school should not be left entirely [to] the Perth Committee."<sup>466</sup>

This was a damning indictment.

461 TNA, MH102/1557, Letter from Lucy Cole-Hamilton to the Under-Secretary of State (Home Office), 10 October 1947, at LEG.001.006.0934-0935; see also Constantine *et al.*, paragraph 26.6; TNA, MH102/1557, Letter from Lucy Cole-Hamilton to the Under-Secretary of State (Home Office), 10 October 1947, at LEG.001.006.0934.

462 TNA, MH102/1557, Letter from Lucy Cole-Hamilton to the Under-Secretary of State (Home Office), 10 October 1947, at LEG.001.006.0934.

463 TNA, MH102/1557, Letter from Lucy Cole-Hamilton to the Under-Secretary of State (Home Office), 10 October 1947, at LEG.001.006.0934.

464 TNA, MH102/1557, Letter from D. Rosling to Lucy Cole-Hamilton, 28 October 1947, at LEG.001.006.0933.

465 TNA, MH102/1557, Letter from D. Rosling to Lucy Cole-Hamilton, 28 October 1947, at LEG.001.006.0933.

466 TNA, MH102/1557, Letter from Lucy Cole-Hamilton to the Under-Secretary of State (Home Office), 10 October 1947, at LEG.001.006.0926-27; see also Department of Health, Note of meeting between Home Office officials and Lucy Cole-Hamilton, 10 October 1947, at UKG-000000050, pp.462-463.

Two years later, in 1949, Dallas Paterson—former Principal of Pinjarra in c.1936-37—wrote a memorandum to the Home Office that was highly critical of many aspects of child migration programmes.<sup>467</sup> This was a detailed document, extending to eight pages, and it listed serious allegations. It began with a stark message:

- "a) Avoid sending to Dominions any child who can fairly be called  
'You Fairbridge bastard'  
'You Fairbridge slummy'...
- b) Avoid sending any child requiring specialised or lasting care,  
e.g. syphilitics  
weak minded  
moral deficients  
problem children."<sup>468</sup>

Dallas Paterson highlighted his view that "those taking responsibility to send British children overseas must retain a sense of direct responsibility. They must never be lulled into trusting any overseas authority to assume their responsibility. It cannot be delegated."<sup>469</sup>

The memorandum goes on to describe other failings. Dallas Paterson described the head cottage mother and matron as someone with "utter lack of sympathy towards the girls...

they can seldom have found worse drudgery than as children of 14 and under."<sup>470</sup> The school staff were "unqualified by Training, Temperament or willingness".<sup>471</sup>

Dallas Paterson went on to note that good aftercare

"cannot undo the harm of:

- a) mal-selection b) non-education c) lack of training...it should be made clear that the Perth Committee view that After Care should end at 21, when the young people cease to be formal wards of the Principal, is savage, idiotic and blind".<sup>472</sup>

Dallas Paterson then provided several examples of severe failings in aftercare duties.<sup>473</sup> Interestingly, he considered that, in 1934 at least, "Tardun (Roman Catholic) Farm is the only answer known to me" that would provide a good example for Pinjarra to follow, because the Christian Brothers who staffed it were "highly qualified", the school itself well-equipped, the "dozen or so boys...carefully selected from R.C. orphanage schools in Perth", and the boys who left the farm being settled on their own lands financed and supported by Tardun.<sup>474</sup> Notably, this pre-dated the wide-scale immigration of British children to Tardun and other Christian Brothers institutions over the following decade.

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467 TNA, MH102/2041, Emigration of Children: Memorandum submitted by Dallas Paterson - relating to personal experience as Principal, Fairbridge Farm School, Pinjarra, W. Australia, c.1948, at LEG.001.006.2793; Constantine *et al.*, paragraph 26.7; IICSA, 2018, paragraph 4.35.

468 TNA, MH102/2041, Emigration of Children: Memorandum submitted by Dallas Paterson - relating to personal experience as Principal, Fairbridge Farm School, Pinjarra, W. Australia, c.1948, at LEG.001.006.2793.

469 TNA, MH102/2041, Emigration of Children: Memorandum submitted by Dallas Paterson - relating to personal experience as Principal, Fairbridge Farm School, Pinjarra, W. Australia, c.1948, at LEG.001.006.2793. Emphasis in original.

470 TNA, MH102/2041, Emigration of Children: Memorandum submitted by Dallas Paterson - relating to personal experience as Principal, Fairbridge Farm School, Pinjarra, W. Australia, c.1948, at LEG.001.006.2794.

471 TNA, MH102/2041, Emigration of Children: Memorandum submitted by Dallas Paterson - relating to personal experience as Principal, Fairbridge Farm School, Pinjarra, W. Australia, c.1948, at LEG.001.006.2794.

472 TNA, MH102/2041, Emigration of Children: Memorandum submitted by Dallas Paterson - relating to personal experience as Principal, Fairbridge Farm School, Pinjarra, W. Australia, c.1948, at LEG.001.006.2795.

473 TNA, MH102/2041, Emigration of Children: Memorandum submitted by Dallas Paterson - relating to personal experience as Principal, Fairbridge Farm School, Pinjarra, W. Australia, c.1948, at LEG.001.006.2796.

474 TNA, MH102/2041, Emigration of Children: Memorandum submitted by Dallas Paterson - relating to personal experience as Principal, Fairbridge Farm School, Pinjarra, W. Australia, c.1948, at LEG.001.006.2795.



In June 1950, Tempe Woods, who had run a childcare course at Northcote farm school, wrote a letter to the Home Office advising them to check that practice at institutions overseas was acceptable before allowing child migrants to be sent.<sup>475</sup>

These unofficial documents about practice in Australia went largely unheeded.

Conversely, a 1949 report by psychiatric social worker E.M. Carbery that was highly critical of the Fairbridge Prince of Wales Farm School in Canada was influential in the decision to wind down the school's operations from July 1949.<sup>476</sup> E.M. Carbery raised similar concerns to those voiced by Isobel Harvey several years earlier. As Constantine, Harper, and Lynch have suggested, given the troubled history of the farm school and the close involvement of officials from the Provincial and Federal Government, as well as the Fairbridge Society in London, it is likely that the UK Government was aware of the concerns that led to the closure. Nonetheless, despite being aware of similar concerns having arisen in relation to the Fairbridge institutions in Australia, it appears that no action was taken there.

Besides the reports cited in this section, various reports were made by UK Government officials about the conditions and practices at institutions in Australia.

### Child Migration to Australia, 1953 (the Moss Report)

John Moss, a County Welfare Officer who had been a member of the Curtis Committee, visited several institutions in Australia in 1951-52 during an unofficial visit to the country.<sup>477</sup> Although he was critical of the physical conditions in some institutions, the lack of trained staff, the isolation and large size of the institutions, and the lack of aftercare, he was by no means dismissive of the practice of child migration itself.<sup>478</sup> Indeed, he concluded that, if local authority children's committees had seen the conditions in Australia they "would have no hesitation in helping to fill the vacancies" and "would adopt a general policy of sending a regular, but small, flow of suitable children", which would help to "increase the English-born population of Australia."<sup>479</sup> The Chief Migration Officer at Australia House in London welcomed this message, urging the Home Office and the CRO to persuade local authorities to be more co-operative.<sup>480</sup>

This endorsement of child migration by John Moss generated some difficulties for the Home Office, which sought to distance itself from its findings.<sup>481</sup> When the Moss Report was published in 1953 the Home Office made clear that it was "an independent record of Mr Moss's impressions, and is not to be taken as expressing the views of the Home Office".<sup>482</sup> Nonetheless, John Moss's comments "carried credibility in the Home Office" and his report was taken as showing "that things weren't quite that bad and

475 Constantine *et al.*, paragraph 25.5; IICSA, 2018, paragraph 4.40.

476 Prince's Trust, E.M. Carbery's Report on Visit to the Prince of Wales Fairbridge Farm School, British Columbia September-November 1949 [Carbery Report], 3 December 1949, at PRT.001.001.3318. See Constantine *et al.*, paragraph 24.13

477 See Constantine *et al.*, paragraphs 7.21-7.26.

478 Senate Committee on Community Affairs, 2001, paragraph 2.111; IICSA, 2018, paragraph 4.51.

479 John Moss, *Child Migration to Australia* [Moss Report] (1953), London: HMSO, at CMT.001.001.0519.

480 Constantine *et al.*, paragraph 7.25.

481 Constantine *et al.*, paragraph 7.25; IICSA, 2018, paragraph 4.58.

482 Moss Report, 1953, at CMT.001.001.0477.

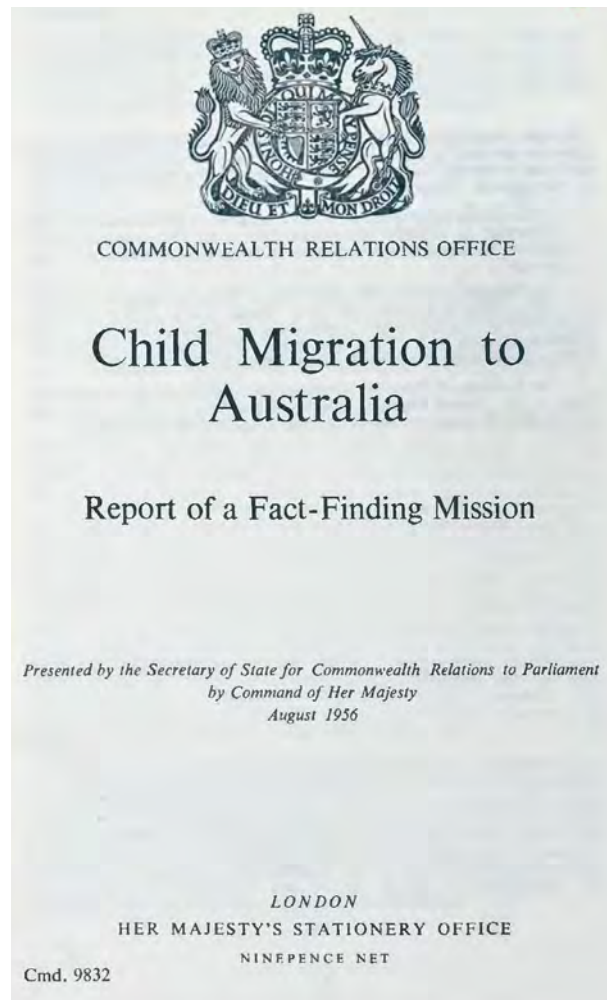
perhaps with a process of moral persuasion it would be possible to...nudge things along rather than introduce a more burdensome regulatory structure."<sup>483</sup> The Home Office does not appear to have wanted to endorse the practice of child migration publicly—they were aware it had become controversial—but they failed to stem the flow of children being migrated to Australia.

The reaction of the Home Office to the Moss Report led the Overseas Migration Board (OMB) to insist that further information was obtained about the quality of care provided to child migrants in Australia and that no final decision about the practice should be made until they had it. They called for another report and a fact-finding mission was sent to Australia.

### **Child Migration to Australia: Report of a Fact Finding Mission, 1956 (Ross Report)**

The fact-finding mission was appointed in January 1956 with John Ross, the Home Office's Under-Secretary responsible for the Children's Department, as its chair.<sup>484</sup>

The fact-finding mission visited 26 of the 38 institutions that had been approved by the UK Government as suitable to receive child migrants. Its findings were not good news for the practice of child migration and should rapidly have brought it to an end. This did not happen.



Child Migration to Australia: Report of a Fact-Finding Mission [Ross Report], 1956.

The fact-finding mission found that siblings had been separated and that children were disturbed by, and did not understand, their separation from their parents. It found that those responsible for caring for children had insufficient knowledge of childcare methods, that accommodation and amenities were often deeply substandard, and that the institutions lacked a "homely atmosphere".<sup>485</sup> It found that British child migrants "were bound to remain to a large extent a community apart" from the wider

483 [Transcript, day 190](#): Professor Gordon Lynch, at TRN-5-000000021, pp.123 and 139.

484 [Cmd 9832] Child Migration to Australia: Report of a Fact-Finding Mission (1956), at LEG.001.002.3297-3310. The other members of the mission were Walter Garnett, former Deputy High Commissioner, Australia; and G.M. Wansbrough-Jones, Children's Officer, Essex County Council.

485 [Cmd. 9832] Report of a fact-finding mission, 1956, at LEG.001.002.3304.

community.<sup>486</sup> It observed that, while many people believed that migration could provide a valuable ‘fresh start’ for children who had been maltreated in Britain, “it was precisely such children, already rejected and insecure, who might often be ill-equipped to cope with the added strain of migration.”<sup>487</sup>

The fact-finding mission had been “given a confidential directive to assess whether the care of child migrants in Australia matched, or could be made to match, expected practice in Britain.”<sup>488</sup> Confidential reports were produced on each institution visited. Some of these were relatively positive, but others were scathing in their findings and so a ‘blacklist’ of institutions to which children

should not be migrated was compiled. The blacklist included Dhurringile, St John Bosco’s, and Bindoon, places where Scottish children were sent to, including a number of SCAI applicants.<sup>489</sup> They also recommended that the migration of all children by voluntary organisations should be subject to the individual consent of the Secretary of State. As noted above, no regulations under section 33 of the 1948 Act—which could have provided for the Secretary of State’s control of the migration of children by voluntary organisations—ever materialised, despite Parliament having apparently considered that the Secretary of State may need to exercise such control.<sup>490</sup>



Bindoon Boys' Town, dormitory, 1952. Photograph from Western Australia Government photographer collection. Source: [State Library of Western Australia](#).

486 [Cmd. 9832] Report of a fact-finding mission, 1956, at LEG.001.002.3306.

487 [Cmd. 9832] Report of a fact-finding mission, 1956, at LEG.001.002.3321.

488 Constantine *et al.*, paragraph 7.28.

489 See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#): “Gray”, Hugh McGowan, “Jok”, “Derby”, “James” (MEB), “Robert”, Francis Maloney Morrison, Michael, Ian Stuart Donaldson, Frederick Smith, “James” (FBF), “John” (MEF), “John” (FBC), “Stuart”, “Jack”. The contents of these confidential reports are considered in further detail in Part 2 of this volume.

490 Constantine *et al.*, paragraph 3.20.

## Repercussions of the fact-finding mission's report

The fact-finding mission's report, which was published as a white paper in August 1956, "caused protests by the many enthusiasts in the UK and in Australia...but the substance of the confidential reports released to the Australian authorities and the sending societies generated a storm."<sup>491</sup> Consequently, the UK Government temporarily halted the migration of children to 'blacklisted' institutions.

Internal CRO correspondence throughout June and July 1956 revealed increasing concern about the proposed suspension of migration and the potential pushback from voluntary organisations and the Australian Government. In an internal memo, dated 5 June 1956, C. Costley-White, an official in the CRO, stated that the CRO continued to receive applications for children to be migrated, including one for a Scottish child to be migrated to Dhurringile—one of the 'blacklisted' institutions.<sup>492</sup> C. Costley-White suggested that

"we should for the present continue to allow children to go to these 'black listed' institutions rather than lay ourselves open to the charge of taking arbitrary bureaucratic action which has not been agreed with the voluntary societies or the Australian Government."<sup>493</sup>

The interests of the child in question were not referred to.

On 14 June 1956, a memo from C. Costley-White stated that the adverse reports on some of the institutions visited by the fact-finding mission suggested that "the previous views of the U.K. Government require revision", since these institutions had been previously approved as suitable for the reception of migrated children.<sup>494</sup> The adverse reports had brought into question the safety of institutions not visited by the fact-finding mission. Therefore, C. Costley-White recommended, consideration should be given to whether the migration of children should be halted altogether, or only to those institutions that had received an adverse report.<sup>495</sup> C. Costley-White listed advantages and disadvantages of both options, but favoured the latter option: "if any standstill is imposed it should only be on migration to institutions adversely reported upon."<sup>496</sup> While these questions remained unanswered, the views of the Home Office and the SHD on the continuation of child migration to Australia were being sought.

In a later note of 18 June 1956, C. Costley-White confirmed the Home Office had

"come down for a complete suspension of child migration for the time being. It is probable that the Scottish Home Department will echo their views...We should then be faced with deciding what the policy of the U.K. Government should be, and I should imagine that it would be difficult indeed to go against the Home Office."<sup>497</sup>

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491 Constantine *et al.*, paragraph 7.32.

492 TNA, DO35/6382, Note from C. Costley-White (CRO) to G.B.S. Shannon, 5 June 1956, at LEG.001.002.3479; NRS, ED11/386, Letter from C. Costley-White (CRO) to J.S. Munro (SHD), 16 June 1956, at SGV.001.003.7892.

493 TNA, DO35/6382, Note from C. Costley-White (CRO) to G.B.S. Shannon, 5 June 1956, at LEG.001.002.3479.

494 TNA, DO36/6382, Note from C. Costley-White (CRO) to G.B.S. Shannon, 14 June 1956, at LEG.001.002.3484. It is likely that John Ross aimed to instigate such a revision of the process of approval to ensure that organisations approved for receiving child migrants from the UK implemented the Curtis standards of care. See [Transcript, day 190](#): Professor Gordon Lynch, at TRN-5-000000021, p.113.

495 TNA, DO36/6382, Note from C. Costley-White (CRO) to G.B.S. Shannon, 14 June 1956, at LEG.001.002.3484.

496 TNA, DO36/6382, Note from C. Costley-White (CRO) to G.B.S. Shannon, 14 June 1956, at LEG.001.002.3485.

497 TNA, DO36/6382, Note from C. Costley-White (CRO) to G.B.S. Shannon, 18 June 1956, at LEG.001.002.3486-3487.

However, the CRO still had concerns about limiting the migration schemes. On 2 July 1956, Sir Saville Garner, who was then the Under-Secretary of State at the CRO, stated that he was

“not very happy about delaying approval of individual applications for child migration...I do not like the idea of a complete stopper for any length of time and feel sure that, if prolonged, this would give rise to an outcry from Societies here and possibly to criticism in the House of Lords.”<sup>498</sup>

These concerns materialised when Robert E. Armstrong, the Chief Migration Officer at Australia House, phoned the CRO to say that W.R. Vaughan, the Secretary of the Fairbridge Society, was “greatly concerned that formal approval had not been given for about 16 children to migrate to Australia.”<sup>499</sup>

Consequently, the CRO set up a meeting with W.R. Vaughan to explain that the findings of the fact-finding mission were being considered. The CRO official stated that W.R. Vaughan was very concerned about the likely reaction if migration was suddenly to be suspended:

“[Vaughan] seemed to realise the position but said his difficulty was that there was a meeting of the Fairbridge Society...on Thursday the 5<sup>th</sup> of July and...he thought there would be a ‘first-class row’ if he had to report that we were unable to authorise the departure of the children...Mr Vaughan said that he had no doubt that a sudden suspension of child migration would lead to pressure upon the Secretary of State and possibly questions in the Commons or the Lords.”<sup>500</sup>

The following day, C. Costley-White initially stated that it was “virtually impossible” to consult with Australian authorities before 5 July to agree what should be done in relation to these 16 children that the Fairbridge Society planned to migrate to its farm schools in Australia. He was concerned about the risk of damaging relationships with the Australian government and also about causing the intervention of the Duke of Gloucester, whose patronage of the Fairbridge Society had “undoubtedly enhanced” its “prestige and political punch”.<sup>501</sup> The CRO was thus “faced with the alternatives of taking a decision on our own or allowing these 16 to go.”<sup>502</sup> He stated that taking a “somewhat high-handed decision to hold up child migration without consulting the Australian Government would appear to be dangerous” as this would

“no doubt forfeit some good will from the Australian State Governments, and we would certainly incur the wrath of the Voluntary Societies, particularly Fairbridge...This would in itself be unfortunate and would almost certainly have immediate Parliamentary repercussions since Fairbridge has the means of making itself heard in both Houses of Parliament and to the public at large. The President of the Fairbridge Society [HRH Duke of Gloucester] is known to take an active interest in its affairs, and it is on the cards that his intervention would be sought if a ‘stand-still’ were suddenly to be imposed, and imposed in the first instance against the Fairbridge Society.”<sup>503</sup>

498 TNA, DO36/6382, Note from S. Garner to Commander Noble, 2 July 1956, at LEG.001.002.3498. Emphasis in original.

499 TNA, DO36/6382, Note from R.H. Johnson to G.B.S. Shannon and C. Costley-White (CRO), 2 July 1956, at LEG.001.002.3500.

500 TNA, DO36/6382, Note from R.H. Johnson to G.B.S. Shannon and C. Costley-White (CRO), 2 July 1956, at LEG.001.002.3500-3501.

501 Constantine *et al.*, paragraph 5.2.

502 TNA, DO36/6382, Note from C. Costley-White (CRO) to G.B.S. Shannon, 3 July 1956, at LEG.001.002.3501.

503 TNA, DO36/6382, Note from C. Costley-White (CRO) to G.B.S. Shannon, 3 July 1956, at LEG.001.002.3501-3502.

The interests of the 16 children, who could be at risk of harm if migrated, did not feature in these considerations. C. Costley-White recommended that the 16 children should be migrated and “the ‘stand-still’ policy should not be applied” to them.<sup>504</sup> So it was that on 5 July 1957, despite the concerns, criticisms, and reservations that had been expressed, the CRO confirmed that the 16 children for Fairbridge, as well as three others for Northcote, “should be allowed to go on the understanding that we cannot guarantee approval of future applications pending consideration of the fact-finding mission’s report and consultation with the Australian authorities about it.”<sup>505</sup> Meanwhile, the authorisation for one Scottish child to be sent to Dhurringile was still under consideration, with the CRO observing that “[i]f we are pressed to approve these for the same sailing, we had better approve them on the same condition.”<sup>506</sup>

### The Ross Report and Dhurringile

In June 1956, whilst the Fairbridge discussions were taking place, the CRO wrote to the SHD regarding the application made by the Church of Scotland for a Scottish boy to be migrated to Dhurringile.<sup>507</sup> Alongside the letter, the CRO forwarded to the SHD a copy of the fact-finding mission’s confidential report on Dhurringile. The CRO wanted to know the SHD’s view on whether the particular child should be migrated, and “whether in reaching a decision about the particular cases currently arising [for

emigration] we should be influenced at all by the views of the Fact-finding Mission”.<sup>508</sup>

The confidential report generated some discussion within the SHD. In June 1956, W.S. Kerr, an official in the SHD, noted that “[t]he Fact-finding Committee have condemned the Home in no uncertain terms...[and] Mr John Moss reported in 1951/52... that Dhurringile might easily become institutional.”<sup>509</sup> Significantly, W.S. Kerr was of the view that “[i]f there are thirty one boys in residence their fate is of much more concern to us than the plans for [the child being considered for migration]”.<sup>510</sup> Constantine, Harper, and Lynch noted that this “emphasis on the need to attend to the welfare of child migrants already sent overseas...is rare in the archived UK Government correspondence on how the results of the Fact-Finding Mission should be addressed.”<sup>511</sup>

However, a memorandum by another SHD official, dated 2 July 1956, expressed a different view:

“For our part we cannot see why Dhurringile should be so lowly placed. If it is a bad home news would have leaked out long ago and the Church of Scotland Committee on Social Service would not be a party knowingly to sending children to Australia under bad conditions. The Home is favourably commented on in the annual reports of the Church of Scotland Committee on Social Service, as for example in that dated 1955,

504 TNA, DO36/6382, Note from C. Costley-White (CRO) to G.B.S. Shannon, 5 July 1956, at LEG.001.002.3502. See also [IICSA](#), 2018, paragraph 2.2.

505 TNA, DO36/6382, Note from G.B.S. Shannon, 5 July 1956, at LEG.001.002.3501-3502.

506 TNA, DO36/6382, Note from G.B.S. Shannon, 5 July 1956, at LEG.001.002.3501-3502.

507 NRS, ED11/386, Letter from C. Costley-White (CRO) to J.S. Munro (SHD), 16 June 1956, at SGV.001.003.7892.

508 NRS, ED11/386, Letter from C. Costley-White (CRO) to J.S. Munro (SHD), 16 June 1956, at SGV.001.003.7893.

509 NRS, ED11/386, Minute by W.S. Kerr, 20 June 1956, at SGV.001.003.7868.

510 NRS, ED11/386, Minute by W.S. Kerr, 20 June 1956, at SGV.001.003.7868. Dr Lewis Cameron was the Director of the Church of Scotland Committee on Social Services.

511 Constantine *et al.*, Appendix 2, paragraph 4.16.

where it is claimed that ‘This school which is operated by the Presbyterian Church at Victoria, provides excellent opportunities for boys who by reason of adverse home circumstances would seem likely to profit most by the change of a completely new life amidst totally different surroundings’. The report also adds that only a comparatively small number of boys emigrated from Scotland to the School during 1954, and that excellent reports had been received of those for whom such arrangements had been completed.”<sup>512</sup>

It seems therefore that some officials at the SHD found it difficult to believe the conditions at Dhurringile could be as described by the fact-finding mission, when the Church of Scotland Committee on Social Service had provided such glowing reports about the institution and the children placed there. The SHD did not oppose the migration of the Scottish boy to Dhurringile, and left the decision to the Oversea Migration Board.<sup>513</sup> This conclusion seems to have been symptomatic of the naive trust that was placed in reports written by institutions such as Dhurringile that stood to gain from promoting their own practices. Furthermore, this reliance on second-hand reports “does not appear to accord with the emphasis on the importance of direct, rigorous inspection of children’s out-of-home care by government officials in both the Clyde and Curtis reports.”<sup>514</sup>

### The Wheeler and Rouse Visits

Following the controversy generated by the Ross Report, Reuben Wheeler, the Assistant Secretary to the Australian Department of Immigration, accompanied by Anthony Rouse, an attaché from the UK High Commissioner’s Office, and local child welfare officers, conducted further inspections of Dhurringile Rural Training Farm, Bindoon Boys’ Town, and St John Bosco Boys’ Town, Glenorchy, in July 1956. The aim “was to compare the report furnished by the United Kingdom Fact Finding Mission with actual conditions ‘on the spot’.”<sup>515</sup> Reuben Wheeler issued reports that were critical of the conditions at Dhurringile and, to some extent, the conditions at Bindoon.



Bindoon Boys’ Town, boy feeding pigs, 31 March 1966. Photograph by Illustrations Ltd. Source: [State Library of Western Australia](#).

512 NRS, ED11/386, Note from J.S. Munro to N.D. Walker, 2 July 1956, at SGV.001.003.7891.

513 NRS, ED11/386, Memorandum from W.S. Kerr, 4 July 1956, at SGV.001.003.7869.

514 Constantine *et al.*, Appendix 2, paragraph 4.17. In 1946, the Clyde Report had, for example, referred to a system of regular inspections as being “[a]n important check upon the risk of unsatisfactory conditions for the child” and a “real safeguard”. See [Cmd. 6911] Clyde Report, 1946, at LEG.001.001.1742 and LEG.001.001.1753.

515 TNA, BN29/1325, Report by Reuben Wheeler (Assistant Secretary, Department of Immigration, Canberra) and J.V. Nelson (Director, Children’s Welfare Department, Victoria) Dhurringile Training Farm [Wheeler Report], 31 July 1956, at LEG.001.004.3138.

Anthony Rouse also made his own confidential notes of the visits, which he forwarded to the UK High Commissioner.<sup>516</sup> His findings generally confirmed the fact-finding mission's criticisms of Dhurringile, noting, for example, that the material conditions in Dhurringile were poor.<sup>517</sup> He reported that reassurances offered by the Secretary of the Social Services Department for the Presbyterian Church in Victoria about improvements to Dhurringile being completed in three months, were "too glib".<sup>518</sup>

Anthony Rouse's notes, a copy of a letter from him, and a follow-up report on Dhurringile from the Australian Commonwealth Department of Immigration, were forwarded to the SHD.<sup>519</sup>

Anthony Rouse's notes and Reuben Wheeler's reports adopted different tones, with the latter adopting a much more positive tone about the institutions visited. Indeed, the description that the contrast was "stark" is apt.<sup>520</sup> The UK High Commission, CRO and Home Office were aware of these differences. The CRO was also aware of the shortcomings of the Australian inspections and reporting systems that tended to focus on the quality of accommodation provided and the physical care of children rather than children's welfare.<sup>521</sup>

## Interdepartmental Committees on Migration

The Empire Settlement legislation had to be renewed every 15 years. This provided an opportunity for the revision of child migration policy and the funding agreements that the UK Government had with the various migration societies.<sup>522</sup>

### 1950

The first renewal of the Act was in 1937. It was due to expire in 1952. The Australian Assisted Passage Scheme was due to expire in 1951. It was the only major agreement made under the terms of the Act at that time, comprising about 95% of the spending authorised by the Act. The CRO began discussions about the renewal of both in 1950.<sup>523</sup>

Initially there was some scepticism within the CRO about the renewal of both the Act and the Australian Scheme.<sup>524</sup> In a memorandum, the Assistant Under-Secretary in the CRO, Richard Sedgwick, drew attention to several economic and strategic factors that did not support the renewal of the Act and the Australian Scheme. Equally, Richard Sedgwick pointed out that there were also political sensitivities that would require careful management if the Act and the Australian Scheme were not renewed. He proposed that funding for voluntary organisations to organise child and juvenile migration, as

516 IICSA, 2018, paragraphs 4.64-66.

517 TNA, BN29/1325, Anthony Rouse's Reports, Dhurringile Rural Training Farm, Victoria [Rouse Report], at LEG.001.004.3149-3151.

518 TNA, BN29/1325, Rouse Report: Dhurringile, 1956, at LEG.001.004.3151.

519 Constantine *et al.*, Appendix 2, paragraph 4.18. See TNA, DO35/6382, Letter to J.S. Munro, 23 November 1956, at LEG.001.004.7338 and NRS, ED11/386, Letter from Anthony Rouse to R.H. Johnston, 4 December 1956, at SGV.001.003.7888-7890.

520 Gordon Lynch, *Remembering Child Migration: Faith, Nation Building and the Wounds of Charity* (2015) London: Bloomsbury Academic, p.75.

521 Constantine *et al.*, Appendix 2, paragraph 4.29; Stephen Constantine "The British Government, child welfare and child migration to Australia after 1945", *Journal of Imperial and Commonwealth History*, 30 (1), p.117.

522 [Transcript, day 190](#): Professor Gordon Lynch, at TRN-5-000000021, pp.24-26; Gordon Lynch, *UK Child Migration to Australia, 1945-1970: A Study in Policy Failure*, (2021), Palgrave Macmillan (Open Access).

523 Lynch, *UK Child Migration to Australia*, 2021, p.249.

524 Lynch, *UK Child Migration to Australia*, 2021, p.249; TNA, DO35/3224, Memorandum by Richard Sedgwick, 5 May 1950, at LEG.001.003.5814.



well as the migration of single women, could continue because the amount spent on these schemes was low, and the concession could be presented as a gesture of goodwill that would make the cessation of funding for the migration of adults more palatable.

Some in the CRO disagreed with Sedgwick. Leonard Walsh Atkins, head of the CRO General Department, was of the view that the political fallout from withdrawing any support for the Act and Australian Scheme would be considerable. Walter Garnett was of a similar view.

Richard Sedgwick's proposals were, however, supported by Cecil Syers, the Deputy Under-Secretary, and Lord Holden, Labour's Parliamentary Under-Secretary of State for Commonwealth Relations. Cecil Syers proposed that there should be an "inter-departmental exercise" to consider how to manage the political sensitivities likely to arise if the Act and the Australian Scheme were not renewed.<sup>525</sup> In June 1950 an interdepartmental committee was established to consider the future of the migration policy.

During this period, the divergent views on child migration held by the CRO and the Home Office were coming to the fore, with Richard Sedgwick stating that the Home Office was:

"showing themselves reluctant to accept the recommendations of the receiving Government as to the satisfactoriness of the local arrangements made for looking after the children and a corresponding tendency to lay down a priori and

dogmatic principles and conditions which have the effect of ruling out schemes regarded by the receiving Government as entirely satisfactory."<sup>526</sup>

It was hoped that the committee would "afford an opportunity for thrashing out this matter."<sup>527</sup>

The interdepartmental committee's confidential report was submitted in December 1950. It recommended the extension of the Australian Scheme to March 1952 to allow for the conclusion of discussions that were taking place between Australia and other countries about similar schemes.<sup>528</sup> The committee was unable to reach an agreement regarding the future of the Act. Regardless of whether the Act was renewed or not, the committee recommended the continuation of assisted child migration, provided that

"we can be kept fully satisfied of the conditions awaiting the children overseas and of the opportunities which will be made available to them for integrating themselves with the Australian community for enjoying such education as their gifts warrant, and for taking up employment on equitable terms with a wide choice of occupation".<sup>529</sup>

These conditions, as we now know, were never fulfilled.

## 1954

In 1954, another interdepartmental committee on migration policy was set up to consider the Australian Scheme, which

525 TNA, DO35/3224, Memorandum by Cecil Syers, 9 May 1950, at LEG.001.003.5814.

526 TNA, DO35/3224, Memorandum by Richard Sedgwick, 20 June 1950, at LEG.001.003.5816.

527 TNA, DO35/3224, Memorandum by Richard Sedgwick, 20 June 1950, at LEG.001.003.5816.

528 Lynch, *UK Child Migration to Australia*, 2021, p.252; TNA, DO35/3224, Draft Report of the Inter-Departmental Committee on Future Migration Policy, 1950, at LEG.001.003.5923-5924.

529 TNA, DO35/3224, Draft Report of the Inter-Departmental Committee on Future Migration Policy, 1950, at LEG.001.003.5941. See also Lynch, *UK Child Migration to Australia*, 2021, p.253.

had been renewed in 1952 for a further two years. The committee comprised members from the CRO, the Treasury, Ministry of Transport and Civil Aviation, Home Office, and Ministry of Labour and National Service, and was chaired by Sir Saville Garner, the Deputy Under-Secretary for Commonwealth Relations.<sup>530</sup>

In considering the continuation of the Australian Scheme, the Garner Committee put forward the same economic arguments for its cessation as had been put forward by Richard Sedgwick in 1950. Ultimately, however, it recommended the continuation of the Australian Scheme because

“[t]he strength of the Australian reactions to a discontinuance of United Kingdom financial support for the scheme is a factor which cannot be ignored and we have come to the conclusion that however strong the arguments for such a course may be, the political case against it is overwhelming”.<sup>531</sup>

The Australian Scheme was subsequently renewed until 1957.

The Garner Committee asserted that the state governments of Australia had “a particular interest in child migration” and had “expressed their keen disappointment that some hundreds of vacancies have remained unfilled” due to state and federal capital expenditure on buildings.<sup>532</sup>

It said that, in considering child migration specifically, account should be taken of changes brought about by the 1948 Act

and advances in childcare. Echoing the Curtis Report’s principles, the committee emphasised that “the question whether any particular child should emigrate ought to depend on a considered and responsible view that it will be in the child’s own interests in his particular circumstances to do so.”<sup>533</sup> Considering whether voluntary organisations should continue to receive financial support, the committee stated that such support could only be viable if children were accommodated “under not less favourable conditions” in Australia than would be expected in the UK.<sup>534</sup>

It accepted that conditions in Australia were not equivalent to those in the UK, but noted that it was

“unlikely that the voluntary migration organisations in this country or the receiving organisation in Australia will accept forthwith that their methods are based on obsolete conceptions and have failed to move with the times.”<sup>535</sup>

The committee considered that “it would not be justifiable to bring financial assistance to a sudden end without the Societies being given a full opportunity to bring their practice up to an approved standard.”<sup>536</sup> How any “approved standard” would be enforced is unclear.

Despite concerns, the committee concluded that child migration schemes run by voluntary organisations should still be supported by the UK Government, with the caveat that these

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530 TNA, DO35/4879, Inter-Departmental Committee on Migration Policy Report, 19 October 1954, at LEG.001.004.6238; see also Constantine *et al.*, paragraph 7.26.

531 TNA, DO35/4879, Inter-Departmental Committee on Migration Policy Report, 19 October 1954, at LEG.001.002.2517.

532 TNA, DO35/4879, Inter-Departmental Committee on Migration Policy Report, 19 October 1954, at LEG.001.002.2520.

533 TNA, DO35/4879, Inter-Departmental Committee on Migration Policy Report, 19 October 1954, at LEG.001.002.2520.

534 TNA, DO35/4879, Inter-Departmental Committee on Migration Policy Report, 19 October 1954, at LEG.001.002.2524.

535 TNA, DO35/4879, Inter-Departmental Committee on Migration Policy Report, 19 October 1954, at LEG.001.002.2524.

536 TNA, DO35/4879, Inter-Departmental Committee on Migration Policy Report, 19 October 1954, at LEG.001.002.2525.

“should be changed as soon as practicable to conform to the methods of child care generally accepted by informed opinion; and that the processes of recruitment, preparation in this country, escort, reception in Australia, and final settlement require re-examination”.<sup>537</sup>

They did not say what mechanisms would be put in place in order to effect or oversee the changes.

By 1954, there was little appetite for more stringent regulation of child migration, and

“the Home Office and Commonwealth Relations Office had effectively reached an agreement where the best policy with the Australian Government, particularly in the light of the experience with the Moss Report, was to try to use periodic contact...to nudge the Australian Government to what would be better standards in line with Curtis...[and] a gradual process of reform through... diplomatic influence”.<sup>538</sup>

## 1956

In 1956, another interdepartmental committee was established to “review long term migration policy and, in particular, to make recommendations in view of the expiry of the Empire Settlement Acts in 1957.”<sup>539</sup>

It considered whether regulations under section 33 of the 1948 Children Act should be introduced. It comprised representatives of the CRO, the Treasury, the Home Office, the Ministry of Labour and National Service, and the Ministry of Transport and Civil

Aviation. The SHD was not represented amongst the membership, but they received its papers and were represented at some meetings.<sup>540</sup>

On child migration, the committee considered the findings of reports produced by the OMB, the Garner Committee, and the Ross fact-finding mission.<sup>541</sup> After considering the available information, the committee recommended that child migration schemes operated by voluntary organisations should continue to be funded. However, they said this:

“If we had been untrammelled by precedent, we might not recommend the establishment of a system of subsidised child emigration, or the existing methods of operating it. But we have to deal with a well established system which has existed with Government support both in Australia and in the United Kingdom for over 30 years, has influential support from churches and prominent laymen in both countries, and, by most accounts, has benefited the children who have made use of it. Methods and amenities may, and probably do, need to be overhauled and to be brought up to date; but as long as there is a demand, we think that the system can be allowed to continue. Our conclusion on this point is, however, subject to public reaction to the Fact-Finding Mission’s report. If there were a strong public demand that the system should be ended, there would be no compelling Governmental reason for allowing it to continue.”<sup>542</sup>

537 TNA, DO35/4879, Inter-Departmental Committee on Migration Policy Report, 19 October 1954, at LEG.001.002.2525-2526.

538 [Transcript, day 190](#): Professor Gordon Lynch, at TRN-5-000000021, p.146.

539 TNA, DO35/4881, Report of the Inter-Departmental Committee on Migration Policy, 1956, at LEG.001.005.4654; NRS, ED11/131, Memorandum by J.S. Munro, 15 August 1956, at SGV.001.003.8116.

540 NRS, ED11/131, Memorandum by J.S. Munro, 15 August 1956, at SGV.001.003.8116.

541 The report defines child migrants as children “up to the age of 16, who go overseas alone”. See TNA, DO35/4881, Report of the Inter-Departmental Committee on Migration Policy, 1956, at LEG.001.005.4675.

542 TNA, DO35/4881, Report of the Inter-Departmental Committee on Migration Policy, 1956, at LEG.001.005.4680-4681. Emphasis in original.

They disagreed with the fact-finding mission's recommendation that the Secretary of State's consent should be required for the migration of children by voluntary organisations, observing that "[l]egislation would be needed before effect could be given to this recommendation", and adding that:

"Good judgement based on experience is needed [for consent]; but there could be no certainty that any system of control would result in only the most suitable children being sent to Australia, and the voluntary organisations would almost certainly resent being overruled from time to time in a matter of judgement in which they would regard themselves as well qualified to decide."<sup>543</sup>

The committee felt there would be several difficulties in proceeding by way of regulations under section 33 of the 1948 Act, chiefly that "regulations made by Ministers in the United Kingdom could not be applied in other Commonwealth countries", and that they would have little practical effect and risked antagonising voluntary organisations.<sup>544</sup> The committee said that a better approach would be:

"to negotiate with the voluntary organisations as part of the renewal of the agreements a system under which they would, without the formality of statutory regulations, provide the Home Departments with information as required, and submit to inspection by the Home Departments of their practice in the selection of children for migration and of their arrangements for looking

after the children in this country before embarkation."<sup>545</sup>

They recognised that, due to institutional practices, "it may be harder for the Roman Catholic organisations to alter their methods than it is for others".<sup>546</sup> That acknowledgment did not affect the committee's recommendation. Subsequently, voluntary societies were persuaded to agree to certain general principles and to provide information to the Home Departments, as well as permitting Home Departments to inspect their work.

A Home Office memorandum dated 17 February 1958 highlights the ineffectiveness of such a directive.<sup>547</sup> Having bemoaned the fact that the proposed draft section 33 regulations "produced after two or three years gestation was stillborn in 1954", one Home Office official commented on the scope of the Outfits and Maintenance agreements with the Fairbridge Society:

"Our influence, exerted against opposition from the emigration societies, the Oversea Migration Board and the Commonwealth Relations Office, is contained in articles 5, 7 and 14 of the agreement. Article 5 is of little more than theoretical value. The terms used in it probably have a different meaning in Australia, and we have no means of knowing whether [sic] its provisions are being honoured, still less of coercing the Society. Article 7, and the informal agreement on which it is based, enable us to inspect the work of the Society in this country and it is our best hope of reforming their methods."<sup>548</sup>

543 TNA, DO35/4881, Report of the Inter-Departmental Committee on Migration Policy, 1956, at LEG.001.005.4682.

544 TNA, DO35/4881, Report of the Inter-Departmental Committee on Migration Policy, 1956, at LEG.001.005.4685.

545 TNA, DO35/4881, Report of the Inter-Departmental Committee on Migration Policy, 1956, at LEG.001.005.4686.

546 TNA, DO35/4881, Report of the Inter-Departmental Committee on Migration Policy, 1956, at LEG.001.005.4690.

547 Department of Health, Memorandum by R.J. Whittick, 17 February 1958, at UKG-000000050, p.11.

548 Department of Health, Memorandum by R.J. Whittick, 17 February 1958, at UKG-000000050, p.11.

The weary tone of this memorandum is symptomatic of ongoing tensions between the Home Office and the CRO, of the lack of control that the UK Government had over voluntary societies, and of the UK Government having no power to carry out inspections overseas.<sup>549</sup>

### SHD's input

The SHD was consulted, through the Home Office, about the proposals put forward by the 1956 committee.

On August 13, 1956, R.J. Whittick of the Home Office sent a letter to J.S. Munro at the SHD. R.J. Whittick requested J.S. Munro's comments on the committee's draft report.<sup>550</sup> In response, in a memorandum addressed to the Secretary of the Scottish Home Department—Sir Charles Craik Cunningham—J.S. Munro highlighted Section IV of the report, which addressed child migration:

“On the general question whether child migration should continue the Interdepartmental Committee reach the conclusion that it should, subject to the public reaction to the Fact-Finding Mission's report.”<sup>551</sup>

He also highlighted that the OMB did not endorse the fact-finding mission's recommendation that voluntary organisations should require the consent of the Secretary of State for the migration of all unaccompanied children in their care:

“[V]oluntary societies would resist this requirement on the grounds that it would

be a nuisance, would cause delay and would be unnecessary because they themselves already make full enquiries before being satisfied that the emigration is the right course for a child.”<sup>552</sup>

J.S. Munro added that “the Home Office say that they would find the responsibility difficult to discharge” from a practical perspective.<sup>553</sup> Should consent be required, the Home Office's preference was to discharge the duty through the courts, but “[t]his would require legislation.”<sup>554</sup> The SHD opposed this suggestion, preferring to “use the inspectorate” for such a duty. From this discussion of practicality, J.S. Munro understood that “the Home Office have not been so thorough in their vetting of applications for the ‘in care’ children as we have been and that the case load would be too much for their staff.”<sup>555</sup>

J.S. Munro thought that “there is no need to take a strong line on the question whether the Secretary of State's consent should be required in all cases” because, as he understood, Scotland “have few child migrations – either ‘in care’ or by voluntary societies”.<sup>556</sup> He did add his personal observation that “one might think that if consent is required when a child is in care of a local authority it should equally – if not more – be necessary to get it when a child is beholden to a voluntary society.”<sup>557</sup>

In response to J.S. Munro's memorandum, Sir Charles Craik Cunningham—very

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549 [Transcript, day 198](#): Mark Davies, at TRN-5-000000029, p.22-22.

550 NRS, ED39/131, Letter from R.J. Whittick to J.S. Munro, 13 August 1956, at SGV.001.003.8115.

551 NRS, ED39/131, Memorandum by J.S. Munro, 15 August 1956, at SGV.001.003.8116.

552 NRS, ED39/131, Memorandum by J.S. Munro, 15 August 1956, at SGV.001.003.8116.

553 NRS, ED39/131, Memorandum by J.S. Munro, 15 August 1956, at SGV.001.003.8116.

554 NRS, ED39/131, Memorandum by J.S. Munro, 15 August 1956, at SGV.001.003.8116.

555 NRS, ED39/131, Memorandum by J.S. Munro, 15 August 1956, at SGV.001.003.8117.

556 NRS, ED39/131, Memorandum by J.S. Munro, 15 August 1956, at SGV.001.003.8117.

557 NRS, ED39/131, Memorandum by J.S. Munro, 15 August 1956, at SGV.001.003.8117.

appropriately seeking to prioritise the interests of child migrants themselves—wrote that he was still

“in disagreement with the views which the Home Office are expressing...If there is evidence, as the Fact-Finding Mission apparently thought there was, that the voluntary societies, without supervision, are not sufficiently safeguarding the welfare of the emigrant children then supervision must be introduced. Public opinion would not accept, as a reason for not introducing it, the fact that it would be administratively difficult.”<sup>558</sup>

Sir Charles Craik Cunningham added that the SHD would “not find it difficult” to accept the obligation of obtaining the consent of the Secretary of State for the migration of children by voluntary organisations, and agreed that the alternative of delegating the duty of consent to the courts was not a desirable option. He added that the inconsistency between regulations applicable to local authorities and those applicable to voluntary societies would be difficult to justify, especially as the draft report

“admits that the staffs employed by the voluntary bodies are less well qualified than those of local authorities to do the work, inasmuch as they are less highly trained and experienced. By admitting this we seem to be, at least in part, admitting the case for an extension of supervision to the voluntary bodies.”<sup>559</sup>

Sir Charles Craik Cunningham was particularly critical of the suggestion that regulations might be made only if the Ross Report provoked a negative public outcry:

“It seems very weak and rather odd to say that we might make regulations if there is a sufficient public demand for them, but that otherwise we shall do nothing. I should have thought we must decide whether regulations would be to the advantage of the emigrant children and, if so, go ahead with them irrespective of the public re-action.”<sup>560</sup>

Sir Charles Craik Cunningham’s comments show there was a key divergence in opinion between the SHD, the Home Office, and the committee. While the Home Office agreed with the committee’s proposal that child migration schemes operated by voluntary societies should continue without the imposition of further regulations, in spite of the negative findings in the Ross Report, the SHD was of the view that the consent of the Secretary of State should be sought for *all* the children voluntary societies proposed to migrate, and that further regulations of the activities of voluntary societies should be made—especially given the findings of the Ross Report.

On 17 August 1956, J.S. Munro wrote a further memorandum. In it, he explained that he had learned that neither the Church of Scotland Committee, who “have no reason to believe that the conditions [at Dhurringile] are unsuitable”, nor Barnardo’s “would... object to a requirement that voluntary organisations, like local authorities, should have to get the Secretary of State’s consent to the emigration of an unaccompanied child.”<sup>561</sup> The committee’s assessment that voluntary societies would resent any further regulation was therefore not true for *all* societies.

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558 NRS, ED39/131, Memorandum by Sir Charles Craik Cunningham, 16 August 1956, at SGV.001.003.8118.

559 NRS, ED39/131, Memorandum by Sir Charles Craik Cunningham, 16 August 1956, at SGV.001.003.8119.

560 NRS, ED39/131, Memorandum by Sir Charles Craik Cunningham, 16 August 1956, at SGV.001.003.8119.

561 NRS, ED39/131, Memorandum by J.S. Munro, 17 August 1956, at SGV.001.003.8120

J.S. Munro formalised Sir Charles Craik Cunningham's response in a letter to the Home Office.<sup>562</sup> When R.J. Whittick received J.S. Munro's reply, he "admitted its logic", but on the matter of whether consent could be delegated to the courts recommended that "we might put forward both views and leave it to the [Interdepartmental] Committee to decide".<sup>563</sup> J.S. Munro disagreed with this approach and was clear that "court consent was the wrong" solution to the issue.<sup>564</sup>

A further letter dated 20 August 1956, from N.J.P Hutchison, a Home Office official, to Sir Charles Craik Cunningham explained that "Whittick and I are under a good deal of pressure from the Commonwealth Relations Office to finalise the draft" and hoped to do so "speedily".<sup>565</sup> The Home Office and SHD were thus under pressure to agree a final draft of the inter-departmental committee's report. The same day, N.J.P. Hutchison wrote also to J.S. Munro with a revised version of Section IV of the draft report, which incorporated some amendments. While R.J. Whittick "admitted...that the Report did not address itself to the main question of whether on merits there should be a requirement of consent to an emigration proposed to be arranged by a voluntary society", he deflected J.S. Munro's criticism on the basis that the section in question was intended to "deal with the selection for migration and not at all with how the children are to be looked after in the receiving country."<sup>566</sup>

The revised report

"addresses itself more precisely to the problems that arise in attempting to devise machinery...and gives a more considered account of the reasons that have led to the conclusion that such machinery should not, at present, be devised."<sup>567</sup>

The Home Office chose to avoid the question of how conditions in receiving countries were managed, and instead directed their energies towards explaining why obtaining consent from the Secretary of State for voluntary societies' emigrations was impractical. It was, however, not a question of whether such consent was *desirable*, but whether it was practical. In finding that the mechanisms for obtaining consent for children to be migrated by voluntary societies were complex, the inter-departmental committee's report opted to endorse the continuation of child migration in the current format instead of curtailing it until a solution was found. The practical and bureaucratic borders that delimited these discussions were clarified further when N.J.P. Hutchison noted that "[t]his is a slightly difficult Committee with...a forceful Chairman, anxious for an agreed Report by the end of the month".<sup>568</sup> To appease the chairman, "and at the risk of being accused of cowardice", he pressed the SHD to "assent substantially to this redrafting!"<sup>569</sup>

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562 NRS, ED39/131, Letter from N.J.P. Hutchison to Sir Charles Cunningham, 20 August 1956, at SGV.001.003.8301.

563 NRS, ED39/131, Memorandum by J.S. Munro, 17 August 1956, at SGV.001.003.8120-8121.

564 NRS, ED39/131, Memorandum by J.S. Munro, 17 August 1956, at SGV.001.003.8120-8121.

565 NRS, ED39/131, Letter from N.J.P. Hutchison to Sir Charles Craik Cunningham, 20 August 1956, at SGV.001.003.8301.

566 NRS, ED39/131, Letter from N.J.P. Hutchison to J.S. Munro, 20 August 1956, at SGV.001.003.8302.

567 NRS, ED39/131, Letter from N.J.P. Hutchison to J.S. Munro, 20 August 1956, at SGV.001.003.8302.

568 NRS, ED39/131, Letter from N.J.P. Hutchison to J.S. Munro, 20 August 1956, at SGV.001.003.8303.

569 NRS, ED39/131, Letter from N.J.P. Hutchison to J.S. Munro, 20 August 1956, at SGV.001.003.8303.

Sir Charles Craik Cunningham replied to N.J.P. Hutchison with his “first reaction to the revised report”.<sup>570</sup> He thought that:

“the importance of this whole matter has been greatly exaggerated...it is a matter on which interest could very easily be worked up, and I should have thought that it was desirable, if a recommendation sponsored by the very recent head of the children’s department of the Home Office [i.e. John Ross] was to be rejected, to have sound reasons for doing so. The real reason appears to be that the Home Office do not think that they could cope with the work involved in vetting applications for permission to emigrate submitted by voluntary bodies.”<sup>571</sup>

He goes on to offer a somewhat damning calculation with the conclusion that:

“What the Home Office are asking us to believe is that a child care inspectorate organised on a regional basis and numbering...about 70 people is unable to add to its existing responsibilities the task of looking at the proportion of 139 cases [the prior year’s number of children migrated] put forward by voluntary bodies. I honestly cannot feel that this argument would stand up.”<sup>572</sup>

Despite this reticence to submit to the demands of the Home Office, it should be noted that Sir Charles Craik Cunningham did “not think that the issue is one about which we need die in any ditches so long as we [the SHD] are not associated with the report in question. I gather that we are not.”<sup>573</sup> While he and his colleagues clearly felt that this topic was of importance for child welfare,

they nonetheless let it slide on the condition that their own reputation was not affected by the fallout. Consequently, the report was not substantially revised prior to its final publication.

Several minor amendments are worth noting. On 24 August 1956, a meeting of the Interdepartmental Committee agreed to amend paragraph 12 in Section IV “to illustrate the very small proportion of children who emigrate compared with the [overall] number in public care” in the UK, and to amend paragraph 28 “to make it clear that the institutions are named in the agreements, rather than approved”.<sup>574</sup> Both of these amendments, while minor, served to distance the UK authorities from any potential negative child migration practices, the first by claiming that only a few children were migrated, and the second by negating their responsibility for officially ‘approving’ receiving institutions.

The interdepartmental committee’s report could have been seen as a chance to challenge the sub-standard practices of child migration that had been identified by the Ross Report. The SHD in particular recognised that practices ought to be changed, but under pressure from the Home Office and the interdepartmental committee, did not push their agenda. Instead, the child migration practices of voluntary organisations were allowed to continue without any statutory regulation, and more children were sent overseas without appropriate consents, supervision, or aftercare in place.

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570 NRS, ED39/131, Letter from Sir Charles Craik Cunningham to N.J.P. Hutchison, 21 August 1956, at SGV.001.003.8300.

571 NRS, ED39/131, Letter from Sir Charles Craik Cunningham to N.J.P. Hutchison, 21 August 1956, at SGV.001.003.8300.

572 NRS, ED39/131, Letter from Sir Charles Craik Cunningham to N.J.P. Hutchison, 21 August 1956, at SGV.001.003.8300.

573 NRS, ED39/131, Letter from Sir Charles Craik Cunningham to N.J.P. Hutchison, 21 August 1956, at SGV.001.003.8300.

574 NRS, ED39/131, Letter from J.H. Gordon to J.S. Munro, 27 August 1956, at SGV.001.003.8723.



It seems that by the end of 1956 the Home Office and, in turn, the SHD, had given in to pressure from different parties, and few further efforts were made to control or reconsider the migration of children from the UK by voluntary societies.<sup>575</sup>

## 1961

A further interdepartmental committee on migration was convened in 1961 under the same terms as the previous committees.

Its report summarised that, since 1956, the £5 contribution previously required from emigrants aged 14 to 19 had been abolished, giving free passage to juveniles. Migration offices had also been opened in Edinburgh, Manchester, Belfast and Birmingham. In the spirit of many of the debates noted above, the report explains that

“[o]ur emigration policy is particularly important in relation to Australia, the only country with which we have an agreement under which we contribute towards the passage costs of emigrants and the maintenance of child migrants. Moreover, Australian public opinion is particularly sensitive to changes in British emigration policy.”<sup>576</sup>

As a result, to allow the Empire and Commonwealth Settlement Acts “to lapse, little though they have been used in recent years, would cause grave concern to the Australian Government.”<sup>577</sup> Overall, the report’s recommendations—though not always its findings—reflect the fact that “political considerations are paramount; it is important to demonstrate Britain’s continuing interest in Australia’s future development.”<sup>578</sup>

The message was clear: the welfare of British child migrants could be sacrificed for the sake of political expediency.

Regarding child migration, the committee observed that, after the 1956 report, societies were persuaded to agree to certain general principles and to provide information to the Home Departments, as well as permitting Home Departments to inspect their work. The report does not detail the effects of the measures imposed on the societies, nor comment extensively on current practice. However, it does highlight the sharp decline in children migrated to Australia since 1956, the year of the previous Interdepartmental Committee Report and of the Ross Report, adding that

“the Roman Catholic organisations, previously responsible for about half the total number of child migrants to Australia, have turned away from emigration as a means of providing for children in their care; others are being more careful about the selection of children.”<sup>579</sup>

Despite this, the report recommended the continuance of child migration through voluntary societies under the existing conditions, without amendment. This was political machination in motion. The report stated in no uncertain terms that:

“The societies have virtually outlived their usefulness and the Home Office has considerable reservation about their standards of child care in such work as remains to them. Nevertheless, if (as we recommend elsewhere) the enabling statute were renewed, it

575 Constantine *et al.*, paragraphs 7.35-7.36.

576 NRS, ED11/384, British Emigration Policy: Report by Interdepartmental Committee of Officials, 1961, at SGV.001.004.4719.

577 NRS, ED11/384, British Emigration Policy: Report by Interdepartmental Committee of Officials, 1961, at SGV.001.004.4720.

578 NRS, ED11/384, British Emigration Policy: Report by Interdepartmental Committee of Officials, 1961, at SGV.001.004.4726.

579 NRS, ED11/384, British Emigration Policy: Report by Interdepartmental Committee of Officials, 1961, at SGV.001.004.4732.

would be courting controversy to no purpose merely to decline to renew the agreements."<sup>580</sup>

The report went on to add that any change in policy could not "be justified by any fall in the standard of the societies' work (which has, if anything improved)", and it "would be particularly unfortunate to rouse fruitless controversy when the amount of money involved is so small and the societies themselves are likely to die a natural death before long for lack of child migrants."<sup>581</sup> Yet again, there was no consideration of the welfare of children: they were reduced to financial commitments and used as bargaining chips to avoid political controversy.

A final comment recommended that, based on the UK Government's proposed increase in funding to the Assisted Passage Scheme, they should attempt to negotiate with Australia so that the Australian Government "take over responsibility for the subsidy so far paid by the United Kingdom" of 10 shillings a week for each child migrant.<sup>582</sup> The report acknowledged that it was that subsidy that "provided the British Government with the sanction necessary for supervising the emigration work of societies in this country."<sup>583</sup> Despite having essentially stated that discontinuing the UK subsidy would remove child migration societies from any kind of UK oversight, the report recommended that this be the first avenue to pursue. The second option, if the first failed,

was to renew existing agreements for three years.<sup>584</sup>

While rates of child migration were falling, juvenile migration was increasing, and the report recommended actively furthering efforts to support the Big Brother Movement. Although the UK Government had previously declined to increase its contribution to the Big Brother Movement when the Australian Government had doubled their own contribution, it had encouraged the Movement to send "the maximum of 400 youths provided for under existing arrangements", and thereby make full use of the existing funds.<sup>585</sup> By the time of the 1961 report, however, the committee believed that "it would be appropriate to double the grant", because the Big Brother Movement's "work is expanding and is likely to continue for many years", in contrast to child migration societies, who "are moribund."<sup>586</sup>

Although few children were being migrated to Australia by voluntary societies by 1961, there were nonetheless some cases.<sup>587</sup> The UK Government was responsible for the welfare of each and every one of the children and juveniles it migrated. It repeatedly saw and stated that migration was not best practice, and may not be a desirable option. Nonetheless, for the sake of avoiding political controversy, the schemes were continued, and children's lives continued to be affected.

The Commonwealth Settlement Act finally expired in 1972.

580 NRS, ED11/384, British Emigration Policy: Report by Interdepartmental Committee of Officials, 1961, at SGV.001.004.4732.

581 NRS, ED11/384, British Emigration Policy: Report by Interdepartmental Committee of Officials, 1961, at SGV.001.004.4732-4733.

582 NRS, ED11/384, British Emigration Policy: Report by Interdepartmental Committee of Officials, 1961, at SGV.001.004.4733.

583 NRS, ED11/384, British Emigration Policy: Report by Interdepartmental Committee of Officials, 1961, at SGV.001.004.4733.

584 NRS, ED11/384, British Emigration Policy: Report by Interdepartmental Committee of Officials, 1961, at SGV.001.004.4733.

585 NRS, ED11/384, British Emigration Policy: Report by Interdepartmental Committee of Officials, 1961, at SGV.001.004.4738.

586 NRS, ED11/384, British Emigration Policy: Report by Interdepartmental Committee of Officials, 1961, at SGV.001.004.4739.

587 Annex F to the Interdepartmental Committee's Report identifies a high of 388 child migrants in 1950, and a low of 68 in 1960: NRS, ED11/384, British Emigration Policy: Report by Interdepartmental Committee of Officials, 1961, at SGV.001.004.4760-4761.

## The Social Work (Scotland) Act, 1968

The Social Work (Scotland) Act, 1968, was the last piece of legislation to authorise the migration of children from Scotland. It repealed the Children Act, 1948, in its entirety.<sup>588</sup> The migration provisions found in sections 17 and 33 of the 1948 Act were replaced by section 23 of the 1968 Act. This followed the same scheme as the 1948 Act, but with an important change: voluntary organisations were now also required to seek the consent of the Secretary of State for Scotland, a belated and futile attempt to control the child migration activities of these organisations. Parental consent was still not required.<sup>589</sup> By this time, child migration had virtually ended.

Section 23 of the 1968 Act was repealed in 1997, when the Children (Scotland) Act, 1995, came into force, and the practice of child migration could no longer legally continue.<sup>590</sup>

## Child migration, 1946-1972: An overview

The post-Second World War developments in childcare practice in the UK that centred around the Clyde and Curtis Reports and the Children Act, 1948, set a precedent for regulating standards of childcare for British children overseas. Both the Clyde and Curtis Reports, published in 1946 and widely publicised, included clear criticisms of large institutional children's homes as a means of caring for homeless children or those who could not be cared for in their family homes. For example, the Clyde Report stated that:

"The answer is certainly not to be found in the large Institution. That is an outworn solution, and some of them have left a bad impression on Members of the Committee who have visited them. The uniformity, the repression, the impersonality of these cold and forbidding abodes offer no real consolation to the children who grow up in them, and constitute sorry preparation for entry into a world where the child must ultimately fend for itself."<sup>591</sup>

While there was recognition that children's homes may offer advantages, such as that the child would be under more direct supervision, the firm steer from both reports was that large institutions had little if anything to commend them. If institutions were to continue to be used, the homes should be small ones and the aim should be:

"[T]o maintain children and staff in contact with everyday life as far as possible, and therefore the large type of Institution should be done away with at the earliest possible moment...We commend the Cottage Home type of Institution, but only if the numbers of children in each Cottage are limited...Each Cottage should not accommodate more than 12 to 15 children and the group should resemble as far as possible the ordinary family."<sup>592</sup>

Despite this growing knowledge that children should not be cared for in such circumstances, children were migrated to large institutions, often in isolated locations.

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588 [Social Work \(Scotland\) Act](#), schedule 9.

589 Constantine *et al.*, paragraph 3.21.

590 [Children \(Scotland\) Act](#), schedule 5.

591 [Cmd. 6911] Clyde Report, 1946, at LEG.001.001.1748-1749.

592 [Cmd. 6911] Clyde Report, 1946, at LEG.001.001.1758.

The findings of the Ross fact-finding mission and other official and unofficial reports alerted UK Government officials, including those at the SHD, to significant problems inherent in the child migration schemes. These problems included a risk to children's safety and protection from abuse of children not being assured.

There was continued pressure from voluntary organisations and the OMB, as well as from Australia itself, which remained "anxious to fill the open spaces [because t]hey know full well that if we and they do not fill the open spaces the day will come when the overspill from the Asiatic countries will arrive."<sup>593</sup> The promotion of child migration was echoed within some governmental departments. In 1959, the Under-Secretary of State for Commonwealth Relations stated that "[w]e are anxious to ensure that people of British stock play a full part in the development of our great sister country in the Commonwealth."<sup>594</sup> Professor Norrie views comments like these as "a manifesto for settling the Empire with suitable stock", and he may well be right about that.<sup>595</sup> Despite their reservations, a combination of these factors meant that the Home Office found itself unable to take a stronger stance on the need for regulating the activities of voluntary organisations running child migration schemes. Although the SHD agreed that greater oversight of the activities of voluntary organisations was required, it took the view that it did not need to take a strong stance because only a small number of Scottish children were being migrated overseas. That approach ignored the interests of those children who were migrated.

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593 *Hansard*, "Child Migration (Australia)", 9 February 1959, c.959; [Transcript, day 124](#): Professor Kenneth Norrie, at TRN.001.001.6572.

594 [Transcript, day 124](#): Professor Kenneth Norrie, at TRN.001.001.6572; *Hansard*, "Child Migration (Australia)", 9 February 1959, c.964.

595 [Transcript, day 124](#): Professor Kenneth Norrie, at TRN.001.001.6571.

## 1.4 1995-Present

For many years, public knowledge of child migration faded along with its decline, and had it not been for the pioneering work of Margaret Humphreys, its chequered history would not have come to light. In 1994, Margaret Humphreys' book *Empty Cradles* was published, becoming a bestseller and raising public awareness of child migration.<sup>596</sup> A year earlier, in July 1993, the BBC had aired *The Leaving of Liverpool*, following which over 10,000 calls were made to the associated telephone help lines staffed by the CMT.<sup>597</sup> In June 1996, Western Australia announced its Select Committee into Child Migration (see below). Since 1996, inquiries from Australia and within the UK have identified many failures of child migration schemes, including the abuse experienced by former migrants and the profound impact of this throughout their lives. The lack of mechanisms for reporting abuse and inadequate responses to abuse; the poor education and aftercare received by child migrants; lack of consent; sibling and familial separation; and the systemic failure of governments to institute proper oversight and monitoring of institutions have also been identified as endemic to child migration. These are recurring issues that are very much evident in the work of this Inquiry.

This Chapter first considers the key findings from previous inquiries in the UK, as well as the UK Government responses to the work of relevant inquiries.<sup>598</sup> It then considers the key findings from previous inquiries in Australia

and Canada. These previous inquiries highlight the growing body of evidence of the damaging legacy of child migration.

### UK Responses

#### House of Commons, Select Committee on Health Report, *The Welfare of Former British Child Migrants*, 1998

The Select Committee on Health was formed in July 1997 due to growing public awareness around the issue of child migration.

Four years earlier, during a Prime Minister's Question Time in November 1993, David Hinchliffe (MP for Wakefield) had asked the Prime Minister, John Major, if—in light of an upcoming visit from Margaret Humphreys who was to be awarded the Order of Australia medal for her work supporting former child migrants—the Prime Minister would “set up an independent public inquiry into the operation of the [child migration] scheme until 1967 and the resulting appalling treatment of vast numbers of British children?”<sup>599</sup> The Prime Minister replied that he was not aware that Margaret Humphreys was visiting or that she had been awarded the Order of Australia, and stated that “[t]he Government's concern now is to ensure that former child migrants who want to make contact with their families are able to do so. Any concern about the treatment of the children in another country is essentially a matter for the authorities in that country.”<sup>600</sup> That was the extent of the debate on that

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596 CMT, “CMT Timeline.” Retrieved 16 December 2022.

597 Barry Coldrey, “Good British stock: Child and youth migration to Australia” (1999), National Archives of Australia, p.32.

598 For a more detailed consideration of the findings of previous Inquiries see Constantine et al., Chapter 8.

599 Hansard, “Prime Minister's Questions”, 2 November 1993, c.147.

600 Hansard, “Prime Minister's Questions”, 2 November 1993, c.147.

day: the British Prime Minister rejected the notion that the UK Government was, or remained, responsible for the treatment issued to children migrated by what he described as “respected national voluntary bodies” under schemes the Government itself had approved.<sup>601</sup> As late as September 1996, the UK Government under John Major maintained that it was in no way responsible “for the proportionately small number of cases in which the [child migration] Scheme failed to live up to its objective.”<sup>602</sup>

Finally, in 1997, the UK Government “accepted that responsibility for matters relating to the welfare of former British child migrants rested with the Department of Health” and commenced an inquiry into child migration.<sup>603</sup> David Hinchliffe, who had requested a public inquiry in 1993, went on to chair the Select Committee.

The Select Committee acknowledged that child migration was a subject that, until recent years, had received “shamefully little attention.”<sup>604</sup> It also acknowledged the Child Migrants Trust’s (CMT) role in raising awareness of the issue of child migration, and noted the potential for the organisation to represent the interests of former child migrants and play a coordinating role in the delivery of services. The Select Committee focused on what could be done to assist former child migrants on a practical level.

The Select Committee received over 300 submissions, many of them from former child migrants. It also received evidence from a number of organisations, and visited Australia and New Zealand in order to speak to former child migrants—an experience described as “salutary and harrowing.”<sup>605</sup>

In its submission to the Select Committee the Department of Health argued that:

“Operating in a social climate very different from today child migration was a well-intentioned response to the needs of deprived children and seen to be in their best interest by proving a fresh start in countries with potentially greater opportunities. The migration schemes were sanctioned by laws in both the UK and the receiving countries. They were run by respected national voluntary bodies. There was much public debate, including between governments, official reports and visits.”<sup>606</sup>

The Select Committee concluded that, because local authorities did not fully endorse or frequently participate in child migration, the practice could not be justified on the basis of there having been “a different social climate” in which child migration was accepted as a judicious child care practice, as the Department of Health had argued in its submission.<sup>607</sup>

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601 *Hansard*, “Prime Minister’s Questions”, 2 November 1993, c.147.

602 IICSA, Exhibit JM/7, [Briefing for a meeting between Parliamentary Under-Secretary of State for Health and the Australian Select Committee on Child Migrants on 1 October 1996](#), 24 September 1996.

603 Coral Dow and Janet Phillips, “‘Forgotten Australians’ and ‘Lost Innocents’: Child migrants and children in institutional care in Australia” (2009), Parliament of Australia, p.2.

604 HC 755, House of Commons Select Committee on Health, Third Report, Session 1997-1998, [Welfare of Former British Child Migrants](#), and Minutes of Evidence and Appendices [HOC Select Committee on Health] (1998), paragraph 2. at LIT.001.001.2843.

605 [HOC Select Committee on Health](#), 1998, paragraph 6, at LIT.001.001.2844.

606 See HC/CP/16466, House of Commons Select Committee on Health, Oral evidence from the Department of Health, at HOC.001.001.0527.

607 [HOC Select Committee on Health](#), 1998, paragraph 21, at LIT.001.001.2848.

The Select Committee found that former migrants and their families had been deceived by sending agencies prior to their migration:

“Although it is difficult to know motivation, nevertheless the level of deception, the deliberate giving of wrong information or withholding of information, the policies of separating siblings, all make it very hard to accept that everything was done simply for the benefit of the children. It indicates an abuse of power and a disregard for the feelings of the mothers and children, and it was certainly felt as such by many former child migrants.”<sup>608</sup>

The Select Committee noted that the ROSL and New Zealand Government’s respective submissions provided “significantly different accounts of their respective roles” about the child migration scheme operating in the 1940s and 1950s. It heard evidence about many cases of abuse and neglect of former migrants in New Zealand, who had been used as free labour, given incorrect information, separated from siblings, lacked the opportunity to speak to welfare officers on their own, and suffered a loss of identity. It recommended that the ROSL “reconsider its disavowal of responsibility for child migration to that country.”<sup>609</sup>

The Select Committee’s report identified a lack of monitoring of the welfare of children, especially children sent to Australia in the post-war period, by the UK Government and sending institutions. The lack of monitoring and inspection of institutions in Australia—a responsibility that legally fell to state governments, and ethically to sending agencies—was seen as a significant issue.

The Select Committee heard that there was abuse at Dhurringile, that there was contemporaneous criticism of the Fairbridge institutions, and that there was widespread sexual and physical abuse at the Christian Brothers institutions in Western Australia, some of which was of “a quite exceptional depravity, so that terms like ‘sexual abuse’ are too weak to convey it.”<sup>610</sup> The report found that boys were used as slave labour, that they were neglected, and that there was severe abuse at the girls’ Catholic institutions.

It heard about the impact of abuse, finding that many migrants had faced significant difficulties throughout their lives, including difficulty maintaining relationships, suffering mental health and emotional problems, feeling a loss of identity, facing difficulties in securing employment, and experiencing alcohol misuse.<sup>611</sup>

The Select Committee stated it hoped to “see more input from the British Government into initiatives to improve the welfare of former child migrants”, and recommended that the government should accept responsibility for its involvement in child migration and offer meaningful practical assistance to former child migrants.<sup>612</sup> Their recommendations included: establishing a central database to assist former migrants in reuniting with families; ensuring availability of records; establishing a travel fund to support reunification; and providing support and funding for the CMT. It recommended that an apology be made, and that the UK Government should convene a conference “to discuss the problems faced by former child migrants and to plan for a cohesive rather than a fragmented approach to

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608 [HOC Select Committee on Health](#), 1998, paragraph 45, at LIT.001.001.2857.

609 [HOC Select Committee on Health](#), 1998, paragraph 31, at LIT.001.001.2852.

610 [HOC Select Committee on Health](#), 1998, paragraphs 50-51, at LIT.001.001.2858-2859.

611 [HOC Select Committee on Health](#), 1998, paragraph 66, at LIT.001.001.2863.

612 [HOC Select Committee on Health](#), 1998, paragraphs 91 and 94, at LIT.001.001.2872-2873.

their solution.”<sup>613</sup> It did not recommend the establishment of a compensation scheme, on the basis that such a scheme might impede the provision of much needed records because organisations holding them might become “unduly nervous” about the financial consequences of any irregularities or inconsistencies disclosed in them.

The UK Government formally responded to this report and accepted that, although child migration policies had been practised in accordance with the law within the UK and receiving countries, these laws were “misguided.” The UK Government offered “sincere regrets” to those “who see themselves as still deeply scarred” and offered “a sympathetic recognition of the special challenges they faced in building their lives.”<sup>614</sup> There was still a 12 year delay before the Prime Minister made a public apology.

The UK Government agreed to offer support in regard to access to records and tracing family members, and offered to work with other agencies for this support as well as in setting up a central database. This database was established, but was subsequently taken down.<sup>615</sup> The UK Government increased funding for the CMT to £500,000 over three years from 1999 to 2002, in order to support former child migrants with tracing their families and counselling.<sup>616</sup> The UK Government also set up a Support Fund of £1m over three years from April 1999 “to enable first time reunions between

former child migrants and their immediate relatives in the UK through paying travel and subsistence costs.”<sup>617</sup>

### The Apology

On 24 February 2010, Prime Minister Gordon Brown made a statement to the House of Commons apologising for the seriously flawed child migration policy pursued by successive UK Governments. The statement is transcribed in [Appendix G](#). Gordon Brown acknowledged that:

“In too many cases, vulnerable children suffered unrelenting hardship and their families left behind were devastated... Those children were robbed of their childhood... We are sorry that it has taken so long for this important day to come, and for the full and unconditional apology that is justly deserved to be given... for many, today’s apology will come too late for them to hear it. We cannot change history, but I believe that by confronting the failings of the past we show that we are determined to do all we can to heal the wounds.”<sup>618</sup>

In his evidence to SCAI, Gordon Brown described that, in 2008, he had been “shocked” at what he was told about what he characterised as “forced migration.”<sup>619</sup> Several SCAI applicants spoke highly of Gordon Brown’s apology, but often added that apologies can never absolve the errors made.<sup>620</sup>

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613 [HOC Select Committee on Health](#), 1998, paragraph 117, at LIT.001.001.2880.

614 Constantine *et al.*, paragraph 8.10.

615 Constantine *et al.*, paragraph 8.10.

616 [Cmd. 4182] House of Commons Select Committee on Health, [Welfare of Former British Child Migrants: First Special Report, Health Committee Recommendations: Progress - Child Migrants](#) (December 1998).

617 [Cmd. 4182] House of Commons Select Committee on Health, [Welfare of Former British Child Migrants: First Special Report, Health Committee Recommendations: Progress - Child Migrants](#) (December 1998).

618 *Hansard*, “Child Migration”, 24 February 2010, vol.506, at INQ-000000189, p.3.

619 [Transcript, day 198](#): Gordon Brown, at TRN-5-000000029, p.133. Brown’s evidence to SCAI was adapted from the evidence he provided to IICSA in 2017.

620 See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#): “John”; “Michaela”; Roderick Donaldson Mackay; “Robert”,



## Historical Institutional Abuse Inquiry, Northern Ireland

The Northern Ireland Historical Institutional Abuse Inquiry (HIA) was set up in 2012 to identify systemic failures in childcare institutions in Northern Ireland between 1922 and 1995.<sup>621</sup> Its remit included children migrated from Northern Irish institutions. Its members visited Australia in 2013 and 2014 to take evidence from former child migrants, and received evidence from 65 applicants, 13 of whom spoke to the acknowledgement forum only. It also took evidence from the Sisters of Nazareth, the National Archives of Australia, Margaret Humphreys, Tuart Place, and the Health and Social Care Board. The HIA inquiry considered abusive treatment in institutions prior to migration, the selection process, the journey to Australia, how institutions monitored children they had sent to Australia, the impact of migration, and migrants' efforts in reuniting with families. Its remit did not include experiences in Australia, but any statements relating to this were passed to the Australian Royal Commission.

The HIA inquiry's report outlined the extensive involvement in child migration of the Sisters of Nazareth, who migrated as many as 124 children from Northern Ireland to Australia between 1947 and 1956—10% of all children sent from the UK during the same period.<sup>622</sup> It made findings about the motives of institutions that migrated children in their care, one of which was expanding their 'flock'.

The HIA inquiry found that very young children were migrated, and stated that this practice was wrong. It found that, because each Nazareth House was semi-autonomous, there was considerable

variation between them in their participation in child migration, likely influenced by demands for accommodation in individual houses. Parental consent was not obtained or sought for the majority of children; under-14s were too young to consent to their own migration; and parents were lied to by the Sisters when they tried to find out where their children were. Sending institutions failed to provide competent persons to accompany children on the journey to Australia, and children were sent with minimal personal information, despite case histories being a requirement by 1954. Personal letters were withheld from children, and witnesses who provided evidence to the inquiry noted the deleterious impact of a lack of familial contact on any later reunifications. Former migrants told the inquiry about sexual abuse they experienced in Northern Ireland and in Australia. As other reports have found, few children reported the abuse at the time because of fear of repercussions. Those who did report received inadequate responses by institutions and were not believed.

Some sending organisations were found to be unhelpful with providing records or information about migrants' families—the inquiry found this was a systemic failure. The HIA inquiry criticised the Northern Ireland Government, which showed "indifference" towards the policy of child migration and failed to enquire how the children were being cared for in Australia.<sup>623</sup>

The HIA inquiry's report made several recommendations, including that the Northern Ireland Government should formally apologise, build a monument, and appoint a Commissioner for Survivors of Institutional Childhood Abuse, with an

621 [HIA Inquiry, 2017.](#)

622 [HIA Inquiry, 2017.](#)

623 [HIA Inquiry, 2017, paragraph 62.](#)

advisory panel of formerly looked after children. It recommended that institutions should contribute to compensation for former migrants.

The Northern Ireland Assembly collapsed in January 2017, just a few days after the report was published. In the absence of a functioning government, an official response to the report was not possible at that time. Nor was it possible for any decisions whether to act on its recommendations to be taken.

The Historical Institutional Abuse (Northern Ireland) Act, 2019 was enacted on 5 November 2019, providing the legal framework for survivors of historical abuse to access support and receive compensation through the Historical Institutional Abuse Redress Board, which was established on 31 March 2020. The 2019 Act also established the office of Commissioner for Survivors of Institutional Childhood Abuse. Fiona Ryan was appointed as the first Commissioner for Survivors of Institutional Childhood Abuse in October 2020. The Commissioner's role is to "promote the interests of Victims and Survivors of institutional childhood abuse" in Northern Ireland.<sup>624</sup> Between March 2020 and December 2022, 3,191 survivors had applied for redress.<sup>625</sup>

In March 2022, five ministers of the Northern Ireland Government offered an apology arising from the findings of the Historical Institutional Abuse Inquiry, which included a specific apology to children migrated from Northern Ireland.<sup>626</sup>

## IICSA, Child Migration Programmes, 2018

The Independent Inquiry into Child Sexual Abuse was established in 2015, and published its report on Child Migration Programmes in March 2018. IICSA's report considered whether institutions in England and Wales adequately protected children migrated overseas from sexual abuse, how they responded to allegations, whether they should have known more about sexual abuse, and the support services in place. While IICSA's primary focus was sexual abuse, the report also heard accounts of other forms of abuse, which "provide an essential context for understanding the experiences of child migrants."<sup>627</sup> Evidence was provided by former child migrants, the CMT, voluntary organisations, the UK Government, two former Prime Ministers, other organisations and experts.<sup>628</sup>

IICSA's report about child migration detailed physical, emotional, and sexual abuse, and neglect. Former migrants were given misleading information about Australia prior to their migration. They were left unable to report abuse, and were deceived about their families. The impact was significant, affecting former child migrants' relationships and their physical and mental health. IICSA criticised institutions' poor record-keeping practices, which contributed to the loss of identity that many former child migrants experienced.

The report's main criticism was directed at the UK Government, who IICSA concluded held the primary responsibility for child migration schemes, and allowed the

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624 The Commissioner for Survivors of Institutional Abuse, "[The Commissioner for Survivors of Institutional Childhood Abuse.](#)" Retrieved 13 January 2022

625 The Commissioner for Survivors of Institutional Childhood Abuse, "[Commissioner Update: 21 December 2022.](#)" Retrieved 9 February 2022.

626 Northern Ireland Executive Office, "[Apology to victims and survivors of historical institution abuse - Ministerial statements.](#)" Retrieved 11 March 2022.

627 IICSA, 2018, p.vii.

628 IICSA, 2018, p.vii.

schemes to continue over many years despite having knowledge of abuse. IICSA concluded that child migration was a “deeply flawed policy”, and that the UK Government prioritised politics over the welfare of children, particularly in maintaining its relationship with the Australian Government and voluntary organisations. Although the last child was migrated to Australia in 1970, this was not because the UK Government “decided it was wrong”, but because thereafter there were no available children to send.<sup>629</sup>

IICSA’s recommendations included the establishment of a redress scheme, to be open to all surviving former child migrants. It recommended that institutions tender formal apologies to those affected, and that institutions preserve and make available records relating to former child migrants and institutional involvement in migration schemes.

The UK Government’s formal response accepted the recommendation for a redress scheme, and accepted that the child migration scheme “was wrong and that it led to hardship and distress for many of those sent overseas.”<sup>630</sup> It conceded “that there was never a place for child migration in the way a nation cares for its children.”<sup>631</sup> In February 2019, the UK Government announced that the payment scheme for former child migrants would be available from 1 March 2019.<sup>632</sup> Each eligible former child migrant–

or claims in respect of any former child migrant who was alive at the time the report was published–would receive a payment of £20,000, “regardless of their individual circumstances”.<sup>633</sup>

### Redress schemes

A redress scheme for surviving child migrants began receiving applications on 1 March 2019 and started making payments in April 2019.<sup>634</sup> The scheme is managed by the CMT. Each eligible former child migrant is entitled to a flat-rate payment of £20,000. The beneficiaries of any such migrant may submit a claim, provided the former child migrant was alive on 1 March 2018, when the scheme began operating. To be eligible, the former child migrant must have been migrated from the UK without their parents by a voluntary organisation or a local authority when they were below school leaving age. Claims are not dependent on whether applicants suffered abuse or harm at their destinations or, if they did, its nature and extent.<sup>635</sup>

Some concerns have been expressed about the fact that, under the scheme, all payments are made at the same rate, irrespective of the individual’s actual experience. Those expressing concern include Gordon Brown who, in a letter to me, as Chair of SCAI, dated 20 January 2020, said:

“[t]he fact that the remit of the Scottish Child Abuse Inquiry extends beyond sexual abuse to psychological, emotional

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629 IICSA, 2018, pp.viii-ix.

630 [Cmd. 9756] HM Government, [Government Response to the Interim Report by the Independent Inquiry into Child Sexual Abuse](#) (December 2018), p.34.

631 [Cmd. 9756] HM Government, [Government Response to the Interim Report by the Independent Inquiry into Child Sexual Abuse](#) (December 2018), p.4.

632 See Department of Health and Social Care, “[Payment scheme for former British child migrants: guidelines.](#)” 21 October 2019. Retrieved 25 January 2022.

633 [Cmd. 9756] HM Government, [Government Response to the Interim Report by the Independent Inquiry into Child Sexual Abuse](#) (December 2018), p.5.

634 See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1: “Scott”](#); Judy Pearson in Mary Scott Pearson; “Robert”.

635 [Transcript, day 198](#): Mark Davies, at TRN-5-000000029, pp.92-95.

and other forms of abuse may encourage you to make concrete recommendations about extending the redress payments.”<sup>636</sup>

Scotland’s Redress Scheme was established in 2021. Under it, individuals who were in care in Scotland and were abused in any way while under the age of 18, prior to 1 December 2004, may apply for redress.<sup>637</sup> The fact of having been migrated does not, in itself, constitute eligibility for Scotland’s Redress Scheme even if the migration was arranged in Scotland. Former child migrants may apply to Scotland’s Redress Scheme if they were abused *in a care setting in Scotland* (before or after migration). Whilst some former child migrants from Scotland suffered such abuse, lack of records relating to their time in care in Scotland can present an obstacle for them where they are unable to provide documents to support their claims. Sourcing records is an issue for all survivors but Redress Support provides assistance to those who apply for redress with finding records.

As regards Gordon Brown’s suggestion that I recommend an extension of payments under the UK scheme, SCAs ToR do not cover redress and I consider that, whatever the merits of the point he makes, it would not be appropriate for me to comment.

### This Inquiry

Mark Davies, Director of Population and Health in the Department of Health and Social Care (DHSC) gave evidence to SCAI

on behalf of the UK Government. Since January 2007, he has been the DHSC’s lead on all matters relating to child migration.<sup>638</sup> No current UK Government official had any personal involvement with the child migration schemes.<sup>639</sup>

Mark Davies made it clear that the UK Government does not seek to defend the policy of supporting child migration. He accepted that the state failed in its duty of care to child migrants and, as a consequence, many vulnerable children “endured the harshest of conditions, as well as neglect and abuse”.<sup>640</sup> He explained that “[t]he UK Government’s position remains as expressed by Prime Minister Gordon Brown, when he made the National Apology in February 2010, that the former child migrants were let down”.<sup>641</sup>

The UK Government recognised that there were “shortcomings in the implementation and oversight” of the child migration policy.<sup>642</sup> Mark Davies acknowledged that the UK Government failed to “ensure that the arrangements for standards of care for those children in Australia were comparable to those in this country.”<sup>643</sup> A particular failure was the failure to prevent children being sent to institutions that were included in the Ross Report’s blacklist published in 1956.<sup>644</sup>

Mark Davies accepted that the UK Government had had opportunities to be more proactive in its dealings with sending institutions. For example, the Outfits and Maintenance agreements provided that the

636 Letter from Gordon Brown to Rt Hon Lady Smith, 20 January 2020, at ICA-000000002.

637 See: [Redress for Survivors \(Historical Child Abuse in Care\) \(Scotland\) Act, 2021](#).

638 [Written statement of Mark Davies](#), paragraph 5, at UKG-000000049.

639 [Transcript, day 198](#): Mark Davies, at TRN-5-000000029, p.7.

640 [Written statement of Mark Davies](#), paragraph 12, at UKG-000000049.

641 [Transcript, day 198](#): Mark Davies, at TRN-5-000000029, p.10.

642 [Transcript, day 198](#): Mark Davies, at TRN-5-000000029, p.10.

643 [Transcript, day 198](#): Mark Davies, at TRN-5-000000029, p.70.

644 [Transcript, day 198](#): Mark Davies, at TRN-5-000000029, p.71.

Secretary of State would contribute towards the cost of an outfit for each child migrated and towards the cost of maintaining the child overseas had to be renewed on a relatively regular basis. The negotiation process involved each time “presented an opportunity for the UK Government to consider the suitability of the arrangements and impose conditions”, but it never did.<sup>645</sup>

### Summary of UK responses

Over three decades, various inquiries have been conducted in the UK to consider, in whole or in part, what might be needed to support children who were migrated from the UK under government-led policies. There was little government reaction until 1998. By then, many former child migrants—particularly those sent to Canada in the early years of the scheme—had died. Thereafter, some governmental support was provided to the CMT who, throughout, have been relied on to administer support to former child migrants. Whilst the UK Government accepted responsibility for some of the scheme’s deficiencies in 1998, it took another 12 years for a public apology to be issued by the Prime Minister. In 2019, following IICSA’s recommendation, the UK Government established a redress scheme for former child migrants.

IICSA recommended that former child migrants should have easy access to their records. This repeated the recommendation made by the 1998 Select Committee. That recommendation was accepted at the time but was, in practice, passed on to the sending and receiving organisations to fulfil. In its response to IICSA, the UK Government was

somewhat non-committal, referring to there being ‘robust’ policies in place for records in general, and stating that ‘reasonable’ steps would be taken to provide records in accordance with existing protocols.<sup>646</sup> Given that IICSA felt it necessary to repeat the recommendation made by the Select Committee in 1998, and that SCAI applicants have provided evidence about ongoing difficulties in accessing their records, these protocols are plainly insufficient.

Progress has undoubtedly been made but the national narrative in relation to child migration is still little known. Many remain unaware of it and its shameful history. Many of SCAI’s applicants in this case study felt that recognition of their history and the role of their home country in that history is still an outcome that has not been fulfilled despite having been called for repeatedly by former child migrants as an important aspect of the healing process.

### Australian Responses

#### State Inquiries

##### Select Committee into Child Migration, Western Australia, 1996

The Select Committee into Child Migration was established in June 1996 by the Legislative Assembly of the Parliament of Western Australia, due to growing awareness of child migration. The Committee’s remit was “to investigate and report on child migration to Western Australia between the early 1900s and 1967”, and to consider what steps might be taken to assist former child migrants in tracing and reuniting with their families.<sup>647</sup>

645 [Written statement of Mark Davies](#), paragraphs 89-90, at UKG-000000049, p.24, [Transcript, day 198](#): Mark Davies, at TRN-5-000000029, p.71. See also the Department of Health, Home Office memorandum, 17 February 1958, at UKG-000000050, p.11, See [Chapter 1.3](#).

646 [Cmd. 9756] HM Government, [Government Response to the Interim Report by the Independent Inquiry into Child Sexual Abuse](#) (December 2018), p.5.

647 Select Committee into Child Migration, *Interim Report* (Legislative Assembly, Western Australia, November 1996), at PRT.001.001.6159.

The Committee received 110 written submissions, of which 88 were from individuals and 22 from organisations. It also visited various institutions across Australia, including Fairbridge at Pinjarra, Nazareth House at Geraldton, and the Christian Brothers institutions in Western Australia. The Committee visited the UK where it met with representatives of both the UK Government and the sending and receiving organisations, including the Sisters of Nazareth, Fairbridge UK, and Barnardo's. At that time, the UK Government was "at pains to emphasise that the UK Government had not delivered the service and did not play a central part in it."<sup>648</sup> The position adopted by the Select Committee at that time was that the UK Government had been an "enabler" to assist voluntary agencies in migrating children.<sup>649</sup>



Nazareth House, Geraldton, 1954. Photograph by Claire Mercer. Source: [State Library of Western Australia](#).

Some of the Committee's findings related to the lack of valid consents to migration, either because they were absent or because they were forged. There were themes of familial loss arising from separation from

family, including siblings. Former child migrants were told they were orphans when they were not. The Committee found that the experiences of former child migrants in institutional care included abuse, neglect, hard physical labour, inadequate inspections, lack of education, and poor or absent aftercare. As a result of these experiences, many former child migrants suffered difficulties including in forming and maintaining relationships, domestic abuse, alcohol misuse, employment difficulties, illness, the ill-effects of a lack of education, and loss of identity.

The Committee found that services for child migrants were "[a]t best...adequate; at worst, they are non-existent."<sup>650</sup> The provision of services by some organisations had been poor. Others had made a real effort to help. Access to records and counselling was variable and depended on the policies of individual institutions. Former child migrants faced difficulties in reuniting with their families. This was often a lengthy, expensive, and emotional process, and in many cases it still resulted in scant information being available.

Ultimately, the Committee's work was disbanded due to a state general election. In its interim report, the Committee recommended that it should be converted into an Honorary Royal Commission so as to continue its work. Matters requiring further investigation included the numbers of migrants, funding, selection criteria, consent, guardianship, the legal framework, conditions and abuse within institutions, and the impact on former migrants. Following the election, the work of the Committee was not continued, despite the interim report having

648 Select Committee into Child Migration, 1996, at PRT.001.001.6168.

649 Select Committee into Child Migration, 1996, at PRT.001.001.6168.

650 Select Committee into Child Migration, 1996, at PRT.001.001.6201.

emphasised the urgent attention required, given the advancing ages of former child migrants.<sup>651</sup>

### Children's Commission of Queensland, Report on Allegations of Abuse at St Joseph's Orphanage, Neerkol, 1998

The Children's Commission of Queensland's investigation into child migration was initiated following a request in 1996 from the Queensland Minister for Families, Youth and Community Care to the Children's Commission regarding allegations of abuse at St Joseph's Home, Neerkol, managed by the Sisters of Mercy.<sup>652</sup> At the time, two men were facing charges of sexual abuse: one had been charged with 40 offences, and the other with 69 offences. Approximately 60 people were seeking damages from the Sisters of Mercy, Rockhampton, the Roman Catholic Trust Corporation for the Diocese of Rockhampton, and the State of Queensland.



St Joseph's Home, Neerkol, c.1940/1955. Photograph from Queensland Government collection. Source: [Find & Connect](#).

The Commission heard complaints from approximately 100 former residents relating to physical, sexual, and emotional abuse, and neglect. The allegations dated from the 1920s to the 1960s, but largely related to the 1950s and 1960s. The Commission could not give details of or comment on allegations they received due to legal constraints, and their work was restricted by a lack of access to full records. The Commission was not given any terms of reference for its investigation. The resulting report provided an overview of the orphanage's history, contemporaneous inspection reports, funding arrangements, and the policies in place at the time.

The Commission found that officials of the UK Government had been concerned about the suitability of St Joseph's, Neerkol, as a receiving institution, although it was nonetheless subsequently approved to receive child migrants. It heard evidence that children destined for Neerkol were "shabbily dressed" and sometimes without shoes when they arrived in Australia.<sup>653</sup> Neerkol received 48 British children between 1951 and 1955.<sup>654</sup>

The State Children's Department had a legal responsibility to supervise the welfare of wards within the State. The Commission was unable to ascertain to what extent custodianship was shared between the Sisters of Mercy and the Bishop of Rockhampton.<sup>655</sup> While drawing no formal conclusions, they found that the UK was, at least in part, responsible for the migration

651 Select Committee into Child Migration, 1996, at PRT.001.001.6232.

652 Children's Commission of Queensland, *A Preliminary Report on Allegations of Abuse of Former Residents of St Joseph's Orphanage at Neerkol, Rockhampton, in the 1940's, 50's and 60's* (July 1998), at LIT-000000001, p.5.

653 Children's Commission of Queensland, 1998, at LIT-000000001, p.48.

654 Children's Commission of Queensland, 1998, at LIT-000000001, p.50.

655 Children's Commission of Queensland, 1998, at LIT-000000001, p.37. Ultimately, responsibility for the well-being of child migrants sent to Neerkol lay with the Commonwealth Minister for Immigration, who was their designated legal guardian. This role was, however, delegated to the Director of the Queensland State Children's Department, with the Bishop of the Diocese of Rockhampton being awarded custodianship of the child migrants, and the Sisters of Mercy being responsible for their care.

of children to Australia, and that Australian officials held at least some responsibility for their welfare once they arrived.

Despite the preliminary nature of the Commission's findings, the Sisters of Mercy in Rockhampton issued an unreserved apology to former residents of Neerkol who experienced any kind of abuse there.<sup>656</sup> That apology is reproduced in the Commission's report. There appears to be no evidence of any response to the report by sending organisations or the UK Government.<sup>657</sup>

### Report of the Commission of Inquiry into Abuse of Children in Queensland Institutions, 1999 (Forde Report)

The Forde Commission was established in 1998 to investigate

"a) whether any unsafe, improper or unlawful care or treatment of children has occurred" in any government or non-government institutions or detention centres in Queensland, and "b) whether any breach of any relevant statutory obligation...has occurred during the course of the care, protection and detention of children in such institutions."<sup>658</sup>

It was asked to make recommendations regarding any systemic factors that may have contributed to child abuse, and to consider whether changes were required to legislation or policies. Over 300 people provided evidence. It concluded that children had been subjected to maltreatment, that statutory obligations had been breached, that emotional, physical, and sexual abuse had occurred, and that there was evidence

of systemic abuse. Regulations in relation to food, clothing, education, and corporal punishment were regularly breached.<sup>659</sup>

Of particular relevance to this Inquiry are the Commission's findings about St Joseph's Orphanage, Neerkol, and the Salvation Army Training Home for Boys at Riverview, these having been the only institutions investigated by the Commission that received British child or juvenile migrants. The Commission detailed serious failures with the care provided at Riverview Training Farm, including inadequate staffing, poor material conditions, and sexual abuse.<sup>660</sup>

The Commission did not initially give full details about Neerkol because of ongoing litigation, but submitted a closed report to ministers in 1999, which was made public in 2000. That report detailed numerous deficiencies at Neerkol including understaffing, an isolated location, lack of staff training, and inadequate equipment, all of which resulted in staff being unable to care for children properly. The state children's department also employed poorly trained staff to conduct inspections, and took no action despite knowing that Neerkol was overcrowded.<sup>661</sup> Children experienced sibling separation, poor education, physical abuse in the form of excessive corporal punishment, and emotional abuse.

The Commission concluded there had been extensive physical, sexual, and emotional abuse at Queensland institutions. Children were not treated as individuals, staff emotionally and psychologically

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656 Children's Commission of Queensland, 1998, at LIT-000000001, p.11.

657 Constantine *et al.*, paragraph 8.15.

658 Report of the Commission of Inquiry into Abuse of Children in Queensland Institutions [Forde Inquiry] (May 1999), at LIT-000000012, p.iii.

659 Forde Inquiry, 1999, at LIT-000000012, p.10.

660 Forde Inquiry, 1999, at LIT-000000012, p.120.

661 Constantine *et al.*, paragraph 8.22.



abused children, children had been abused physically and sexually, and had also been neglected. Children were neither able to report abuse, nor speak to inspectors. The Commission identified that the abuse meted out to former child migrants resulted in poor self-esteem, relationship problems, mental health issues, violence, and illiteracy. The Commission concluded that the systems that were meant to protect children had failed. The State Government had failed to adequately monitor and inspect institutions, and depended on religious organisations to care for children. It had also failed to fund the institutions properly, and standards and procedures were inadequate prior to the 1970s.

The Commission made a series of recommendations to the government and religious organisations that included providing assistance to former migrants to reunite with their families, and providing support to all former residents, including counselling, education, and support with accessing records. SCAI has not seen evidence of any response to this report by the UK Government nor by sending organisations within the UK.<sup>662</sup>

### **Australian Senate Community Affairs Committee, *Lost Innocents: Righting the Record*, 2001**

As with other inquiries, the Senate Community Affairs Committee was formed in 2000 due to growing awareness of child migration. The Committee was tasked with examining migration to Australia, the role of the Australian Government, whether “unsafe, improper, or unlawful care or treatment of children occurred in such institutions”, and whether there were any breaches of statutory

obligations.<sup>663</sup> In particular, the Committee was asked to examine the effectiveness for former child migrants of counselling, support for reunification with families, and reparations, and to consider whether there should be a formal apology.

The Committee’s report provided a historical overview of child migration. It drew attention to the fact that the Australian Government transferred the responsibility of care to state governments who, in turn, transferred responsibility to receiving agencies. The Committee emphasised the significant role of the UK Government in child migration, drawing on the conclusions of the Western Australian Committee and the UK Select Committee on Health reports.

They found that sexual, physical, and emotional abuse were present to a “disturbing extent” at many institutions over many years.<sup>664</sup> This included serious physical abuse, excessive discipline, psychological abuse, and separation from family, including siblings. Children experienced neglect, hard physical labour, and did not receive adequate clothing or food. Nor did children receive adequate aftercare or preparation for life after leaving an institution. The report found that migration had a significant impact on former child migrants: many experienced difficulties in relationships, a sense of lost identity, poor literacy, criminality, domestic violence, and substance misuse.

The Committee received significant evidence of sexual abuse at the Christian Brothers institutions. The abuse was pervasive, and represented “systemic criminal sexual assault and predatory behaviour by a large number of the Brothers over a considerable period

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662 Constantine *et al.*, paragraph 8.24.

663 [Senate Committee on Community Affairs](#), 2001, paragraph 1.1.

664 [Senate Committee on Community Affairs](#), 2001, paragraph 4.6.

of time.”<sup>665</sup> The report criticised the Christian Brothers for their failure to investigate complaints of abuse. Nor were complaints investigated by the police, health staff, or state authorities.

The Committee concluded that institutions had had too much autonomy from state welfare departments and governments, and there was inadequate monitoring and inspection of institutions.

They recommended that former child migrants be supported to access their records; that former child migrants should be granted citizenship automatically; that governments and institutions should make a formal apology; and that funds should be provided for a memorial, which should be designed in consultation with former child migrants.

The Australian Prime Minister, Kevin Rudd, made a formal apology in November 2009. SCAI has not seen any evidence of UK Government or sending organisations’ responses to this report.

### **Royal Commission into Institutional Responses to Child Sexual Abuse, 2017**

The Royal Commission of Australia into Institutional Responses to Child Sexual Abuse was established in 2013 in response to state inquiries, increased public awareness, allegations of sexual abuse in institutions, and pressure from survivor groups.<sup>666</sup> The Commission was chaired by Justice Peter McClellan, and one of its commissioners was Senator Andrew Murray, who had chaired the 2001 Australian Senate Inquiry. The Commission was required to consider “institutional responses to

allegations and instances of child sexual abuse and related matters.”<sup>667</sup> It was

“directed to focus on systemic issues, be informed by an understanding of individual cases, and make findings and recommendations to better protect children against sexual abuse and alleviate the impact of abuse when it occurs.”<sup>668</sup>

The Royal Commission heard over 8,000 accounts in private sessions and received written statements from over 1,000 people. The Royal Commission’s final report was published in December 2017. Several individuals who provided evidence to the Royal Commission also provided evidence to SCAI.

The Royal Commission found that thousands of children had been sexually abused across many generations in institutions, of which the vast majority were religious institutions. Physical and psychological abuse often accompanied the sexual abuse.

The report explained that some children were at particular risk of abuse in institutions that were not properly supervised, where their safety was not considered, and where they experienced excessive discipline. Children were placed in institutions that were isolated and children were not properly supervised when interacting with adults. This facilitated an abuser’s access to the targeted child. Child migrants in particular reported feelings of isolation and loss, exacerbated by not being able to see their siblings, even where they had been placed within the same institution.

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665 [Senate Committee on Community Affairs](#), 2001, paragraph 4.20.

666 Royal Commission into Institutional Responses to Child Sexual Abuse [ARC], [Final Report: Preface and Executive Summary](#) (2017), p.1.

667 ARC, [Final Report: Preface and Executive Summary](#), 2017, p.7.

668 ARC, [Final Report: Preface and Executive Summary](#), 2017, p.7.

During the course of its investigations, the Royal Commission published various reports on individual institutions including the Riverview Training Farm, St Joseph's Orphanage, Neerkol, and the Christian Brothers institutions. The report on the Christian Brothers—Case Study number 11, which was published in December 2014—is particularly relevant to the work of SCAI, as many of SCAI's applicants were placed in these institutions. The report found that the accommodation in the Christian Brothers

institutions was largely inadequate, and children were not given proper food and clothing. Children were required to carry out hard physical labour, did not receive a proper education, and were living in isolated locations, particularly at Bindoon and Tardun. Sexual abuse was highly prevalent in the institutions where abusers routinely had unsupervised access to children. Children were also physically, emotionally, and psychologically abused.



Bindoon Boys' Town, building construction, 1952. Photograph from Western Australia Government photographer collection. Source: [State Library of Western Australia](#).

The Christian Brothers' oversight of their Australian institutions was inadequate. It focused on the religious observance of individual Brothers rather than the welfare of children. The Royal Commission criticised state authorities who had exercised only limited oversight. The Provincial Council of the Christian Brothers was aware of allegations of abuse, and recognised the impact of abuse on children, but the response to allegations was often no more than to transfer the Brothers who were the subject of them to different institutions. Such transfers were, typically, to places where they had access to other children.

The report recognised that the Christian Brothers changed their recruitment practices between the 1970s and the 1990s, introducing the vetting of candidates, and changing policies in response to substantiated allegations. The Christian Brothers apologised to former residents in 1993. The congregation has also provided support to former residents in the form of counselling, financial assistance, family tracing, and recovering records.

The Royal Commission's final report detailed institutional factors that allowed abuse to occur, and noted that children were more likely to be abused in institutions where the culture and leadership was not focused on protecting children. In many institutions the leadership was poor and, in some, the reputation of the institution was prioritised over the welfare of children. There were poor record-keeping practices and governance structures. The Royal Commission noted that the police and child protection organisations also failed to investigate complaints and that children who made allegations were

not believed. The criminal justice and civil litigation systems created barriers for victims.

The Royal Commission, like other inquiries, found that abuse had had a significant impact including mental and physical health problems, relationship difficulties, sexual identity problems, loss of faith, and difficulties in securing and maintaining employment.

The final report made a series of recommendations, including that the Australian Government should regularly conduct and publish a nationally representative prevalence study to establish the extent of child maltreatment in institutional and non-institutional contexts in Australia; the establishment of a "national strategy to prevent child sexual abuse"; implementing the UN charter on the Rights of the Child by applying the child-safe standards identified by the Royal Commission; developing mandatory reporting practices; and improving complaints procedures.<sup>669</sup>

## **New Zealand**

The New Zealand Royal Commission of Inquiry into Abuse in Care was established in 2018 to examine the abuse and neglect of children in state and faith-based care between 1950 and 1999. The terms of reference are to examine why people entered care, what abuse took place and its effects, what changes have been made, what might be required to prevent and respond to abuse, and what redress may be necessary. Despite requests for the New Zealand government to consider the circumstances of former child migrants, the Commission is not considering child migration programmes.<sup>670</sup>

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669 ARC, *Final Report: Preface and Executive Summary*, 2017, pp.106-121.

670 Royal Commission of Inquiry into Abuse in Care, *Interim Report Volume One* (2020); HOC Select Committee on Health, 1998, paragraph 115, at LIT.001.001.2879.

## Canadian Responses

Since the cessation of child and juvenile migration to Canada, there have been no inquiries by the Federal or Provincial Canadian Governments.

### British Home Child Day

In 2011, the Provincial Parliament of Ontario legislated to designate September 28 as 'British Home Child Day'. This legislation was enacted due to the efforts of Judy Neville's brother. He was an elected member of the Ontario Provincial Parliament who had put forward a bill in about 2006 after learning that their grandmother had been migrated from Scotland to Canada in 1891, arriving on September 28.<sup>671</sup> Judy Neville then campaigned for that date to become a national day on which tributes would be paid to the contributions of British Home Children in Canada. This was achieved in 2018, when the Canadian House of Commons passed legislation making September 28 the national British Home Child Day across Canada.

In 2017, the Canadian House of Commons unanimously adopted a motion:

"That the House recognize the injustice, abuse and suffering endured by the British Home Children as well as the efforts, participation and contribution of these children and their descendants within our communities; and offer its sincere apology to the former British Home Children who are still living and to the descendants of these 100,000 individuals who were shipped from Great Britain to Canada between 1869 and 1948, and torn from their families to serve mainly as cheap labour once they arrived in Canada."<sup>672</sup>

However, as Judy Neville stated, that motion—and the apology included therein—was made "behind closed doors...without [any] British Home Child descendants there...it was kind of rushed and our Prime Minister wasn't even in the House."<sup>673</sup>

### 1995-present: An overview

From the late 1980s, through the efforts of former child migrants, Margaret Humphreys and the CMT, and others, the history of child migration from the UK began to regain its position in national narratives after having been a neglected or unknown history for several decades. Several inquiries have either specifically addressed child migration programmes or included them, their deficiencies, and their impact within their remits. Each inquiry and investigation has uncovered new pieces of information, relevant to its own terms of reference. The overarching findings and conclusions, however, are similar in many ways.

Various redress, support, and funding schemes are now available to former child migrants, and some apologies have been made, but these developments have been slow to progress, despite the efforts of former child migrants and those who advocate for and with them. Many of those who have come forward to this Inquiry have provided evidence to the effect that they would like to see an acknowledgement and awareness of the damage done by child migration schemes. This Inquiry has sought to contribute to that, and former child migrants can be assured that the findings I have made about child migration from Scotland will form part of this country's national record.

671 See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#), Judy Neville on behalf of Mary Scott Pearson; [Written statement of Judy Neville](#), paragraph 8, at WIT-1-000000053.

672 British Home Child Group International, "[House of Commons Apology, Feb.16/2017](#)." Retrieved 16 December 2022.

673 [Written statement of Judy Neville](#), paragraph 78, at WIT-1-000000053.

## 1.5 Conclusion to Part 1

The migration of children before 1891 rested on “very shaky legal authority”.<sup>674</sup> Voluntary organisations seem to have erroneously believed they had the right to send children overseas based on the parental consents they obtained at the time of the child’s admission to the institution, and on their assumed role of being in *loco parentis*. However, parents could not relinquish their inherent legal rights, and being in *loco parentis* did not confer upon these organisations full parental power. No one challenged these assumptions but, in my view, there was no proper legal basis for them.

When legislation permitting the migration of children in some circumstances came into force in the late 19<sup>th</sup> century, it only applied to children who had been placed in care by means of a court order.<sup>675</sup> But the majority of the children who were placed in institutions run by voluntary organisations were placed there without court orders. These voluntary organisations were enthusiastic promoters of child migration. Subsequent legislation perpetuated differences in approach that depended on the particular care pathway and setting. What emerged was a patchwork of legal provisions that only served to discriminate between categories of children, and left voluntary organisations—who were responsible for the vast majority of child migrations—largely unregulated until the practice of migrating children had already declined.

During its long history, child and juvenile migration had many critics, and several reports investigated the practice and voiced serious concerns. Some of the recurrent themes were:

1. Allusions to or direct statements of the risk of abuse while child migration was ongoing as a practice.
2. Recurrent concerns about the limitations of offering training in only farm and domestic work, the failure of certain schemes to provide more varied training in line with developing labour market demands, and the failure to take account of the child’s own wishes and capabilities.
3. Very poor conditions at some institutions that prompted some reports to recommend that children should not be sent to a particular institution.
4. Lack of supervision, aftercare, and oversight of children and young people.
5. Inadequate staffing.
6. A lack of understanding of the needs of migrants, often made worse by a lack of records.
7. Isolation and stigma.
8. Missed and/or poor education.
9. Large, regimented institutions, and cottage homes that were not ‘homely’.
10. Childcare practices not being in alignment with contemporaneous understanding of best practice for children and young people in out-of-home care.
11. Ineffective and inconsistent inspections of placements and residential institutions receiving child migrants.

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<sup>674</sup> Transcript, day 124: Professor Kenneth Norrie, at TRN.001.001.6568.

<sup>675</sup> See Chapter 1.1.

Whilst the UK Government was aware of these concerns, it did little to halt the migration of unaccompanied children and there were significant missed opportunities to regulate the migration of children by voluntary organisations. In particular, the regulations envisaged during the parliamentary debates on the Children Act, 1948, never materialised, largely due to a backlash from the organisations that would be affected.<sup>676</sup> That was an indefensible state failure.

Although SCAI is the first inquiry to deal specifically with the Scottish aspect of child migration, the key findings echo those of the earlier inquiries:

- The UK Government enthusiastically pursued a policy of child migration, including funding voluntary societies to undertake the work with relatively little oversight of organisations' practices in the UK or overseas.
- Children were abused both by the practice of migration itself and by sending and receiving institutions, in a multitude of ways, all of which have left enduring legacies for those affected as well as their descendants.
- The UK Government knew about the risk and actuality of this abuse and yet, for political and financial gains, allowed the schemes to continue operating.
- Former child migrants are still, too often, unsupported in practical and emotional ways, with their histories continuing to be left in the dark.

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<sup>676</sup> See [Chapter 1.3](#) for an in-depth consideration of the background to this failure.

# 2 Institutional Responses

Part 1 of this Volume considered the wider context within which child migration policy and practice emerged and evolved. Part 2 turns attention to the policies and practices of the sending organisations responsible for the migration of the children whose experiences are narrated in Volume 1.

## Introduction

The following chapters will examine the roles played by the organisations involved in the migration of Scottish children. Any organisational policies that existed regarding child migration will be considered, as will the selection of children and the extent to which organisations took steps to secure children's protection from abuse. The responses of organisations to their historical involvement in the schemes will be discussed.

This Part draws on responses to notices issued by SCAI under section 21 of the Inquiries Act, 2005, opening and closing submissions, and the evidence provided by witnesses on behalf of organisations. The section 21 notices required organisations known to have been involved in the migration of Scottish children to respond to a number of questions, including:

- what policies or procedures the organisation had relating to child migration;
- whether policies were recorded;

- the organisation's aim in pursuing child migration;
- what was done to identify and check the suitability of the places where children were sent;
- how children were selected for migration;
- what information was provided to children and their families prior to migration;
- whether information was provided to children and/or parents after migration;
- whether the organisation obtained the consent of the child, their parents, and the Secretary of State prior to migration;
- how the organisation responded to requests for information from former child migrants;
- how many children the organisation migrated;
- how the migration of children was funded; and
- how the organisation today views the child migration programme of the past.

Witnesses who gave relevant evidence to SCAI are listed below.



**Table 3: Witnesses who gave evidence to SCAI on behalf of organisations involved in child or juvenile migration**

<b>Organisations</b>	<b>Witnesses</b>
<b>Aberlour</b>	SallyAnn Kelly <sup>677</sup>
<b>Barnardo's</b>	Richard Simpson <sup>678</sup>
<b>Bishops' Conference of Scotland</b>	John Michael McGrath <sup>679</sup>
<b>Catholic Bishops' Conference of England and Wales</b>	Dr Rosemary Keenan (Catholic Children's Society) <sup>680</sup> Mary Gandy <sup>681</sup>
<b>Church of Scotland/CrossReach</b>	Vivienne Dickenson <sup>682</sup>
<b>Good Shepherd</b>	Sister Rosemary Kean <sup>683</sup>
<b>Quarriers</b>	Carol Eden <sup>684</sup> Charles William Coggrave <sup>685</sup> Dr Ronald James Hector Culley <sup>686</sup>
<b>ROSL</b>	Dr Diana Owen <sup>687</sup> Margaret Adrian-Vallance <sup>688</sup>
<b>Sisters of Nazareth</b>	Karen Firmin-Cooper <sup>689</sup> Sister Anna Maria Doolan <sup>690</sup>

677 [Transcript, day 194](#): SallyAnn Kelly, at TRN-5-000000025.

678 [Transcript, day 194](#): Richard Simpson, at TRN-5-000000025.

679 [Transcript, day 196](#): John Michael McGrath, at TRN-5-000000027.

680 [Transcript, day 184](#): Dr Rosemary Keenan, at TRN-5-000000015.

681 [Transcript, day 184](#): Mary Gandy, at TRN-5-000000015.

682 [Transcript, day 195](#): Vivienne Dickenson, at TRN-5-000000026.

683 [Transcript, day 194](#): Sister Rosemary Kean, at TRN-5-000000025.

684 [Transcript, day 193](#): Carol Eden, at TRN-5-000000024.

685 [Transcript, day 193](#): Charles William Coggrave, at TRN-5-000000024.

686 [Transcript, day 193](#): Dr Ronald James Hector Culley, at TRN-5-000000024.

687 [Transcript, day 195](#): Dr Diana Owen, at TRN-5-000000026.

688 [Transcript, day 195](#): Margaret Adrian-Vallance, at TRN-5-000000026.

689 [Transcript, day 196](#): Karen Firmin-Cooper, at TRN-5-000000027.

690 [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027.

**Table 4: Witnesses who gave evidence to SCAI on behalf of organisations representing former child migrants**

Organisations	Witnesses
<b>CMT</b>	Dr Margaret Humphreys <sup>691</sup> Joan Taylor <sup>692</sup>
<b>Tuart Place</b>	Dr Philippa Anne Reynolds White <sup>693</sup>
<b>International Association of former Child Migrants and their Families</b>	Norman Johnston <sup>694</sup>

**Table 5: Witnesses who gave evidence to SCAI on behalf of the Scottish and UK Governments**

Organisations	Witnesses
<b>Scottish Government</b>	Donald Henderson <sup>695</sup> Jamie MacDougall <sup>696</sup>
<b>UK Government</b>	Mark Davies <sup>697</sup> Rt Hon Dr Gordon Brown <sup>698</sup>

**Table 6: Other witnesses**

Other witnesses	Role
<b>Andrew Ramsay Nicoll<sup>699</sup></b>	Former archivist at the Scottish Catholic Church and author of a paper about child migration
<b>Anna Magnusson<sup>700</sup></b>	Radio producer, and author of <i>The Quarriers Story</i>
<b>Isabella (Ishbell) Campbell<sup>701</sup></b>	Former secretarial staff at Quarriers Village, circa 1967-1974.

691 [Transcript, day 182](#): Dr Margaret Humphreys, at TRN-5-000000013.

692 [Transcript, day 182](#): Joan Taylor, at TRN-5-000000013.

693 [Transcript, day 182](#): Dr Philippa Anne Reynolds White, at TRN-5-000000013.

694 [Transcript, day 181](#): Norman Johnston, at TRN-5-000000012.

695 [Transcript, day 198](#): Donald Henderson, at TRN-5-000000029.

696 [Transcript, day 198](#): Jamie MacDougall, at TRN-5-000000029.

697 [Transcript, day 198](#): Mark Davies, at TRN-5-000000029.

698 [Transcript, day 198](#): read-in letter from Rt Hon Dr Gordon Brown, at TRN-5-000000029.

699 [Transcript, day 196](#): Andrew Ramsay Nicoll, at TRN-5-000000027.

700 [Transcript, day 183](#): Anna Magnusson, at TRN-5-000000014.

701 [Transcript, day 193](#): read-in statement of Isabella (Ishbell) Campbell, at TRN-5-000000024.

## 2.1 Quarriers

### Brief history

Quarriers was a major participant in child migration, particularly to Canada. Constantine, Harper, and Lynch estimate that Quarriers migrated 7,384 children from Scotland to Canada between 1872 and 1938, including juveniles.<sup>702</sup> Available records indicate that Quarriers migrated 43 children to Australia between 1939 and 1963.<sup>703</sup> Quarriers has calculated that 7,422 children were migrated between 1872 and 1963.<sup>704</sup>

The history of Quarriers's involvement in child migration is outlined in [Chapters 1.1](#) and [1.2](#). Migration was one of William Quarrier's "ultimate aims", as is evident from the name of the first home he established: Orphan and Destitute Children's Emigration Homes, Glasgow.<sup>705</sup>

The aim of the child migration scheme

"was to offer the chance for a new life away from the overcrowding and poverty of Scotland's cities in the Victorian and post-World War I eras. At that time, both Canada and Australia were newly settled colonies with low populations."<sup>706</sup>

Both countries wanted to recruit children to help with farm and domestic work. The policy was also intended to alleviate crowding and create additional capacity in Quarriers's

homes in Scotland that would, in turn, allow them to take in more children.<sup>707</sup>

Comments in Quarriers's annual report, the *Narrative of Facts*, suggest that broader social concerns were also influential. In the *Narrative of Facts*, 1872, William Quarrier described how:

"A number of friends object to the emigration part of the work, saying that we need the labour of the children here, and why send them to Canada? This sentiment looks plausible, but in actual practice it utterly fails. It is not the labour market which is affected by the sending of these poor children to Canada, but the crime market and the pauper's roll; but we have no special desire to send children out of the country who could do as well at home".<sup>708</sup>

In the same *Narrative of Facts*, Rev E.J. Stobo, who accompanied the first group of Quarriers's children to Canada in July 1872, described the child migration scheme in economic and social terms: "In Scotland you feel these street children to be a growing pest and burden, and know not well how to utilise them for good. Here [Canada] we need them as helps to clear the wilderness and till our cleared broad acres".<sup>709</sup>

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702 Constantine *et al.*, paragraph 10.4. Note, however, that this number is likely to include juveniles migrated by Quarriers to Canada.

703 Constantine *et al.*, paragraphs 17.33 and 17.36.

704 Quarriers, Response to section 21 notice, at QAR.001.008.0054.

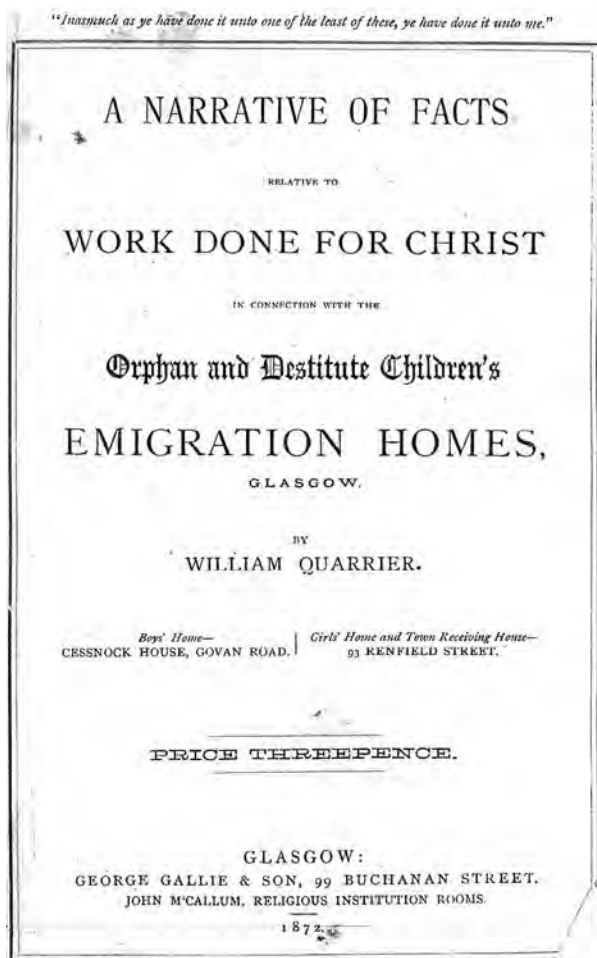
705 Quarriers, Response to section 21 notice, at QAR.001.008.0002; Constantine *et al.*, paragraph 10.4.

706 Quarriers, Part C response to section 21 notice, at QAR-000000001, p.4.

707 Quarriers, Part C response to section 21 notice, at QAR-000000001, p.4.

708 Quarriers, *A Narrative of Facts, 1872*, at QAR.001.008.7036.

709 Quarriers, *A Narrative of Facts, 1872*, at QAR.001.008.7028.



Quarriers, A Narrative of Facts, 1872.

## SCAI applicants

Four applicants gave evidence to SCAI about their own or a family member's experience of being sent overseas by Quarriers.

"Kathy's" grandmother was sent with her siblings to Canada in 1909, aged 12. "Gray", Hugh McGowan, and "Jok" were sent to Dhurringile, Australia, aged nine, 13, and 13, respectively. Their experiences are described in Volume 1.<sup>710</sup>

## Records

Quarriers's Council of Management received a report on every child who had been migrated, as well as on those who had been selected for migration. Each child's file contained admission forms, medical reports, information about the child's circumstances, and correspondence with the Canadian Emigration Agent or the Australian Child Migration Officer.<sup>711</sup>

Quarriers's archives show regular correspondence between Quarriers Village and the superintendent of Fairknowe, Canada.<sup>712</sup> There were limited reports relating to Australia.<sup>713</sup>

## Policies

Quarriers was unable to find any written policies in relation to child migration to either Canada or Australia.

Charles William Coggrave, Head of Safeguarding and Aftercare at Quarriers, described the difficulty that Quarriers faced in determining whether—and if so what—policies were in place during the years in which children were migrated:

"There isn't anything that says 'Quarriers' migration policy to Canada', so the answers we have given have been our best endeavours to try to interpret a variety of sources, whether it was communication from the scroll diaries and history books, from the Narratives of Facts or from the records at the time. So whilst it would seem implicit that there were some operating protocols or policies, they weren't written up as such."<sup>714</sup>

710 See, Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#).

711 Quarriers, Part C response to section 21 notice, at QAR-000000001, p.4 and Quarriers, Response to section 21 notice, at QAR.001.008.0009.

712 Quarriers, Part C response to section 21 notice, at QAR-000000001, p.8.

713 Quarriers, Part C response to section 21 notice, at QAR-000000001, p.9.

714 [Transcript, day 193](#): Charles William Coggrave, at TRN-5-000000024, pp.31-32.

Quarriers had procedures in place for the migration of children to Canada. These included seeking parental consent, carrying out checks before and after placement, and providing information and records after children had migrated.<sup>715</sup> As Quarriers accepted, it “did not always adhere in practice”<sup>716</sup> to its (unwritten) policies or procedures on child migration, and even when they did, their efficacy was questionable.

Quarriers maintained that, from 1904, when migration to Canada resumed after it had been paused in 1897, the organisation had adhered to the regulations of the Canadian Government. Correspondence with the Canadian Government’s Emigration Agent indicates there was “a level of consent and regulation.”<sup>717</sup>

For children migrated to Australia, some procedures were in place for obtaining the consent of parents or local authorities, the selection of children, and providing information to children.<sup>718</sup> The extent to which these were followed is unclear.

In relation to Australia, an approach from the Fairbridge Society provided the impetus for Quarriers’ first migration party to Burnside, Victoria in 1939, and Quarriers understood that any procedures and policies that were in place would have been produced by Fairbridge UK.<sup>719</sup> With regard to Dhurringile, Quarriers suggested that the policies were compiled by Quarriers itself in conjunction with the Church of Scotland Committee on Social Service (CSCSS) and the Scottish

Education Department (SED). Quarriers would likely have been responsible for nominating children, and for obtaining the consent of children and their parents. The nominations would then have been submitted to the SED, the Church of Scotland, and, ultimately, the Chief Migration Officer, for approval.<sup>720</sup> As further considered below, these procedures were not always followed.

## Canada

As noted in [Chapter 1.1](#), William Quarrier admired and was influenced by the work of Annie Macpherson. When he first migrated children to Canada in 1872, he sent them to Annie Macpherson’s receiving homes in Belleville and Galt.



Marchmont Home, Belleville, Ontario, 24th Oct., 1879.

Annie Macpherson’s Marchmont Home, Belleville, 24 October 1879. Source: [British Home Children in Canada](#).

In 1888, William Quarrier opened his own receiving home, Fairknowe, in Brockville, Eastern Ontario. Children from Scotland were sent there before being transferred onwards to placements on farms and private homes.

715 Quarriers, Response to section 21 notice, at QAR.001.008.0001.

716 Quarriers, Part C response to section 21 notice, at QAR-000000001, p.8.

717 Quarriers, Part C response to section 21 notice, at QAR-000000001, p.6.

718 Quarriers, Response to section 21 notice, at QAR.001.008.0007-0008.

719 The Experts’ Report states that no connection has yet been found between Burnside and Fairbridge. See Constantine *et al.*, paragraph 13.31.

720 Quarriers, Response to section 21 notice, at QAR.001.008.0032.

In 1897, following concerns both in the UK and in Canada about the practice of child migration, Ontario legislated to regulate the migration of children.<sup>721</sup> While William Quarrier did not object to the requirements to examine children in the UK, maintain the homes in Canada, and keep records and inspections, he did object to the legislation's attempts to "drag down...voluntary Christian work and place it under Government officialism."<sup>722</sup> He stopped migrating children in protest. After William Quarrier died in 1903, the Quarriers's trustees resumed child migration.<sup>723</sup>

After the onset of the economic depression in 1929, Quarriers sent few migrants to Canada. Fairknowe was sold in 1934.<sup>724</sup> Quarriers stopped migrating children to Canada entirely in 1938, after the Canadian Government refused to approve the migration of a party of boys from Quarriers that year, and also due to the economic concerns associated with the Depression.<sup>725</sup>

## Numbers

Quarriers migrated approximately 7,384 children from Scotland to Canada between 1872 and 1938, including juveniles.<sup>726</sup>

## Funding

Prior to the Empire Settlement Act, 1922, child migration to Canada was largely funded by voluntary donations. Grants from the Canadian Government and Scottish Local Authorities reimbursed some of the costs

incurred by Quarriers.<sup>727</sup> Following the passing of the 1922 Act, Quarriers received grants from the UK and Canadian Governments.

## Selection

Between 1872, when William Quarrier first migrated children to Canada, and 1888, when Fairknowe opened, children from Quarriers were sent to Annie Macpherson's receiving homes. The Doyle Report (1875), which primarily focused on the work of Annie Macpherson and Maria Rye, was critical of the selection and preparation of children, and the lax manner in which consent was obtained from legal guardians.<sup>728</sup> William Quarrier was likely aware of the report, as it resulted in a moratorium on sending children from Poor Law institutions to Canada, although the moratorium did not apply to voluntary societies.<sup>729</sup>



Outside Fairknowe, Brockville. Photograph from Quarriers Historical Photo Album. Source: The Golden Bridge: Child Migration from Scotland to Canada 1869-1939.

721 See [Chapter 1.1](#).

722 Quarriers, *A Narrative of Facts, 1897*, p.48.

723 Quarriers, Part C response to section 21 notice, at QAR-000000001, p.7.

724 Constantine *et al.*, paragraph 16.13.

725 Quarriers, Part C response to section 21 notice, at QAR-000000001, p.7.

726 Constantine *et al.*, paragraph 10.4.

727 Quarriers, Response to section 21 notice, at QAR.001.008.0056-0057.

728 HCPP, HC/9, Doyle Report, 1875, at INQ-000000006. See [Chapter 1.1](#).

729 Constantine *et al.*, paragraph 7.2.

When William Quarrier started his “work with destitute children in Glasgow, it was with the intention that if found suitable, the child was considered for migration to Canada.”<sup>730</sup> The age of children migrated increased throughout the years. Prior to 1924, all age groups were migrated.<sup>731</sup> After the Bondfield Report in 1924 and the Canadian Government ruling that children under the age of 14 would not be admitted unless accompanied by their parents, most children migrated were over the school leaving age. By 1932, children had to be over 16. Both boys and girls could be selected for migration, but more boys were migrated.<sup>732</sup>

The *Narratives of Facts* provide some insight into the selection process. In 1881, William Quarrier stated that “every child is not suitable for emigration, nor is it always desirable to send even those who wish to go.”<sup>733</sup> The *Narrative of Facts*, 1882, indicated that considerations for selection included children’s physical ability for labour, and the possibility of separating children from perceived harmful influences in their family home:

“Many of the children would like to go whose physical condition would be against them succeeding in the new land; others again whom it would be desirable to send because of their surroundings at home, the relations will not allow them to go, so a great difficulty comes in in deciding as to who shall go and who shall stay.”<sup>734</sup>

The *Narrative of Facts*, 1881, explained that William Quarrier was driven by a determination, which he perceived as the word of God, to send more children to Canada:

“Taking the legacy left by the late Thomas Corbett of London to pay passages of children to Canada as an indication of the Lord’s mind that He wished us to send a larger number this year, in the early part of it we resolved to do so. We had only 130 children in the Training Homes on the Govan Road at that time, and unbelief tried to assert itself, saying, that we could not send more with only that number in the Homes. It was only within a short time of the first party leaving that we were able to rise above it, and see that by sending some from the Cottage City Homes we might make up a party of about 140.”<sup>735</sup>

There is an obvious tension between the assertion that children were selected carefully and this desire to follow the “indication of the Lord’s mind” by sending as many children as possible to Canada.

Initially, children selected for migration were medically examined before departure and by the ship’s surgeon.<sup>736</sup> Following the resumption of migration to Canada in 1905, Quarriers had to comply with the requirements of the 1897 Canadian legislation and that meant that, thereafter, children had to go through “rigorous medical examinations...instead of the cursory medical examinations on arrival in Canada.”<sup>737</sup>

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730 Quarriers, Part C response to section 21 notice, at QAR.001.001.0504.

731 Quarriers, Response to section 21 notice, at QAR.001.008.0014.

732 Quarriers, Part C response to section 21 notice, at QAR-000000001, p.5.

733 Quarriers, *A Narrative of Facts*, 1881, at QAR.001.008.7230.

734 Quarriers, *A Narrative of Facts*, 1882, at QAR.001.008.7266.

735 Quarriers, *A Narrative of Facts*, 1881, at QAR.001.008.7230. Emphasis in original.

736 Quarriers, Response to section 21 notice, at QAR.001.008.0015.

737 Quarriers, Response to section 21 notice, at QAR.001.008.0028.

The organisation's response to a section 21 notice issued by SCAI suggests that Quarriers complied with regulations. Indeed, the *Narrative of Facts*, 1931, recorded that boys had been medically examined by Quarriers' staff prior to departure and again on the ship. However, contemporaneous reports suggest that medical examinations were ineffective.

In 1925, the Plumptre Report noted concerns about the practice of removing children "from both home-life and home-land".<sup>738</sup> This report concluded that poor selection processes prior to migration resulted in many juvenile migrants experiencing poor outcomes in relation to employment, criminality, prostitution, sexual health, and mental health. It recommended that children should be carefully selected and carefully medically and psychiatrically examined.<sup>739</sup>

In June 1934, the superintendent at Fairknowe, Claude Winters, suggested to the Secretary of Quarriers at Bridge of Weir that some boys had been poorly selected.<sup>740</sup> He felt that some children had been poorly selected due to difficulties in finding adequate numbers of children in the 1930s, meaning that

"certain boys were sent who could not be expected to make good and which evident to us in the day of their arrival or from a study of them on board ship; particularly has this been true during the last few years when it was difficult to make up a party."<sup>741</sup>

Correspondence from the 1930s reveals exasperation at the tightening restrictions, which resulted in smaller parties travelling. In a letter from Quarriers, Bridge of Weir, to the superintendent of Fairknowe in 1931, it was said that "restrictions seem more than usual this year but it will be disappointing if we cannot get that number [of boys] away."<sup>742</sup>

Although Quarriers stated that it "adhered in practice"<sup>743</sup> to its policy relating to the selection of children for migration to Canada, and that it appeared to comply with the Canadian Government's regulations, it was unclear what this adherence consisted of other than medical examinations of children, which were deemed ineffective by contemporaneous reports and by Quarriers' own superintendent at Fairknowe.

### Consent

Prior to 1910, parents were asked to sign an agreement form upon their child's admission to Quarriers stating that their child had been received at Quarriers "with a view to being emigrated to Canada".<sup>744</sup> After 1910, Quarriers's admission forms included a clause that agreed that the child concerned could be "kept at home [Quarriers, Bridge of Weir], emigrated to Canada or otherwise discharged as the managers of the Homes may decide."<sup>745</sup> In 1923, as migration to Canada "became less prolific", the explicit reference to emigration was removed from the admission forms.<sup>746</sup> From 1926, the form did not contain specific references

738 The Plumptre Report is considered in further detail in [Chapter 1.2](#); Barnardo's, Plumptre Report, 1925, at BAR.001.005.9346.

739 [Cmd. 2285] Bondfield Report, 1924, at CMT.001.001.0074-0093.

740 Constantine *et al.*, paragraph 13.32.

741 Quarriers, Letter from Claude Winters to W. Findlay, 7 June 1934, at QAR.001.009.2821.

742 Quarriers, Unsigned letter from Bridge of Weir to Claude Winters, 9 April 1931, at QAR.001.009.3824.

743 Quarriers, Part C response to section 21 notice, at QAR-000000001, p.8.

744 Quarriers, Response to section 21 notice, at QAR.001.008.0024.

745 Quarriers, Response to section 21 notice, at QAR.001.008.0025; Quarriers, Part C response to section 21 notice, at QAR-000000001, p.6.

746 Quarriers, Response to section 21 notice, at QAR.001.008.0025; Quarriers, Part C response to section 21 notice, at QAR-000000001, p.2.



to migration to Canada or Australia, with parents only signing a clause providing permission for their child to be “discharged as the Executive Council of the Homes may decide.”<sup>747</sup>

The *Narratives of Facts* from the 1880s suggest that Quarriers did contact relatives for consent, but parents were seen as “very often the children’s greatest enemies”.<sup>748</sup> However, in 1882, William Quarrier highlighted the importance of obtaining consent:

“From the voluntary character of our work, it is one of our principles that we don’t send a child against his will, but endeavour in all cases to satisfy the relatives, and carry them along with us in our efforts for the good of the children.”<sup>749</sup>

Quarriers stated, in its written response to the Inquiry, that the organisation “attempted to contact” parents or guardians if a child wished to be migrated, and respected their wishes, even if the child wanted to migrate but their parents refused.<sup>750</sup> Parents “were encouraged” to visit their children before they left.<sup>751</sup> In cases where Quarriers did not know parents’ whereabouts, it wrote to the parents’ last known address. Children were migrated—if parents agreed—under the authority of the initial form that parents signed when their child was admitted to Quarriers.<sup>752</sup>

Constantine, Harper, and Lynch concluded that, with “some later exceptions”, parental consent consisted of telling parents “that their child had been approved for migration, that the child wished to go overseas, and that before departure he could be visited any day (except Sunday).”<sup>753</sup> It is difficult to see how parents’ wishes were properly considered by Quarriers when the decision to migrate a child appears to have been made prior to informing parents.

The *Narrative of Facts*, 1874, recounted a conversation about a young boy who had been placed in Quarriers by his sister. The boy was due to travel to Canada, but it appears that Quarriers had not attempted to contact the mother to inform her of her son’s emigration. The first participant in the conversation, a reporter for the *North British Daily Mail*, asked the second participant—presumably a representative of Quarriers—whether the mother knew that her son was to be migrated. The second participant assumed that “[t]he [boy’s] sister must have told her. She [the mother] has never been to see the lad since he came to us”, some 12 months earlier.<sup>754</sup>

In its second written response to the Inquiry, Quarriers maintained that children’s wishes were respected. Quarriers considered that children aged over 14 were able to make decisions independently, even if that conflicted with the views of their parents or guardians.<sup>755</sup> Quarriers accepted that there were instances where former migrants

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747 Quarriers, Response to section 21 notice, at QAR.001.008.0025

748 Quarriers, *A Narrative of Facts*, 1881, at QAR.001.008.7230.

749 Quarriers, *A Narrative of Facts*, 1882, at QAR.001.008.7266.

750 Quarriers, Part C response to section 21 notice, at QAR-000000001, p.6.

751 Quarriers, Part C response to section 21 notice, at QAR-000000001, p.5.

752 Quarriers, Part C response to section 21 notice, at QAR-000000001, p.3.

753 Constantine *et al.*, paragraph 13.34.

754 Quarriers, *A Narrative of Facts*, 1874, at QAR.001.008.7076.

755 Quarriers, Response to section 21 notice, at QAR.001.008.0026.

reported changing their mind about wanting to migrate, and this was not respected.<sup>756</sup> There were also cases where relatives objected.<sup>757</sup> Quarriers was unable to find any information about what children were told before they were migrated.

Although Quarriers sought parental consent from the early days of its migration work, it is unclear whether parental or children's consent was obtained in practice, what children were told prior to migration, and the extent to which parents' or children's views were respected.

### Monitoring

In 1875, the Doyle Report expressed concerns about a number of issues, including the nature of the work children were being asked to carry out, the homes in which children were placed, and the legal basis on which children were committed to the care of employers. The Doyle Report found that "the homes in which children are placed in Canada are not [carefully] selected, and it is very certain that 'great abuses' do 'ensue'."<sup>758</sup> The report was also critical of inspections and the oversight of children. It found that children were not sufficiently protected and that some children were exposed to abusive conditions. These issues were not sufficiently addressed over the following years to minimise the risk of abuse.<sup>759</sup>

When William Quarrier used Annie Macpherson's distribution homes in the early days of migration to Canada, he "entrusted the identification and checking of the suitability of places where children were sent to Annie Macpherson's operations in Canada."<sup>760</sup> On the basis of the Doyle Report's findings, that trust was seriously misplaced. William Quarrier stated, in 1882, that "emigration without supervision would be a failure", indicating that he perceived supervision to be important, but not indicating who should conduct it.<sup>761</sup> William Quarrier did travel to Canada with groups of children, giving him "the opportunity to visit and assess the policies, procedures and conditions at the receiving homes in person."<sup>762</sup> However, the geographical distances meant that during a two-month tour of Canada, William Quarrier visited only 300 children out of approximately 3,000 placed around Canada by that time.<sup>763</sup>

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756 Quarriers, Part C response to section 21 notice, at QAR-000000001, p.5.

757 [Transcript, day 193](#): Charles William Coggrave, at TRN-5-000000024, p.57.

758 HCPP, HC/9, Doyle Report, 1875, p.20.

759 The Doyle Report is fully considered in [Chapter 1.1](#).

760 Quarriers, Part C response to section 21 notice, at QAR-000000001, p.4.

761 Quarriers, [A Narrative of Facts, 1882](#), at QAR.001.008.7266.

762 Quarriers, Part C response to section 21 notice, at QAR-000000001, p.4.

763 Constantine *et al.*, paragraph 16.9; Quarriers, [A Narrative of Facts, 1888](#), pp.46-47.

FAIRKNOWE HOME, BROCKVILLE, ONT., CANADA

REPORT on child visited

by - *C. A. Winters*

Name *[redacted]* Age \_\_\_\_\_ Emigrated 19 *30*

Residing with \_\_\_\_\_ since \_\_\_\_\_

Address \_\_\_\_\_ terms \_\_\_\_\_

*16/10/33*

*Was sent to employment and instead went on visit to former employer. This conduct here and else where has been defiant and unreasonable.*

*He came back expecting to be welcomed but I refused to let him stay as he had been warned and would not tolerate any more folly. He was told if he redeemed himself he would receive every consideration.*

*C. A. Winters*

Quarriers Fairknowe Home, Report on Visitation by Claude A. Winters (Fairknowe superintendent), 18 October 1933.

**Placement selection**

After 1888—the year that Quarriers opened its own receiving home in Canada—when a group of children was due to arrive in Canada, Fairknowe advertised in local newspapers for farmers who may wish to have children placed on their farms. Interested persons had to provide a reference, and the *Narrative of Facts*, 1901, recorded that the superintendent of Fairknowe would request a letter of recommendation from the interested person’s minister.<sup>764</sup> Charles Coggrave inferred from this that pre-placement checks were not in place prior to 1901.<sup>765</sup>

*Narratives of Facts* from the 1880s refer to Quarriers having received “certificates of character” from interested parties prior to 1901. The *Narrative of Facts*, 1880, emphasised that Quarriers did not give children away without inquiries, and added that the organisation had the right to remove children from unsuitable placements.<sup>766</sup> The *Narrative of Facts*, 1882, referred to prospective employers being carefully screened. Prospective employers required a reference from a minister, doctor, “or other responsible person”.<sup>767</sup> They were then

764 Quarriers, Response to section 21 notice, at QAR.001.008.0009.

765 [Transcript, day 193](#): Charles William Coggrave, at TRN-5-000000024, p.47.

766 Quarriers, *A Narrative of Facts, 1880*, p.23.

767 Quarriers, *A Narrative of Facts, 1882*, at QAR.001.008.7267.

invited to the Belleville home where they signed an agreement stating that they would bring the child up “in a Christian manner”.<sup>768</sup> The agreement also gave Quarriers the right to remove the child if it was not followed, and gave the employer the right to return the child if not suitable. However, Agnes Bilbrough—who worked for Quarriers at Brockville—described the process of approving homes as “little more than talking to the applicant, asking the neighbours, and getting the approval of the local minister, although she did keep a note of where the children were being placed.”<sup>769</sup>

In evidence to SCAI, Quarriers referred to an undated application form to take in a Quarriers child that included screening questions asking whether the prospective employer already had other people engaged in hired work, and if so whether their character was “beyond reproach”.<sup>770</sup> The form also asked whether the child would have their own bed, access to recreation, whether the child was expected to work, the working hours of the farm, and if there were any “labor-saving machinery”. For girls specifically, it asked whether anybody might pass through a girl’s room, or if she might have to go through a male’s room to get to her bedroom. Such questions suggest that Quarriers was aware of the risk of children being abused through over-work, or being subjected to an environment that included unsuitable individuals.

Charles Coggrave acknowledged that the checks were “fairly rudimentary...it was possible for farmers to turn up at Fairknowe with a written reference from their minister as being of good character and to ask for somebody to be indentured to them.”<sup>771</sup> Nonetheless, he emphasised that “some care was taken” in choosing placements.<sup>772</sup> He referred to a “‘black list’ of homes”, which implied that “some weren’t suitable.”<sup>773</sup> This may have been because “children were placed there and [the home was] latterly found to be unsuitable and therefore struck off”.<sup>774</sup> The ‘blacklist’ indicates that action was taken when placements were unsuitable, though the criteria for ‘unsuitability’ is not known. It is also unclear whether this list was shared with other child migration agents.

When a farmer took on a child migrated by Quarriers, an indenture was drawn up between the superintendent of Fairknowe, as the guardian of the children, and the “employers” of children. The indenture imposed conditions relating to boarding, education, clothing, wages, and pocket money. There were also conditions addressing the transfer of children and the facilitation of visits by the superintendent. Children had to go to school until they reached the age of 14. Thereafter, they had to be paid for their work on farms or in domestic settings.<sup>775</sup> It is difficult to assess how these conditions were enforced, because inspections were not always carried out due to geographical difficulties.

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768 Quarriers, *A Narrative of Facts*, 1882, at QAR.001.008.7267.

769 Constantine *et al.*, paragraph 16.8.

770 Quarriers, Application for a Quarriers Child, at QAR.001.009.3846.

771 [Transcript, day 193](#): Charles William Coggrave, at TRN-5-000000024, p.35.

772 [Transcript, day 193](#): Charles William Coggrave, at TRN-5-000000024, pp.35-36.

773 [Transcript, day 193](#): Charles William Coggrave, at TRN-5-000000024, p.35.

774 [Transcript, day 193](#): Charles William Coggrave, at TRN-5-000000024, p.35.

775 Quarriers, Response to section 21 notice, at QAR.001.008.0003.

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FILL UP, SIGN, AND KEEP THIS HALF.

# This Indenture

(Pursuant to an Act in Council bearing date of 9th March, 1888, authorising Fairknowe Home to exercise the powers granted under Sec. 29 of Cap. 142, R.S.O., 1887.)

made this \_\_\_\_\_ day of \_\_\_\_\_ 18

IS ENTERED INTO BETWEEN

WILLIAM QUARRIER, FAIRKNOWE HOME, BROCKVILLE, ONT.,

Guardian of \_\_\_\_\_

and \_\_\_\_\_

of \_\_\_\_\_ Township, Con. \_\_\_\_\_ Lot \_\_\_\_\_

\_\_\_\_\_ Co. \_\_\_\_\_ P.O. \_\_\_\_\_

who takes \_\_\_\_\_

and agrees to give him good clothing and schooling, and treat him as one of the family till able to earn wages.

and agrees to give him \$ \_\_\_\_\_ per month, or \$ \_\_\_\_\_ per annum, with washing and mending, for the first year, increasing annually; the proposed increase in wages to be submitted for Guardian's approval at end of each year.

Also agrees to send this boy to Church and Sunday School regularly; and to Day School one full Session yearly, according to requirements of Canadian School Law.

The person taking this boy must see that he writes to his friends occasionally, and to the Home at least once a year, and must immediately notify us of any change of address or in event of sickness.

The boy must on no account be transferred to any other person, or removed out of the Province without our consent; but can be returned to the Home if he does not suit, **by sending notice a fortnight beforehand.**

We, on our part, reserve the right of removing him on these conditions not being fulfilled, or if we see fit, and the other party to the contract will be held liable for any legal or other expenses incurred if the boy is not sent back when requested by us in writing.

The quantity and quality of clothing must be maintained, and the undersigned of the second part hereby agrees to make up any deficiency, by clothing or money, if the boy is returned, or when he is beginning to work for wages.

An accurate account to be kept of money expended for clothing, etc. The account to be made up yearly, a statement sent to the Home, and any balance deposited in P.O. Savings Bank in boy's name.

Railway fare to be paid by person getting the boy, and not deducted from his wages if he remains six months.

(Signed) W. QUARRIER, per

Signed, \_\_\_\_\_



Quarriers, Indenture contract between Willian Quarrier, Fairknowe Home, and potential employers, 24 March 1900.

Quarriers's second written response to SCAI referred to a memorandum from the Chief Inspector, British Immigration and Children Receiving Homes, likely to have been from 1913. It required persons applying to receive a child migrant to complete a form acknowledging that children under 14 needed to attend school for nine months of the year in line with regulations.<sup>776</sup> The *Narrative of Facts, 1913*, discloses that, prior to this, employers' expectations of regular schooling did not match that of Quarriers:

"The feature of this year that stands out most vividly in our minds is the extra effort to secure more education for our younger children...Very often the children were reported to the Visitor as attending school quite regularly, but we often found out afterwards that the farmers' idea of 'regularly' was quite different from ours. Now with the school reports before us we know exactly what schooling is being given."<sup>777</sup>

As discussed in Volume 1, the experiences of "Kathy's" grandmother and great-aunt demonstrate that children could have very different outcomes depending on their placement.<sup>778</sup> "Kathy's" grandmother was migrated in 1913 from Quarriers with her sister. They were initially housed together at Fairknowe, before being moved to other placements. The sisters were separated. By the age of 18, "Kathy's" grandmother worked as a maid for a family who were good to her. She lived there until she got married.<sup>779</sup> Her

twin sister was in a placement where she was mistreated and suffered psychological consequences.<sup>780</sup>

The superintendent of Quarriers in Scotland kept in contact with some children sent to Canada. Some of these children's letters were printed in the *Narratives of Facts*, although Charles Coggrave cautioned that the *Narratives of Facts* was "a very public-facing document, so they tend to be the good news stories".<sup>781</sup> The *Narratives of Facts* were primarily published to encourage cash donations, and were a platform for circulating positive news about child migrants. Nonetheless, they also contain a "scattering of references to difficulties of adjustment".<sup>782</sup> There is evidence of children being sent back to the distribution home, or being removed because of neglect or maltreatment. References to removals suggest that child protection policies were, in some cases, observed and effective. Given the scarcity of records available, it is not possible to say what proportion of those who were mistreated were removed from placements.

Economic conditions in Canada had a direct effect on the placements to which some children were sent. In 1931, Claude Winters—the superintendent at Fairknowe—explained that some children were not being paid for work, and others were being returned to Fairknowe because

"[c]onditions continue to be to the disadvantage to the farmers, and there is

776 Quarriers, Response to section 21 notice, at QAR.001.008.0039.

777 Quarriers, *A Narrative of Facts, 1913*, at QAR.001.008.8332.

778 See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#), "Kathy".

779 [Transcript, day 174](#): "Kathy", at TRN-5-000000004, pp.116-118; Letter from Quarriers to "Kathy", 21 September 2005, at WIT.003.002.2859; Extracts from History Book held by Quarriers, at WIT.003.002.2860-2861; Quarriers, *A Narrative of Facts, 1913*, at INQ.001.004.2523-2524.

780 [Transcript, day 174](#): "Kathy" at TRN-5-000000004, p.120

781 Quarriers, Response to section 21 notice, at QAR.001.008.0011; [Transcript, day 193](#): Charles William Coggrave, at TRN-5-000000024, pp.29-30.

782 Constantine *et al.*, paragraph 16.10.

a consequent depression which makes for few applications...There are some of the boys of former years who are returned. In most instances it is due to faults of their own but there is an evident lack of inclination to pay the older boys."<sup>783</sup>

A letter from Claude Winters in 1934 suggests that Fairknowe had an "open door" policy, indicating a degree of aftercare that allowed children to return to Fairknowe should they wish.<sup>784</sup> The letter went on to suggest that some children took

"advantage of Fairknowe unnecessarily... they are in no respect responsible for the conditions through which they are passing and especially for the unemployment of the immediate past", but the open door policy had "caused...trouble in connection with certain types who have been sent to us".<sup>785</sup>

Claude Winters expressed concern over the suitability of placements to which children were sent: "There are many areas in the Ottawa district that we found quite unsuitable...I find that for a number of years we lowered the average quality of our home by confining ourselves to too narrow a district."<sup>786</sup>

A letter from Quarriers's Executive Committee to Claude Winters in 1932 referred to likely cases of abuse:

"There have been some cases of criminal assault and in future you will immediately send full particulars of any such to the Superintendent [at Quarriers] for

consideration of the Council. Our feeling is that under almost any circumstances those cases should be prosecuted to the utmost, even at the risk of some exposure."<sup>787</sup>

This letter suggests that Quarriers recognised the need to report matters to the appropriate authorities, regardless of the risk to their reputation. This letter also referred to Quarriers's responsibility for the aftercare of children under the age of 21.

An undated memorandum from Fairknowe to the employers of children identified several issues. It recognised that some boys had been sent to work on "provincial or other highway operations", and that this practice was "manifestly unfair".<sup>788</sup> It noted that some employers were stopping children from visiting one another, and reminded employers that children should receive statutory holidays or the equivalent in lieu, and that boys should not work from "sunrise to sunset".<sup>789</sup>

### Inspections

Quarriers maintained that the organisation valued post-placement inspections, and stated that the Fairknowe Visiting Officer should have visited children at least once a year to ensure that children were in suitable placements. If they were not, unsatisfactory aspects could be addressed, or the child removed.<sup>790</sup> *The Narrative of Facts*, 1892, recorded that:

"Some complaints were made of course, but generally of a trifling nature. There is very seldom trouble when too much is not

783 Quarriers, Letter from Claude Winters to W. Findlay, 28 May 1931, at QAR.001.009.3828.

784 Quarriers, Letter from Claude Winters to W. Findlay, 7 June 1934, at QAR.001.009.2821.

785 Quarriers, Letter from Claude Winters to W. Findlay, 7 June 1934, at QAR.001.009.2821.

786 Quarriers, Letter from Claude Winters to W. Findlay, 7 June 1934, at QAR.001.009.2822.

787 Quarriers, Letter from Mr Maclay, Executive Committee to Claude Winters, 15 March 1932, at QAR.001.009.4099.

788 Quarriers, Response to section 21 notice, at QAR.001.008.0039.

789 Quarriers, Response to section 21 notice, at QAR.001.008.0039.

790 Quarriers, Response to section 21 notice, at QAR.001.008.0010.

expected, and when their employers are willing to spend a little time in teaching them at first. Some we have had to move, as we did not consider the home at all desirable. Others have changed, the only trouble between them and their employees being 'incompatibility of temper,' and we find it advisable to make a change...where there is not entire satisfaction on both sides."<sup>791</sup>

The *Narrative of Facts*, 1882, outlined how, in the early days, Quarriers carried out post-placement checks:

"Miss Bilbrough is in communication with a great many of the ministers of the Province and many others, who correspond with her as to the welfare of those placed out in their districts. Then there is the regular visitations by our helpers and our own visits to hundreds of the homes, which have satisfied us that everything is done for the good of the children, so that it is hardly possible for a child to be ill-used without Miss Bilbrough hearing of it at once, when, of course, she removes him."<sup>792</sup>

Although this suggests some form of regular visitation, and demonstrates that some children were removed from placements due to mistreatment, it implies that not all children were visited and that the system of inspection was mostly reliant on word-of-mouth.

Quarriers acknowledged that it was sometimes not possible for regular inspections to take place because of the distances involved. Quarriers' *Narratives of*

*Facts* refer to geographical difficulties that resulted in inspectors only visiting a fraction of the children. For instance, the *Narrative of Facts*, 1909, referred to the logistical difficulties of visiting children: "The children are scattered over such a wide district that we are never able to visit nearly so many as we would wish."<sup>793</sup> The *Narrative of Facts*, 1910, likewise outlined that because children

"are scattered over an enormous tract of country much time is taken up in getting from one farm to another. We have frequently driven in one day from sixty to one hundred miles, and counted ourselves fortunate if we were able to see ten or twelve of the children."<sup>794</sup>

When inspectors did visit a home, they sometimes arrived while children were at school and so did not speak directly with children, and could only "assess the living conditions and meet the receiving family."<sup>795</sup> Reports were sent to Fairknowe, and to Quarriers in Scotland. The reports were passed to Quarriers's Council of Management, and recorded in minute books.<sup>796</sup> Reports from before 1910 were destroyed, but Quarriers holds some post-1910 reports.

Following the Ontario Act, 1897, the homes and farms where children from Quarriers were placed had to be inspected once a year by an independent government official and by representatives of Quarriers.<sup>797</sup> Each receiving home had to apply for a licence and keep records for every child. When migration was temporarily suspended by William Quarrier following that Act, he

791 Quarriers, Response to section 21 notice, at QAR.001.008.0011; Quarriers, [A Narrative of Facts, 1892](#).

792 Quarriers, [A Narrative of Facts, 1882](#), at QAR.001.008.7266.

793 Quarriers, [A Narrative of Facts, 1909](#), at QAR.001.008.8157.

794 Quarriers, [A Narrative of Facts, 1910](#), at QAR.001.008.8199.

795 Quarriers, Part C response to section 21 notice, at QAR-000000001, p.5.

796 Quarriers, Part C response to section 21 notice, at QAR-000000001, p.3.

797 [Transcript, day 193](#): Charles William Coggrave, at TRN-5-000000024, pp.61-62.



was “in effect, rejecting what in Scotland and elsewhere in the UK was already the widespread practice of paid officials carrying out independent inspections of certain private businesses as well as public services.”<sup>798</sup> He was “implicitly dismissive” of the official inspections of poor law children that were initiated in 1887 following the earlier publication of the Doyle Report.<sup>799</sup> Nonetheless, during the pause in Quarriers’s migration of children, Quarriers retained responsibilities towards the children already migrated, including conducting inspections and assessing applications for children in Canada.<sup>800</sup>

The *Narrative of Facts*, 1905, reported a two-week inspection visit that found that children were happy in their placements; the 27 recorded comments by children were positive about placements.<sup>801</sup> The *Narratives of Facts*, 1906 and 1907, recorded that children were visited regularly by inspectors until they were 18.<sup>802</sup> In 1909, some children were removed from placements for “unspecified reasons”.<sup>803</sup>

There were no references to inspections by Ontario government officials. It is not clear whether children were able to speak alone to inspectors.<sup>804</sup>

In 1913 and 1917, inspections of Fairknowe were carried out by Bogue Smart, the Chief

Inspector of British Immigration Children and Receiving Homes. The reports of these inspections were mostly positive and noted “systematic” visits to children in their placements.<sup>805</sup> The visit in 1917 lasted for four days, during which Bogue Smart conducted a “careful perusal of 866 reports”, covering the years 1913-1916 inclusive.<sup>806</sup> The inspection found just “one case of mental deficiency...amongst the children”, and this child was receiving treatment in the local hospital at the time of inspection.<sup>807</sup> Bogue Smart concluded that

“[t]he work of this Home is carried on with efficiency and the best interests of the children are safeguarded by the selection only of such foster homes as are recommended as desirable by responsible persons, and a regular visitation amongst the children by officials of the Homes.”<sup>808</sup>

Although the outbreak of the First World War halted the migration of children to Canada, Quarriers’s staff remained involved in organising placements, inspections, and the aftercare of children. The detail in these reports is limited.<sup>809</sup> Official reports showed that Quarriers was willing to admit that some children were not always treated well, but these reports rarely stated why some placements failed.<sup>810</sup> In addition, the practical difficulty of inspecting homes across vast

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798 Constantine *et al.*, paragraph 16.11.

799 Constantine *et al.*, paragraph 16.11.

800 Constantine *et al.*, paragraph 16.12.

801 Quarriers, *A Narrative of Facts*, 1905, pp.58-63.

802 Quarriers, *A Narrative of Facts*, 1906, at QAR.001.008.8066; Quarriers, *A Narrative of Facts*, 1907, p.35.

803 Constantine *et al.*, paragraph 16.15.

804 Constantine *et al.*, paragraph 16.18.

805 Quarriers, Response to section 21 notice, at QAR.001.008.0039-0040.

806 Quarriers, Report by Bogue Smart on Fairknowe, Brockville, 19 April 1917, at QAR.001.009.3058.

807 Quarriers, Report by Bogue Smart on Fairknowe, Brockville, 19 April 1917, at QAR.001.009.3058.

808 Quarriers, Report by Bogue Smart on Fairknowe, Brockville, 19 April 1917, at QAR.001.009.3058.

809 Constantine *et al.*, paragraph 16.16.

810 Constantine *et al.*, paragraph 16.18.

distances meant inspections likely missed many children. Although Quarriers did outline some rules and expectations regarding care for 'employers', children had vastly different experiences dependent on their placement, as highlighted by "Kathy" in Volume 1.

Quarriers acknowledged in its first response to SCAI that the organisation "did not always adhere in practice" to checking the suitability of places where children were sent. This was despite the fact that there was

"little doubt that Quarriers from the beginning of its child migration operations had been aware of its obligations in the selection of farms and private homes to which child migrants could be sent, and understood the need to visit its children regularly to check on their welfare and progress (including spiritual)."<sup>811</sup>

## Australia

As restrictions on child migration to Canada increased, Quarriers began to view Australia as an alternative destination for child migration. An early reference to Australia in this context is seen in the *Narrative of Facts*, 1934, which noted that "pressure" was being "brought on the Canadian Government" to remove restrictions, and that negotiations with the Australians were beginning.<sup>812</sup> Quarriers's Council of Management minutes from 1938 recorded the proposal that children be emigrated to Burnside Presbyterian Orphan Homes at Parramatta, New South Wales, the following year.

## Numbers

Available records indicate that Quarriers migrated 43 children, mostly boys, to Australia between 1939 and 1963.<sup>813</sup> In 1939, 17 children were migrated to Burnside; and between 1960-1963, 26 children were migrated to Dhurringile Rural Training Farm.

## Funding

It is unclear how the migration of Quarriers's children to Burnside through the YMCA was funded. In November 1938, Quarriers management committee noted that the cost for the proposed migration of children to Burnside "would be free except for outfit."<sup>814</sup> Quarriers has also found evidence that travel and clothing costs were often paid for by the local authority from where the child originated.<sup>815</sup>

As a member of CVOCE, the migration of Quarriers's children by the CSCSS was "grant aided by the Commonwealth Relations Office through Outfitting and Maintenance agreements within the terms of the Commonwealth and Empire Settlement Acts, 1922-1957."<sup>816</sup> In 1957, 1960, and 1962, CSCSS signed a formal agreement with the CRO that acknowledged the government's expectations with regards to the selection of children for migration, the preparation they should receive prior to migration, and the expected standards of care and aftercare in Australia.<sup>817</sup>

811 Quarriers, Part C response to section 21 notice, at QAR-000000001, p.8; Constantine *et al.*, paragraph 16.18.

812 Quarriers, Response to section 21 notice, at QAR.001.008.0007.

813 Constantine *et al.*, paragraphs 17.33 and 17.36.

814 Quarriers, Response to section 21 notice, at QAR.001.001.0007.

815 Quarriers, Response to section 21 notice, at QAR.001.001.0056.

816 NRS, ED11/509, Memorandum, 24 October 1961, at SGV.001.004.4954.

817 TNA, DO35/10275, Church of Scotland Committee on Social Service, Renewal of Agreement, 1957 and 1960, at LEG.001.003.2441-2538; and Constantine *et al.*, paragraph 17.42.

R.J. Read, superintendent of Dhurringile, explained in a letter to Romanes Davidson, superintendent of Quarriers, that the home was funded by “a Commonwealth Government Child Endowment, Victorian Government grant for each boy per year, donations from the general public and a grant from the Presbyterian Church of Victoria and also the profits from the farm”.<sup>818</sup> In addition, Dhurringile got “a grat [sic] from the Church of Scotland, Committee on Social Service, every quarter for each boy” in their care.<sup>819</sup>

### Burnside

Burnside Presbyterian Orphan Homes was, founded in 1911 and was modelled on the village concept of Quarriers in Scotland. Burnside had previously approached the Church of Scotland to send children, but writing in 1937 the Church “found no encouragement [from institutions] to go ahead” and stated that there was a “scarcity of orphans in Scotland”.<sup>820</sup> Guardians who had been approached had “not only expressed reluctance to allow orphans to go so far away, but many have refused outright to consider the scheme.”<sup>821</sup>

When the Church of Scotland declined Burnside’s request to send 25 ‘orphans’ to Australia, Cyril Bavin of the YMCA wrote to the superintendent of Burnside to ask

whether he would “be willing to transfer the invitation to our Organisation”.<sup>822</sup> Burnside accepted, and reminded the YMCA “that ‘any child who is destitute of parental care’ is recognised by us as an orphan.”<sup>823</sup> Ultimately, all of those selected by the YMCA were Quarriers residents. A letter dated 1939 from the YMCA to Burnside explained that “none of the [other] Institutions in this country at the present time are over-enthusiastic about letting their children go abroad”.<sup>824</sup> In light of other organisations’ refusal to send children, it is hard to comprehend Quarriers’ participation in this scheme.

Initially, 25 Quarriers children were identified as suitable for the YMCA nomination. Burnside preferred younger child migrants aged between five and 10, believing that “older children adapted less easily”, though at Quarriers’ request they agreed to take those up to 12 years old if their younger sibling was travelling.<sup>825</sup> This indicates that Quarriers did try, in this instance, to keep siblings together. However, this request was only accepted for children under the age of 12.<sup>826</sup> The group of suitable children was reduced to 17 as a result. Seven of the children removed from the group were children “who would have passed their 12<sup>th</sup> birthday” by the time of arrival.<sup>827</sup> It is likely that this resulted in some sibling separation.

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818 Quarriers, Letter from R.J. Read to Romanes Davidson, 12 February 1962, at QAR.001.009.0102.

819 Quarriers, Letter from R.J. Read to Romanes Davidson, 12 February 1962, at QAR.001.009.0103.

820 NAA, Correspondence between the Church of Scotland, Quarriers and Burnside Presbyterian Orphan Homes, Australia, at NAA.001.001.0549.

821 NAA, Correspondence between the Church of Scotland, Quarriers and Burnside Presbyterian Orphan Homes, Australia, at NAA.001.001.0549.

822 NAA, Letter from Cyril Bavin to Superintendent of Burnside Homes, 24 February 1938, at NAA.001.001.0552.

823 NAA, Correspondence between the Church of Scotland, Quarriers and Burnside Presbyterian Orphan Homes, Australia, at NAA.001.001.0553.

824 NAA, Correspondence between the Church of Scotland, Quarriers and Burnside Presbyterian Orphan Homes, Australia, at NAA.001.001.0559-0561.

825 Constantine *et al.*, paragraph 13.31.

826 NAA, Correspondence between the Church of Scotland, Quarriers and Burnside Presbyterian Orphan Homes, Australia, at NAA.001.001.0557-0561.

827 NAA, Correspondence between the Church of Scotland, Quarriers and Burnside Presbyterian Orphan Homes, Australia, at NAA.001.001.0560

Children had to pass medical and “other tests” at Australia House, which were “fairly strict” and reportedly made Quarriers “a little impatient and thought there was too much red tape about the whole business”.<sup>828</sup> Quarriers could not identify the extent of these examinations as the individual children’s files did not record that information. Constantine, Harper, and Lynch noted that most of the children sent to Australia were given scant information about their family backgrounds, although some children sent to Burnside in 1939 were sent with case histories.<sup>829</sup>

Correspondence sent to parents and local authorities advertised the scheme, stating that Burnside would train children “under Protestant conditions”, and that the home would do everything “educationally, morally, physically, and spiritually for their welfare.”<sup>830</sup> Once children reached the age of 16, if they were suitable to enter farm work they would, it was said, be placed out, where they would earn wages and be visited by inspectors and aftercare officers.<sup>831</sup>

Quarriers could find little evidence of steps taken to determine whether Burnside was a suitable home for child migrants.<sup>832</sup> Constantine, Harper, and Lynch concluded that there

“is also no indication of what knowledge Quarriers had about Burnside before agreeing to send children there, something which again might be seen as entailing some risk to children given that

it had not undergone any formal approval by the UK Government as a receiving institution.”<sup>833</sup>

Quarriers could find no evidence of follow-up once children were migrated, including any inspections.<sup>834</sup> The Inquiry has seen no reports by the UK Government or Australian state inspectors prior to the migration of children to Burnside.

### Church of Scotland Committee on Social Services

Whilst the Church of Scotland declined Burnside’s request to send 25 ‘orphans’ to Australia, it had some involvement in the migration of Quarriers’ children to Dhurringile. CrossReach (known as the Church of Scotland Committee on Social Service [CSCSS] prior to 2005), which is the branch of the Church of Scotland involved with social work, confirmed that there are no extant records of specific policies or procedures in relation to child migration. There were some references in annual reports and Home Office papers that outlined the responsibility of the CSCSS as an emigration agent, and the procedures for consent, conducting interviews, issuing certificates, and arranging transportation.<sup>835</sup> Any policies and procedures would have been compiled in conjunction with the Commonwealth Relations Office (CRO), other government departments, the Council of Voluntary Organisations for Child Migration (CVOCE), and members of the CSCSS.<sup>836</sup>

828 NAA, Correspondence between the Church of Scotland, Quarriers and Burnside Presbyterian Orphan Homes, Australia, at NAA.001.001.0554, 0557, and 0559-0561.

829 Constantine *et al.*, Appendix 3, paragraph 7.16.

830 Quarriers, Response to section 21 notice, at QAR.001.008.0020.

831 Quarriers, Response to section 21 notice, at QAR.001.008.0007 and 0009.

832 Quarriers, Response to section 21 notice, at QAR.001.008.0012.

833 Constantine *et al.*, paragraph 7.8.

834 Quarriers, Response to section 21 notice, at QAR.001.008.0012.

835 CrossReach, Part C response to section 21 notice, at COS.001.001.0448.

836 CrossReach, Part C response to section 21 notice, at COS.001.001.0451.

## Dhurringile

Quarriers's involvement in migration to Dhurringile—which continued from the late 1950s through to the early 1960s—was precipitated by a request from Reverend Andrew Boag of the Presbyterian Church of Victoria. He approached several organisations, of which Quarriers was one, to recruit children for Dhurringile, with the Church of Scotland Committee on Social Services (CSCSS) acting as the emigration agent.

The CSCSS had been approached by several organisations in 1948 about child migration. The CSCSS decided at that time that the schemes were not suitable for children in church-run homes, as most children had close relationships with family members in Scotland. The CSCSS nevertheless sent a letter to ministers inviting nominations for children, and as a result 12 children were "put in touch with Presbyterian Churches in Australia."<sup>837</sup> It is unclear if these children were ultimately migrated.<sup>838</sup>

Available records suggest that Reverend Andrew Boag began to recruit children for migration to Dhurringile in spring 1950. In February 1950, Reverend Andrew Boag had liaised with Australian child welfare authorities regarding Dhurringile and, in May, the UK High Commissioner was approached to approve Dhurringile and Reverend Andrew Boag's scheme.<sup>839</sup> An internal SHD memo from May noted that the department would

"need more exact information about the extent of Mr Boag's success in recruiting

children, particularly how many are in the care of the local authorities; the ages of the children; the numbers going to Dhurringile and Kildonan; and the Committee which has been formed in Scotland."<sup>840</sup>

The application for Dhurringile was sent to the Home Office in late June 1950. The Home Office had concerns about the emigration organisation with which they would be dealing, noting that:

"there is some risk of confusion regarding the use of the term 'approved organisation'. In giving our views on applications for the approval of an organisation for the purposes of undertaking the emigration of children, we have already had in view an organisation in this country which, when regulations under the Children Act were made, would be an organisation to whose activities the regulations would apply."<sup>841</sup>

The Home Office could not identify a UK organisation that was responsible for the Dhurringile scheme; the application had been made by the Presbyterian and Scots Children's Aid Society, which was based in Australia. The Home Office expressed concern that the proposed migration of 25 children would be "too large a group to enable a 'family' environment to be created".<sup>842</sup> In addition, the Home Office was concerned by the age group of the children and the arrangements for their education, holidays, and aftercare.

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837 CrossReach, Part C response to section 21 notice, at COS.001.001.0446.

838 [Transcript, day 195](#): Vivienne Dickenson, at TRN-5-000000026, p.74.

839 See NRS, ED11/386, Memorandum from E.J. Pittard (Children's Welfare Department of Victoria), 17 February 1950, at SGV.001.003.7931; NRS, ED11/386, Letter from F.H. Ordish on behalf of Tasman Heyes (Department of Immigration) to the Official Secretary at the Office of the High Commissioner for the United Kingdom, 6 May 1950, at SGV.001.003.7929.

840 NRS, ED11/386, Memorandum from J.R. Gordon to T.M. Martin, 28 May 1950, at SGV.001.003.7865.

841 NRS, ED11/386, Letter from Children's Department (Home Office) to R.L. Dixon (CRO), 14 August 1950, at SGV.001.003.7938.

842 NRS, ED11/386, Letter from Children's Department (Home Office) to R.L. Dixon (CRO), 14 August 1950, at SGV.001.003.7939.



Dhurringile, 2008. Source: Victorian Heritage Database.

This response was copied to the SHD which, in internal memorandums, agreed that “any control exercised by regulation must be over the co-ordinating body in Britain”, and also that “[t]he proposed age range excludes for all practical purposes children in the care of local authorities”.<sup>843</sup> The memorandum highlighted the pressure to recruit children, noting that “[t]he Presbyterian Churches in Australia are very anxious to have emigrant children in their homes.”<sup>844</sup> The SHD agreed with the Home Office that there should nonetheless be a coordinating body in the UK.<sup>845</sup>

In 1950, when Reverend Andrew Boag met with members of the CSCSS on a visit to the UK to promote Dhurringile, the CSCSS intimated to him that the Home Office required a specific committee based in the UK to act as an official representative. Such a committee was therefore formed in late 1950, consisting of three members of

the CSCSS: Reverend Lewis L. Cameron, the Director of Social Services; Reverend Andrew Buchan, Deputy Director; and Mary Cumming, Field Officer.<sup>846</sup> They “acted in a personal capacity” until the Church of Scotland’s General Assembly approved the committee’s formation in 1951.<sup>847</sup> In the same year, the CSCSS became a member of the CVOCE, acting as the responsible body for applications for migration from church-run and voluntary homes.

Reverend Andrew Boag subsequently submitted a report to the Home Office in response to its queries, noting that he had set up a committee made up of members of the Board of Social Services in the Church of Scotland.<sup>848</sup> In fact, two children were migrated from Levenhall to Dhurringile in 1950—a migration organised by the members of the committee established in 1950 acting in a personal capacity—before Dhurringile had been approved by the UK Government and prior to the committee being ratified by the Church’s General Assembly.<sup>849</sup> CrossReach accepted that, in these circumstances, it would have been difficult for the General Assembly not to ratify the work of the committee.<sup>850</sup>

### Assessment of Dhurringile

In 1950, Reverend Andrew Boag circulated a letter to Scottish establishments—including Quarriers—which portrayed Dhurringile in a very positive light.<sup>851</sup>

843 NRS, ED11/386, Memorandum from J.R. Gordon, 19 August 1950, at SGV.001.003.7864.

844 NRS, ED11/386, Memorandum from J.R. Gordon, 19 August 1950, at SGV.001.003.7864.

845 NRS, ED11/386, Letter from T.M. Martin (SHD) to M.G. MacGregor (Children’s Department, Home Office), 24 August 1950, at SGV.001.003.7934.

846 [Transcript, day 195](#): Vivienne Dickenson, at TRN-5-000000026, pp.74-75.

847 CrossReach, Part C response to section 21 notice, at COS.001.001.0447.

848 NRS, ED11/386, Letter from Reverend Andrew Boag to M.G. MacGregor (Children’s Department, Home Office), 30 August 1950, at SGV.001.003.7924.

849 [Transcript, day 195](#): Vivienne Dickenson, at TRN-5-000000026, p.75.

850 CrossReach, Written Closing Submissions, at COS-000000014, p.1.

851 NRS, ED11/386, Letter from Reverend Andrew Boag to Hewitson Brown (SHD), c. June/July 1950, at SGV.001.004.4892.

DHURRINGILE RURAL TRAINING FARM FOR MIGRANT ORPHAN  
AND HOMELESS BOYS.

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11 MILLER TERRACE,  
MAYBOLE,  
AYRSHIRE.

DEAR *Mr Brown*.

The Presbyterian Church of Victoria in Australia has instituted the above Farm School in the beautiful and fertile district of the Goulburn Valley. It is situated about one hundred miles from the city of Melbourne and twelve miles from the city of Shepparton. The School has been designed to accommodate one hundred boys and it is planned to take fifty now and fifty at a later date.

These boys will be given a splendid opportunity in a young, flourishing and fast-developing country. They will be taken, free of cost, to Australia, given a home at Dhurringile under ideal conditions and in the care of trained experts in social service work. They will receive their education at local State school, high schools and technical schools, and when they have completed the ordinary courses of education they will live on at Dhurringile and be trained in farming and later placed with chosen farmers in Victoria. If, however, any boy desires to enter a trade or profession, the church will provide him with every facility to do so and will sponsor him through his apprenticeship or course. The only limits that will be placed on these boys will be the limits of their own capacity and their willingness to work.

Dhurringile has one hundred and twenty acres of splendid land, all under irrigation, later, and as opportunity affords, this area will be increased to one square mile.

The boys must be orphan or homeless, be healthy in body, bright and intelligent and of good moral character and within the age group of eight to fourteen years. If you have any such boys in your care and you think they would be benefited by migration to Australia we will be delighted to hear from you.

In Ireland our representative is the Rev. W. V. Martin, Church House, Belfast, and in Scotland, the Rev. A. Boag, who is here from Australia representing Dhurringile, can be contacted at the above address. As Mr. Boag has to return to Australia at the end of July or early in August we would appreciate an early and we hope, favourable reply.

With kind regards and best wishes,

Yours sincerely,

*Andrew Boag*

Letter from Reverend Andrew Boag to Mr Brown (Inspector of Homes, SHD), c. June/July 1950.

It is evident that Quarriers relied on Reverend Andrew Boag's assurances from 1950, as well as those of the CSCSS, in their assessment of whether Dhurringile was suitable for the reception of child migrants. Quarriers found no evidence that it had conducted a separate assessment of the home at the time.<sup>852</sup> Constantine, Harper, and Lynch noted that, when Quarriers resumed migration to Dhurringile 10 years later in 1960, "it may have been reasonable for Quarriers to have obtained more recent knowledge about conditions at Dhurringile before children were sent there."<sup>853</sup> However, they did not do so.

CrossReach could find no evidence of any records demonstrating that Dhurringile was deemed suitable to receive child migrants. There was evidence that the Moderator of the General Assembly of the Church of Scotland visited Dhurringile in 1951 and reported favourably on it.<sup>854</sup> However, Vivienne Dickenson, CrossReach's Chief Executive, accepted that the Church of Scotland "didn't take any steps to double-check" information provided to them about Dhurringile.<sup>855</sup> Simply relying on another organisation's assessment of the suitability of institutions was, however, bound to be risky and often proved to be unreliable. Each organisation should have carried out its own assessment of Dhurringile.

## Selection

A letter dated 1959 from the superintendent of Quarriers expressed "[g]ratITUDE...to

Cottage Parents who nominated likely boys for the venture. Many factors contributed to the final selection: age: medical history: educational aptitude: family ties, etc. Consequently a first leet of 32 boys was reduced to 11."<sup>856</sup> This does show that, by 1959 at least, Quarriers had some selection procedures in place.

In evidence, Quarriers contended that the selection process was finalised by discussions between Quarriers and the SED. However, concrete requirements on selection were not drawn up until 1963, the last year that Quarriers sent children overseas.<sup>857</sup> It may be that these discussions were initiated as a result of the SED's concerns about children being migrated overseas without their knowledge, a practice discussed below.<sup>858</sup>

In July 1962, Hector Munro—the superintendent of Quarriers—informed the SHD that several children had been proposed for migration, and that he would make a formal application via the CSCSS.<sup>859</sup> The SED visited Quarriers in October 1962 to discuss the specific nomination of boys proposed for migration and "to arrive at the principles of selection of privately placed children for emigration."<sup>860</sup> This suggests that, as late as 1962, Quarriers did not have sufficiently robust selection procedures in place: "[Quarriers] see the need for definition of selection procedures and will prepare a statement with this in mind."<sup>861</sup>

852 Quarriers, Response to section 21 notice, at QAR.001.008.0013-0014.

853 Constantine *et al.*, Appendix 3, paragraph 7.17.

854 CrossReach, Part C response to section 21 notice, at COS.001.001.0452.

855 [Transcript, day 195](#): Vivienne Dickenson, at TRN-5-000000026, p.83.

856 NRS, ED11/386, Letter from superintendent, 17 December 1959, at SGV.001.003.7879.

857 Constantine *et al.*, paragraph 13.33.

858 See NRS, ED11/509, Correspondence between the SED, SHD, and Quarriers, at QAR.001.008.9171-9192.

859 NRS, ED11/509, Memorandum from M.J. Morrison to W.S. Kerr, 16 July 1962, at SGV.001.003.8030.

860 NRS, ED11/509, Note of meeting between the Chief Inspector, SED, and Quarriers, 2 October 1962, at QAR.001.008.9189.

861 NRS, ED11/509, Note of meeting between the Chief Inspector, SED, and Quarriers, 2 October 1962, at QAR.001.008.9190.



Quarriers had already withdrawn a seven-year-old boy from their nomination by the time of the meeting, and the SED agreed with Quarriers that children should only be migrated when they were old enough to provide “reasonable consent...and understanding of the issues involved.”<sup>862</sup> The SED and Quarriers agreed that the limit could not be “strictly defined but that it lies around 12 to 13+ years.”<sup>863</sup> As a result of this conversation, of the 10 children nominated, four were ultimately not migrated, leaving six boys due to sail in 1963, later reduced to five after one boy was excluded on medical grounds.<sup>864</sup> This visit also considered contact with parents, efforts to keep children in the community, and sibling contact.

Nominations for children were submitted to the SED and the Church of Scotland Children’s Officer, before finally being approved by Australia House.<sup>865</sup> Constantine, Harper, and Lynch concluded that it was “likely that professionally qualified personnel were involved” in the final decision.<sup>866</sup>

The requirements drawn up in 1963 stipulated that the superintendent would write a report on “the suitability of each of the children to be migrated”, as well as providing educational reports, and a report by the cottage mother.<sup>867</sup> Children were likely to have been nominated by their house parent, and selected based on their medical

history, educational achievements, suitability for migration generally, and whether they continued to have contact with their family.<sup>868</sup>

The requirements also noted that siblings could be nominated if they were nominated together, or if one had already been migrated. In some circumstances, siblings could be split up; for example, where one brother was unable to go because he was in an approved school or had learning difficulties, or the family was already separated and it was “to [the] advantage” of the nominated brother to go overseas.<sup>869</sup>

It is unclear whether these requirements were followed in all cases of sibling separation. For instance, in September 1962, a befriending couple had offered to foster William Horan—known as Billy—and his sister, having learnt that Billy was being proposed for migration. Hector Munro did not refer this request to the local authority because the children and foster parents shared a room when the children stayed with them.<sup>870</sup> The next month, Quarriers contended during a meeting with the SED that, although he had contact with his sister, “[i]t is still felt it would be to his advantage to go as there has been little or no family contact and any such contact has been to his detriment.”<sup>871</sup> The SED advised that the boy’s case would require re-examination and a “diagnostic opinion” due to his contact with his sister

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862 NRS, ED11/509, Note of meeting between the Chief Inspector, SED, and Quarriers, 2 October 1962, at QAR.001.008.9189.

863 NRS, ED11/509, Note of meeting between the Chief Inspector, SED, and Quarriers, 2 October 1962, at QAR.001.008.9189.

864 NRS, ED11/509, Letter from Hector Munro to SED, 22 May 1963, at SGV.001.003.8111.

865 Quarriers, Response to section 21 notice, at QAR.001.008.0016.

866 Constantine *et al.*, paragraph 13.31.

867 Quarriers, Response to section 21 notice, at QAR.001.008.0018.

868 Quarriers, Response to section 21 notice, at QAR.001.008.0018-0019; see Quarriers, Correspondence between Quarriers and the Chief Migration Officer, at QAR.001.009.0060-78.

869 Quarriers, Response to section 21 notice, at QAR.001.008.0017-0018.

870 See Quarriers, Letter from Hector Munro to Mr and Mrs Kennedy, 14 September 1962, at QAR.001.008.8758.

871 See NRS, ED11/509, Notes of meeting with J.W.M. Hassan (SED) and W.N. Smith (SED) and Quarriers, 2 October 1962, at SGV.001.003.8102-8103; NRS, ED11/509, Quarriers’s statement in respect of boys nominated for Australia, 16 March 1963, at SGV.001.003.8105-8109.

and that in any case he might be unsuitable for migration because of his “awkward character”. Quarriers felt Dhurringile would “be the making of him”.<sup>872</sup> It is not clear if Quarriers arranged psychological testing for this child.

Regardless of the various concerns, the superintendent’s report, written the day before Billy Horan’s discharge from Quarriers, noted that “Billy is not fully matured for his years but it is felt that with a little guidance he will readily adapt himself to a changed environment.”<sup>873</sup> He was migrated in May 1963, and consent was given on behalf of his parent by the superintendent.<sup>874</sup>

Records suggest that Billy did not settle and struggled with migration from the outset. A letter from C.M. Reid, the chaperone for the journey to Australia, to Hector Munro, reported that:

“As you may have expected we had quite a bit of bother with Billy. He was continually fighting noisily with the other boys in his cabin so we changed him to Alec’s cabin. He settled down well for the next day or two, but then returned to his former behaviour, refusing to do anything he was asked, and becoming almost uncontrollable in his excitement. Because of this we arranged an interview with the ship’s Doctor, who after talking with him suggested a few days on a sedative. Billy believed this to be treatment for a heavy cold.”<sup>875</sup>

Notwithstanding that, Billy was given a sedative without his knowledge or consent and that there appeared to be a lack of understanding of the emotional effect of separation on children, this episode suggests that Quarriers was aware that this child was not suitable for migration. This is highlighted further by Hector Munro’s response to C.M. Reid, which stated that he “was sorry to learn that Billy Horan made things so difficult for everyone. He is very foolish because he is getting a splendid chance and if he lets us down this time it will be his last.”<sup>876</sup> No thought was given to whether it was in fact they who were letting the child down.

Further reports about Billy showed that he struggled to adapt to life at Dhurringile. A report on his progress, sent by the Presbyterian Church of Victoria in February 1965 after the closure of Dhurringile, indicated that he expressed “a keen desire to be re-united with his sister.”<sup>877</sup> A report dated September 1965 sent to the CSCSS noted that he had been expelled from school and dismissed from a job for “disrupting behaviour” and was not settling in a foster placement.<sup>878</sup> This led to the Presbyterian Church of Victoria asking Quarriers whether Billy’s sister could also be migrated, suggesting that he was having difficulty in being separated from his sister.<sup>879</sup> It is unclear if she was ever migrated.

A letter dated 1970 sent from a former migrant to Quarriers, likely referring to Billy, noted that he had “unfortunately...got himself into a bit of trouble...the law seemed

872 NRS, ED11/509, Quarrier’s Homes, Bridge of Weir, Proposed Emigration to Australia, 12 October 1962, at SGV.001.003.8103.

873 Quarriers, Superintendent’s report, 24 May 1963, at QAR.001.008.6747.

874 Quarriers, Signed statement by the Superintendent, 14 January 1963, at QAR.001.008.5760.

875 Quarriers, Letter from C.M. Reid to Hector Munro, 2 July 1963, at QAR.001.009.0286.

876 Quarriers, Letter from Hector Munro to C.M. Reid, 24 July 1963, at QAR.001.009.0255.

877 Quarriers, Letter from A.S. Colliver to Romanes Davidson, 26 February 1965, at QAR.001.009.0120-0121.

878 Quarriers, Letter from A.S. Colliver to M. Macdonald, 6 September 1965, at QAR.001.009.0122.

879 Quarriers, Letter from A.S. Colliver to Romanes Davidson, 8 September 1965, at QAR.001.009.0123.

to catch up with him wherever he seemed to go.”<sup>880</sup> In response, Dr Romanes Davidson, the then General Director of Quarriers, stated that he “was always a difficult boy even when he was young”.<sup>881</sup>

All this correspondence demonstrates that Quarriers had concerns about this child’s suitability prior to his migration, and although his case was identified by the SED as one for re-consideration, he was migrated nonetheless, even when he and his sister were offered a foster home together in Scotland. The migration, and particularly the separation from his sister, appear to have affected him profoundly.

Several other cases demonstrate instances where siblings and families were separated. In the late 1930s, one brother from a family of five children was migrated to Canada, another brother and sister were sent to Burnside, Australia, one brother stayed in Scotland at Quarriers, and a fifth was not admitted to Quarriers at all. Their case files suggest that the children who were migrated tried hard to stay in contact with their siblings, despite the significant distances between them. These efforts appear to have been ineffective: one boy who was migrated wrote to Quarriers later in life seeking assistance to contact his family, saying that it was his “last hope” of hearing from his family members.<sup>882</sup>

Although Quarriers did assist various siblings and their descendants in finding out more information about their families, in their

initial decision to send siblings to different places, Quarriers “placed more weight on the perceived benefits of emigration to the individual child rather than maintaining family contacts.”<sup>883</sup>

Selection processes continued to be problematic when Quarriers resumed migration to Australia in 1960. Quarriers intimated that, prior to the migration of the 1963 group, correspondence about individual children’s suitability was exchanged with the Office of the High Commissioner, Australia.<sup>884</sup> The Chief Migration Officer of the High Commissioner for Australia appears to have turned down a child on the grounds of unsatisfactory medical examinations.<sup>885</sup> This caused some consternation at Quarriers as travel arrangements had already been made.<sup>886</sup> The Chief Migration Officer reminded Quarriers that Quarriers should have been “aware of the fact that [child’s approval] would be dependent upon his completion of a satisfactory medical examination.”<sup>887</sup>

The experiences of SCAI applicants confirm that there were shortcomings in the way that children were selected by Quarriers. One day, “Gray” was asked by his cottage mother Nurse Charles if he would like to go to Australia. He did not know where Australia was, but he thought that Nurse Charles felt “it would be a better place with more opportunity...She wasn’t aware of what the institution life was like in Australia. She had obviously been asked if any of her boys

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880 Quarriers, Letter from Manson Reid to Quarriers, undated, at QAR.001.009.0269-0270; See also Quarriers, Letter from Romanes Davison to Manson Reid, 7 July 1970, at QAR.001.009.0271-0272.

881 Quarriers, Letter from Romanes Davison to Manson Reid, 7 July 1970, at QAR.001.009.0271-0272.

882 Quarriers, Children’s File, at QAR.001.008.5439.

883 Constantine *et al.*, Appendix 3, paragraph 7.9.

884 Quarriers, Response to section 21 notice, at QAR.001.008.0018-0019.

885 Quarriers, Letter from H. McGinness to Hector Munro, 26 April 1963, at QAR.001.009.0062.

886 Quarriers, Letter from Hector Munro to H. McGinness, 29 April 1963, at QAR.001.009.0073.

887 Quarriers, Letter from H. McGinness to Hector Munro, Quarriers, 6 May 1963, at QAR.001.009.0077.

would like to go to Australia, so she selected me.”<sup>888</sup> “Gray” remembered sitting an IQ test, undergoing psychological testing, and being measured for new clothes.<sup>889</sup> “Jok”, who knew that other boys from Quarriers had already been migrated to Australia, recalled that he volunteered to go to Australia “because of what the [other] boys had said.”<sup>890</sup> “Jok” remembered having to undergo a medical examination.<sup>891</sup> Hugh McGowan, who was migrated in 1961, first became aware of migration in 1959 when another boy in his cottage was selected for migration. The cottage mother suggested that Hugh might want to go too. The only preparation Hugh received was being taken by a man into the vestry at the church, and told that “we mustn’t touch or play with our penis as it would make us sick, deaf or blind.”<sup>892</sup> Hugh later got “severely cold feet” about his migration and told his cottage father, Mr Mac, that he didn’t want to go. Mr Mac said “too bad, you’re going” and that was it: he was still sent.<sup>893</sup>

In its response to SCAI, Quarriers stated that children received both medical and psychological examinations prior to migration.<sup>894</sup> The psychological reports for five of the 16 children migrated by Quarriers in 1960 and 1961 indicated that these five children were not suited to migration.<sup>895</sup> One of the five children later wrote to Quarriers explaining that she suffered from depression

on occasion. Another later showed signs of “deviant sexual behaviour”.<sup>896</sup> The superintendent’s summaries in support of migration do not refer to the psychological reports, nor is it clear whether subsequent psychological assessments of these children were carried out.<sup>897</sup> An inspection of Quarriers in 1965 found that the home did not have “sufficient information” in its files to judge the criteria for selecting migrants.<sup>898</sup>

In summary, formal selection procedures for children migrated to Australia were drawn up only belatedly—in the last year in which Quarriers migrated children—and then only at the behest of the SED. Even then, children were migrated regardless of whether they would be able to have contact with siblings and their suitability for migration. It appears that Quarriers disregarded the selection procedures in some instances and children were migrated without due consideration being given to psychological reports.

### Consent

As with migration to Canada, Quarriers noted the selection process for migration to Australia would have entailed some effort to acquire the consent of the child’s relatives. If this was not possible, Quarriers was required to provide evidence that it had tried to obtain the consent of a parent or relative, and provide a history showing that the child had “been more or less abandoned”, with

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888 [Transcript, day 174](#): Read-in statement of “Gray”, at TRN-5-000000004, p.81.

889 [Transcript, day 174](#): Read-in statement of “Gray”, at TRN-5-000000004, p.82.

890 [Transcript, day 173](#): “Jok”, at TRN-5-000000002, pp.7-8. See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#), “Jok”.

891 [Transcript, day 173](#): “Jok”, at TRN-5-000000002, p.9.

892 [Written statement of Hugh McGowan](#), paragraph 40, at WIT.001.001.7523.

893 [Written statement of Hugh McGowan](#), paragraph 82 at WIT.001.001.7523; [Transcript, day 176](#): Hugh McGowan at TRN-5-000000006, p.115.

894 Quarriers, Response to section 21 notice, at QAR.001.008.0042.

895 Constantine *et al.*, Appendix 3, paragraph 7.14.

896 Quarriers, Letter from A.S. Colliver to M. Macdonald, 6 September 1965, at QAR.001.009.0122.

897 Constantine *et al.*, Appendix 3, paragraph 7.14.

898 Constantine *et al.*, paragraph 13.12; Quarriers, Scottish Office inspection report, 31 May 1965, at QAR.001.001.1370.

no family contact for at least three years.<sup>899</sup> Quarriers' records from 1939 suggest that, if a child's family could not be traced, a letter was written to the RSSPCC and/or the Public Assistance Officer informing them of the intention of migration and seeking advice.<sup>900</sup>

Although Quarriers asked parents for consent for the migration of children to Burnside in 1939, consent was given on the basis that the children were migrating through the Fairbridge Society. Some parents consented on the basis of the Fairbridge reputation, but they had been misinformed—Burnside had no organisational link with Fairbridge.<sup>901</sup> Theirs was not, accordingly, informed consent. Constantine, Harper, and Lynch suspected that the link between Quarriers and Burnside was based on a personal link between one of Quarriers' Executive Committee members, Lord Maclay, and Andrew Reid, the director of Burnside.<sup>902</sup>

Records provided by Quarriers for children nominated for migration to Dhurringile in 1962 suggest that Quarriers did attempt to contact parents and respected their decision when they did not consent.<sup>903</sup> However, it is not clear what efforts Quarriers made to find parents when they had changed address. For instance, in one case, Quarriers sent a letter to the mother's last known address, but the letter was returned to sender. Quarriers recorded: "No trace of mother. No contact

since 1957."<sup>904</sup> For another child, Quarriers stated that there had been "[n]o contact for 10 years. Illeg. Mother twice married - whereabouts unknown."<sup>905</sup> No further efforts to trace these parents appear to have been made.

The General Director of Quarriers provided consent when parents could not be traced. In 1962, "[j]ust to keep the Home Department happy", the children's welfare supervisor at the CSCSS questioned what efforts the superintendent of Quarriers had made to trace parents.<sup>906</sup> The CSCSS confirmed receipt of a letter noting that statements were received in respect of two boys outlining steps that were taken to get in touch with the boys' parents.<sup>907</sup> This may refer to a signed statement from the superintendent in respect of one child, which "certif[ied] that the father has shirked his responsibility for many years. Letters requesting consent have been returned. 'Whereabouts unknown'. The boy has been abandoned [sic]. No maintenance money has been paid."<sup>908</sup> That is the extent of the efforts detailed. The evidence provided by Hugh McGowan likewise suggests that Quarriers made minimal effort to find parents who had changed address, and assumed parents had essentially abandoned the child.<sup>909</sup>

It appears that the superintendent of Quarriers signed LEM3 forms on behalf of

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899 Quarriers, Response to section 21 notice, at QAR.001.008.0017

900 Quarriers, Response to section 21 notice, at QAR.001.008.0029.

901 Constantine *et al.*, paragraph 13.31.

902 Constantine *et al.*, Appendix 3, paragraph 7.8.

903 Quarriers, Correspondence on children nominated for emigration, 2 August 1962, at QAR.001.009.0026.

904 Quarriers, Nomination for emigration to Dhurringile, Australia, May 1962, at QAR.001.009.0048.

905 Quarriers, Nomination for emigration to Dhurringile, Australia, May 1962, at QAR.001.009.0048.

906 Quarriers, Letter from Children's Welfare Supervisor, Committee of Social Service, Church of Scotland to Hector Munro, 31 December 1962, at QAR.001.009.0156.

907 Quarriers, Letter from Children's Welfare Supervisor, Committee of Social Service, Church of Scotland to Hector Munro, Superintendent, 15 January 1963, at QAR.001.009.0155.

908 Quarriers, Signed statement by the Superintendent, 14 January 1963, at QAR.001.008.5760.

909 [Transcript, day 176](#): Hugh McGowan at TRN-5-000000006, p.109.

several children in the 1960s when parents could not be found, one of whom was Hugh McGowan.<sup>910</sup> Quarriers intimated that in some cases approval was sought from the Chief Migration Officer.<sup>911</sup>

Consent was identified as an important matter in an internal SED memorandum from 1960, in which one official stated that he was

“not at all confident that Quarrier’s Homes can safely send away children whose parents have for the moment disappeared. You may recall that Dr Barnardo was tripped over some such case at the end of [the] last century and the matter was carried as far as the House of Lords.”<sup>912</sup>

This suggests that there may have been concerns over the political consequences of sending children without adequate parental consent. Notably, the ‘safety’ concern is not for the children, but for the institutional reputation.

During discussions between Quarriers and the SED in 1962, the SED again expressed concern about the selection of children whose parents could not be found. The SED urged Quarriers to “keep contact with parents by other means than occasional letters”, and noted that “if a parent of a nine year old is immediately willing to give consent to emigration it would seem that earlier action might have been taken to foster the child or have him adopted.”<sup>913</sup> The SED suggested that Quarriers should make

“special consideration” for “maladjusted children” and consider children’s contact with their siblings, in order to ensure migration would be “in the best interests of the particular child”.<sup>914</sup>

### **CrossReach (formerly the Church of Scotland Committee on Social Services [CSCSS])**

CrossReach told the Inquiry that case files suggested the organisation sought children’s, parents’, and social workers’ consent. However, they could find no evidence of what information parents were given.<sup>915</sup> Its section 21 response identified that in 1952, Rev. Alexander Bell<sup>916</sup> of the Presbyterian Church of Victoria visited Levenhall where he showed a film-strip of Dhurringile, showing a photograph of a former Levenhall boy happy at the institution.<sup>917</sup> Vivienne Dickenson, Chief Executive of CrossReach, conceded that, although children were likely to have been asked if they wanted to migrate, “whether they really were giving informed consent...is [a] matter of debate”.<sup>918</sup>

CrossReach stated that the consent of the Secretary of State was sought. Records indicate that, when a child was nominated in 1956, the CSCSS corresponded with the CRO and Home Office about whether this particular child should be sent to Dhurringile given the recommendations of the Ross Report. The CSCSS was not at the time aware of the existence or content of the confidential addenda to the report. The CRO

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910 See [Appendix C](#) and Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1, Appendix D](#).

911 Quarriers, Response to section 21 notice, at QAR.001.008.0030.

912 NRS, ED11/386, Memorandum by SED official, 12 January 1960, at SGV.001.004.4813.

913 NRS, ED11/509, Quarrier’s Homes, Bridge of Weir, Proposed Emigration to Australia, 12 October 1962, at QAR.001.003.8102.

914 NRS, ED11/509, Quarrier’s Homes, Bridge of Weir, Proposed Emigration to Australia, 12 October 1962, at QAR.001.003.8103.

915 CrossReach, Part C response to section 21 notice, at COS.001.001.0452.

916 This is likely to have been Rev. Andrew Boag.

917 CrossReach, Part C response to section 21 notice, at COS.001.001.0449.

918 [Transcript, day 195](#): Vivienne Dickenson, at TRN-5-000000026, p.79.

sought the advice of the SHD.<sup>919</sup> The SHD deemed that the decision should be left to the Overseas Migration Board.<sup>920</sup> The child was subsequently sent to Dhurringile in January 1957.<sup>921</sup>

CrossReach and Quarriers accepted that there were two occasions when the consent of the Secretary of State was not in fact sought.<sup>922</sup> Eleven children had been migrated to Australia by Quarriers in January 1960, a fact which only came to the notice of the SED through reports in the Sunday Post and Evening Citizen newspapers.<sup>923</sup> In 1961, another five boys were migrated to Australia without the SED's involvement.<sup>924</sup> When the SED became aware of the migration of these boys, it sought and was provided with details about them by Quarriers. The SED was assured that "all gave their consent to migration".<sup>925</sup> One of these boys was Hugh McGowan, who had withdrawn his consent to migration before departure.<sup>926</sup>

These children had apparently not been placed in Quarriers by a local authority, which meant they were not covered by section 17 of the Children Act, 1948, which required the Secretary of State to consent to the migration of children in local authority care. Nevertheless, by then there was an expectation that the SED would be involved in migrations arranged by voluntary organisations, particularly as financial

assistance was being provided by the state. The SED was concerned that the CSCSS was unaware of its responsibilities, noting in relation to the January 1960 migration that:

"When we receive fuller details of this recent migration we shall have to make sure that under their contract with the Commonwealth Relations Office the Church of Scotland Committee on Social Service are committed to bringing us in on this type of case...It may be that in our exchange of letters with them in 1957 we were not sufficiently definite what we wanted."<sup>927</sup>

Vivienne Dickenson gave evidence to the effect that the arrangement to seek consent from the Secretary of State in instances when children had not been placed in voluntary homes by a local authority was only informal: "it became custom and practice...but it was not legally required."<sup>928</sup> She added that the expectation that the CSCSS would meet regulations "wasn't fulfilled until the Outfits and Maintenance agreement of 1962, and at that point emigration had pretty well stopped."<sup>929</sup>

In the case of the children migrated in 1961, internal SED memoranda suggest that Quarriers went through the CSCSS as agreed, and "appear to have made all the necessary investigations", but that the CSCSS neglected to inform the SED about

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919 NRS, ED11/386, Letter from C. Costley-White (CRO) to J.S. Munro (SHD), 16 June 1956, at SGV.001.003.7892.

920 NRS, ED11/386, Minute by W.S. Kerr, 20 June 1956, at SGV.001.003.7868-7869.

921 CrossReach, Part C response to section 21 notice, at COS.001.001.0454.

922 CrossReach, Part C response to section 21 notice, at COS.001.001.0455; [Transcript, day 193](#): Charles William Coggrave, at TRN-5-000000024, p.87; Quarriers, Response to section 21 notice, at QAR.001.008.0030.

923 NRS, ED11/386, Homeless Children: Emigration Schemes, the Presbyterian Church of Victoria, Australia Dhurringile Rural Training Farm, 1950-1960, at SGV.001.003.7870 and SGV.001.003.7882.

924 Quarriers, Response to section 21 notice, at QAR.001.008.0050.

925 Quarriers, Response to section 21 notice, at QAR.001.008.0051.

926 See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#), Hugh McGowan

927 NRS, ED11/386, Memorandum from W.S. Kerr to N.D. Walker, 12 January 1960, at SGV.001.003.7870.

928 [Transcript, day 195](#): Vivienne Dickenson, at TRN-5-000000026, p.94.

929 [Transcript, day 195](#): Vivienne Dickenson, at TRN-5-000000026, p.95.

the migration.<sup>930</sup> However, that was not “the full story” and it later emerged that Quarriers had bypassed the CSCSS committee.<sup>931</sup> Dr Cameron of the CSCSS noted that

“this matter was dealt with when I was off ill and that Dr. J. Romanes Davidson [at Quarriers] seemed to have fairly well taken the matter into his own hands, as the only correspondence we have on the subject came from the Chief Migration Officer at Australia House...I do not know if the boys concerned were under the care of Local Authorities...in any case the emigration of children to Australia is now practically a dead subject as we have had no applications in 1960 or 1961, apart from those who went from Quarrier’s Homes.”<sup>932</sup>

Ultimately, the SED concluded that

“Quarrier’s did make arrangements for the emigration through the Church of Scotland Committee although they nevertheless made some of the arrangements independently. The Church of Scotland Committee, due mostly...to a recent change in staff, do not appear to have completely fulfilled their obligations as a Migration Society.”<sup>933</sup>

The SED consequently stipulated that all future cases of migration from Quarriers should go through the CSCSS, and that the CSCSS staff should be advised of their duties.<sup>934</sup>

This episode shows the complexity of the relationship between the CSCSS and Quarriers, poor internal communication within the CSCSS and between the CSCSS and the SED, and the potential for the CSCSS and Quarriers to bypass authorities with responsibility for overseeing child migration.

In its response to SCAI, Quarriers disclosed that there was no written evidence to demonstrate that the organisation had provided information to children before they were migrated. Nonetheless, Quarriers maintained that—although children’s consent to migration was not formally recorded—the views of children were considered.<sup>935</sup> An annual report of the CSCSS from 1952 stated that “the starting point” for selection was a child volunteering to emigrate.<sup>936</sup>

### Family separation

There were a number of cases throughout the 1960s of parents and relatives who told Quarriers that they wished to resume care for their children, but Quarriers placed more importance on migration than on preserving family links in Scotland.<sup>937</sup> This prioritisation of migration over family relationships can be seen in the standard letter that Quarriers wrote to the parents of children due to be sent to Dhurringile:

“Dear [ ]

We have been invited to send a small party of boys to a Home not unlike our own in Australia...After a time there the boys would be placed in suitable

930 NRS, ED11/509, Memorandum from R. Clark to W.S. Kerr, 9 November 1961, at SGV.001.003.8027.

931 NRS, ED11/509, Memorandum from W.S. Kerr to Mr McKean, 5 January 1962, at SGV.001.003.8028.

932 NRS, ED11/509, Letter from Lewis L.L. Cameron to W.S. Kerr, 30 November 1961, at SGV.001.003.8033.

933 NRS, ED11/509, Memorandum from R. Clark to W.S. Kerr, 11 January 1962, at SGV.001.003.8029.

934 NRS, ED11/509, Memorandum from R. Clark to W.S. Kerr, 11 January 1962, at SGV.001.003.8029.

935 Quarriers, Response to section 21 notice, at QAR.001.008.0024.

936 Committee on Social Service Annual Report to the General Assembly of the Church of Scotland, 1952, cited in CrossReach, Response to section 21 notice, at COS.001.001.0447; Constantine *et al.*, paragraph 13.11.

937 Constantine *et al.*, Appendix 3, paragraph 7.10.



employment and altogether we feel it would be a very good chance for the boys selected, especially when their outside contacts in this country are not so strong.

Having regard to these circumstances would you be willing to allow [name of child] to be submitted to go to Australia? I should, of course, like to make it clear that investigations are, at present, only in the preliminary stages. I would, too, like you to know that [child] is very keen to go.

I should be glad to hear from you as soon as possible.

Yours faithfully

Superintendent.<sup>938</sup>

The kind of language used “could be read as placing a degree of emotional pressure on the parent by emphasising that the child’s ‘outside contacts’ (i.e. their family relationships) in this country were not strong and that the child was ‘very keen’ to be migrated”.<sup>939</sup> In addition, because normally children had agreed to migrate before their parents were approached, some parents would have felt under pressure to comply with their child’s wishes and thus consent to migration. There were, in fact, a number of cases where parents felt they could not say no because their children were so keen.<sup>940</sup>

SCAI applicants had mixed experiences regarding consent. “Jok” asked his mother to allow him to go to Australia, and she consented.<sup>941</sup> “Jok” did not remember being given any information about Australia from Quarriers. “Gray”, who was migrated to Australia in 1960, remembered consenting to go to Australia but did not remember signing anything. He later learned that his mother had consented to his migration.<sup>942</sup> “Gray” also remembered doing school projects about life in Australia: “We did one about fruit because everyone talked about the beautiful fruit where we were going.”<sup>943</sup> Hugh McGowan initially consented to going to Australia but subsequently changed his mind. He was told that he still had to go.<sup>944</sup> Although Quarriers wrote to Hugh’s mother for consent, Hugh believed his mother had moved and Quarriers did not have her address. Hugh thought that his mother would not have consented to his migration because she had previously refused to consent to Hugh being adopted.<sup>945</sup> He did not remember being given any information about Australia from Quarriers.

It is apparent that Quarriers had “an organisational presumption towards the migration of these children which was not in accordance with how the best interests of the child would be understood at that time”, and which disregarded family bonds and psychological assessments.<sup>946</sup>

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938 Quarriers, Letter from the Superintendent to “Jok’s” mother, 11 January 1961, at QAR.001.008.6451; see also Constantine *et al.*, Appendix 3, paragraph 7.11.

939 Constantine *et al.*, Appendix 3, paragraph 7.12.

940 Constantine *et al.*, Appendix 3, paragraphs 7.12-7.13.

941 [Transcript, day 173](#): “Jok”, at TRN-5-000000002, p.8; Quarriers, Letter from “Jok’s” mother to Hector Munro, 14 January 1961, at QAR.001.008.6462.

942 [Transcript, day 174](#): Read-in statement of “Gray”, at TRN-5-000000004, p.82; Quarriers, Letter from “Gray’s” mother, at QAR.001.008.6176. See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#), “Gray”.

943 [Transcript, day 174](#): Read-in statement of “Gray”, at TRN-5-000000004, p.82.

944 [Transcript, day 176](#): Hugh McGowan at TRN-5-000000006, p.120. See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#), Hugh McGowan.

945 [Transcript, day 176](#): Hugh McGowan at TRN-5-000000006, p.109.

946 Constantine *et al.*, Appendix 3, paragraph 7.15.

Quarriers' approach to obtaining consent was variable, as seen in the evidence provided by SCAI applicants and for the children sent to Burnside in 1939. It is unclear what efforts Quarriers made to find parents who had changed address. As shown in the cases of children sent to Australia in 1960 and 1961, Quarriers did not always inform the CSCSS or the SED of proposed migrations. The organisation's apparent presumption in favour of migration separated children from their families. The practice of seeking parental consent in a context of suggesting that the child was "keen" to go placed unfair pressure on parents.

### Monitoring

In its response to SCAI, Quarriers noted that the superintendent of Dhurringile "periodically" sent Quarriers reports about the welfare and educational progress of children.<sup>947</sup> From evidence available to the Inquiry, it appears that the half-yearly reports were primarily concerned with the educational progress of the children, their health, and their behaviour.<sup>948</sup> In a letter dated 4 June 1962 from the Director of Quarriers to the Presbyterian Church of Victoria, the Director noted that the "only point of difficulty" was that the Presbyterian Church of Australia was sending reports on children to the Church of Scotland, and Quarriers did "not see these."<sup>949</sup> Quarriers continued to migrate children to Dhurringile, and this same concern was reiterated in 1965, after Dhurringile had closed.<sup>950</sup> These

letters suggest that Quarriers was concerned by the lack of reporting on children, but the lines of responsibility towards children were complicated by the CSCSS's role as the migration agent.

Quarriers accepted that there was no evidence to demonstrate a policy of maintaining contact with children or their parents after migration, although Quarriers did maintain some "ad hoc" correspondence with migrated children.<sup>951</sup> While there was evidence of the occasional letter to Quarriers from boys who had been migrated, a letter from the General Director in 1968 to a child migrant acknowledged that "I occasionally hear from the boys in your part of the world but have not really definite contact with all of them."<sup>952</sup> The letter went on to ask for the addresses of children so the director could seek contact with them.

The *Narratives of Facts* and annual reports reproduced letters sent from boys. However, as the *Narratives of Facts* were intended to encourage donations, they are not "indicative of a rigorous system for monitoring either Dhurringile as an institution or the welfare of individual children sent there."<sup>953</sup>

It is unclear whether Quarriers facilitated contact between children and their families. SCAI applicant "Jok" remembered that he wrote letters to his mother, but never received replies. He did not know if his mother received his letters.<sup>954</sup>

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947 Quarriers, Response to section 21 notice, at QAR.001.008.0013-0014.

948 Quarriers, Correspondence between the Superintendent and emigrated children, at QAR.001.009.0098-0112.

949 Quarriers, Letter from Romanes Davidson to A.S. Colliver, Presbyterian Church of Scotland, 4 June 1962, at QAR.001.009.0170.

950 Quarriers, Letter from Romanes Davidson to A.S. Colliver, 8 March 1965, at QAR.001.009.0119.

951 Quarriers, Response to section 21 notice, at QAR.001.008.0022-0023.

952 Quarriers, Letter from Romanes Davidson to a former child migrant, 30 September 1968, at QAR.001.009.0235.

953 Constantine *et al.*, Appendix 3, paragraph 7.20.

954 See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#), "Jok".

There was no evidence that Quarriers received “copies of any aftercare reports produced about boys who had left residential institutions in Australia. Nor did they receive any further reports about boys under the school leaving age after the closure of Dhurringile.”<sup>955</sup> Quarriers did receive the occasional letter from the Presbyterian Church of Victoria following the closure of Dhurringile, detailing where boys had ended up. It appears that Quarriers was only told about Kilmarnock—where many boys from Dhurringile, including Hugh McGowan, were sent—in February 1965, a year after Dhurringile closed.<sup>956</sup> A letter from Quarriers to the Presbyterian Church of Victoria explained that the report from February 1965 had omitted the outcomes of several boys. This suggests that Quarriers knew the number of children about whom it should have received reports and that they tried to find out about the children sent to Australia.<sup>957</sup> A letter from the Presbyterian Church of Victoria sent six months later revealed that some of the boys had faced problems in Australia. One boy had showed signs of “deviant sexual behaviour.” Other children’s achievements were outlined.<sup>958</sup>

SCAI applicants “Jok” and Hugh McGowan could not remember communicating with anybody from Dhurringile and Kilmarnock, respectively, after they left the institutions’ care.<sup>959</sup> Quarriers does not appear to have received state child welfare reports on

children boarded out with families after being initially placed at Dhurringile. Neither “Gray”, “Jok”, nor Hugh McGowan could remember speaking to inspectors from the welfare department.<sup>960</sup>

## Inspections

There is no evidence available to SCAI of Australian or UK Government inspections of Dhurringile prior to the Moss Report of 1953.<sup>961</sup> That report was generally positive about the institution, and John Moss was complimentary of the staffing, educational and employment opportunities, and holidays for children. He was concerned, however, that the home was “rather institutional”.<sup>962</sup>

The next UK Government report on Dhurringile was the 1956 Ross Report, which was very critical of the “deplorable” attitude of staff towards the children and the material conditions.<sup>963</sup> The report described the location as “isolated”, and there were insufficient staff. In its confidential addenda, the Ross Report criticised the manner in which the Church of Scotland had advertised Dhurringile.<sup>964</sup> The confidential addenda recommended placing Dhurringile on a “black-list”, with no further child migrants to be sent there.

The next Government inspection of Dhurringile was carried out in July 1956 by Reuben Wheeler, the Assistant Secretary of the Australian Department of Immigration, accompanied by Anthony Rouse, Official

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955 Constantine *et al.*, Appendix 3, paragraph 7.19.

956 Quarriers, Letter from A.S. Colliver to Romanes Davidson, 26 February 1965, at QAR.001.009.0120.

957 Quarriers, Letter from Romanes Davidson to A.S. Colliver, 8 March 1965, at QAR.001.009.0119.

958 Quarriers, Letter from A.S. Colliver to Romanes Davidson, 8 September 1965, at QAR.001.009.0123.

959 [Transcript, day 173](#): “Jok”, at TRN-5-000000002, p.26; [Transcript, day 176](#): Hugh McGowan at TRN-5-000000006, p.175.

960 [Transcript, day 176](#): Hugh McGowan at TRN-5-000000006, p.158; [Transcript, day 173](#): “Jok”, at TRN-5-000000002, p.23; and [Transcript, day 174](#): Read-in statement of “Gray”, at TRN-5-000000004, p.92.

961 See Constantine *et al.*, Appendix 2, paragraph 4.14. See also [Chapter 1.2-1.3](#) of this volume.

962 Moss Report, 1953, at CMT.001.001.0519.

963 See [Cmd. 9832] Report of a fact-finding mission, 1956, at LEG.001.004.3246-3247.

964 Constantine *et al.*, Appendix 2, paragraph 4.15; [Cmd. 9832] Report of a fact-finding mission, 1956, at LEG.001.004.3246-3247.

Secretary, Office of the High Commissioner for the UK, and J.V. Nelson, Director of the Children's Welfare Department, Victoria. Reuben Wheeler's report was slightly more positive about the nature of the institution and competency of the staff than the Ross Report had been, but was critical of the facilities. Some of the problems identified by John Ross "concerning the fabric and facilities" had been improved, but "the culture of care" had not.<sup>965</sup> Reuben Wheeler's report concluded that, provided improvements were carried out to the physical conditions, and particularly the bathrooms, "there is no reason why British boys should not continue to be sent to Dhurringile."<sup>966</sup>

Reuben Wheeler's report was accompanied by Anthony Rouse's private notes. In contrast to Reuben Wheeler's more positive outlook, Anthony Rouse generally agreed with the Ross Report's conclusions about Dhurringile. He described the conditions as dirty, institutional, inadequate, and not homely.<sup>967</sup>

In 1965, the SED carried out an inspection of Quarriers which found only one file containing a report on Dhurringile, dated 25 August 1960. This report was written by the wife of a Church of Scotland minister who had travelled to Dhurringile with the first group of boys sent from Quarriers. She had a positive view of the home in general, and wrote that the building was an "old mansion needing paint and a few repairs but providing comfortable living and care for the boys".<sup>968</sup> The material conditions she describes suggest that the problems

identified by Reuben Wheeler in 1956 had not been properly addressed four years later.<sup>969</sup>

On the whole, the inspections that were carried out indicated some serious concerns about the quality of care at Dhurringile. Had Quarriers commissioned its own inspections, some of these concerns might have been uncovered. Instead, they were not, and children were exposed to an unsuitable and troubling environment of institutional care.

### CSCSS

CrossReach told SCAI that its records indicated that the CSCSS kept in contact with some migrated children.<sup>970</sup>

CSCSS's reports on Dhurringile consisted of a report by Rev. W. White Anderson, Moderator of the Church's General Assembly, who reportedly visited Dhurringile in 1951 and formed a positive impression of the home.<sup>971</sup> SCAI has not seen this report. The CSCSS's annual reports of 1952, 1954, 1955, and 1957 contained positive reports of the children migrated, gleaned from correspondence by staff and children. It is not possible to know how frequent or comprehensive these reports were. These reports stand in contrast to the more critical reports made by John Ross and Anthony Rouse, and demonstrate that

"whilst such self-reporting by receiving institutions could, in principle, have provided a valuable safeguard for child migrants (and the absence of such reporting might be seen as indicative of wider failures in organisational systems

965 Constantine *et al.*, paragraph 31.3.

966 TNA, BN29/1325, Wheeler Report, 1956, at LEG.001.004.3142. See also [Chapter 1.3](#).

967 TNA, BN29/1325, Rouse Report: Dhurringile, 1956, at LEG.001.004.3149-3151. See also [Chapter 1.3](#).

968 NRS, ED11/708/2, Voluntary Homes, Inspectors Reports, Quarriers Homes, at SGV.001.005.0029.

969 Constantine *et al.*, paragraph 31.4.

970 CrossReach, Part C response to section 21 notice, at COS.001.001.0452.

971 CrossReach, Part C response to section 21 notice, at COS.001.001.0452.

and culture), it was insufficient to protect children's interests without additional, effective independent scrutiny."<sup>972</sup>

The CSCSS had been given notice of the findings of the Ross Report, excluding the confidential addenda, but it is unclear whether this information, or later reports, were passed to Quarriers.<sup>973</sup> In the aftermath of the Ross Report, the CSCSS submitted information on Dhurringile to the CRO, noting that children at Dhurringile attended school and training, had access to sports and activities, and could spend time with local families. One boy had, however, been returned because his mother's health was suffering due to the boy's absence.<sup>974</sup> This suggests that the CSCSS had some oversight of children, as suggested by the aforementioned correspondence between Quarriers and the Presbyterian Church of Victoria.

### SCAI applicants

It can be seen from Quarriers' limited knowledge of conditions at Dhurringile, scant evidence of oversight of the children, and the experiences of SCAI applicants that the institution exposed children to the risk of abuse. "Gray" arrived in Dhurringile in February 1960, and he was initially impressed with the building. But he described having to work long hours, harsh discipline, and bullying, with boys treated "like young criminals."<sup>975</sup> Hugh McGowan recalled the limited education at Dhurringile, the excessive physical punishment, the

sexual abuse, and the lack of emotional support. He described an unsympathetic attitude from the superintendent, Colin Tutchell.<sup>976</sup> Meanwhile, "Jok" had fairly positive memories of Dhurringile, recalling that it was "tough", but that he learnt skills.<sup>977</sup>

### Failures

Quarriers sent children to both Dhurringile and Burnside without making proper enquiries as to whether those institutions were suitable to receive child migrants. Some of the UK Government-initiated inspections raised serious concerns about Dhurringile, but migration there continued. Although Quarriers received some limited reports on children sent to Dhurringile, this was not a rigorous system of monitoring and it failed to identify the abuse experienced by SCAI applicants. There was no evidence of any follow-up for children sent to Burnside.

Quarriers has acknowledged that there were failures in the monitoring of children sent to Australia. This is highlighted by Charles Coggrave's description:

"I think for those 7,000 Canadian children, there was still a sense they were Quarriers children. All the way, including while they were out in Canada, there were letters back to us, there were reports, the Narrative of Facts. There was a sense of care, of oversight, and my perception is that that was not the same for this group of children [sent to Australia]."<sup>978</sup>

972 Constantine *et al.*, Appendix 3, paragraph 7.2.

973 [Transcript, day 195](#): Vivienne Dickenson, at TRN-5-000000026, p.101.

974 NRS, ED11/386, Annex B, Child Migration to Australia Under Arrangements Made by Voluntary Organisations operating under the Empire Settlement Acts, at SGV.001.003.7886.

975 [Transcript, day 174](#): Read-in statement of "Gray", at TRN-5-000000004, p.94.

976 [Transcript, day 176](#): Hugh McGowan at TRN-5-000000006, p.145.

977 [Transcript, day 173](#): "Jok", at TRN-5-000000002, pp.24-25.

978 [Transcript, day 193](#): Charles William Coggrave, at TRN-5-000000024, pp.81-82.

## Post-migration period

Quarriers responded positively to correspondence and requests for information from former child migrants. The organisation has provided records to former migrants, to agencies or social workers on behalf of former migrants, and to their families.<sup>979</sup>

Former migrants who have requested files from Quarriers have been invited to visit Quarriers Village and offered support while reading their files. Quarriers has helped former residents to obtain copies of photographs identified in *Narratives of Facts*.

## Canada

In 1975, Quarriers attempted to organise a reunion for former child migrants. The idea “was not well received.”<sup>980</sup> Carol Eden, Head of Marketing at Quarriers, told SCAI that the organisation believed that one reason the reunion did not succeed was that “[i]t did come with a stigma, people didn’t always tell their own families if they were a home child, so people were maybe less willing to come forward and make contact with the organisation.”<sup>981</sup> She felt that the “poor experience” of former child migrants might have stopped them from coming forward “in some circumstances.”<sup>982</sup>

In 1996, the General Director of Quarriers, Gerald Lee, visited Canada to meet with former child migrants and their descendants. Quarriers advertised widely in local

newspapers inviting people to attend. Over 300 people attended, 17 of whom were former child migrants. The former child migrants who attended were able to access their records.<sup>983</sup> Carol Eden suggested that “people were trying to claim that tag of home child and make it a positive thing, something to be proud of”.<sup>984</sup> Quarriers has since forged a close link with the Quarriers Canadian Family, an organisation established after the 1996 event, which examines the history of migration, holds events, and helps people to learn about their own family’s history.<sup>985</sup>

In September 1997, 48 members of Quarriers Canadian Family visited Quarriers. This was “a really special time...it was a very emotional time and very special for the Quarriers staff”.<sup>986</sup>

In 1998, Quarriers took part in a second reunion in Brockville, Ontario, which was attended by around 120 people, including six former child migrants.

In 2001, a third reunion took place in Kingston, Ontario, where a film of interviews with child migrants was previewed and later shown across TV in Canada, becoming a part of the school curriculum.<sup>987</sup>

In 2009, Quarriers organised a fourth reunion, involving a series of events, at Quarriers Village as part of its “homecoming” for descendants of migrants.<sup>988</sup>

979 Quarriers, Part C response to section 21 notice, at QAR-000000001, p.9.

980 Quarriers, Part C response to section 21 notice, at QAR-000000001, p.6.

981 [Transcript, day 193](#): Carol Eden, at TRN-5-000000024, p.5.

982 [Transcript, day 193](#): Carol Eden, at TRN-5-000000024, pp.5-6.

983 [Transcript, day 193](#): Carol Eden, at TRN-5-000000024, p.6.

984 [Transcript, day 193](#): Carol Eden, at TRN-5-000000024, p.9.

985 [Transcript, day 193](#): Carol Eden, at TRN-5-000000024, p.9.

986 [Transcript, day 193](#): Carol Eden, at TRN-5-000000024, pp.9-10.

987 [Transcript, day 193](#): Carol Eden, at TRN-5-000000024, p.11.

988 [Transcript, day 193](#): Carol Eden, at TRN-5-000000024, p.15.

Quarriers has engaged with the British Home Children Advocacy and Research Association and the Ontario East British Home Child Family who, amongst other activities, are creating a register of migrants to “remember them and pay respect to them.”<sup>989</sup> In 2019, Quarriers marked the 150<sup>th</sup> anniversary of the first child migrant sent to Canada.

Judy Neville is an ardent advocate for British Home Children. She noted that Quarriers “have always reached out and helped”, and “have been as open and forthright as...any of the people I’ve been involved with”.<sup>990</sup>

### Anna Magnusson

Anna Magnusson, a radio producer and broadcaster with BBC Scotland, was asked by Quarriers to write a history of Quarriers, resulting in the publication of *The Village* (1984), which was republished in 2006 as *The Quarriers Story*. This book aimed to give the public an overview of the history of Quarriers and to tell the story of aspects of Quarriers’ work that were previously unknown. Anna Magnusson was asked to situate Quarriers within its historical context, and to include the history of Quarriers’ involvement in child migration.

In order to supplement the historical context given in her book, Anna Magnusson wrote to newspapers in Canada in 1983 to obtain the views of former migrants. She received 38 letters from 10 child migrants, and 19 from relatives of 29 migrants, with some people writing twice. Anna Magnusson followed up on these letters by sending questionnaires enquiring about former child migrants’ lives in Canada. She received 15 responses, 11 from former migrants and

four from relatives. This evidence, consisting of 109 pages of correspondence from 1983 to 1984 between Anna Magnusson and former migrants or their descendants, was made available to SCAI. This evidence included Anna Magnusson’s notes, the responses to questionnaires, and memories recorded on tape. Anna Magnusson’s work on child migration has provided a lasting, often poignant, record of the memories and experiences of child migrants for the nation.

The letters reveal similar themes to those raised by SCAI applicants and set out in Volume 1.<sup>991</sup> Former migrants and their relatives spoke of both positive and negative experiences, often interwoven. These included sibling separation, harsh punishment, a lack of education, stigma, names falsified on arrival to Canada, force feeding, lack of oversight or monitoring of placements, isolation and loneliness, loss of identity, lack of belonging, no or poor wages, children used as labour, no aftercare, and a lack of affection. The positive experiences relayed by migrants spoke of good placements, being thankful for being given a good start, and learning trades.

Professor Harper conducted an analysis of the letters that Anna Magnusson received. She noted that those who responded to Anna Magnusson’s appeal were likely to be “those who had good experiences” due to prevailing social attitudes towards ‘home children’, and it is likely they represented “the small tip of the iceberg” of migrants’ accounts.<sup>992</sup> The voices of those who had negative experiences may have remained unheard, because the general historical ethos was “that this was something shameful

989 [Transcript, day 193](#): Carol Eden, at TRN-5-000000024, p.17.

990 [Transcript, day 175](#): Judy Neville, at TRN-5-000000005, p.137. See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#), Mary Scott Pearson.

991 Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#).

992 [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, p.158.

and you had to keep quiet about it.”<sup>993</sup> Professor Harper concluded that, even though Anna Magnusson’s research was conducted at a time when the abuse of child migrants was not fully understood,

“several respondents were partially or wholly critical of their experiences, particularly in terms of the haphazard, inadequately regulated nature of the enterprise, the mercenary attitude of some employers, and the persistent stigmatisation of the migrants.”<sup>994</sup>

Anna Magnusson was subsequently invited to a reunion of child migrants in 1996, discussed previously, and took the opportunity to make a radio programme.<sup>995</sup> She was given a list of names of people attending the reunion, and contacted them to interview them for the programme. She also traced migrants through Quarriers Canadian Family. Anna Magnusson and another researcher interviewed and recorded former migrants and their families to create a “story-driven” programme. The radio programmes explored themes of identity, consent, stigma, and nationality.

The programmes were aired on BBC Radio Scotland in 1996 and presented as a montage, giving weight to the stories of the migrants and their descendants.

## Australia

Quarriers’s contact with former child migrants sent to Australia has been “to a much lesser extent” than with Canadian migrants, likely “because of a smaller number of children” migrated to Australia.<sup>996</sup> However, Carol Eden

did explain that Quarriers has engaged with and provided information to anybody who has contacted them. Quarriers helped prepare a paper for the International Congress of Child Migration in New Orleans in 2002, where Quarriers made “a commitment” to provide records through the CMT to former migrants sent to Australia.<sup>997</sup>

## Ongoing support

In 2001, Quarriers formulated a policy focused on supporting former child migrants and, since 2004, it has supported former child migrants and their families to access historical records. Their services are still running. In Australia, Quarriers has engaged with the CMT to ensure that those migrated to Australia can access records and obtain support. Quarriers participated in the Scottish Government’s “Homecoming Scotland” in 2009, when over 80 descendants of former migrants visited Quarriers.<sup>998</sup>

Since 2019, Quarriers has been involved in outreach activities through social media and advertisements to connect with former residents and their families who have not yet contacted the organisation.

Dr Ronald Culley, Chief Executive of Quarriers, told SCAI that

“[i]t is really important to me that Quarriers continues to hold this [Historical Records] policy, to be supportive, to be open, to be transparent and to begin that long journey towards correcting some of the wrongs that happened in our past.”<sup>999</sup>

993 [Transcript, day 185](#): Professor Marjory Harper, at TRN-5-000000016, p.158.

994 Marjory Harper, Summary of Anna Magnusson’s Research Notes, 12 May 2020, at INQ-000000181, p.3.

995 Anna Magnusson was invited to reunions in 1997 and 2009, and was made an honorary member of the Quarriers Canadian Family.

996 [Transcript, day 193](#): Carol Eden, at TRN-5-000000024, p.19.

997 [Transcript, day 193](#): Carol Eden, at TRN-5-000000024, pp.12-13.

998 Quarriers, Part C response to section 21 notice, at QAR-000000001, p.6.

999 [Transcript, day 193](#): Dr Ronald James Hector Culley, at TRN-5-000000024, p.98.



## Apologies

The organisation acknowledged the UK Government's apology of 2010 and the Canadian Government's 2017 apology.<sup>1000</sup>

Dr Ronald Culley repeated the apology previously tendered by the former Chief Executive of Quarriers, Alice Harper:

"we are very sorry for the migration that happened in relation to the children that Quarriers cared for and, although the roots of this endeavour might have had philanthropic intentions, it is very clear to us now that it was the wrong thing to do...it is very obviously the case that the policy was implemented in a way which had significant shortcomings. The first of which...was around...assessment... we see that children were migrated against the advice of the psychologists involved, for instance...I don't think anyone can conceivably argue that the children were prepared for the world that they were being taken to, culturally but also in terms of what was being asked of them. I think there is clear evidence from the historical record that consent wasn't sufficiently considered by the organisation, either in respect of the consent of children or indeed their family, and that is something that comes across quite clearly from the historical record. In terms of the assessment of the places to which the children were sent...There were insufficient checks, I think that is plain, and we have heard around about some of the challenges associated with checking, particularly the geographical challenges associated with that. But it is clear to

me that it was nonetheless insufficient in terms of the assessment of children's circumstances, and that is something again that we are apologetic for."<sup>1001</sup>

Ronald Culley also criticised decision-making during the era of child migration:

"[I] think it is morally inexplicable given that social norms were changing. I think by the 1960s we were beginning to see the professionalization of social work, the 1968 Act was only a few years away, and so it is difficult in that context to understand why those associated with the organisation would think it a good thing or indeed in the interests of the children to migrate them to Australia in the way that happened. I find it really difficult to understand the decision-making that led to that conclusion."<sup>1002</sup>

In the closing submissions presented on behalf of Quarriers, the organisation's apology was reiterated:

"While many, including Quarriers, believed at the time that migration offered children the chance of a better life, it is acknowledged that the policy of migration was ill-conceived and it was wrong to separate children from their families, community and identity. Quarriers apologises to the children who were migrated by the organisation. Quarriers recognises and regrets that some migrant children suffered cruelty and abuse... Quarriers repeats its acknowledgement that the policy of child migration was misguided and wrong. Quarriers again acknowledges that some migrant children suffered physical and emotional cruelty

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1000 Judy Neville noted that the 2017 apology was made only in the House of Commons, and that "there were only two or three people even in the know that the House of Commons was going to make this apology that day," and "the Prime Minister wasn't even in the house": [Transcript, day 175](#): Judy Neville, at TRN-5-000000005, p.131; [Written statement of Judy Neville](#), at WIT-1-000000053, p.13.

1001 [Transcript, day 193](#): Dr Ronald James Hector Culley, at TRN-5-000000024, pp.93-96.

1002 [Transcript, day 193](#): Dr Ronald James Hector Culley, at TRN-5-000000024, p.97.

and both physical and sexual abuse. Quarriers apologises to all the children who were migrated by the organisation.”<sup>1003</sup>

Vivienne Dickenson, Chief Executive of CrossReach, apologised on behalf of the Church of Scotland:

“I would like to take this opportunity on behalf of the Church of Scotland to apologise to anybody who was sent out either directly from a Church of Scotland home or under our auspices. I think on reading through the evidence, we had not realised how big our footprint was and we now know more of it”.<sup>1004</sup>

### Quarriers: An overview

Quarriers stated in its response to SCAI that,

“[w]hile we appreciate that the policies were well-intentioned, acceptable and commonplace practice at the time, we now live, work and operate in a world that has changed significantly since Quarriers and many others migrated children. As an organisation, we find the practice hard to align with our current values.”<sup>1005</sup>

This assertion is contradicted by the recommendations made by Andrew Doyle in his 1875 report and, subsequently, by the standards of child care set out by the Clyde and Curtis Reports in 1946, and endorsed by the Children Act, 1948.

I was told that Quarriers accepted that “there were shortcomings in the systems that were used to facilitate migration”, and that the

policies and procedures “did not provide sufficient safeguards to ensure that the original philanthropic aims of migration were properly met.”<sup>1006</sup> The organisation accepted that, although they believed “they were acting lawfully” in regard to the authority they had to migrate children, “this assumption went unchallenged.”<sup>1007</sup>

I was also told that, although Quarriers made some attempt to ensure children were not sent to inadequate homes, it was accepted that supervision of children once placed was “irregular and insufficient” and “not robust”.<sup>1008</sup>

Counsel for Quarriers said that “[i]nexplicably, the approach to migration of children to Australia in 1939 and the 1960s did not seem to have met the same standard of care and oversight as Quarriers’ migration to Canada in the earlier period.”<sup>1009</sup> On behalf of Quarriers, she acknowledged that, with regard to Australia, there were failures in adhering to the views of medical and psychological professionals, the legitimacy of consent, assessing the homes to which children were sent, and the supervision of children.<sup>1010</sup>

Vivienne Dickenson, Chief Executive of CrossReach, suggested that while the organisation could find no evidence of written records or policies, there was reference to policies being introduced by the CVOCE. She added that she would have expected records to have been kept, had policies existed.<sup>1011</sup>

1003 [Transcript, day 199](#): Quarriers, Closing Submissions, at TRN-5-000000030, pp.166 and 175.

1004 [Transcript, day 195](#): Vivienne Dickenson, at TRN-5-000000026, pp.107-108.

1005 Quarriers, Part C response to section 21 notice, at QAR-000000001, p.11.

1006 [Transcript, day 199](#): Quarriers, Closing Submissions, at TRN-5-000000030, pp.166-167.

1007 [Transcript, day 199](#): Quarriers, Closing Submissions, at TRN-5-000000030, p.168.

1008 [Transcript, day 199](#): Quarriers, Closing Submissions, at TRN-5-000000030, pp.169-170.

1009 [Transcript, day 199](#): Quarriers, Closing Submissions, at TRN-5-000000030, p.170.

1010 [Transcript, day 199](#): Quarriers, Closing Submissions, at TRN-5-000000030, pp.170-174.

1011 [Transcript, day 195](#): Vivienne Dickenson, at TRN-5-000000026, p.94.

## 2.2 Barnardo's

### Brief history

Barnardo's was founded by Dr Thomas Barnardo in London in 1867, when he opened a 'ragged school' to provide children with a free education.<sup>1012</sup> His first residential home for boys was opened in 1870 in Stepney, London, to provide accommodation and training. A home for girls was opened at Barkingside, Essex, in 1879. By 1900, this home had grown to include 65 cottages, a school, a hospital, and a church. It could accommodate up to 1,500 girls. By the time of Thomas Barnardo's death in 1905, the charity had 96 homes caring for more than 8,500 children.<sup>1013</sup>

A number of Scottish children were admitted to Barnardo's homes in England, although Barnardo's did not establish a presence in Scotland until the Second World War.<sup>1014</sup> During the war years, Barnardo's opened several temporary evacuation centres in Scotland for children resident in high-risk areas in England.<sup>1015</sup> In 1943, Barnardo's

opened its first children's home in Scotland.<sup>1016</sup> By 1946, Barnardo's had homes in, or near to, Edinburgh, Hawick, North Berwick, Auchterarder, and Dunfermline.<sup>1017</sup>

Thomas Barnardo "believed that every child deserved the best possible start in life, whatever their background."<sup>1018</sup> He was motivated by the belief that removing children from "undesirable surroundings and...bad influences" would give them a "fresh start".<sup>1019</sup> His policy of providing space for any child who needed care meant that, like William Quarrier, he required a 'back door' to provide space for newcomers.<sup>1020</sup> Child migration provided such an outlet. It also offered a way to reduce the expense of caring for children in homes in the UK.<sup>1021</sup>

Thomas Barnardo was an enthusiastic supporter of child migration, believing that it provided children with "unspeakable blessings".<sup>1022</sup> According to Richard Simpson, the UK-wide Assistant Director for Barnardo's, Thomas Barnardo

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1012 Scottish Child Abuse Inquiry, [Case Study no.3](#): The provision of residential care for children in Scotland by Quarriers, Aberlour Child Care Trust, and Barnardo's between 1921 and 1991 (January 2020), p.20.

1013 Scottish Child Abuse Inquiry, [Case Study no.3](#), p.20; Constantine *et al.*, paragraph 4.3.

1014 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.1.

1015 Scottish Child Abuse Inquiry, [Case Study no.3](#), p.20.

1016 Barnardo's had opened a home in Edinburgh in 1892, but this closed two years later, likely due to opposition from William Quarrier and the local press. See Lynn Abrams and Linda Fleming, *Dr Barnardo's Homes (Dr Barnardo's/Barnardo's Scotland): 1930s to 1990s*, Report for the Scottish Child Abuse Inquiry (October 2019).

1017 Barnardo's, Annual report, 27 January 1947, at BAR.001.002.5470.

1018 Scottish Child Abuse Inquiry, [Case Study no.3](#), p.9.

1019 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, pp.5-6.

1020 Constantine *et al.*, paragraph 5.1. In evidence to the Inquiry, Richard Simpson noted that the Experts' reference to the 'back door' "may be a little bit harsh" but understood and accepted the intended meaning: see [Transcript, day 194](#): Richard John Simpson, at TRN-5-000000025, p.88.

1021 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.5. According to Barnardo's, during the early 1900s the cost to care for a child in Britain was approximately £15 (presumably per year, though it is not stated), whilst in Canada it was £10. Given that the costs associated with the migration of children, such as the outfitting of children and their transportation overseas, were one-off expenses, the savings incurred with the migration of a child could be considerable—that would be even more so the case when the Empire Settlement Act, 1922, was introduced allowing voluntary organisations to secure public funding to subsidise child migration.

1022 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.5.

“famously use[d] the expression ‘the golden bridge of opportunity’ to describe migration, he was a very firm advocate of it...to the point he actively travelled himself to Canada with a view to establishing his own scheme.”<sup>1023</sup>

Throughout Barnardo’s involvement in child migration schemes, its records refer to the “special opportunities” afforded to children as a result of migration.<sup>1024</sup> While there were some financial motivations, such as providing cheaper childcare overseas than in the UK, there is little to suggest that that was a driving factor in Barnardo’s long involvement in child migration.

## SCAI applicants

Three applicants gave evidence to SCAI about their experience of being migrated to Australia by Barnardo’s. “Gavin” was sent to the Barnardo’s Home at Greenwood, Normanhurst, aged 10. “Amy” was initially sent to Barnardo’s Burwood, Sydney, aged 12; and then briefly to Greenwood, Normanhurst, before leaving to work when she was about 14 or 15. “Amy’s” sister, “Margaret”, aged 15, was sent out to work immediately after arriving in Australia. Their experiences are described in Volume 1.<sup>1025</sup>



Barnardo’s Greenwood, Normanhurst, date unknown. Photograph from the Remmers collection. Source: [NARDY: old boys and girls reunion group](#).

1023 [Transcript, day 194](#): Richard John Simpson, at TRN-5-000000025, p.83.

1024 See, for example, Barnardo’s, Minutes of the meeting of the Management Committee of Barnardo’s in Australia, 28 September 1967, at BAR.001.006.0865.

1025 See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#).

## Records

Between 1866 and 1942, all admissions to Barnardo's were recorded in ledgers known as Location Books. From 1942, every child admitted to Barnardo's had their own paper file. These records were kept at Barnardo's head office in London.<sup>1026</sup> Records for child migrants regarding their time pre- and post-migration have been preserved.<sup>1027</sup> Barnardo's UK archive houses the records of child migrants that concern their time in the UK, and records for children migrated to Canada. Barnardo's Australia retains the records relating to the child's time in care in Australia.<sup>1028</sup>

Barnardo's has a 'Card Index System' that contains children's names, any dates relevant to their case, and where they were placed by Barnardo's.<sup>1029</sup> This index is in paper format, and does not record the child's place of birth.

Separate files for Scottish children were not established until after the Second World War.<sup>1030</sup> Most of these files were archived and Barnardo's was able to create a 'Scottish Inquiry' database with the names of over 3,000 children who had been in its care. Copies of records are provided to former child migrants who request them.<sup>1031</sup>

## Policies

In its section 21 response, Barnardo's confirmed that it could find few policy documents relating to child migration practices between 1900 and 1930.<sup>1032</sup> The earliest set of standards Barnardo's could find was a set of conditions drawn up by Dr Barnardo in 1894 regarding the choice of children who were to be migrated.<sup>1033</sup>

Following Thomas Barnardo's death in 1905, responsibility for overseeing the execution of any instructions by Barnardo's Council and Committee of Management fell to the Assistant General Superintendent, who was also responsible for liaising with the Home Office and Commonwealth Office in relation to their requirements relating to child migration schemes.

After the Second World War, Barnardo's practices evolved based on the experiences of some child migrants placed on farms in Canada, who had reported how isolated they were, and how vulnerable they were to abusive working conditions.<sup>1034</sup> Reports from Barnardo's representatives also influenced policies during this period.<sup>1035</sup>

In its section 21 response, Barnardo's explained that Barnardo's Australia would have adhered to policies set out in the *Barnardo Book*, first published in 1944.<sup>1036</sup> In particular, the second edition of the *Barnardo Book*, issued in 1955, had a chapter setting out conditions governing migration (see below).

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1026 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.23.

1027 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.23

1028 [Transcript, day 199](#): Barnardo's, Closing Submissions, at TRN-5-000000030, p.127.

1029 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.1.

1030 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.1.

1031 [Transcript, day 199](#): Barnardo's, Closing Submissions, at TRN-5-000000030, pp.126-127.

1032 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.1.

1033 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.15.

1034 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.16. See also [Transcript, day 194](#): Richard John Simpson, at TRN-5-000000025, pp.101-102.

1035 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.16.

1036 Barnardo's, Part C response to section 21 notice, at BAR.001.001.0509.

Barnardo's selected children for migration from its homes in the UK. It also selected children for migration from Public Assistance Committees, Boards of Guardians, and various other charities that did not operate their own child migration scheme.

## Canada

Initially, the Barnardo's migration scheme focussed on Canada. Barnardo's children may have been sent there "as early as 1868, under the care of Miss Annie Macpherson", but the "official child migration programme" that made migration "a definite part of the work" of Barnardo's only began in 1882.<sup>1037</sup> Hazelbrae Home, a distribution centre for girls, was opened in Ontario in 1883. A distribution home for boys was opened in Toronto in 1887.<sup>1038</sup> Another reception home was established in Winnipeg, Manitoba, with the first party of boys arriving in 1888.<sup>1039</sup>

Children sailed on Allan Steamship vessels, with the crossing taking at least 10 days, and longer in adverse weather conditions. During the journey they were cared for by the crew and chaperones. From 1920, the superintendent of the Toronto home, Mr Hobday, accompanied each party. Upon arrival in Canada, boys were sent to the Toronto Home and girls to the Hazelbrae Home for an unspecified, but presumably brief, pre-placement period.<sup>1040</sup> From there, they were sent to farms and private homes,

largely to take up employment as agricultural workers and domestic servants.

## Numbers

Over 30,000 children were migrated to Canada by Barnardo's between 1866 and 1939; 29,076 of them were sent through the 'official' programme that commenced in 1882.<sup>1041</sup> Barnardo's migration to Canada ceased in 1939.

A newspaper article published in *The Times* in 1889 discloses that some children within a large party of Barnardo's children who migrated to Canada that year were Scottish.<sup>1042</sup> A Scottish child—likely a juvenile migrant given the date of migration—was migrated to Canada from an English home in 1939.<sup>1043</sup> It is very likely that other Scottish children who had been placed in Barnardo's homes in England were migrated to Canada. Barnardo's has kept records of all their child migrants but, as mentioned above, separate Scottish files were only established after the Second World War. It is only possible to determine which children were migrated from Scotland after 1943.<sup>1044</sup>

## Funding

Prior to the Empire Settlement Act, 1922, child migration to Canada was largely funded by voluntary donations. Following the passing of the 1922 Act, Barnardo's received grants from the UK and Canadian Governments. These joint grants covered

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1037 Barnardo's, Memorandum on the migration work and policy of Dr Barnardo's Homes, at BAR.001.005.4035; Barnardo's, Part C response to section 21 notice, at BAR.001.001.0507.

1038 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.2.

1039 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.2; British Home Children in Canada, "Dr. Barnardo's Russell Manitoba Training Farm." Retrieved 7 September 2022.

1040 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.3.

1041 IICSA, 2018, paragraph 2.1.1.4; Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.24.

1042 "Young Emigrants to Canada", *The Times*, 27 March 1889, at INQ.001.001.8570. See [Chapter 1.1](#).

1043 [Transcript, day 194](#): Richard John Simpson, at TRN-5-000000025, p.107.

1044 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, pp.1-2. See further discussion on records below.

“the full cost of passages and railway fares in Canada”.<sup>1045</sup> In addition, the UK Government paid a grant covering half the cost of outfits. From 1924, only children over the age of 14 were migrated to Canada, so funding thereafter applied only to juvenile migrants. By 1931, “the assisted passage schemes for migrants from the UK [were] in abeyance apart from exceptional cases” due to economic conditions, leaving little governmental financial support for child or juvenile migration.<sup>1046</sup>

### Selection

Although there are few surviving documents stipulating the Barnardo’s selection criteria, Thomas Barnardo stated, in a letter of February 1894, that only “the flower of our flock...that is, those who are in robust physical and mental health, who are thoroughly upright, honest and virtuous” would be selected for migration.<sup>1047</sup> Thomas Barnardo was so confident in his selection criteria that he promised that “in the case of total failure of any emigrants, the Colonies shall be safeguarded by the return at our expense” to the UK.<sup>1048</sup>

According to Barnardo’s, representatives from its “Department of Immigration and Colonization in London visited various locations to talk about Canada”.<sup>1049</sup> It is unclear what information was provided to children, although a report commissioned

by Barnardo’s stated that “[i]t is probable that an extremely rosy picture was painted of life in Canada by the representatives from the Department of Immigration during their visits to Barnardo’s residential schools and homes.”<sup>1050</sup> Application forms were completed for the children who showed an interest in migrating. These forms included information about their educational achievements, character, disposition, and health. The Department of Immigration also conducted interviews with each child to ascertain their suitability for migration. Multiple medical examinations were carried out. The first was on admission to Barnardo’s, which, in some cases, may have been many years prior to there being any prospect of the child being migrated. The second was carried out after the child was selected for migration. A third was carried out at the point of departure.<sup>1051</sup> Children were also examined upon reaching Canada by both the Federal Department of Health and the Dominion Immigration Officer.<sup>1052</sup>

In 1924, the Bondfield Committee, which had been sent to Canada to review child migration practices, recommended that only children over 14 years of age should be migrated.<sup>1053</sup> This recommendation was accepted by the UK and Canadian governments and so Barnardo’s ceased its migration of children under 14 years old.

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1045 Barnardo’s, Memorandum on the migration work and policy of Dr Barnardo’s Homes, at BAR.001.005.4041.

1046 Hansard, “[Empire Settlement](#)”, 17 November 1931, c.678.

1047 Barnardo’s, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.9, reproduced from material in Gillian Wagner, *Children of the Empire* (1982), London: Weidenfeld and Nicolson.

1048 Barnardo’s, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.7, reproduced from material in Wagner, 1982.

1049 Barnardo’s, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.10.

1050 Sara Roberts, Understanding Barnardo’s Child Migration Procedures, 10 April 2003, at BAR.001.006.2706.

1051 Sara Roberts, Understanding Barnardo’s Child Migration Procedures, 10 April 2003, at BAR.001.006.2706.

1052 Sara Roberts, Understanding Barnardo’s Child Migration Procedures, 10 April 2003, at BAR.001.006.2706.

1053 For a fuller account of the Bondfield committee’s findings see [Chapter 1.2](#); and Constantine *et al.*, paragraphs 7.3-7.4.

## Consent

In the early period of migration, “many children were sent to the Dominions without the consent of their relatives”.<sup>1054</sup> The justification for this approach was that most children admitted to Barnardo’s care prior to 1900 were “waifs and strays taken from the streets without known family.”<sup>1055</sup> From the early 1900s, Barnardo’s prepared an admission history for each child. If children were placed in Barnardo’s by a relative, that relative signed an agreement upon the child’s admission handing over care of the child to Barnardo’s managers.<sup>1056</sup> The agreement provided that:

“The Next Friend hereby hands over the said child to the charge of the Managers of the said Protestant Homes to be taken care of maintained and educated in any of the Branches names at the head of the Agreement or to be Boarded-Out by the aforesaid Managers in the United Kingdom or Canada or Australia as the Managers shall decide...The Next Friend hereby gives consent to the said child being transferred to Canada or Australia if the Managers think it desirable.”<sup>1057</sup>

Under Scots law, organisations such as Barnardo’s were not, however, empowered to consent to, direct, or arrange the migration of children in their care. Whilst some parents and/or guardians may have signed consent forms when placing their children with Barnardo’s, they did so at a

time of need, of vulnerability, and without accurate information. Such consent was not given on an informed basis. Barnardo’s accepted that these conclusions were justified.<sup>1058</sup>

Once it had been decided that a child was to be migrated, Barnardo’s sent parents or guardians a letter notifying them and inviting them to visit the child before departure.<sup>1059</sup> The standard letter indicated that the relevant superintendent would still be able to provide information “from time to time” about the child’s welfare, and provided details about where to write to the child in Canada if a parent so wished.

## Monitoring

From early in his practice of child migration, Thomas Barnardo is said to have sought to operate “a strict system of vetting and inspections” of homes and farms in Canada where children were to be placed.<sup>1060</sup>

The stated policy was that individuals who wanted to take a child migrant had to complete an application form and questionnaire, and provide two referees, one of whom had to be a member of the local clergy. Homes and farms were inspected and Thomas Barnardo emphasised that the children should be treated as part of the family. Children were matched to placements “taking due regard of age, physique and temperament”, and undertook a trial period of a month.<sup>1061</sup>

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1054 Barnardo’s, History of migration of children of Dr Barnardo’s Homes, 3 February 1949, at BAR.001.005.3448. See also Barnardo’s, Response to section 21 notice, at BAR.001.005.3338.

1055 Barnardo’s, Memorandum on the migration work and policy of Dr Barnardo’s Homes, at BAR.001.005.3493.

1056 Barnardo’s, Response to section 21 notice, at BAR.001.005.3338.

1057 Copy of agreement signed by the parent or guardian at the point of the child’s admission into Barnardo’s care, cited in Sara Roberts, Understanding Barnardo’s Child Migration Procedures, 10 April 2003, at BAR.001.006.2726.

1058 [Transcript, day 199](#): Barnardo’s, Closing Submissions, at TRN-5-000000030, p.126.

1059 Barnardo’s, Letter from Dr Barnardo’s Homes to parent, 29 December 1921, at BAR.001.005.3512-3513. It is unclear when this type of letter was first introduced.

1060 Barnardo’s, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.7.

1061 Barnardo’s, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.3.



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# DR. BARNARDO'S HOMES.

The following information should be furnished by those desirous of taking boys into their households, and, after being certified as below by a Minister or Magistrate, should be forwarded at the earliest possible date, to MR. ALFRED B. OWEN, 214 FARLEY AVENUE, TORONTO.

Christian and Surname of Applicant.

Postal Address.

Name of Township and Number of Concession and Lot.

Nearest Railway Station and distance from residence.

Occupation.

Whether a member of a Protestant Christian Church, and of what Denomination?

Number of Children in Family?

Dated \_\_\_\_\_ 189 .

*Signature of Applicant.*

## CERTIFICATE BY MINISTER OR MAGISTRATE.

**I** **her**eb**y** **C**ert**ify** that, to the best of my belief and knowledge, the particulars above stated are correct; that I am personally acquainted with the applicant, Mr. \_\_\_\_\_ and know him to be a person of good standing in the community, and that I consider his household to be in every respect a suitable and proper place in which to board out a boy from the Home.

*Signature* \_\_\_\_\_ *Minister or Magistrate.*

*Date* \_\_\_\_\_ 189 . *Postal Address.*

*See page*

This may have been the policy, but an analysis of the files of children migrated to Canada between 1920 and 1929 disclosed that

“[t]here are no application forms in the case files for employers who received females over 12 years of age, and no explanations for these omissions. The case files relate in their entirety to boys being placed out on farms...case files are very poor in relation to evidence that references [for potential employers] were applied for.”<sup>1062</sup>

It is, I accept, possible that some records were initially created and have since been destroyed. However, that would not cure the poor quality of the reference evidence or the concerns about the lack of explanation for the absence of application forms.<sup>1063</sup>

Barnardo’s analysis of case files also discloses that, although agreements signed by foster carers required them to provide board, lodging, washing, clothing, medical support, and pocket money in return for help around the house or farm during weekends or school holidays, “[w]hat constituted jobs around the house was left to the foster parent’s discretion and I believe therefore open to potential abuse.”<sup>1064</sup>

Some of this potential for abuse was mitigated by ongoing monitoring and reporting. Thomas Barnardo emphasised the importance of monitoring:

“[C]ontinued supervision should be exercised over these children after they have been placed out in Canadian

homestead; first by systematic visitation; second, by regular correspondence. Emigration in the case of young children without continuous supervision is in our opinion presumptuous folly and simply courts disaster.”<sup>1065</sup>

Thomas Barnardo does appear to have had some appreciation of the risks to children inherent in these placements.

When they left the receiving home in Canada to go to their placements, Barnardo’s provided children with two stamped and addressed postcards. The first one was to be sent once they had reached their destination.<sup>1066</sup> The second could be used by the child to contact the Canadian branch manager. It was hoped that such a system would assist in the identification of any ill treatment. There is some evidence that this system was effective. In 1923, after receiving a complaint via such a postcard, Barnardo’s instructed a member of staff “to visit the complainant to investigate conditions and adjust matters on his behalf.”<sup>1067</sup> While the outcome of this investigation is not noted, it does demonstrate that the systems in place were, on that occasion, used and there was an appropriate response. Barnardo’s has also identified evidence that the superintendent and inspector corresponded with children regularly, as well as evidence of additional visits being made as a result of this and other forms of correspondence.<sup>1068</sup> However, this system made several assumptions, including that the child was literate, that the child

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1062 Barnardo’s, Analysis of the files of children migrated to Canada, 1920-1929, at BAR.001.006.2582. This analysis was carried out by Sara Roberts in 2003.

1063 Sara Roberts, Understanding Barnardo’s Child Migration Procedures, 10 April 2003, at BAR.001.006.2712.

1064 Barnardo’s, Analysis of the files of children migrated to Canada, 1920-1929, at BAR.001.006.2583.

1065 Wagner, 1982, cited in Barnardo’s, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.7.

1066 Barnardo’s, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.20.

1067 Barnardo’s, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.20.

1068 Barnardo’s, Analysis of the files of children migrated to Canada, 1920-1929, at BAR.001.006.2585.

would have the chance to mail postcards or letters, and that the employer would assist them in the process. There was an “over reliance on correspondence” for identifying issues or potentially abusive situations at an early stage.<sup>1069</sup>

### Inspections

The Toronto branch of Barnardo’s was responsible for overseeing the day to day welfare of child migrants.<sup>1070</sup> Several people were employed by Barnardo’s to carry out inspections. Inspectors were expected to monitor the welfare of the children, including sleeping arrangements. If there was suspicion of ill-treatment, the child was to be removed and returned to Toronto or Peterborough. Barnardo’s maintained a black list of farmers who were banned from receiving children into their care. It is unclear if such a list was shared with other organisations. In 1889, when Barnardo’s UK became aware that Alfred Owen, who ran a Barnardo’s receiving home in Canada, had been convicted of sexual interference with girls in his care, it sent a female senior manager to investigate.<sup>1071</sup> She recommended that girls’ bedroom doors should be lockable, and that chaperones should be provided for girls in vulnerable situations.

From 1920 onwards, all children were visited by the Department of Immigration and Colonization annually until they turned 18.<sup>1072</sup> Following a visit, an inspector could continue

to monitor child migrants by, firstly, “a request for information and secondly an instruction to Barnardo’s to investigate an incident.”<sup>1073</sup> Barnardo’s also continued to visit the child migrants they placed out, with the standard being once a year, “although the evidence from the case files tells us that on average children were visited twice a year”, with Barnardo’s inspectors continuing to attempt to visit migrants until their 21<sup>st</sup> birthday.<sup>1074</sup>

Barnardo’s UK sent representatives to Canada to visit child migrants and report back to the Council.<sup>1075</sup>

Evidence from children’s records show that Mr Hobday, superintendent of Barnardo’s in Canada from 1920, liaised closely with Bogue Smart, Chief Inspector of British Immigrant Children and Receiving Homes.<sup>1076</sup> Mr Hobday did not appreciate the volume of this correspondence. In a letter to Percy Roberts, Barnardo’s Chief Migration Officer in England, Mr Hobday complained that Bogue Smart was “inundating us with correspondence, mostly of a trifling character at the rate of 3,000 letters a year. We have received twenty-six this morning all demanding reports”.<sup>1077</sup> There does, however, appear to have been ongoing co-operation between them that had an influence on developments in practice and policies in relation to, for example, parental consent, and ongoing contact between child migrants and family in the UK.

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1069 Sara Roberts, *Understanding Barnardo’s Child Migration Procedures*, 10 April 2003, at BAR.001.006.2713.

1070 Barnardo’s, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, pp.7-8.

1071 IICSA, 2018, paragraph 2.1.2.9.

1072 Barnardo’s, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.7.

1073 Barnardo’s, Analysis of the files of children migrated to Canada, 1920-1929, at BAR.001.006.2584.

1074 Barnardo’s, Analysis of the files of children migrated to Canada, 1920-1929, at BAR.001.006.2585.

1075 Barnardo’s, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.16.

1076 Barnardo’s, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.16.

1077 Barnardo’s, Analysis of the files of children migrated to Canada, 1920-1929, at BAR.001.006.2584.

**DR. BARNARDO'S HOME.**  
**VISITOR'S REPORT.**

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Name of Boy \_\_\_\_\_ Present age \_\_\_\_\_ Party \_\_\_\_\_

Name of Employer \_\_\_\_\_ Postal Address \_\_\_\_\_

VISITOR'S REPORT AS TO BOY'S

1.—General Health and Appearance . . .

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2.—Progress, Conduct, and Behaviour. . .

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3.—Treatment by Employer and Mem- }  
bers of Family . . . . . }

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4.—Attendance at Church and S. School.

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5.—Attendance at Day School. . . . .

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Character of the Situation as indi- }  
cated by general appearance }  
of house and surroundings . . . }

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Terms of Agreement existing or }  
concluded by Visitor. . . . . }

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GENERAL REMARKS:

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DATE OF VISIT \_\_\_\_\_ 189\_\_\_\_\_ SIGNATURE OF VISITOR \_\_\_\_\_

Barnardo's, Dr Barnardo's Home visitor's report, c. 1890s. Source: [British Home Children in Canada](#).

### Aftercare

As children grew older, Barnardo's encouraged them to write to and visit its Toronto headquarters.<sup>1078</sup> Barnardo's has identified some evidence indicating that, when requested, it continued to provide advice and support to child migrants after their 21<sup>st</sup> birthday.

### Australia

The first Australian branch of Barnardo's was founded in 1921. By that time Barnardo's had already migrated over 500 boys to Australia.<sup>1079</sup> There was some controversy around the incorporation of Barnardo's in Australia. At a UK Barnardo's Council meeting, it was disclosed that

"a Company had been Incorporated in Australia with the title 'Dr Barnardo's Homes', and this had been done without Headquarters' knowledge, and the first they learned of the matter was a copy of the printed Memorandum and Articles of Association sent by Mr Percy Roberts [the London office's Migration Director] without any explanation."<sup>1080</sup>

The Council noted that "anyone in Australia of any religious belief, or of none, could become a member" by paying a subscription fee, which meant that "the new association might become political" or may ultimately conform to religious beliefs discrepant with those of Barnardo's UK.<sup>1081</sup> The Council

1078 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.20.

1079 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.24.

1080 Barnardo's, Council meeting minutes, 15 March 1922, at BAR.001.006.2727.

1081 Barnardo's, Council meeting minutes, 15 March 1922, at BAR.001.006.2727.

contacted Percy Roberts, who was then visiting Australia and who had alerted the UK Office of the formation of the 'unofficial' Barnardo's in Australia. The Council refused to recognise the incorporation of the Australian company at that stage.<sup>1082</sup> It was dissolved but subsequently reorganised and a new Dr Barnardo's Homes, New South Wales Committee was established with the consent of the UK Office.<sup>1083</sup> The Australian Committee was the corporate responsibility of Barnardo's UK. The first meeting of the Australian Committee took place in 1923 with the approval of Barnardo's UK.<sup>1084</sup> Despite the inauspicious beginning of the committee, relationships between the UK and Australian branches appear to have become amicable and cooperative thereafter.

#### Building on lessons learned in Canada, in Australia

"young children were not moved straight into fostercare [sic] in remote locations but were kept in residential care, girls of working age were placed in groups, minimum wages were stipulated and young people outside residential care were visited monthly."<sup>1085</sup>

Barnardo's aimed to ensure that "the same practices and principles which were in place in children's homes in the UK" were put in place in Australia.<sup>1086</sup> A branch was opened in Sydney in 1922 to supervise the placements of children in New South Wales.<sup>1087</sup> It provided training and support services for children migrated there under the Barnardo's child migration programme.<sup>1088</sup>

Barnardos Australia (previously known as Dr Barnardo's in Australia and Barnardo's Australia) became an independent company in 1996.<sup>1089</sup> All Australian assets were transferred to the newly incorporated Australian company, including records and files held in Australia.<sup>1090</sup>

#### Numbers

Barnardo's sent a total of 2,784 children from the UK to Australia as part of its child migration programme.<sup>1091</sup> Of this total, 502 children were sent to Australia before 1921, 1,840 were sent between 1921 and 1945, and 442 were sent in the post-war period.<sup>1092</sup> This number includes the 408 children sent to Australian under the aegis of the Fairbridge Society between 1921 and 1938.<sup>1093</sup> At least 46 of the children sent to Australia in the post-war period were

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1082 Barnardo's, Council meeting minutes, 27 May 1922, at BAR.001.006.2729.

1083 Barnardo's, Part C response to section 21 notice, at BAR.001.001.0508; Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.4.

1084 Nardy, "The History of Dr Barnardo's Homes in Australia." Retrieved 8 September 2022.

1085 Barnardos Australia, Written submission to the Australian Senate Inquiry, 20 November 2000, at BAR.001.006.0975.

1086 Barnardo's, Part C response to section 21 notice, at BAR.001.001.0507.

1087 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.4. It is likely that this branch was part of the 'unofficial' Barnardo's, given that it was opened prior to the 1923 agreement with the UK Office.

1088 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, pp.3 and 8.

1089 Barnardo's, Letter from Barnardo's Australia to SCAI, 10 July 2019, at BAR.001.006.2570.

1090 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.23.

1091 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.24.

1092 IICSA, 2018, paragraph 2.1.1.4.

1093 Barnardo's, History of migration of children of Dr Barnardo's Homes, 3 February 1949, at BAR.001.005.4048.

migrated from Scotland.<sup>1094</sup> However, given the size of its archive, Barnardo's cannot be certain that these numbers are accurate.<sup>1095</sup> Also, some Scottish children were initially placed in another Barnardo's home in the UK prior to migration. For example, Barnardo's had a practice of migrating all children from its pre-migration centre in Barkingside.

Between 1921 and 1964, 53 parties of children were sent to Australia.<sup>1096</sup> The annual report of the Australian committee for 1966-67 notes that three children had arrived from Britain in the past year, and "we look forward to a greater number arriving during the next twelve months."<sup>1097</sup>

### Funding

Barnardo's benefitted from various funding schemes intended to support child migration to Australia. From 1922, when Barnardo's started to send children from the UK to the Fairbridge Farm School at Pinjarra, the Commonwealth Government paid a subsidy towards the costs of them being placed there.<sup>1098</sup>

Barnardo's council minutes disclose that they received grants from the Oversea Settlement Committee. In summer 1922, for instance, the committee had set aside a fund of £15,000 in the previous year, of which Barnardo's had received over £10,000.<sup>1099</sup>

Prior to 1939, Barnardo's received grants from the UK Government for children placed at Mowbray Park Farm School, and the UK Government provided a further grant amounting to a maximum of one half of the capital cost of establishing the Farm School at Mowbray Park.<sup>1100</sup> This resulted in Barnardo's receiving a grant to the value of £2,900 from the UK Government in 1936.<sup>1101</sup>



Barnardo's Mowbray Park, Picton, boys working in the garden, 1948. Source: [NAA](#).

After the Second World War, the British, Commonwealth, and State governments all contributed to the maintenance payments through the provisions of the Empire Settlement legislation. These payments were made "for all children up to the age of 14 and for those still in school up to 16."<sup>1102</sup> From 1938, the UK Government and

1094 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.24. When Barnardo's submitted its initial response to the section 21 notice in December 2018 it had identified 20 children in the Scottish Inquiry database whom it had migrated. Following a query from SCAI, Barnardo's reviewed its databases and a total of 46 children were identified as having been migrated to Australia. It may be the case that some were first sent to a Barnardo's home elsewhere in the UK before migration. The picture is also clouded by the Barnardo's practice of migrating all children from its pre-migration centre in Barkingside.

1095 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p2.

1096 Barnardo's, Memorandum from Barnardo's Migration Department to P.L. Hartley, 18 August 1964, at BAR.001.006.0801.

1097 Barnardo's, Annual report for 1966-1967, at BAR.001.006.0848.

1098 [Senate Committee on Community Affairs](#), 2001, paragraphs 2.41-2.44.

1099 Barnardo's, Council meeting minutes, Undated [Summer 1922], at BAR.001.006.2730.

1100 Barnardo's, Part C response to section 21 notice, at BAR.001.001.0514; see also *Hansard*, "Emigration", 18 December 1935, c.1840; Barnardo's, History of migration of children of Dr Barnardo's Homes, 3 February 1949, at BAR.001.005.4050.

1101 Barnardo's, History of migration of children of Dr Barnardo's Homes, 3 February 1949, at BAR.001.005.4050; Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.26.

1102 Barnardo's, Part C response to section 21 notice, at BAR.001.001.0514.

Australian Commonwealth entered into another agreement for an Assisted Passage Scheme, similar to the one that had operated for Canada. It provided free passage to Australia for children under the age of 14.<sup>1103</sup> Children aged 14 to 18—juvenile migrants—had to pay £5 towards their passage.<sup>1104</sup>

From 1948, state governments additionally provided child migrants with clothing, a pocket money allowance, and also a wage subsidy after they left care.

Barnardo's signed its first Outfits and Maintenance agreement with the Commonwealth Relations Office on 30 June 1948, and multiple supplementary agreements extended the arrangements until May 1969.<sup>1105</sup> The amounts paid by state governments varied significantly. For instance, in 1953, Western Australia contributed just over £1 per child per week, whereas New South Wales—where all of Barnardo's establishments were located—paid significantly less than that.<sup>1106</sup>

### Locations

Initially, Barnardo's sent children directly to individual farms and private homes in New South Wales, and to the Fairbridge Farm School, Pinjarra, Western Australia. Between 1921 and 1938, Barnardo's sent 408 children to the Fairbridge Farm School, Pinjarra. Barnardo's stopped sending children to Western Australia in 1939.<sup>1107</sup>

In 1928, Barnardo's acquired the premises of Mowbray Park, Picton, in New South Wales, and began to send children there from 1929. Boys were trained for farm work, and girls for domestic work.<sup>1108</sup> Subsequently, Barnardo's established homes at Burwood (1938) and Greenwood, Normanhurst (1951), both in New South Wales, to which child migrants were also sent.<sup>1109</sup>

Homes in Australia were expected to have obtained the approval of the state immigration authorities and the Commonwealth of Australia's Department of Immigration prior to Barnardo's requesting children from the UK to be sent.<sup>1110</sup> Home Office records from November 1952 disclose that Barnardo's had placed child migrants at Greenwood, Normanhurst, at the end of 1951, before it had been approved by the UK Government as a suitable home for child migrants.<sup>1111</sup> The Home Office voiced their confusion about "why the proposals were not put to us for consideration in the usual way" prior to the institution's reception of child migrants.<sup>1112</sup> The Australian authorities were said to be content with the conditions at Greenwood and had granted financial assistance to help with the capital costs of Greenwood in September 1950, but approval from the UK Government ought to have been obtained prior to children being sent there. Barnardo's may have assumed that, since their Picton Farm

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1103 *Hansard*, "Australia (United Kingdom Migrants)", 9 March 1938, c.1897.

1104 Barnardo's, History of migration of children of Dr Barnardo's Homes, 3 February 1949, at BAR.001.005.4050.

1105 Barnardo's, Outfits and Maintenance Agreement: Fourth Supplementary, at BAR.001.006.0222; Barnardo's, Letter from L.J.P.J. Craig to General Superintendent of Barnardo's, 23 May 1967, at BAR.001.006.0130.

1106 *Senate Committee on Community Affairs*, 2001, paragraph 2.78.

1107 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.4.

1108 Constantine *et al.*, paragraph 10.22.

1109 Constantine *et al.*, paragraph 30.1.

1110 Barnardo's, Letter from N. Robinson to T.F. Tucker, 3 March 1960, at BAR.001.006.3883; TNA, DO35/10261, Memo from R.G. Johnson to Mr Sudbury, 5 June 1957, at LEG.001.002.5635; Constantine *et al.*, paragraph 17.24.

1111 TNA, MH102/1895, Letter from R.L. Dixon to H.L. Oates, 3 November 1952, at LEG.001.006.1933-1934.

1112 TNA, MH102/1895, Letter from R.L. Dixon to H.L. Oates, 3 November 1952, at LEG.001.006.1933.

School had already been approved by the UK Government, further approval was not required, but that seems presumptuous.<sup>1113</sup>

From late 1958, Barnardo's became "more concerned with placing their children in foster homes", a goal more readily achieved utilising smaller homes in metropolitan areas as opposed to large farms such as Picton.<sup>1114</sup> As a result, Barnardo's began to open smaller homes in Australia. There were some administrative mistakes in this process. In March 1960, N. Robinson of the CRO wrote to T.F. Tucker of Barnardo's UK referring to a letter of 24 February that year, in which reference had been made to "a number of children who are now accommodated in a new Home at Belmont in New South Wales".<sup>1115</sup> The CRO appears to have been unaware of the Belmont Home prior to that letter. As a result, N. Robinson reminded T.F. Tucker that

"the usual procedure is for the establishment to be approved by the Australian authorities prior to seeking the consent of the Secretary of State for it to be added to the list of those Homes covered by the Outfits and Maintenance Agreement. It would be appreciated if you would let us know whether this action is in hand."<sup>1116</sup>

Belmont was subsequently added to the list of 'approved establishments' in the 1960 renewal of the Outfits and Maintenance agreement between the UK Government

and Barnardo's, although Belmont had already begun receiving child migrants prior to its approval.<sup>1117</sup> Other Barnardo's institutions listed within that agreement were: Greenwood, Normanhurst; Karingal Hostel, Lindfield; Toologan Vale, Scone; and Hartwell House, Kiama.<sup>1118</sup> A Barnardo's report dated October 1964 also includes among its institutions Rickard House, West Ryde; Atherstone House, Cronulla; and Illawong, Keiraville.<sup>1119</sup> Altogether, Barnardo's had accommodation for 139 child migrants in 1964.

Barnardo's continued to establish additional homes throughout the 1960s. In August 1964, Barnardo House at Downer, Canberra, was formally approved to receive child migrants; Greenwood at Wahroonga and Mackay House were approved in July 1968. In October 1969, Berwick House in Canberra was approved.<sup>1120</sup> The Outfits and Maintenance Agreement, which enabled the Barnardo's establishments to claim financial assistance for child migrants in their homes, was renewed periodically until 31 May 1969.<sup>1121</sup>

After setting up its own establishments, Barnardo's sent most of the children it migrated to these establishments. As a result, children were migrated to establishments under the protection of the Barnardo's umbrella. This also meant that

"Children sent to the Barnardo Homes have been continuously in the care of

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1113 Constantine *et al.*, paragraph 17.22.

1114 Barnardo's, Letter from Reuben H. Wheeler to Secretary for Immigration, 6 April 1959, at BAR.001.006.0703.

1115 Barnardo's, Letter from N. Robinson to T.F. Tucker, 3 March 1960, at BAR.001.006.3883.

1116 Barnardo's, Letter from N. Robinson to T.F. Tucker, 3 March 1960, at BAR.001.006.3883.

1117 TNA, DO35/10261, Outfits and Maintenance supplementary agreement, 15 June 1960, at LEG.001.002.5642; Barnardo's, Letter from Reuben H. Wheeler to Secretary for Immigration, 6 April 1959, at BAR.001.006.0703.

1118 TNA, DO35/10261, Outfits and Maintenance supplementary agreement, 15 June 1960, at LEG.001.002.5642.

1119 Barnardo's, Report by Tom Price on Australian Branch Homes, 23 October 1964, at BAR.001.006.0718.

1120 Barnardo's, Australian Correspondence: 1954-1972, at BAR.001.006.0090. From 1944, Barnardo's in Australia accepted Australian children as well as child migrants, so the accommodations opened throughout this period were not exclusively for child migrants.

1121 Barnardo's, Letter from L.J.P.J. Craig to General Superintendent of Barnardo's, 23 May 1967, at BAR.001.006.0126.



the one organisation before and after leaving the United Kingdom; this gives a continuity of training and coupled with the long experience of this organisation in handling children may account for the comparative absence among children at Mowbray Park and Burwood of many of the problems which have arisen at the Fairbridge Schools.”<sup>1122</sup>

However, Barnardo’s children were sent to the Fairbridge Farm School in Pinjarra.<sup>1123</sup> Given that there were contemporaneous concerns about the management of Pinjarra, not all children sent by Barnardo’s were protected from the faults and failings of other migration agencies once they reached Australia.

### Selection

In the pre-Second World War period, Barnardo’s approach to selecting children for migration to Australia followed the one they had adopted for Canada. An official from Barnardo’s Department of Immigration and Colonization visited various locations to interview and select children who had expressed an interest in, and appeared suitable for, migration.<sup>1124</sup> Barnardo’s complied with the requirements stipulated by the Australian High Commission, including IQ requirements, medical history, and racial requirements. In addition, school reports were obtained and a reference from the superintendent of the home where the child was resident was required. Children selected for migration were usually

brought together at the Barnardo’s centre in Barkingside prior to migration, where they stayed for about a month and where parents could visit children.<sup>1125</sup>

In May 1948, P.T. Kirkpatrick, chief of staff and General Superintendent of Barnardo’s Homes, London, is reported as saying that children selected for migration to Australia must be “between the ages of seven and eleven, must have a clear medical history, a well-developed body according to age, a sound constitution, and possess more than normal intelligence”.<sup>1126</sup>

*The Barnardo Book*, 1955, provided the following guidelines for selection:

- “1. Children must genuinely desire to go and must not be over-persuaded;
2. Migration is arranged as a move within our family and if other children are assisted to migrate they must first spend a period of six months in our Homes in Great Britain before sailing.
3. The best age for children to make the move is when they are between 7 and 12 years, but where a family group is involved such a limiting consideration need not apply.
4. Normally girls should not migrate between the ages of 13 and 17 years.”<sup>1127</sup>

Exceptions were made. For example, “Margaret” was migrated to Australia with her younger sister “Amy” in 1956 despite being 15 years old.<sup>1128</sup> A preference for keeping siblings together seems to have overridden

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1122 TNA, DO35/1138/4, Report on Farm Schools in Australia, 6 October 1944, [Garnett Report, October 1944], at LEG.001.002.0248-0288.

1123 Barnardo’s, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.4.

1124 Barnardo’s, Part C response to section 21 notice, at BAR.001.001.0509.

1125 Barnardo’s, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.5.

1126 TNA, MH102/1893, “Australia gives exceptional scope to child migrants”, *The British Australasian*, 15 May 1948, at LEG.001.003.0711.

1127 Barnardo’s, *The Barnardo Book* (1955), at BAR.001.004.1060.

1128 See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#), “Margaret” and “Amy”.

the age requirements specified in *The Barnardo Book* and other selection policies.

In 1948, a Home Office official highlighted the importance of providing children with “a proper explanation and as far as possible, considering their age, an understanding of life and of conditions in Australia”, as it had come to their attention that children expressing a desire to migrate to Australia “had no idea of what Australian life was like and in many cases a very wrong idea.”<sup>1129</sup> Whilst it was repeatedly asserted that the starting point for migration was the child’s desire, and that a child should not be over-persuaded, this was not necessarily the case in practice.

The provision of accurate information to children was something which was not fully addressed. “Gavin”, who was migrated in 1953, “had this vision of riding horses to school and seeing kangaroos jumping up and down the street. It just seemed like an exciting trip...I had no comprehension about how far away Australia was. I feel that I was being enticed to go.”<sup>1130</sup> Likewise, “Amy” “had no idea where Australia was. I didn’t realise just how far away Australia was. I just thought of the thrill of it all. I was on my own when I was asked.”<sup>1131</sup>

In 1967, D.M. Dyson (a Barnardo’s officer) spent a period of three weeks visiting Barnardo’s establishments in Australia, and reported that

“[o]ne boy said bluntly, ‘We were deceived’. Several boys said they expected to ride to

school on horses. Several children spoke of having expected to see kangaroos about, and an Australian child I met outside Barnardo’s complained that the migrants expected to see kangaroos everywhere... None seemed to feel they had been given a reasonably true picture. They expected an exciting life.”<sup>1132</sup>

While “[t]wo boys said, separately, that it was more the fault of Australia House than of Barnardo’s that they had been misled”, Barnardo’s was the organisation responsible for the migration of children whose “desire to go” was often based on false promises.<sup>1133</sup>

Barnardo’s only identified a limited number of documents outlining the system of selection of children for migration. In its closing submissions, Barnardo’s accepted that “it was necessary for there to be a clear and robust system of selection for migration and it cannot now be demonstrated that there was such a system, nor that it was followed in practice.”<sup>1134</sup>

## Consent

In the period before the Second World War, the approach to obtaining consent followed that adopted for Canada. In the post-Second World War era, the matter of consent was revisited.<sup>1135</sup> Barnardo’s developed its practice based on its experience in Canada, which, amongst other things, “emphasised the importance of consultation with families and siblings both before and after migration”.<sup>1136</sup> It is likely that Barnardo’s practice on consent in the post-

1129 MH102/1893, Minutes of meeting with Mr Kikpatrick, 18 June 1948, at LEG.001.003.0706.

1130 [Transcript, day 172](#): “Gavin”, at TRN-5-00000003, p.7; [Written statement of “Gavin”](#), at WIT.001.002.2315.

1131 [Transcript, day 179](#): Read-in statement of “Amy”, at TRN-5-000000009, p.119.

1132 Barnardo’s, Report by D.M. Dyson on Barnardo’s in Australia, March 1968, at BAR.001.006.0033.

1133 Barnardo’s, Report by D.M. Dyson on Barnardo’s in Australia, March 1968, at BAR.001.006.0033.

1134 [Transcript, day 199](#): Barnardo’s, Closing Submissions, at TRN-5-000000030, pp.123-124.

1135 [Transcript, day 194](#): Richard Simpson, at TRN-5-000000025, p.101.

1136 Barnardo’s, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.12.

war period was also influenced by the Curtis Committee's recommendations, the Children Act, 1948, and subsequent discussions that were held during the drafting of section 33 regulations, in which Barnardo's was an active contributor.<sup>1137</sup>

Once a child had expressed a desire to migrate, information was sent to the parent or guardian, and written permission for the child to migrate was sought. These letters included information about how contact could be maintained with children once they had migrated.<sup>1138</sup> The standard letter included a 'reminder' to the parent "of the tremendous opportunity available to the young people in Australia, especially when they have the experience and influence of these homes behind them."<sup>1139</sup>

There were instances when a child was migrated despite the parent's consent not being given. In March 1950, an official from the Home Office wrote to the superintendent of Barnardo's Homes reporting that the Secretary of State had used the powers available to him under Section 84(5) of the Children and Young People Act, 1933, to authorise the migration of a boy whose parents had refused to consent to his migration.<sup>1140</sup> The boy sailed in May 1950.<sup>1141</sup> The correspondence about this decision reveals that this boy had three younger siblings who were "sleeping out" with their parents.<sup>1142</sup>

Furthermore, just as children expressed a desire to migrate, often based on misleading information, during her visit to Barnardo's establishments in Australia in 1967, D.M. Dyson "heard, also, of adult migrants who felt they had been misled by Australia House films and other publicity."<sup>1143</sup> If adult migrants were misled, it seems highly likely that the parents of some potential child migrants were also misled.

At a meeting with the Home Office's Children's Department and the Commonwealth Relations Office in June 1948, P.T. Kirkpatrick maintained that all children selected for migration by Barnardo's had volunteered. Case files suggested that parents were sent letters about their child's impending migration, and they were invited to visit the children.<sup>1144</sup> This proposed contact was not always beneficial. SCAI applicant "Amy" had not known she had a mother and brother in the UK until "a week before we left the shores of England" when their mother, who had not visited her at Glasclune, wrote to her.<sup>1145</sup> "Amy" felt traumatised by this experience, and "the happiness I was looking forward to in going to Australia changed because I had this knowledge."<sup>1146</sup>

Barnardo's checked the children's histories and contacted relatives, including siblings who were then asked if they also wanted to migrate. Barnardo's only visited the homes of the children whose parents and carers did not consent to their migration, although

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1137 See [Chapter 1.3](#). See also Constantine *et al.*, Appendix 3, in particular paragraphs 2.15, 2.20, 2.29

1138 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.21.

1139 Barnardo's, Standard letter from Chief Executive Officer to parents of potential child migrants, 21 August 1952, at BAR.001.006.0071.

1140 Barnardo's, Letter from J.G. Ratcliffe to General Superintendent, 31 March 1950, at BAR.001.006.0070.

1141 Barnardo's, Letter from Unnamed to Rev Wilton N. McCann, 14 June 1950, at BAR.001.006.0069.

1142 Barnardo's, Letter from Unnamed to Rev Wilton N. McCann, 14 June 1950, at BAR.001.006.0069.

1143 Barnardo's, Report by D.M. Dyson on Barnardo's in Australia, March 1968, at BAR.001.006.0033.

1144 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.10.

1145 [Transcript, day 179](#): Read-in statement of "Amy", at TRN-5-000000009, p.121.

1146 [Transcript, day 179](#): Read-in statement of "Amy", at TRN-5-000000009, p.121-122.

the Home Office official emphasised that all homes should be visited and P.T. Kirkpatrick “undertook to consider this.”<sup>1147</sup> It is unclear if such consideration was taken forward.

Whilst Barnardo’s maintained that it had “consent for practically every child that went, and the express wishes of themselves... where they expressed their wish to go”, evidence suggests that this consent, either child’s or parent’s, was given based on incomplete and misleading information.<sup>1148</sup>

Barnardo’s frankly conceded there were significant failures regarding consent:

“Barnardo’s would not seek to challenge the evidence of Professor Norrie that parental consent was of doubtful efficacy since parental authority was, in principle, inalienable, nor would Barnardo’s challenge the evidence that the legal basis for accepting the consent of the child was dubious...Barnardo’s did seek the consent of parents and guardians prior to the migration of children and... Barnardo’s sought the consent of children prior to migration, but the form in which Barnardo’s sought the consent of parents was very wide-ranging at the point at which a child entered their care, supplemented by seeking consent prior to migration. But it can’t be said that consent was given on an informed basis, given the absence of information on what parents or children were told and given the evidence.”<sup>1149</sup>

## Monitoring

Drawing on its Canadian experience, the Barnardo’s branches established in Australia in 1921 and 1922 employed trained staff to carry out inspections of children in their placements.<sup>1150</sup> These offices assumed the day to day responsibility for the welfare of child migrants.<sup>1151</sup> However, Barnardo’s struggled to conduct inspections because of inadequate capacity.

It seems likely that inspectors would also have inspected the institutions that received child migrants from Barnardo’s UK, such as the Fairbridge Farm School in Pinjarra.<sup>1152</sup> Barnardo’s have evidence that placements were checked for their suitability, and their archives include progress reports of individual children, as well as visitor reports.<sup>1153</sup> Richard Simpson, Barnardo’s Assistant Director, suggested that there would have been a blacklist of homes where children should not have been sent.<sup>1154</sup> This suggests that some children provided critical feedback about these homes.

Children appear to have been given opportunities to maintain contact with their families during their time at Barnardo’s in Australia. “Amy”, for instance, “was a prolific letter writer”.<sup>1155</sup> She later found out that Barnardo’s “were having to ask my mother to write more often and keep in contact... The impression I got was that my mother was being forced to write to me and she didn’t

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1147 TNA, MH102/1893, Minutes of meeting with P.T. Kirkpatrick, 18 June 1948, at LEG.001.003.0706.

1148 [Transcript, day 194](#): Richard Simpson, at TRN-5-000000025, p.106.

1149 [Transcript, day 199](#): Barnardo’s, Closing Submissions, at TRN-5-000000030, pp.125-126.

1150 Barnardo’s, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.9. See also Constantine *et al.*, paragraph 17.26.

1151 Barnardo’s, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.7

1152 Constantine *et al.*, paragraph 17.26.

1153 Barnardo’s, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.19.

1154 [Transcript, day 194](#): Richard Simpson, at TRN-5-000000025, pp.92-93.

1155 [Transcript, day 179](#): Read-in statement of “Amy”, at TRN-5-000000009, p.127.

want to.”<sup>1156</sup> Barnardo’s do appear to have been concerned to support “Amy” in her attempts to contact her mother.

### External inspections

Throughout the migration period, inspections of Barnardo’s Farm School and Homes in Australia were also carried out by the UK and Australian governments. The child welfare department carried out some inspections.<sup>1157</sup> In May 1944 the Chief Migration Officer of the Department of the Interior, Reuben Wheeler, and Walter Garnett, from the UK High Commissioner’s Office visited Barnardo’s Mowbray Park Farm School, at Picton.<sup>1158</sup> Reuben Wheeler’s report on Mowbray Park was largely positive. Although boys were expected to go into farm work, and girls to domestic work, Barnardo’s helped children who were not suited to such work to find alternative employment. The Barnardo’s manager for New South Wales reportedly said that aftercare was “the most important aspect of their scheme” and, as far as possible, the children who had been in their care were visited twice a year.<sup>1159</sup>

Walter Garnett was also complimentary about Mowbray Park. He believed that Barnardo’s success was due largely to the fact that children had been in the continuous care of Barnardo’s since before leaving the UK, to the organisation’s long experience in caring for children, and to Barnardo’s provision of ongoing aftercare.

Further inspections were conducted by Caroline Kelly in 1944, K.R. Crook from the UK High Commission in 1951, John Moss in 1951, and the Ross Committee in 1956. These were generally positive inspections, noting that the homes were run well, with good staffing and aftercare.

Although the UK High Commission did not routinely carry out inspections, in February 1957, Barnardo’s asked for financial assistance as they planned to send more children to Picton and Burwood.<sup>1160</sup> The CRO then asked the UK High Commission about the conditions in these institutions, and the High Commission responded stating that previous conditions had been fine and funding should continue. In 1957, prior to funding agreements being renewed, New South Wales state officials carried out inspections, reports of which were sent to the UK High Commission. The inspection of Normanhurst was generally positive, but stated that the care was “institutional in character”.<sup>1161</sup> Picton was similarly “institutional in character” but a “homely atmosphere” was preserved “as far as possible.” Picton was generally perceived as good by inspectors, as was Burwood.<sup>1162</sup>

In summary, inspections conducted were generally positive of Barnardo’s homes in Australia, but there were some concerns about the state of the buildings and the institutional nature of care.

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1156 [Transcript, day 179](#): Read-in statement of “Amy”, at TRN-5-000000009, p.128.

1157 Barnardo’s, Report by P.T. Kirkpatrick, 24 April 1953, at BAR.001.006.0074-0077.

1158 TNA, DO35/1138/4, Wheeler Report, May 1944, at LEG.001.004.3979-3981. See also Constantine *et al.*, paragraph 17.24.

1159 TNA, DO35/1138/4, Wheeler Report, May 1944, at LEG.001.004.3981.

1160 Constantine *et al.*, paragraph 17.25.

1161 DO35/10261, Inspections by New South Wales State Officials, 1957, at LEG.001.002.5671.

1162 DO35/10261, Inspections by New South Wales State Officials, 1957, at LEG.001.002.5673-5676.

### Internal inspections and reports

The Barnardo's Australian branch carried out inspections of the Farm School and Homes, as evidenced by copies of Farm School Progress Reports and Visitor Reports within Barnardo's archives.<sup>1163</sup> Representatives from Barnardo's UK were also sent out to visit child migrants in Australia.<sup>1164</sup> Barnardo's reports from 1948 to 1967 provide some insight into migrant children's experiences in Australia.

P.T. Kirkpatrick's visit to Australia has already been mentioned. He reported that some of the boys he visited "felt that they had a pretty raw deal."<sup>1165</sup> One migrant informed him he did not remember talking to inspectors privately, but he was "well fed and clothed".<sup>1166</sup> He "knew no better than to accept the conditions in which he found himself."<sup>1167</sup> He felt he "could have been given a much better chance in life".<sup>1168</sup> Another migrant told P.T. Kirkpatrick that he received "poor treatment", even though he was visited according to "the standards of those days". However, P.T. Kirkpatrick noted "a degree of resentment...that they were not given a better chance and the progress they had to make was left to their own initiative entirely."<sup>1169</sup>

Information gathered by P.T. Kirkpatrick is also reflected by evidence provided to the

Inquiry. SCAI applicant "Gavin" believed he was "ill-equipped for the outside world", which impacted on his life. He felt children were treated as "outcasts".<sup>1170</sup>

A later report by P.T. Kirkpatrick in 1953 noted more issues with child migration.<sup>1171</sup> He reported that the Sydney Committee had difficulty recruiting new members. He was positive about Burwood and Normanhurst, but he had "real concern" about the Picton farm school. At the time of his visit, there were 67 boys in residence, but there was space for 90 boys. His concern related to the proposed 12-month intensive training in farm work, which had been "badly neglected".<sup>1172</sup> Boys had only received limited training.

The buildings and furnishings were "in need of repair."<sup>1173</sup> The farm was in a poor state of repair. He criticised the Sydney Committee for this, who had been "almost parsimonious...in the past...with every sense of responsibility."<sup>1174</sup>

A report in 1956 by Tom Price, the Barnardo's Manager in Australia, was critical of the farm school.<sup>1175</sup> He began by observing that he was "brought to the unhappy conclusion that no real improvement can be brought about without really drastic action."<sup>1176</sup> He was particularly critical of boys being sent "out into the world who are ill equipped to fit

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1163 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.19.

1164 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.16.

1165 Barnardo's, Letter from P.T. Kirkpatrick to D.J. MacAndrew, 26 May 1948, at BAR.001.006.0046.

1166 Barnardo's, Letter from P.T. Kirkpatrick to D.J. MacAndrew, 26 May 1948, at BAR.001.006.0046.

1167 Barnardo's, Letter from P.T. Kirkpatrick to D.J. MacAndrew, 26 May 1948, at BAR.001.006.0046.

1168 Barnardo's, Letter from P.T. Kirkpatrick to D.J. MacAndrew, 26 May 1948, at BAR.001.006.0046.

1169 Barnardo's, Letter from P.T. Kirkpatrick to D.J. MacAndrew, 26 May 1948, at BAR.001.006.0046.

1170 [Written statement of "Gavin"](#), paragraphs 64 and 81, at WIT.001.002.2322-2323.

1171 Barnardo's, Report by P.T. Kirkpatrick, 24 April 1953, at BAR.001.006.0074-0077.

1172 Barnardo's, Report by P.T. Kirkpatrick, 24 April 1953, at BAR.001.006.0075.

1173 Barnardo's, Report by P.T. Kirkpatrick, 24 April 1953, at BAR.001.006.0075.

1174 Barnardo's, Report by P.T. Kirkpatrick, 24 April 1953, at BAR.001.006.0075.

1175 Barnardo's, Report by Tom Price on the Farm School, Picton, March 1956, at BAR.001.005.4005.

1176 Barnardo's, Report by Tom Price on the Farm School, Picton, March 1956, at BAR.001.005.4005.

into a modern social circle."<sup>1177</sup> The staffing was "probably worse now than it has been for years."<sup>1178</sup> Tom Price considered that "any real improvement in the boys has been brought about almost entirely by the children themselves".<sup>1179</sup>

The following comments by Tom Price about children's performance in the outside world do not reflect favourably on Barnardo's:

"Complaints are being received from employers and landladies concerning the general outlook, rudeness and manners of too large a percentage of our school leavers. They find it difficult to fit into a normal family circle, are dirty and untidy in person and habits and generally show a roughness and loutishness that we do not expect in our children. Many are lacking in common courtesies and good manners and a few are really objectionable where women are concerned."<sup>1180</sup>

Tom Price emphasised that the training being provided by Barnardo's to boys was inadequate: "The main function of the farm is to provide a sound basic training for boys wishing to enter primary production. It cannot be denied that it is failing miserably in this respect."<sup>1181</sup>

Tom Price recommended allowing the superintendent a period of time to improve the position. The farm had to be improved and that would involve bringing staff from England. However, Tom Price believed that

as the farm school had "passed its zenith", Barnardo's should close the school and should use smaller homes, in line with modern ideas of childcare.<sup>1182</sup>

In 1967, the report produced by the Barnardo's officer, D.M. Dyson, after a three-week review of Barnardo's work in New South Wales raised some concerns about Barnardo's selection procedures and the information given to children prior to migration. She provided the example of one boy who was migrated at the age of eight along with his two brothers. She described how at the age of 12 he was, "very pathetic, babyish, demanding, unable to read, and quite unfit for high school."<sup>1183</sup> He was separated from his siblings on arrival in Australia, but had since reconnected with them and was "doing better."<sup>1184</sup>

She found that child migrants had a difficult time adjusting to life in Australia, and "a child's confidence could be undermined" by the move due to all the differences and adjustments required.<sup>1185</sup> She recommended that Barnardo's produce a leaflet providing accurate information about life in Australia with practical advice: "There is no need to mention kangaroos and koala bears."<sup>1186</sup> Her report made several recommendations about how children should be selected.

D.M. Dyson's report was a clear attempt to provide information about child migrants' actual experiences so as to inform organisational practice. No children were

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1177 Barnardo's, Report by Tom Price on the Farm School, Picton, March 1956, at BAR.001.005.4005.

1178 Barnardo's, Report by Tom Price on the Farm School, Picton, March 1956, at BAR.001.005.4005.

1179 Barnardo's, Report by Tom Price on the Farm School, Picton, March 1956, at BAR.001.005.4005.

1180 Barnardo's, Report by Tom Price on the Farm School, Picton, March 1956, at BAR.001.005.4005.

1181 Barnardo's, Report by Tom Price on the Farm School, Picton, March 1956, at BAR.001.005.4005.

1182 Barnardo's, Report by Tom Price on the Farm School, Picton, March 1956, at BAR.001.005.4005.

1183 Barnardo's, Report by D.M. Dyson on Barnardo's in Australia, March 1968, at BAR.001.006.0032.

1184 Barnardo's, Report by D.M. Dyson on Barnardo's in Australia, March 1968, at BAR.001.006.0032.

1185 Barnardo's, Report by D.M. Dyson on Barnardo's in Australia, March 1968, at BAR.001.006.0032.

1186 Barnardo's, Report by D.M. Dyson on Barnardo's in Australia, March 1968, at BAR.001.006.0032.

migrated by Barnardo's after the production of her report.

### Aftercare reports and individual monitoring

When a child left Barnardo's to enter into employment, employers were required to sign employment agreements stipulating matters such as the wages payable, holiday entitlement, aftercare, and when employment would cease.<sup>1187</sup>

Barnardo's continued to monitor the progress of child migrants after they had left care. These reports were sent back to the UK.<sup>1188</sup> In 1948, P.T. Kirkpatrick informed the Home Office and Commonwealth Relations Office that: "After-care officers are attached to the Sydney office. They tour round visiting all the children in training or in jobs. They must make a minimum number of visits to each child per year, and their reports on each visit are sent to Headquarters in London."<sup>1189</sup>

The Kirkpatrick reports of 1948 and 1953 and a 1949 document on Burwood all emphasised the importance of aftercare.<sup>1190</sup> In 1953, P.T. Kirkpatrick noted that the Sydney Barnardo's branch had good relations with the child welfare department, and that they shared aftercare responsibilities when logistical and geographical difficulties made it difficult for Barnardo's aftercare officers to visit children.<sup>1191</sup> Another report from 1957 found that boys leaving Picton

were provided with accommodation and employment. Aftercare officers kept in touch with children.<sup>1192</sup>

The frequency of visits to children in residential homes and young people under 21 who had left varied from six to 12 months.<sup>1193</sup> Sometimes there were more frequent visits. From 1952, Barnardo's policy was that the first report should be within six months of the child's arrival in Australia, and at least annually thereafter. This was a pre-emptive response to what was being proposed in the draft section 33 regulations, discussed in [Chapter 1.3](#). Barnardo's maintained this level of monitoring, even though regulations to control migration by voluntary organisations never materialised. The Barnardo's approach showed "that voluntary organisations had the capacity to introduce standards of practice encouraged through the draft s.33 regulations without having to wait for these regulations formally to be brought into effect."<sup>1194</sup>

Barnardo's offered to provide parents with progress reports about children sent overseas. Managers of residential homes were also required to send monthly reports about institutions to the Barnardo's general manager in New South Wales. However, these were not routinely sent to the UK.<sup>1195</sup> Although IICSA determined that some aftercare reports suggested that Barnardo's

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1187 TNA, MH102/1894, Dr Barnardo's Homes, New South Wales Committee Terms and conditions of employment, 1957, at LEG.001.003.0730-0731.

1188 TNA, MH102/1893, Report of Investigation by P.T. Kirkpatrick, 1948, at LEG.001.003.0706.

1189 TNA, MH102/1893, Minutes of meeting with P.T. Kirkpatrick, 18 June 1948, at LEG.001.003.0706.

1190 Constantine *et al.*, paragraph 17.26; TNA, MH102/1893, Report of Investigation by P.T. Kirkpatrick, 1948, at LEG.001.003.0706; Barnardo's, Report by P.T. Kirkpatrick, 24 April 1953, at BAR.001.006.0074-0077; TNA, MH102/1894, Emigration of Children under Dr Barnardo's Homes Scheme, at LEG.001.003.0714, LEG.001.003.0730-0732, LEG.001.003.0745-0747, and LEG.001.003.0752.

1191 TNA, MH102/1893, Report by P.T. Kirkpatrick, 24 April 1953, at LEG.001.003.0706.

1192 TNA, DO35/10261, Inspections by New South Wales State Officials, 1957, at LEG.001.002.5674.

1193 IICSA, 2018, paragraph 2.1.4.

1194 Constantine *et al.*, Appendix 3, paragraph 3.1.

1195 Constantine *et al.*, Appendix 3, paragraphs 3.1-3.2.



understood the needs of individual children, the detail in reports varied. Barnardo's standards met those encouraged by the Home Office and Advisory Council on Child Care but, as there were so many reports, these were not read by staff in the UK with any regularity, nor were they routinely passed to senior staff in London.<sup>1196</sup> Barnardo's recognised at the time that they had less knowledge of the children migrated than of those resident in the UK, which "may also have made it harder to detect any wider systemic problems with staffing or standards of care for child migrants overseas."<sup>1197</sup>

Reports from superintendents between 1957 and 1960 contained information about staff, facilities, and activities, but less about the welfare and progress of the children. Other reports from 1957 to 1962 outlined visits from aftercare officers and state child welfare officers, "and [are] more indicative of close attention given to those placed in employment, and concern especially about those youngsters having problems."<sup>1198</sup> "Amy", for example, was visited by a Barnardo's aftercare officer who was concerned about her "behaviour and mode of life".<sup>1199</sup> Barnardo's were worried about "Amy's" mental health and subsequently sent her to see a doctor. They appear to have taken their duty of care to her seriously. "Amy" continued to be a concern to Barnardo's, who eventually reported their concerns to the child welfare department.

However, no further action is documented in evidence seen by the Inquiry. "Amy" felt that she "could so easily have gone off the rails" due to a lack of proper care at that time.<sup>1200</sup>

The approach of some individual social workers employed by Barnardo's was questionable. The Barnardo's social worker who visited "Amy" and her sister "Margaret" describe "Amy" as "selfish and narcissistic" and her sister "Margaret" as "flabby-looking" and "jealous".<sup>1201</sup> Such descriptions were not what could have been reasonably expected of a responsible social worker. Some reports were, however, at least sent to the UK, indicating relatively good lines of communication between Barnardo's in the UK and in Australia.

Constantine, Harper, and Lynch concluded that Barnardo's individual reports of children suggested

"a more detailed empathetic interest in children's emotional state as well as their career progress, and this perhaps created conditions in which any incidents of abuse experienced by a child migrant could have been disclosed to staff."<sup>1202</sup>

### Sexual abuse

In 1951, there was a disagreement between boys and the superintendent at Picton, although it is unclear if this was because of allegations of abuse.<sup>1203</sup> In 1955, a member of staff was dismissed from Picton for

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1196 Constantine *et al.*, paragraph 17.32.

1197 Constantine *et al.*, paragraph 17.32; and Appendix 3, paragraph 3.3; [IICSA](#), 2018, paragraph 2.1.4.34.

1198 Constantine *et al.*, paragraph 17.26. See also Barnardo's, Girls Aftercare Reports, Jan 1957 - Jan 1962, at BAR.001.006.0364-0391 (this includes 28 aftercare reports on two sisters); Barnardo's, Boy's After Care Reports 1957-1960, at BAR.001.006.0399-0422 (this includes 19 aftercare reports on six boys); and Barnardo's, monthly reports from Picton Farm School and Normanhurst, at BAR.001.005.3960-3967.

1199 Barnardo's, Aftercare report for "Amy", April 1960, at BAR.001.006.0378.

1200 [Transcript, day 179](#): Read-in statement of "Amy", at TRN-5-000000009, p.137.

1201 Barnardo's, Letter from R. Tankard to Miss Garland, 29 January 1963, at BAR.001.005.1078; Barnardo's, Aftercare report for "Margaret", 21 September 1960, at BAR.001.005.1044.

1202 Constantine *et al.*, paragraph 17.30.

1203 Constantine *et al.*, paragraph 30.4.

‘indiscreet fondling’, but it was unclear if Barnardo’s UK was aware of this incident.<sup>1204</sup> “Amy” told the Inquiry that at Burwood in 1956-1958, the gardener, who was an employee of the establishment, exposed himself to her and a friend.<sup>1205</sup>

In some instances, concerns were dealt with effectively by Barnardo’s. In 1958, Barnardo’s became aware of several cases of sexual abuse at Picton through a third party, rather than through its own monitoring systems.<sup>1206</sup> Tom Price, the Manager of Barnardo’s in Australia, responded by alerting the New South Wales Director of Child Welfare, informing him that “[i]nformation gained has proved beyond doubt that certain people have been involved in serious sexual malpractices against a large number of our boys, mainly in the 18-21 age group.”<sup>1207</sup> He also wrote to the Director of Child Welfare in Sydney reporting alleged offences committed “by certain people” against Barnardo’s boys.<sup>1208</sup> He passed the information to the police, who went on to conduct an investigation into the allegations. As a result, four individuals were charged with various offences including sexual interference and sodomy.

The primary offender was W. Etheridge, who had been employed as Sports Master at Picton between 1952 and 1955, but left in 1955 after he applied but was rejected for the position of After Care Officer.<sup>1209</sup> Tom Price concluded that “[t]here appears no doubt that during his time at the Farm School

and since, up to the present time, Etheridge has been guilty of serious sex offences against a number of boys.”<sup>1210</sup>

Another of the offenders implicated in these allegations was N. Judson, an employer who took Barnardo’s boys after they left Picton. Although Tom Price had already stopped sending boys into Judson’s employ 18 months before then because he “was dissatisfied with living conditions there,” he concluded that “[i]t seems fairly certain that he has practiced these habits since the war but I have not seen older lads to verify whether it extended to the pre-war period.”<sup>1211</sup>

The third offender was a boy who had previously been resident at Barnardo’s and

“who is to be greatly pitied...it appears quite definite that David is closely associated with Etheridge in all his malpractices and has been guilty of almost procuring younger lads and introducing them to this man. He has also been guilty of sexual assaults on the boys himself, including sodomy. Whilst I cannot excuse David for his misconduct, I do feel sympathy for him as he was obviously introduced into this mode of behaviour by Etheridge, when he was at the Picton Farm School, and has found it impossible to break away since.”<sup>1212</sup>

The allegation that he had procured younger boys on behalf of Etheridge indicates that Tom Price was concerned that younger boys

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1204 Constantine *et al.*, Appendix 3, paragraph 3.4 [IICSA](#), 2018, paragraph 2.1.2.10.

1205 [Transcript, day 179](#): Read-in statement of “Amy”, at TRN-5-000000009, p.128.

1206 Constantine *et al.*, Appendix 3, paragraph 3.5 [IICSA](#), 2018, paragraph 2.1.2.11.

1207 Barnardo’s, Letter from Tom Price to the Director of Child Welfare in Sydney, 30 May 1958, at BAR.001.005.3640.

1208 Barnardo’s, Letter from Tom Price to the Director of Child Welfare in Sydney, 30 May 1958, at BAR.001.006.0683.

1209 Barnardo’s, Letter from Tom Price to the Director of Child Welfare in Sydney, 30 May 1958, at BAR.001.006.0683.

1210 Barnardo’s, Letter from Tom Price to the Director of Child Welfare in Sydney, 30 May 1958, at BAR.001.006.0683.

1211 Barnardo’s, Letter from Tom Price to the Director of Child Welfare in Sydney, 30 May 1958, at BAR.001.006.0683.

1212 Barnardo’s, Letter from Tom Price to the Director of Child Welfare in Sydney, 30 May 1958, at BAR.001.006.0683.

at Normanhurst had also been sexually abused. There was evidence that younger boys from “our Normanhurst branch” had also been involved with Etheridge and David.<sup>1213</sup>

A fourth individual, D. Tobbutts, was also accused and later convicted of misconduct.<sup>1214</sup> Like N. Judson, D. Tobbutts was a local farmer who employed Barnardo’s boys from 1950 onwards.

All four, and a further three individuals, two of whom were ship-workers and one of whom was a former housemaster at Picton, were later convicted in connection with the abuse of Barnardo’s boys.<sup>1215</sup>

In the UK, Barnardo’s Council considered the situation. Sir Norman Strathie, chair of Barnardo’s Homes Management Committee, reported “that it had been made quite clear to Mr. Price and to Mr. Soammell that Barnardo’s regarded their duty to the State and to the Public as being of more importance than the preservation of their own good name”, an assurance that Tom Price appears to have been cognisant of, based on his reaction.<sup>1216</sup> Barnardo’s UK Council “unanimously agreed that in the circumstances...migration to Australia should be stopped temporarily until our Australian work is in a condition to receive more children.”<sup>1217</sup>

Meanwhile, correspondence also ensued between Tasman Heyes, Secretary of the Australian Department of Immigration, and Alick Downer, the Australian Minister of

Immigration. Tasman Heyes believed for a variety of reasons that “no action should be taken in this regard at this stage.”<sup>1218</sup> These reasons included:

- The fact that the trouble was confined to Picton;
- That the police investigation had concluded that “no present member of the staff there would engage in or countenance such malpractices”;
- That Tom Price had alerted the London head office of the matter immediately and received a proactive response;
- That any pause on migration to Picton “could cast aspersions on the organisation and cause the London Organisation to become more panic stricken [sic] than when Mr Price first reported the matter to them”;
- And that “Child Welfare regard Barnardo’s as the soundest organisation bringing boys to New South Wales”.<sup>1219</sup>

Alick Downer nonetheless considered that the immigration of boys to Barnardo’s Homes at Picton and Normanhurst should be suspended.<sup>1220</sup> Commendably, he added that

“[t]hese allegations go to the foundations of morality; so any Minister, as the legal guardian of such children, must be personally concerned in seeing that they are protected from influences disastrous to character...It w[oul]d be better to have no child migration at all, than to risk corrupting youths possibly for the remainder of their lives.”<sup>1221</sup>

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1213 Barnardo’s, Letter from Tom Price to the Director of Child Welfare in Sydney, 30 May 1958, at BAR.001.006.0684.

1214 Barnardo’s, Letter from Tom Price to the Director of Child Welfare in Sydney, 30 May 1958, at BAR.001.006.0684.

1215 Barnardo’s, Copy of police report by D.R. Baillie, 23 December 1958, at BAR.001.006.0702.

1216 Barnardo’s, Extract from a report regarding the management of child migration, 1958, at BAR.001.006.3886.

1217 Barnardo’s, Extract from a report regarding the management of child migration, 1958, at BAR.001.006.3886.

1218 Barnardo’s, Letter from Tasman Heyes to Alick Downer, 19 June 1958, at BAR.001.006.0687.

1219 Barnardo’s, Letter from Tasman Heyes to Alick Downer, 19 June 1958, at BAR.001.006.0687-88.

1220 Barnardo’s, Note from Alick Downer to Tasman Heyes, 20 June 1958, at BAR.001.006.0688.

1221 Barnardo’s, Note from Alick Downer to Tasman Heyes, 20 June 1958, at BAR.001.006.0688.

Migration to Barnardo's Homes, including the planned migration of a group of children that was due to travel to Australia, was paused during the criminal proceedings.

A delegation led by E.H. Lucette, Barnardo's General Superintendent, visited Australia in late July 1958 to investigate and liaise with Australian and UK officials.<sup>1222</sup> This delegation established that the risk of sexual abuse had been addressed, and eliminated. The delegation expressed their concern that the official ban "affected their status as a Society permitted to solicit contributions from the public" and requested that the ban be lifted.<sup>1223</sup>

Following the delegation's visit, Tasman H. Heyes wrote again to Alick Downer encouraging him to lift the ban.<sup>1224</sup> In August 1958, Alick Downer agreed to resume migration to the Homes, with the proviso that there be "a most careful supervision of both PICTON & NORMANHURST for a very considerable time to come."<sup>1225</sup> Very appropriately, he added: "In this, we cannot act only on other people's reports. We must, from time to time, investigate conditions & conduct in these homes ourselves."<sup>1226</sup>

It is striking that in this instance, Barnardo's and the Australian authorities acted appropriately by reporting allegations to authorities, conducting effective investigations, and recommending the cessation of child migration to Barnardo's institutions until they could be proven safe,

but UK Government officials were eager to press on with child migration regardless of safeguarding concerns.

In October 1958, T.H. Lucette met with the CRO and told them that, although the problems at Picton had been resolved, aftercare was being reviewed. He was of the view that Picton should be closed down as it was too isolated and it was difficult to recruit staff. Further, the local committee could not reach a consensus about policies, and Barnardo's was looking to board children out in smaller homes. There was no objection to this proposal from the Home Office or the CRO. Picton was closed in 1959 and Barnardo's opened smaller homes for child migrants.<sup>1227</sup> A report by Helen Harrison, formerly of the SHD, in 1958 noted that staff in the new homes were "adequate and the surroundings all that could be wished."<sup>1228</sup>

The following description is a fair summary of Barnardo's approach to monitoring: "Whilst there were evidently some weaknesses in its systems...Dr Barnardo's Homes had means both of monitoring the welfare of individual child migrants and wider conditions in its institutions."<sup>1229</sup>

### End of migration to Australia

Barnardo's did not expressly decide to stop their child migration activities. As late as 1967, the Management Committee of Barnardo's in Australia continued to espouse the view that there were excellent opportunities for

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1222 TNA, DO35/10260, Letter from Office of the High Commissioner to R.H. Johnson, 8 August 1958, at LEG.001.002.8078-0801.

1223 TNA, DO35/10260, Letter from Office of the High Commissioner to R.H. Johnson, 8 August 1958, at LEG.001.002.8079.

1224 Barnardo's, Letter from Tasman Heyes to Alick Downer, 31 July 1958, at BAR.001.006.2569.

1225 Barnardo's, Letter from Alick Downer to Tasman Heyes, 8 August 1958, at BAR.001.006.2569. Emphasis in original.

1226 Barnardo's, Letter from Alick Downer to Tasman Heyes, 8 August 1958, at BAR.001.006.2569. Emphasis in original.

1227 TNA, DO35/10260, Notes of a meeting of representatives of the CRO and Home Office with E.H. Lucette, 23 October 1958, at LEG.001.002.8014; Letters from Home Office and CRO, 3 and 21 November 1958, at LEG.001.002.8014.

1228 TNA, DO35/10260, Impressions of Helen R. Harrison (formerly of the SHD) on conditions at Dr Barnardo's Homes, September 1958, at LEG.001.002.8041.

1229 Constantine *et al.*, Appendix 3, paragraph 3.8.

migrated children in Australia.<sup>1230</sup> At that time, there was “some discussion in Britain about the possibility of Barnardo’s being used as a migration agency for selected children from local authorities”, a potential avenue that Barnardos Australia also supported.<sup>1231</sup> At the same meeting, the Committee concluded “that migration should always be a part of Barnardo child caring practices”.<sup>1232</sup>

### The post-migration period

Barnardo’s has had an aftercare service since the era of Dr Barnardo, with the service now provided by Barnardo’s ‘Making Connections’. Barnardo’s has made records and birth certificates available to former residents, and has helped former residents to trace relatives. Since 1995, Barnardo’s has had an “open file policy so that all child migrants have access to information about them before or after migration.”<sup>1233</sup>

In 2018, Barnardo’s advised SCAI that “in the last five years requests from families and descendants have averaged over 400 per annum from Canada and 35 from Australia.”<sup>1234</sup>

In 1994, Collette Bradford, Head of After Care, visited Canada to meet with migrants and their descendants, and visited annually until 2005. Barnardo’s organised reunions,

and has also forged strong links with various organisations throughout Canada that provide support to former child migrants and their descendants.<sup>1235</sup>

In 1993, Barnardos Australia “appointed a specialist officer to support child migrants.”<sup>1236</sup> The organisation has worked with the CMT, and has assisted former child migrants with access to counselling, reunion applications, travel arrangements, and welfare support.<sup>1237</sup> Further, Barnardos Australia “have been regular supporters of the Care Leavers Australia Network and their important work exposing the damage of institutional care to Australian children.”<sup>1238</sup>

Barnardo’s effective record-keeping policies have facilitated these various services:

“Making Connections makes records available in the same way to those who were migrated to Australia and to Canada. That service has provided an important central point of contact for those seeking information about their time in Barnardo’s care and to support and to disclose poor care and abuse. The team of dedicated social workers at Making Connections offers support for as long as is required which, for some former residents, has been many years.”<sup>1239</sup>

1230 Barnardo’s, Minutes of the meeting of the Management Committee of Barnardo’s in Australia, 28 September 1967, at BAR.001.006.0863.

1231 Barnardo’s, Minutes of the meeting of the Management Committee of Barnardo’s in Australia, 28 September 1967, at BAR.001.006.0865.

1232 Barnardo’s, Minutes of the meeting of the Management Committee of Barnardo’s in Australia, 28 September 1967, at BAR.001.006.0865.

1233 Sara Roberts, Understanding Barnardo’s Child Migration Procedures, 10 April 2003, at BAR.001.006.270; Barnardo’s, Part C response to section 21 notice, at BAR.001.001.0515.

1234 Barnardo’s, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.12. Barnardo’s initial section 21 response had stated that there had been no requests from former child migrants to Canada for five years, likely due to the fact most former migrants to Canada have now passed away: see Barnardo’s, Response to section 21 notice, at BAR.001.005.3348. It is possible that the 400 Canadian requests represent only family and descendants, and not the former child migrants themselves.

1235 Barnardo’s, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.27.

1236 Barnardo’s, Part C response to section 21 notice, at BAR.001.001.0515.

1237 Barnardo’s, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.13.

1238 Written statement of Louise Voigt, 16 November 2009, at BAR.001.006.1024.

1239 [Transcript, day 199](#): Barnardo’s, Closing Submissions, at TRN-5-000000030, pp.127-128.

Barnardo's additionally keep records of allegations of historical abuse. Sara Clarke, Senior Assistant Director of Children's Services at Barnardo's, explained that when a former child migrant contacted the aftercare department and "made an allegation of abuse...it was recorded in their record", though until 1999 "[t]here was no formal process for referring allegations to the police".<sup>1240</sup> As a result of a TV documentary about Barnardo's aired in 1995, and re-aired in 1997, Barnardo's received 5,500 inquiries from former residents.<sup>1241</sup> In 1999,

"Barnardo's produced a Historic Abuse Implementation Plan which included policy and procedural documents based on agreed principles and standards. As part of the plan a review was undertaken of all cases where there had been a disclosure of abuse. A database was created to capture this information."<sup>1242</sup>

Since 2001, all allegations of historical abuse have been referred to the appropriate local police force.<sup>1243</sup>

Barnardo's in the UK and in Australia has participated in several investigations and inquiries into child migration, including the Western Australia Legislative Assembly Select Committee into Child Migration in 1996; the UK's Select Committee on Health in 1998; the Australian Senate Inquiry, *Lost Innocents*, in 2001; and the 2009 inquiry into the implementation of the recommendations of the *Lost Innocents* and *Forgotten Australian* reports.<sup>1244</sup> Barnardo's

endorsed the recommendations of these inquiries, noting that "many of the recommendations were already standard practice within the After Care realms in the UK and Australia".<sup>1245</sup> Barnardo's also participated in the Independent Inquiry into Child Sexual Abuse in 2015.

## Apologies

Barnardo's acknowledges that some children in Barnardo's care were abused in Barnardo's Homes in Australia and Canada. It "recognises and accepts the significant and irreversible damage that has been done to some individuals by the child migration programme."<sup>1246</sup>

It notes, however, that the practice of migrating children overseas "was not seen as wrong at the time. It was done with good intentions...it was in accordance with, and encouraged by, the policies then in place of the governments of the United Kingdom and the receiving countries."<sup>1247</sup> As previously discussed, however, the policy had many critics from as early as 1875, and Thomas Barnardo was well aware of some of the dangers of sending children overseas, as illustrated by his comments on the need for regular inspections. While such awareness did not protect all children from abuse, Thomas Barnardo and his successors were alive to the possibility of abuse and maltreatment and worked to mitigate these risks where possible.

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1240 Written statement of Sara Clarke, paragraph 5, at BAR.001.001.0685.

1241 Written statement of Sara Clarke, paragraph 6, at BAR.001.001.0686.

1242 Written statement of Sara Clarke, paragraph 7, at BAR.001.001.0686.

1243 Written statement of Sara Clarke, paragraph 9, at BAR.001.001.0686.

1244 Barnardo's, Part C response to section 21 notice, at BAR.001.001.0516.

1245 Barnardo's, Part C response to section 21 notice, at BAR.001.001.0516.

1246 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.6.

1247 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.6.

Barnardo's now recognises that "the policy of child migration was misguided and wrong."<sup>1248</sup> When giving evidence to the Inquiry, Richard Simpson, Assistant Director for Barnardo's, tendered this apology:

"On behalf of Barnardo's, I would like to offer an apology to those children and young people who were migrated to Canada and Australia. While to understand migration we have to set it within its historical timeframe, this does not mean we seek to minimise the impact of migration on those children and young people and their families. The policy of migration was misguided and, in retrospect, wrong. We believe we have tried to understand and give an honest account of this part of our history, part of which is my appearance here today."<sup>1249</sup>

This apology was re-iterated during Barnardo's closing submissions:

"Barnardo's has sought to put child migration in its historical context but, again, as Richard Simpson said in his evidence, they have tried to understand it from that perspective; just to understand, not to forgive. But as he said, it is very, very difficult to understand on any level in 2020. The policy of child migration was wrong and Barnardo's apologises for its involvement in it."<sup>1250</sup>

## **Barnardo's: An overview**

It is apparent that Barnardo's learnt from its experience with child migration in Canada, and had systems in place designed to mitigate the impact on children of being transported overseas.

From early on in its involvement in child migration, Barnardo's understood the importance of selecting children who were suited to migration and of monitoring them and their circumstances post-migration. Barnardo's had the "means both of monitoring the welfare of individual children and wider conditions in its institutions", though in practice there were weaknesses in the monitoring of children after migration.<sup>1251</sup>

The evidence of SCAI applicants discloses that children migrated by Barnardo's had positive and negative experiences. Many of the more negative experiences date to their time in the UK, to the fact of separation from family, or to environmental difficulties, as opposed to the institutions in Australia themselves.

When allegations of serious sexual abuse emerged, Barnardo's addressed the problem in an appropriate way and did not allow its response to be overshadowed by the risk of reputational damage.

In many ways, Barnardo's can be commended for their efforts and practice. However, it was all part of what Barnardo's has accepted as a flawed practice derived from a flawed policy—namely child migration. Barnardo's has made remedial efforts to address a legacy that caused children to suffer.

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1248 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006, p.6.

1249 [Transcript, day 194](#): Richard John Simpson, at TRN-5-000000025, p.75.

1250 [Transcript, day 199](#): Barnardo's, Closing Submissions, at TRN-5-000000030, p.129.

1251 [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-000000022, p.62.

## 2.3 Fairbridge Society

### Brief history

The Fairbridge Society, originally “the Child Emigration Society”, was established by Kingsley Fairbridge in 1909, with its sole aim being to improve the lives of children by removing them from poverty in the UK and emigrating them overseas as well as populating the British Empire. The Child Emigration Society was formally incorporated in 1921. In 1935 it changed its name to Fairbridge Farm Schools, and in 1949 to “the Fairbridge Society”. The Fairbridge Society changed its constitution in 1981, ending its involvement in child migration schemes, and instead supporting disadvantaged young people within the UK.<sup>1252</sup> In 1987, the Fairbridge Society merged with the Drake Fellowship and was re-named Fairbridge. Subsequently, in 2012, Fairbridge transferred its assets—including the Fairbridge historical archive—to the Prince’s Trust.<sup>1253</sup> Fairbridge was dissolved in October 2013.

In this chapter, Fairbridge entities in the UK are referred to as “Fairbridge UK”.

Fairbridge UK did not manage children’s homes in the UK. Children selected for migration under the Fairbridge scheme were, for a period prior to their migration, accommodated at reception centres at Middlemore in Birmingham (managed by Middlemore Emigration Homes), and Knockholt in Kent, a pre-migration reception centre managed by Fairbridge

UK. Middlemore Homes was founded by John Middlemore in 1872 for the purpose of collecting and sending children to the Empire overseas. Middlemore’s accommodation included a babies’ home and a larger children’s home, and some children stayed there for several years prior to migration.<sup>1254</sup>

### SCAI applicants

Six SCAI applicants were migrated by Fairbridge UK. Three were sent from Middlemore to the Fairbridge Prince of Wales Farm School, Canada: “Scott” and Hugh Taylor were migrated in 1941, aged 10 and eight respectively; and Roderick (Roddy) Donaldson Mackay was migrated in 1945, aged seven. Three were migrated to the Fairbridge Farm School, Pinjarra, Australia: “Gregs” was sent in 1955, aged 11; “Kath” was sent in 1958, aged 12; and “Watto” was sent in 1959, aged 11.<sup>1255</sup> “Kath” and “Watto” were migrated by virtue of the One Parent Scheme.

### Records

SCAI agreed that the Prince’s Trust could comply with the section 21 notice issued to the Trust through providing material previously provided to IICSA. IICSA consequently provided SCAI with a significant amount of material submitted to IICSA by the Prince’s Trust.

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<sup>1252</sup> See Prince’s Trust, “[The Fairbridge Society](#).” Retrieved 25 April 2023.

<sup>1253</sup> In 1979, His Royal Highness, the then Prince of Wales, initiated a number of community projects designed to benefit young people, projects that came together as “The Prince’s Trust” in 1999, having been granted a Royal Charter.

<sup>1254</sup> See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#), “Scott”, Hugh Taylor, and Roderick Donaldson Mackay.

<sup>1255</sup> See, Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#).



Professors Lynch and Constantine also requested and received access to files in the Fairbridge Archive, which is held at the University of Liverpool. The Prince's Trust digitised parts of its archive regarding case files and aftercare reports. Former child migrants can access the Fairbridge Archive. IICSA concluded that files from the Fairbridge UK Child Welfare Sub-Committee between 1958 and 1982 were not in the archive.<sup>1256</sup>

## Policies

Fairbridge UK had some policies in place for the selection of child migrants, and for obtaining children's and their parents' consent for migration. However, these policies were often not observed, exposing child migrants to abuse.

## Selection

Fairbridge UK's selection practices were similar for migration to both Canada and Australia.



HIS friends have gone; will YOU help him to join them? It costs £30.

*This appeal is made through the generosity of  
a friend to extend the work of the Society.*

# THE FAIRBRIDGE SOCIETY

President :

H.R.H. THE DUKE OF GLOUCESTER, K.G., K.T., K.P.

Director : W. R. Vaughan, O.B.E.

38, Holland Villas Road, Kensington, London, W.14.

Tel. : Park 6822

Fairbridge flyer, c.1954. Source: [Prints online](#).

<sup>1256</sup> IICSA, 2018, paragraph 2.2.1.2.

Fairbridge UK received children directly from parents or from other organisations, on the understanding that children were being put forward for migration.<sup>1257</sup> Once applications were received, children were visited by a Canadian or Australian medical examiner. Children who were deemed healthy, and whose parents consented to their migration, were placed in either Middlemore or Knockholt.<sup>1258</sup>

At these homes, children were examined for a second time by Canadian or Australian medical officers, and their length of stay was dependent on the results. Archival evidence suggests that children destined for Australia were expected to undergo psychological and intelligence testing, although no applicants to SCAI who were sent by Fairbridge UK to Australia recalled undergoing such testing.<sup>1259</sup>

If a child was deemed suitable, travel arrangements would be made. Fairbridge UK tried to place children who were deemed unsuitable for migration in a children's home in the UK "rather than return [children] to the undesirable surroundings from which [they were] rescued."<sup>1260</sup> Children under the age of two placed in Middlemore would be examined regularly by medical officers. Fairbridge UK generally did not migrate children under six years old. From records

covering the period 1953 to 1966, it seems that Fairbridge's Child Care Committee met several times per year and discussed whether individual children were suitable for migration.<sup>1261</sup>

Evidence provided by "Kath" indicates that children were sometimes migrated against recommendations. When her nomination was being considered, the Director of Fairbridge UK considered that "it would be better for ['Kath'], who is 12, and getting on so well at school with a particular interest in Music, to complete her schooling in this country."<sup>1262</sup> But she was still migrated.

### Poor selection practices

Several SCAI applicants migrated by Fairbridge UK had medical examinations prior to migration, but these practices were sometimes problematic. For instance, Roddy Mackay's medical examination form was not signed by a guardian or parent but by his 11-year-old brother and 9-year-old sister.<sup>1263</sup> Hugh Taylor's medical examination was completed in 1936, but he was not migrated until five years later.

There is evidence from other records that suggest poor selection in some instances. For example, an entry from 1984 in the diary of St Martha's Convent, Aberdeen, records that two sisters, who had been

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1257 Constantine *et al.*, paragraph 13.47.

1258 Prince's Trust, Letter from Gordon Green to W.J. Garnett, 8 November 1945, at PRT.001.001.3414-3415.

1259 Prince's Trust, Letter from Gordon Green to W.J. Garnett, 8 November 1945, sending description of Fairbridge's selection process, at PRT.001.001.3414-3415. See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#).

1260 Prince's Trust, Letter from Gordon Green to W.J. Garnett, 8 November 1945, sending description of Fairbridge's selection process, at PRT.001.001.3415. When the sister of one of SCAI's applicants, Roddy Mackay, was deemed unsuitable for migration, the Fairbridge Society attempted to find a place for her in a Home in England. When that application was unsuccessful, the child was returned home to her father. See Birmingham City Council, Letters from Gordon Green, Secretary of Fairbridge Farm Schools, to Mr Plenderleith, Middlemore Emigration Homes, 17 November 1941, at BCC.001.001.0279; 18 March 1942, at BCC.001.001.0293; Letter to Gordon Green, 20 November 1941, at BCC.001.001.0277; Letter from Robert Mackay, 15 March 1942, at BCC.001.001.0292.

1261 Constantine *et al.*, paragraph 13.51.

1262 Prince's Trust, Letter from W. Vaughan to Miss Coulson, 17 June 1957, at PRT.001.002.2375; LEM3 form for "Kath", at PRT.001.002.2390.

1263 Medical examination form for Roddy, at WIT.003.001.3047.

migrated to Canada by Fairbridge in the 1930s at the ages of 4 and 5 years old, had returned to visit the convent and raised concerns about how they had been selected for migration.<sup>1264</sup> The file of another child placed at Middlemore before being sent to Canada in 1938 included no medical, psychological, or educational reports, and no information on how she was selected and approved.<sup>1265</sup> On her arrival in Canada, she had a number of problems including educational and developmental difficulties, and poor eyesight. She became pregnant and may have experienced sexual abuse on two occasions. Her baby was taken from her. She was placed in a psychiatric hospital, and was eventually deported back to the UK in December 1947.<sup>1266</sup> These cases indicate problems with the selection process.

In August 1944, Fairbridge UK became aware of concerns about the selection of children for migration. In response to a request from P. Walker, Deputy Provincial Secretary of British Columbia, children at the Fairbridge Prince of Wales Farm School underwent medical testing. It was carried out by Dr A.L. Crease, the General Superintendent at the Provincial Mental Hospital in British Columbia. He found a multiplicity of problems amongst the children he examined, including mental, physical, and educational problems. Two children were deported in September 1945 as a result. Constantine, Harper, and Lynch

observed: "It is difficult to reconcile this report with the screening and selection processes conducted by Fairbridge and by the Canadian authorities in the UK and on first arrival in British Columbia."<sup>1267</sup>

The deportations led W.J. Garnett, by then the Principal of the Canadian Farm School, to write in late 1945 "that London ought to be restrained from sending sub-normals."<sup>1268</sup> These remarks were relayed to Gordon Green, the Fairbridge UK General Secretary, who responded by reiterating the Fairbridge selection process.<sup>1269</sup> He stated that children were carefully selected, and asserted that "[t]here is no possibility that any child can join a Fairbridge party bound for Canada or Australia without passing through [the selection] process."<sup>1270</sup>

Gordon Green's response did not placate Principal Garnett, who replied:

"Fairbridge in Canada has received a number of children who have proved far from normal in their physical and mental development. It is also a fact that the presence of these children has given rise to much adverse criticism at a time when Fairbridge was, and is, struggling to survive."<sup>1271</sup>

At an ensuing committee meeting in Canada, "the suggestion was made informally that it might be advisable for new arrivals at Prince

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1264 Aberdeen City Council, St Martha's Convent Diary, 30 September 1984, at ABN.001.001.1220. This was contrary to Fairbridge policy, which was to refrain from migrating children under the age of six years.

1265 Prince's Trust, Personal file of a child at Fairbridge Farm School, BC, due to be repatriated, at PRT.001.001.3247-3266.

1266 Constantine *et al.*, paragraph 13.48.

1267 Constantine *et al.*, paragraph 13.49.

1268 Prince's Trust, Letter from Gordon Green to W.J. Garnett, 1 November 1945, at PRT.001.001.3411. Lieutenant W.J. Garnett replaced Harry T. Logan as Principal at Fairbridge Prince of Wales on 27 June 1945: see Prince's Trust, Report from Gordon Green, 14 July 1945, at PRT.001.001.3162.

1269 Prince's Trust, Letter from Gordon Green to W.J. Garnett, 1 November 1945, at PRT.001.001.3411; Letter from Gordon Green to W.J. Garnett, 8 November 1945, at PRT.001.001.3414-3415.

1270 Prince's Trust, Letter from Gordon Green to W.J. Garnett, 8 November 1945, at PRT.001.001.3414-3415; Letter from Gordon Green to W.J. Garnett, 1 November 1945, at PRT.001.001.3411.

1271 Prince's Trust, Letter from W.J. Garnett to Gordon Green, 21 November 1945, at PRT.001.001.3410. Emphasis in original.

of Wales to be examined as soon as possible by the Child Guidance Clinic.<sup>1272</sup> While this might constitute “a duplication of effort after the children have been examined by medical authorities in England”, Principal Garnett considered that “it would help to meet criticism here.”<sup>1273</sup> Concerns about selection were thus circulating within Fairbridge’s internal communications, as well as within the Canadian communities where children were sent.

Such concerns seem to have had little bearing on Fairbridge’s activities in relation to Australia. No SCAI applicant sent to Australia by Fairbridge recalled being medically examined on arrival.

### Home Office advice on selection

In 1946, the Curtis Report was published. Regarding child migration, it stated that only “suitable children who express a desire for it” should be migrated, and standards of care overseas should reflect those in the UK.<sup>1274</sup> Following its publication, Sir Charles Hambro, the chair of the Fairbridge UK Committee, wrote to the Home Office in 1947 to enquire about the Government’s expectations for the selection of child migrants.<sup>1275</sup> The Home Office response stated that selection should be carried out by experienced social workers who had “not only studied the children and their environment in this country but also the kind of life and care to which they

will be going overseas.”<sup>1276</sup> The personal suitability of each individual child needed to be assessed.<sup>1277</sup> Social workers needed to carefully consider “the child’s relationships to any member of his family” and, flagging up the important matter of informed consent, “assess how far he and his relatives really understand the permanent nature of the separation entailed by emigration.”<sup>1278</sup>

In July 1948, Fairbridge UK sent a draft note to D.M.D. Rosling at the Home Office.<sup>1279</sup> The note “aimed to introduce [Fairbridge’s] work to certain local authorities and voluntary organisations” and provided details about Fairbridge UK’s aims and its practice in relation to the selection of children for migration.<sup>1280</sup> It stated that children should be aged between seven and nine years, except in the case of siblings, and that the “overriding considerations” for accepting children were that they were “deprived of ordinary family care and protection and... that emigration should benefit the child.”<sup>1281</sup> It stated that children would not be accepted without parental consent, and also the child’s consent if able to give it. Selection should include careful consideration of a child’s links to family in the UK, developmental history, school record, the child and family’s understanding of migration, as well as mental and physical tests. Also, children should have some pre-migration training. Fairbridge UK was, therefore, well aware

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1272 Prince’s Trust, Letter from W.J. Garnett to Gordon Green, 5 December 1945, at PRT.001.001.3407.

1273 Prince’s Trust, Letter from W.J. Garnett to Gordon Green, 5 December 1945, at PRT.001.001.3407.

1274 [Cmd. 6922] Curtis Report, 1946, at LEG.001.001.8898.

1275 TNA, MH102/1405, Memorandum from Fairbridge UK to Home Office, 27 July 1948, at LEG.001.002.9510-9514.

1276 TNA, MH102/1403, Migration of Children Who Have Been Deprived of a Normal Home Life, draft memorandum by the Home Office with minor amendments by Fairbridge, September 1947, at LEG.001.002.9429.

1277 TNA, MH102/1403, Migration of Children Who Have Been Deprived of a Normal Home Life, draft memorandum by the Home Office with minor amendments by Fairbridge, September 1947, at LEG.001.002.9429.

1278 TNA, MH102/1403, Migration of Children Who Have Been Deprived of a Normal Home Life, draft memorandum by the Home Office with minor amendments by Fairbridge, September 1947, at LEG.001.002.9429.

1279 TNA, MH102/1405, Letter from Fairbridge to D.M. Rosling, 27 July 1948, at LEG.001.006.0764-0765.

1280 TNA MH102/1405, Letter from Fairbridge to D.M. Rosling, 27 July 1948, at LEG.001.006.0764

1281 TNA MH102/1405, Letter from Fairbridge to D.M. Rosling, 27 July 1948, at LEG.001.006.0766.

of the standards for selection that were expected by 1948.

Evidence indicates that Fairbridge UK did not comply with these expectations. “Gregs” was not between seven and nine years old—he was 11 at the time of his migration in 1955—and he could not be considered to have been deprived of family care in Scotland as he had an offer of family care from his aunt. “Watto” was also beyond the stated age range. She was migrated in 1959 at the age of 11 and was deliberately kept from her mother who had followed her to Australia, having travelled separately on Fairbridge’s advice. Similarly, “Kath”—who had been living with her mother and siblings in Scotland—was migrated at the age of 12, ahead of her mother and, like “Watto”, deliberately kept from her mother upon arrival in Australia.<sup>1282</sup> In all three cases of SCAI applicants sent to Australia, the Home Office advice on selection criteria—about which Fairbridge had been told in 1947—and Fairbridge’s own stated practices were disregarded.

### Consent

As with selection, consent practices were similar for migration to both Canada and Australia. Parents or guardians were required to sign a consent form agreeing to migration. Based on the available evidence, Constantine, Harper, and Lynch concluded that “parents or guardians generally knew what they were doing and had given consent.”<sup>1283</sup>

However, evidence presented to SCAI and to IICSA by former child migrants and their families indicates that this was not always the case.<sup>1284</sup>

In the main, SCAI applicants had negative experiences of consent, particularly regarding whether they were asked if they wanted to go and, in some cases, whether their parents gave valid consent. “Scott” was not asked if he wanted to migrate to Canada, nor was he given any information about Canada.<sup>1285</sup> “Kath”, who was migrated to Pinjarra, was not asked for her consent and was told it would be “like a holiday camp.”<sup>1286</sup> She described the information provided by Fairbridge UK as “lies from beginning to end.”<sup>1287</sup>

Hugh Taylor arrived at Middlemore shortly before his third birthday. Hugh Taylor’s mother signed over the care of her children to Fairbridge UK on the condition that Gordon Green, Secretary of Fairbridge, promised that Hugh and his siblings would be kept together.<sup>1288</sup> Gordon Green “reassured her that that would be done”, but Hugh’s siblings were migrated without him in 1936.<sup>1289</sup> Hugh was subsequently migrated to Canada when he was eight years old. Hugh found out later in life that his older brother had contacted Fairbridge UK prior to Hugh’s migration to Canada, “but the society told my brother and his wife I was [already] in Canada. Had the society been truthful,

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1282 See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#).

1283 Constantine *et al.*, paragraph 13.52.

1284 See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#), “Scott”, “Kath”, Hugh Taylor, Roddy Mackay, “Gregs”, and “Watto”; IICSA, 2018, paragraph 2.2.3.50; Constantine *et al.*, paragraph 13.52.

1285 [Written statement of “Scott”](#), paragraph 24, at WIT-1-000000011.

1286 [Written statement of “Kath”](#), paragraphs 19-20, at WIT.001.002.4152.

1287 [Written statement of “Kath”](#), paragraph 12, at WIT.001.002.4152.

1288 [Transcript, day 183](#): Read-in statement of Hugh Taylor, at TRN-5-000000014, p.60.

1289 [Transcript, day 183](#): Read-in statement of Hugh Taylor, at TRN-5-000000014, p.60.

I would have had a loving home with my brother and his wife.”<sup>1290</sup>

Roddy Mackay’s father signed a consent form when Roddy was placed in Middlemore, but Roddy could not remember being asked for his own consent.<sup>1291</sup>

“Gregs” consent form was signed by his mother before his migration to Australia.<sup>1292</sup> Fairbridge UK did not approach his father to ask for his consent. On the advice of the RSSPCC, they concluded that, if his father objected, “[t]he onus would lie on the father who would have to prove to the satisfaction of the Court that [migration] was not in the child’s best interests”.<sup>1293</sup> “Gregs” could not remember his mother asking if he wanted to go to Australia and did not know at the time that his aunt had offered to look after him rather than him being migrated.<sup>1294</sup>

“Watto” remembered a man coming to her house and showing her and her family photos of the Fairbridge Farm. She remembered her mother asking if she wanted to go and she said no, but was sent nonetheless.<sup>1295</sup>

Although Fairbridge UK had policies for selection and consent, there is clear evidence that, in practice, these were often ineffective and resulted in children being migrated who neither adequately consented nor understood the implications of migration.

While selection and consent practices were similar for both Canada and Australia, the two countries present some distinctive issues in relation to child migration. These issues are considered below.

## Canada

In 1934, when other institutions’ activities in Canada were dwindling or had already ceased entirely, Fairbridge UK was successful in obtaining support from the Canadian Government, the Provincial Government of British Columbia, and the UK Government to open a farm school in Canada similar to that which operated in Australia. That was a significant achievement at a time when the Canadian Government’s enthusiasm for child migration had effectively ended, and institutional care was seen by the British Columbia’s Directors and Superintendents of Social Welfare, and by many social workers in the province, as an anachronism.<sup>1296</sup>

The Prince of Wales Farm School in British Columbia opened in 1935 and provided accommodation exclusively for British children. It wound down its operations from 1948, ceasing to operate in 1951. During the time it was in operation, internal and external evidence reveals that there were several concerns about the farm school and the care it provided to the child migrants resident there.

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1290 [Transcript, day 183](#): Read-in statement of Hugh Taylor, at TRN-5-000000014, pp.67-68.

1291 Prince’s Trust, Fairbridge Farm Schools admission form, at PRT.001.002.4108; [Transcript, day 92](#): Roderick Mackay, at TRN.001.005.0006.

1292 Prince’s Trust, LEM3 form for “Gregs”, at PRT.001.002.0707; Prince’s Trust, Fairbridge Society Parent’s Consent Form, 29 April 1955, at PRT.001.002.0713.

1293 Prince’s Trust, Letter from C.A. Cumming Forsyth (General Secretary of the RSSPCC) to W. Vaughan (Director of the Fairbridge Society), 7 July 1955, at PRT.001.002.0691.

1294 [Transcript, day 181](#): Read-in statement of “Gregs”, at TRN-5-000000012, p.106.

1295 [Transcript, day 178](#): “Watto”, at TRN-5-000000008, p.10.

1296 Constantine *et al.*, paragraph 16.39.



Fairbridge Prince of Wales Farm School, British Columbia, Canada, houses, c.1950. Source: [Cowichan Valley Museum & Archives](#).

Out of a total of some 300 British children migrated to Fairbridge, Canada, at least 25 were from Scotland.<sup>1297</sup> However, as Professor Constantine explained, there may have been more Scottish child migrants than this number suggests due to the fact that children's files most commonly state their place of origin as "Middlemore, England", thereby frequently obscuring their birthplace.<sup>1298</sup>

The evidence discloses that Fairbridge UK continued to migrate children after the Second World War began, exposing children to danger during the journey. Hugh Taylor and Roddy Mackay both travelled to Canada in 1941 and remembered that a ship in their convoy was torpedoed, with major loss of life.<sup>1299</sup>

The final group of children was sent to Fairbridge, Canada, in May 1948.

### Funding

As previously mentioned, Fairbridge obtained support from the Canadian Government, the Provincial Government of British Columbia, and the UK Government to open the farm school in British Columbia, Canada, similar to that which operated in Australia at that time. The UK contributed one half of the capital cost of the school, which was a "unique, one-off operation."<sup>1300</sup>

### Monitoring

After the opening of Fairbridge, Canada, in 1935, it appears that half-yearly reports about the children placed there were submitted to

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1297 Patrick Dunae, "Waifs: The Fairbridge Society in British Columbia, 1931-1951", *Histoire-Social Social History*, 21 (42) (November 1988), pp.224-250. As aforementioned, the establishment of Fairbridge Prince of Wales Farm School in Canada in 1935 was contentious. When the farm school opened, the Canadian Government's enthusiasm for child migration had already effectively ended, and institutional care was seen by British Columbia's Directors and Superintendents of Social Welfare, and by many social workers in the province, as an anachronism. See Prince's Trust, Harvey Report, 1944, at PRT.001.001.2720.

1298 [Transcript, day 188](#): Professor Stephen Constantine, at TRN-5-000000019, pp.148-150.

1299 [Transcript, day 183](#): Read-in statement of Hugh Taylor, at TRN-5-000000014, p.62. See also Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#).

1300 [Transcript, day 186](#): Professor Stephen Constantine, at TRN-5-000000017, p.100.

Fairbridge UK.<sup>1301</sup> They were brief, providing only some general information about the child's health and school performance.<sup>1302</sup> Reports relied on information provided by cottage mothers and the Principal, and did not provide an independent assessment of the child's development or wellbeing.

The reports were not always entirely accurate. The brief half-yearly reports about SCAI applicant "Scott" from his cottage mother described "Scott" as "spoiled and inclined to sulk and show off."<sup>1303</sup> Anne Ashley, at the Edinburgh Council of Social Services, concluded that "his first Cottage Mother summed him up rather adversely very quickly indeed since her first report to this effect was dated September, 1945, when he cannot have been in her care for more than about two months".<sup>1304</sup> "Scott's" half-yearly reports stated that he regularly corresponded with his grandmother, but that does not fit with his own recollection. He did not remember receiving any letters or packages from his grandmother but he did remember being told that he was not allowed to contact any relatives and relatives were not allowed to contact him.<sup>1305</sup>

Neither "Scott" nor Roddy Mackay remembered getting any visitors or having opportunities to disclose how they were being treated. Roddy explained that abuse was not reported. One cottage in particular was regularly chosen to be

shown to visiting dignitaries, "[b]ecause we were so disciplined that we made a good appearance for them and if they asked you a question, 'How are you?' you didn't dare say I'm unhappy as hell. I'd say, 'I'm fine sir, thank you.'"<sup>1306</sup> Hugh Taylor explained that there was no supervision of the staff.<sup>1307</sup>

The Principal of Fairbridge, Canada, submitted reports to Fairbridge UK for 1943 and 1945-46 that suggested some children had poor outcomes. These reports mostly comprised of general information such as numbers of children at the school, staffing changes, religious instruction, and farm operations. However, the 1943 report referred to some former migrants who had made "serious mistakes" once they had left the farm school, including girls having "yielded to temptation" and boys having criminal outcomes. It stated there was an aftercare officer and that the Principal, Harry Logan, tried to keep in touch with former migrants by letter, but Principal Logan acknowledged that it was difficult to keep in touch with them. He emphasised the need for a specialised aftercare department.<sup>1308</sup>

The 1945-46 report acknowledged that the farm training for boys had "room for considerable improvement".<sup>1309</sup> The report mentioned that some of the buildings were in a considerable state of disrepair due to wartime restrictions, and this had affected

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1301 See, for example, Prince's Trust, Half-yearly and aftercare reports for Marjorie Arnison, at PRT.001.001.6926-6936; Birmingham City Council, Middlemore Archives, Reports on Roddy Mackay, at BCC.001.001.0304-0312; Reports on Margaret Wylie, at BCC.001.001.0356-0396, 0399; Half-yearly report on "Scott", September 1949, at WIT.003.002.1824; Half-yearly reports for Hugh Taylor, at PRT.001.010.5822-5841.

1302 Constantine *et al.*, paragraph 16.38.

1303 Letter from Anne Ashley to Harry Logan, 28 September 1948, at WIT.003.002.1817.

1304 Letter from Anne Ashley to Harry Logan, 28 September 1948, at WIT.003.002.1818.

1305 [Written statement of "Scott"](#), paragraph 59, at WIT-1-000000011; Half-yearly report on "Scott", September 1949, at WIT.003.002.1825.

1306 [Transcript, day 92](#): Roderick Mackay, at TRN.001.005.0020.

1307 [Transcript, day 183](#): Read-in statement of Hugh Taylor, at TRN-5-000000014, p.67.

1308 Prince's Trust, Annual report by Harry Logan, 17 November 1943, at PRT.001.001.2701-2715.

1309 Prince's Trust, Principal's Report, 1945-46, at PRT.001.001.3056.



staff retention rates. The report noted that considerable investment was required to recruit staff, improve accommodation, make repairs, and for education and training.

This report also referred to children being unprepared for life after the farm school, but noted that the school was now making efforts to teach the children useful skills and trying to ensure children had outside contacts. The report went on to outline the outcomes of individual Fairbridge children; most had good employment outcomes, but there had “been several regrettable instances of delinquency”. Principal W.J. Garnett, who had taken over from Principal Logan in June 1945, observed that this “tended to colour the judgement of [Fairbridge to] uninformed persons”.<sup>1310</sup> I agree with Constantine, Harper, and Lynch that these reports indicate that Fairbridge UK had knowledge about children’s outcomes.<sup>1311</sup> Although aftercare monitoring may have taken place in some cases, neither “Scott” nor Roddy Mackay received any aftercare visits from Fairbridge.<sup>1312</sup>

## Inspections

As part of Fairbridge UK’s agreement with the Canadian federal government in 1934 prior to opening the farm school, the Department of Immigration and Colonization conducted periodic inspections of children who attended Fairbridge, Canada, until they reached the age of 18. Concerns had been raised by social workers and universities over institutional settings and the standards of care within them, leading to the Welfare Institutions Licensing Act, 1938, which made childcare institutions subject to child

welfare inspections. From 1940, Fairbridge, Canada, received financial subsidies from the provincial government and became “liable to public scrutiny”.<sup>1313</sup> Despite various agreements regarding inspections, it seems that regular inspections did not occur, although it is likely that some inspections took place prior to the renewal of licences.<sup>1314</sup>

The only inspections of Fairbridge, Canada, in relation to which evidence was available to SCAI are detailed below.

From the late 1930s to the mid-1940s, there were several allegations of abuse at Fairbridge, Canada. In response, extraordinary inspections were conducted by Canadian authorities in conjunction with Fairbridge UK, and by the local Fairbridge board. These circumstances led to the dismissal of two members of staff.

The highly critical inspection carried out by Isobel Harvey in 1944, referred to in [Chapter 1.2](#), criticised many aspects of the school. Children had been found in each other’s bedrooms. The children received a poor diet, and their health was a matter of concern. Medical care was deficient. There were rumours about a particular teacher’s conduct with the girls. There was excessive discipline. Staffing was poor. The supervision of children was inadequate, as was the education being provided. Buildings were in disrepair.<sup>1315</sup>

E.M. Carbery, a psychiatric social worker, conducted an inspection of Fairbridge, Canada, between September and November 1949 and produced the highly critical report referred to in [Chapter 1.3](#). She was critical

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1310 Prince’s Trust, Principal’s Report, 1945-46, at PRT.001.001.3062.

1311 Constantine *et al.*, paragraph 16.39.

1312 [Transcript, day 174](#): “Scott”, at TRN-5-000000004, p.33; [Written statement](#) of “Scott”, paragraph 83, WIT-1-000000011; [Written statement of Roderick Mackay](#), at WIT.001.001.3476.

1313 Constantine *et al.*, paragraph 16.39.

1314 Constantine *et al.*, paragraph 16.39.

1315 Prince’s Trust, Harvey Report, 1944, at PRT.001.001.2720.

of the isolated location of the farm school, tensions in governance, inadequacies of the staff, and the presence at the school of maladjusted and institutionalised children. She concluded that the poor selection of children meant that children had difficulties adjusting to life there. She was particularly critical of some cottage mothers, who were totally unsuitable as the carers of children. Many boys went into farm work for which they had no aptitude. Girls were largely placed in domestic work and not integrated into family life. Aftercare was inadequate and hampered by the rural locations where children were placed. Thirty-seven percent of the girls—who were, of course, unmarried—became pregnant. She offered this damning indictment on the future of Fairbridge:

“Fairbridge care as it is now will never be acceptable to the Child Welfare authorities of B.C. and there will be great opposition should emigration be recommended under the present system. This opposition is solely due to a belief that this is inimicable to the present interests of the children. Fairbridge as it is now does not fit into the Child Welfare pattern of B.C.”<sup>1316</sup>

The experiences of some SCAI applicants fit with these findings and observations.<sup>1317</sup>

Roddy Mackay recalled that life was regimented, with harsh treatment, and the food was inadequate. Hugh Taylor was treated poorly for wetting the bed.<sup>1318</sup> “Scott” and Roddy were bullied by other boys and one tried to sexually abuse Roddy.<sup>1319</sup>

“Scott”, Hugh Taylor, and Roddy Mackay all experienced cruel cottage mothers who used excessive discipline on the boys.<sup>1320</sup> Hugh had only one kind cottage mother. “Scott” had a cottage mother who regularly punished him, and this affected his behaviour. In a report the Principal acknowledged that “[p]art of the trouble is no doubt due...to his Cottage Mother’s lack of sympathy...So many of our problems with child care can be traced to this source, while the attempt is often made to find cause elsewhere.”<sup>1321</sup> E.M. Carbery reported in 1949 that a “change of cottage mother seems to have caused real improvement in [‘Scott’s’] behaviour lately”.<sup>1322</sup> Although the failings of a cottage mother were acknowledged by the Principal, no action was taken to address the failures in a system that had placed and maintained an unsuitable adult in the role.

Other reports echoed concerns about Fairbridge’s UK selection practices. John Moss noted in July 1949 that little information about children was provided to staff in Canada.<sup>1323</sup> The Women’s Group Report of 1951 found that Fairbridge UK initially had limited selection processes, but that this improved once a psychiatric social worker was appointed.<sup>1324</sup>

Negative inspection reports clearly made Fairbridge UK aware of serious failings in their Canadian operation, but children nonetheless continued to be sent there.

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1316 Prince’s Trust, Carbery Report, 1949, at PRT.001.001.3326.

1317 See [Case Study no. 8, Volume 1](#).

1318 [Transcript, day 183](#): Read-in statement of Hugh Taylor, at TRN-5-000000014, p.65.

1319 [Transcript, day 92](#): Roderick Mackay, at TRN.001.005.0022-0025.

1320 See [Case Study no. 8, Volume 1](#).

1321 Letter from Harry Logan to Anne Ashley, 5 October 1948, at WIT.003.002.1858.

1322 Prince’s Trust, Carbery Report, 1949, at WIT.003.002.1826. See also [Constantine et al.](#), paragraph 24.13.

1323 TNA, MH102/2253, Memorandum by John Moss on Fairbridge Farm School, July 1949, at LEG.001.003.1625-1630.

1324 WGPW Report, 1951, LIT-000000002, p.19.

## Sexual abuse

In 1938, a duties master, Mr Branson, was dismissed for “serious and gross misconduct” with boys.<sup>1325</sup> In a letter to Gordon Green dated 4 March 1938, Principal Logan, explained that his knowledge of Branson’s misconduct “became known to me for a certainty” the previous Sunday, coming as “a dreadful shock.” Principal Logan was “trying to avoid talk and scandal as much as possible and to protect the good name of Fairbridge from being besmirched by the failure of one of her servants.”<sup>1326</sup> Principal Logan informed the management committee of the state of affairs, but did not contact the police. Gordon Green consequently visited Fairbridge, Canada, but no further action appears to have been taken.

Another duties master, Edwin Rogers—who had provided substitute cover for Mr Branson in 1937—was the subject of further abuse allegations. During an early period of Edwin Rogers’ employment by Fairbridge, Canada, Principal Logan had become aware of suspicions about the man’s behaviour, but had been unable to “fasten any blame upon him.”<sup>1327</sup> Nonetheless, Principal Logan had “dispensed with his services because... the opposition of the staff to him was insistent”.<sup>1328</sup> At the time of that dismissal, Principal Logan had told Gordon Green that “Fairbridge might be well advised to retain his services, even at some temporary cost to ourselves”, proposing Edwin Rogers could be given a posting in Pinjarra, Australia.<sup>1329</sup>

This did not happen, but after a period working in an Industrial School in the Province, Edwin Rogers was reappointed to Fairbridge, Canada, in 1942 when “the Principal was hard pressed for staff”, and after Dr A.L. Crease—General Superintendent of the Provincial Mental Hospital in British Columbia—had recommended the reappointment. It was endorsed by the Fairbridge Canada Executive Committee.<sup>1330</sup>

In a letter dated February 1943, Sir Charles Hambro described the re-appointment as “unwise”, but noted that he could not influence the appointment as the decision to re-appoint lay with the Principal and local committee.<sup>1331</sup> The letter also indicated that W.J. Garnett—who went on to replace Principal Logan as Principal of Fairbridge, Canada—was one of those who objected to Edwin Rogers’ re-appointment.

By July 1943, Edwin Rogers had been arrested, and was subsequently tried, convicted and sentenced to imprisonment on charges of having had immoral relations.<sup>1332</sup>

When Edwin Rogers had been reappointed in 1942, a former Fairbridgean had written to Gordon Green with his concerns:

“Why was a man like Rogers who already had been discharged from the school reinstated there? I knew from personal experience that he is definitely not the man to bring boys and girls up, he is at the best, nothing but a filthy gutter rat,

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1325 Prince’s Trust, Letter from Harry Logan to Gordon Green, 4 March 1938, at PRT.001.001.3016.

1326 Prince’s Trust, Letter from Harry Logan to Gordon Green, 4 March 1938, at PRT.001.001.3016.

1327 Prince’s Trust, Annual report by Harry Logan, 17 November 1943, at PRT.001.001.2704.

1328 Prince’s Trust, Gordon Green’s analysis of case and comments on Fairbridge Farm School, 6 November 1944, at PRT.001.001.2774.

1329 Prince’s Trust, Letter from Harry Logan to Gordon Green, 25 January 1937, at PRT.001.001.3013.

1330 Prince’s Trust, Gordon Green’s analysis of case and comments on Fairbridge Farm School, 6 November 1944, at PRT.001.001.2774.

1331 Prince’s Trust, Letter from Sir Charles Hambro to Harry Logan, 6 February 1943, at PRT.001.001.3005-3006.

1332 Prince’s Trust, Annual report by Harry Logan, 17 November 1943, at PRT.001.001.2704.

and I am willing to make that statement on the oath of the Bible and in a witness box, to testify against him, he is, undoubtedly, a menace [sic] to society and unworthy of any position higher than of street cleaner.”<sup>1333</sup>

Gordon Green responded to this letter in September 1943, stating that Edwin Rogers came with “high recommendation”.<sup>1334</sup> Fairbridge UK officials seem to have been unable to challenge practice ‘on the ground’ in Canada. Hugh Taylor arrived at the school shortly after Edwin Rogers had been convicted. In Hugh’s view, there was “little or no supervision of those hired, who in many instances seemed to have no knowledge about children, especially those traumatised by home situations.”<sup>1335</sup>

Following Edwin Rogers’ conviction, Principal Logan was concerned that the reputation of Fairbridge might have been damaged:

“It is to be hoped that this miserable affair will be viewed in its true light as something which may occur in work of the kind which we are doing at Fairbridge, and that the knowledge of its occurrence will not deprive future generations of our children of the support of our friends in British Columbia.”<sup>1336</sup>

In the same report Principal Logan also admitted that, despite exercising

“what vigilance was possible...[Edwin Rogers’] wickedness went undiscovered and unsuspected by myself: it was revealed by one of our younger boys when visiting in Victoria to an Old

Fairbridgian there, who reported it to the Provincial Police.”<sup>1337</sup>

Neither staff nor management had detected Edwin Rogers’ abusive conduct, and it was only uncovered after a boy reported it when he had the chance to do so because he was outwith the school’s premises and systems. Any system of monitoring, whether internal or external, has to recognise that children will find it hard to report abuse—particularly from within the institution—and that abuser’s practices will often be hard to detect.

Around this period, there were indications that other abusive practices were occurring at Fairbridge, Canada. They related to aftercare. In June 1942, Gordon Green wrote to L.A. Grogan of the Fairbridge British Columbia Committee, noting that he “had the full story” from Principal Logan about one individual girl who had been placed into employment.<sup>1338</sup> Gordon Green was “convinced that if there had been some woman on the spot really competent to give attention to that situation, then the child would have been moved far from the scene and placed where there was no man likely to take advantage of her.”<sup>1339</sup> Gordon Green went on to state that “Mrs. Davidson [a cottage mother] entirely failed to give proper care to the child.”<sup>1340</sup>

In early 1944, Sir Charles Hambro wrote to Principal Logan with increasing concern:

“When I am tackled on these matters, I am always at a loss. I can demonstrate (by results) Logan’s success in turning out

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1333 Prince’s Trust, Copy of letter from Sidney M. Park to Gordon Green, undated, at PRT.001.001.3012.

1334 Prince’s Trust, Letter from Gordon Green to Sidney Park, 22 September 1943, at PRT.001.001.3011.

1335 [Transcript, day 183](#): Read-in statement of Hugh Taylor, at TRN-5-000000014, pp.66-67.

1336 Prince’s Trust, Annual report by Harry Logan, 17 November 1943, at PRT.001.001.2705.

1337 Prince’s Trust, Annual report by Harry Logan, 17 November 1943, at PRT.001.001.2704.

1338 Prince’s Trust, Letter from Gordon Green to L.A. Grogan, 26 June 1942, at PRT.001.001.3017.

1339 Prince’s Trust, Letter from Gordon Green to L.A. Grogan, 26 June 1942, at PRT.001.001.3017.

1340 Prince’s Trust, Letter from Gordon Green to L.A. Grogan, 26 June 1942, at PRT.001.001.3018.

first-class Old Fairbridgians, but what am I to do when I am confronted with these statements that the views of the staff are unheeded by you when a warning is given of serious misdemeanour (as in the case of Rogers) and the intolerable methods (as in the case of Mrs. Davidson)...I myself, too, have sent you warnings, but I failed to convince you."<sup>1341</sup>

Mrs Davidson also appears to have used other 'intolerable methods', which were reported by staff to Principal Logan but with little effect. She appears to have ceased working at Fairbridge for a period but, as in the case of Edwin Rogers, was then reappointed only for further concerns to be raised.<sup>1342</sup>

Sir Charles Hambro's letter added that "the children's welfare (physical, mental and moral) has an importance above technical justice", and implored Principal Logan to convene staff conferences in the interests of ensuring that children are not "sacrifice[d]... to some adult who creates suspicion of injurious behaviour."<sup>1343</sup> These events suggest that Fairbridge UK had concerns with the management methods of Principal Logan, and that Sir Charles Hambro at least held the children's interests at the heart of Fairbridge's work, but could do little other than try to influence matters.

Allegations of sexual abuse had also been unearthed by Isobel Harvey. She had found that a duties master had a reputation for "fooling with the girls".<sup>1344</sup> She discovered that there had been misconduct between boys and girls and was concerned by the inaction of the Principal. Following her report, one staff member was charged with gross indecency and two more were dismissed for making advances towards older girls.<sup>1345</sup> Isobel Harvey subsequently wrote to the Immigration Office in Ottawa to report that Fairbridge was breaching the Protection of Children Act, and to the District Superintendent in British Columbia's Immigration Branch of the Department of Mines and Resources. Initially, Fairbridge UK responded to Isobel Harvey's report defensively, and sent a critique to the British High Commissioner in Ottawa and the Dominions Office.<sup>1346</sup> Isobel Harvey's report also caused Gordon Green to investigate the affairs at the school.<sup>1347</sup>

### Closure of the School

A series of meetings between British Columbia childcare representatives—including Isobel Harvey—and Fairbridge Canada committee members took place. Criticisms of the school were discussed.<sup>1348</sup> A joint committee of representatives from the Provincial Government and the Fairbridge board in Canada was established to investigate. Among many criticisms at one

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1341 Prince's Trust, Letter from Sir Charles Hambro to Harry Logan, 19 January 1944, at PRT.001.001.3003-3004.

1342 Prince's Trust, Letter from Harry Logan to Gordon Green, 5 October 1943, at PRT.001.001.2999.

1343 Prince's Trust, Letter from Sir Charles Hambro to Harry Logan, 19 January 1944, at PRT.001.001.3003-3004.

1344 Prince's Trust, Harvey Report, 1944, at PRT.001.001.2720.

1345 Constantine *et al.*, paragraph 24.2.

1346 Prince's Trust, Reports and correspondence between Harry Logan and Gordon Green, August - November 1944, at PRT.001.001.2729-2784, 2824-2828, 2847-2852, 2879-2900; Letter from Gordon Green, 24 February 1945, at PRT.001.001.2795-2810.

1347 Prince's Trust, Gordon Green's analysis of case and comments on Fairbridge Farm School, 6 November 1944, at PRT.001.001.3165.

1348 Reports of the meetings and related correspondence are also in file provided by British Columbia Archives, MS2045, Box 1, File 14, Provincial Government Investigation 1938-45, at BCA.001.001.0899-0900, BCA.001.001.0910-0911.

Committee meeting in August 1944 were: “suspicion of abortions” amongst Fairbridge girls; specific failures of the Principal in selecting staff and not taking action on cases of alleged abuse and of pregnancy; and allowing unsupervised contact amongst the children.<sup>1349</sup>

The joint committee concluded that Principal Logan had failed to take action, and that there should be greater supervision of the children. It recommended employing suitable staff, cooperating more closely with the child welfare department, appointing the superintendent of child welfare as the guardian of children, and giving the local board authority over the school.<sup>1350</sup> Principal Logan was removed from the school in February 1945 and changes were made to the governance of the school.<sup>1351</sup>

In November 1948, faced with financial uncertainty, the Board of Governors recommended that the school should close. It appears that the local Board of Governors for Fairbridge recognised that the institution had failed the children entrusted into its care.<sup>1352</sup> Following an unofficial visit to the school at the request of the child welfare authorities in Canada, John Moss also advised the Home Office in July 1949 that the children then in the school should be boarded out with foster parents.<sup>1353</sup> From July 1949, the farm school’s operations were wound down.<sup>1354</sup>



Fairbridge Prince of Wales Farm School, British Columbia, Canada, May 2019. Photograph by SCAI.

A Home Office minute of September 1949 suggests that Fairbridge UK considered economic factors to be a significant hurdle to the prompt closure of the school. The Home Office considered that, for the sake of the children’s welfare, urgent action was called for:

“It seems that from [the] Fairbridge point of view, the closing of the School is being considered largely in terms of finance...From the indications in their letter I conclude that the rate of placing will be determined largely by financial consideration. The economics of the operation must inevitably exercise considerable influence, but from the point of view of the children’s welfare, it would seem more important to arrange placings as quickly as possible now it has been decided that the School is to be closed.”<sup>1355</sup>

1349 British Columbia Archives, MS2045, Box 1, File 14, Memorandum of Conference, 1 August 1944, at BCA.001.001.0955-0956.

1350 Prince’s Trust, Mr Walker’s Report of Fairbridge Farm School, at PRT.001.001.2824-2826.

1351 IICSA, 2018, paragraphs 2.2.2.23.

1352 Constantine *et al.*, paragraphs 24.5-24.15.

1353 TNA, MH102/2253, Memorandum by John Moss on Fairbridge Farm School, July 1949, at LEG.001.003.1625-1630.

1354 Prince’s Trust, Documents relating to Fairbridge’s decision to suspend the emigration of children, at PRT.001.001.3307-3312.

1355 TNA, MH102/2253, Home Office memorandum, 23 September 1949, at LEG.001.003.1585-1586.

Following the closure of the school, there is, however, evidence to suggest that Fairbridge UK did appreciate they had a responsibility for aftercare of the children who had been boarded out after they had left the farm school.<sup>1356</sup> It is not known whether or how well that responsibility was fulfilled.

### A warning

The failure of Fairbridge, Canada, ought to have provided a salutary warning to Fairbridge UK, the authorities, and other voluntary organisations. As Professor Constantine rightly noted,

“what should have been derived from this experience is that institutional care of the form that Fairbridge had been operating since before the First World War was primarily problematical, and that if this is what was occurring in British Columbia, in a new place, newly set up, if this was the quality of care children received then there may be questions to be asked about the quality of care in other Fairbridge institutions in Australia.”<sup>1357</sup>

Constantine, Harper, and Lynch noted that, although the closure of the school would have been known to Fairbridge UK and the UK Government, “we have not seen any documents to suggest child abuse in British Columbia affected child care practice by Fairbridge in Australia or made the UK government more alert to risk.”<sup>1358</sup> Fairbridge UK continued to support the flow of children to its Australian institutions. Fairbridge

UK’s attitude might be characterised by “a determination...to maintain its basic principles that Kingsley Fairbridge had set up so many years before.”<sup>1359</sup>

This is further demonstrated by a memorandum that acknowledged the school was closing because of the Board’s recommendation, dissatisfaction of local child welfare workers with both the cottage system and their systems of selection, and the high financial cost.<sup>1360</sup> The memorandum looked to Australia and even considered whether some of the children remaining in Canada could be sent there. It further outlined points for discussion with the UK Government, including: financial assistance; whether the UK Government would raise with local authorities “the advantages of the Fairbridge” model; the “principles” for selection that currently “make it impossible for children to be emigrated in numbers sufficient to keep Fairbridge schools going”; and the need for a local Board of Governors with “a high degree of autonomy”.<sup>1361</sup> In a later meeting with the UK Government, the Home Office was assured that the proposal to send children to Australia from Canada had been abandoned by Fairbridge.<sup>1362</sup>

So, although Fairbridge UK was well aware of the risks of sending children overseas and of there being flaws in the system, they continued to advocate their Australian migration project.

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1356 TNA, MH102/2253, Note of interview with W. Vaughan, 8 February 1950, at LEG.001.003.1593.

1357 [Transcript, day 192](#): Professor Stephen Constantine, at TRN-5-000000023, p.47.

1358 Constantine *et al.*, paragraph 24.16.

1359 [Transcript, day 192](#): Professor Stephen Constantine, at TRN-5-000000023, p.48.

1360 Prince’s Trust, Memorandum on Fairbridge in Canada, undated, at PRT.001.001.3310-3311.

1361 Prince’s Trust, Memorandum on Fairbridge in Canada, undated, at PRT.001.001.3311.

1362 TNA, MH102/2253, Note of meeting with W. Vaughan, 8 February 1950, at LEG.001.003.1593.

## Australia

The Fairbridge Farm School in Pinjarra, Western Australia (“Pinjarra”), was established by Kingsley Fairbridge in 1912.<sup>1363</sup> The first child migrants from the UK arrived there in 1913. The school aimed to provide farm training for boys, and domestic training for girls. Pinjarra was run by Fairbridge between 1912 and 1960.<sup>1364</sup> Pinjarra closed in 1981.



Fairbridge Farm School, Pinjarra, 1952. Photograph from the Western Australia Government photographer collection. Source: [State Library of Western Australia](#).

A second Fairbridge farm school was opened in 1938 at Molong, New South Wales (“Molong”). This was an Australian initiative and the Fairbridge New South Wales Council was responsible for the oversight of the organisation. This farm school closed in 1973 and was sold to a private owner in 1974.

The separate committees that managed Pinjarra and Molong were incorporated as standalone legal entities, which allowed

these committees to operate independently of Fairbridge UK, although remaining dependent on Fairbridge UK for funding to supplement local donations and also for the recruitment of child migrants. These distinctions led to the tensions discussed below.

In 1937, the Northcote Farm School was opened at Bacchus Marsh, Victoria (“Northcote”) following a bequest from Lady Northcote—a supporter of Kingsley Fairbridge—and the donation of a farm by another supporter.<sup>1365</sup> The Northcote Trust was independent from, but closely linked with, Fairbridge UK, and Fairbridge UK was responsible for selecting and sending children from the UK to Northcote.<sup>1366</sup> The farm school was run by the Northcote Trust until 1976, when it was taken over by the Social Welfare Department. It closed in 1979.<sup>1367</sup>

## Numbers

Between 1913 and 1960, 1,520 children were sent from the UK to Pinjarra, including some from Scotland.<sup>1368</sup> Over the course of 35 years, approximately 1,000 children were accommodated at Molong, including Scottish and Australian children.<sup>1369</sup> Between 1937 and 1958, 237 child migrants were sent to Northcote, including some from Scotland.<sup>1370</sup> It is suggested that the total number of Scottish children sent by Fairbridge UK to Australia might be in the region of 80.<sup>1371</sup>

1363 See Constantine *et al.*, Chapter 26; [IICSA](#), 2018, paragraph 2.2.1.2.

1364 Constantine *et al.*, paragraph 26.1.

1365 Constantine *et al.*, paragraph 17.3.

1366 Constantine *et al.*, paragraph 25.1.

1367 Find & Connect, “[Northcote Farm School](#).” Retrieved 7 September 2022.

1368 Constantine *et al.*, paragraph 26.1.

1369 Find & Connect, “[Fairbridge Farm School, Pinjarra](#).” Retrieved 7 September 2022.

1370 Constantine *et al.*, paragraph 17.3.

1371 Constantine *et al.*, paragraph 10.19.



## Funding

Fairbridge's operations were initially fully financed by voluntary donations, including donations from members of the British establishment, such as colonial administrators, army officers, peers, and the Royal Family. Shortly after the First World War, the UK Government began to subsidise Fairbridge UK via the Oversea Settlement Committee. From 1923, following the passage of the Empire Settlement Act, 1922, there was a formal funding agreement.<sup>1372</sup>

From 1915, the Australian Government provided financial support. Contributions were also made by the state governments of Western Australia and New South Wales, where Fairbridge UK founded farm schools.

## Tensions

Fairbridge UK arranged for migrations to Australia.<sup>1373</sup> As outlined above, Fairbridge UK and the Australian Fairbridge committees in Western Australia and New South Wales were separate legal entities.<sup>1374</sup> This led to tensions between the committees, with Fairbridge UK trying to exert some measure of control over the supervision of children, recruitment of staff, and general welfare of children, while the Fairbridge committees in Australia believed that they should hold such responsibilities.

In 1944, Walter Garnett at the UK High Commission in Canberra expressed concern about the local committees, which were

“composed...of prominent citizens who, whilst invaluable in maintaining prestige of schools, are much-preoccupied with their own affairs, and too distant from schools to be able to exercise any effective supervision. There are no women on either Committee...They are inclined to be unduly perturbed when difficulties arise, and not sufficiently to appreciate that they are dealing in the main with under-privileged children amongst whom a number of problem cases are bound to occur. There is a tendency to attribute unsatisfactory results to outside circumstances e.g., faulty selection, and to dwell too much on failure of children to be a credit to them.”<sup>1375</sup>

Walter Garnett also noted that “Committees are becoming increasingly jealous of any attempt to exercise control from London [Fairbridge UK]. Their financial independence encourages this.” However, he noted there was no “evidence that this had adversely affected management”.<sup>1376</sup>

In 1944, an official report by Walter Garnett highlighted that, although Fairbridge UK tried to outline the policies to be implemented in the Australian farm schools, attempts to impose them were met with resistance.<sup>1377</sup> Walter Garnett believed that the recruitment of staff should be the responsibility of local committees.

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1372 Constantine *et al.*, paragraph 17.3.

1373 IICSA, 2018, paragraph 2.2.1.

1374 Constantine *et al.*, Appendix 3, paragraph 4.2.

1375 TNA, DO35/1138/4, Telegram from High Commission to the Dominions Office, 28 June 1944, at LEG.001.004.3990.

1376 TNA, DO35/1138/4, Telegram from High Commission to the Dominions Office, 28 June 1944, at LEG.001.004.3991.

1377 Walter Garnett in his October 1944 report on farm schools in Australia raised several concerns about the dysfunctional relationship between the London Society and the Australian Committees. See TNA, DO35/1138/4, Garnett Report, October 1944, at LEG.001.002.0248-0288; and IICSA, 2018, paragraph 2.2.3.51.

Fairbridge UK nonetheless pushed for greater control of the farm schools in Australia and, by 1945, felt that children should not be sent to Pinjarra as Fairbridge UK could not “control the policy which would ensure” that standards were improved.<sup>1378</sup>

These concerns led Fairbridge UK to submit a memorandum to the Curtis Committee.<sup>1379</sup> The memorandum called for the Australian and state governments to assume guardianship over migrated children, and suggested that migrated children were experiencing lower standards than would be expected in the UK. This memorandum likely contributed to the Curtis Report’s recommendation that standards of care in receiving institutions should be comparable with those in the UK.<sup>1380</sup>

In September 1945, Sir Charles Hambro informed the Dominions Office and Home Office that Fairbridge UK intended to review its constitution in light of the new post-war standards of child welfare, indicating an awareness and acceptance of the recommendations of the Curtis Committee.<sup>1381</sup> He proposed that,

“[t]o ensure that children who come into the care of the Society may have all the safeguards which will cover children in the United Kingdom who are without the protection of their own family I have written to the Home Secretary asking for the co-operation of an expert from

the Children’s Department of the Home Office, in the framing of our new Charter and Articles of Association.”<sup>1382</sup>

This demonstrates that “Fairbridge were evidently willing to accept the principles of child care that they felt certain would be embraced by the Home Office (and were expected to be applied by regulations).”<sup>1383</sup>

This development shows that an organisation with a relatively long history in child migration had become concerned about what control it could exercise over the institutions in Australia which it considered fell within its jurisdiction. As Constantine, Harper, and Lynch highlighted, Fairbridge UK was frustrated that the Fairbridge farm schools overseas were not maintaining appropriate standards, and sought to exercise influence over them in order to improve child welfare, an ambition for which they can only be commended.<sup>1384</sup> What they could, achieve in practice was, however, a different matter.

In May 1947, a delegation from London went to Australia to negotiate the terms of the relationship between the Fairbridge UK and the Australian committees. Fairbridge UK and Fairbridge in Western Australia subsequently signed an agreement about childcare objectives and practices, which was renewed in 1948. The Australian organisations agreed to a more integrated approach. For example, Fairbridge UK had the power to appoint Principals and nominate some members on

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1378 Constantine *et al.*, Appendix 3, paragraph 4.2; See TNA, DO35/1138, Letter from Gordon Green to R.A. Wiseman, 31 August 1945, at LEG.001.004.3921-3922.

1379 TNA, DO35/1139, Memorandum by Gordon Green, 25 January 1946, at LEG.001.002.1066-1069.

1380 Constantine *et al.*, Appendix 3, paragraph 4.3.

1381 TNA, MH102/1401, Letter from Sir Charles Hambro to Secretary of State for Home Department, 7 September 1945, at LEG.001.004.0335-0336.

1382 TNA, MH102/1401, Letter from Sir Charles Hambro to Secretary of State for Home Department, 7 September 1945, at LEG.001.002.1088.

1383 Constantine *et al.*, paragraph 13.51.

1384 [Transcript, day 187](#): Professor Stephen Constantine, TRN-5-000000018, pp.7-8 ; Constantine *et al.* Appendix 3, paragraphs 4.2-4.3.

the local Boards of Governors.<sup>1385</sup> However, “[t]he problem, as always and not only with respect to Fairbridge UK, was to ensure that what London offices expected and required was implemented overseas.”<sup>1386</sup>

Prior to the delegation’s visit to Australia, Sir Charles Hambro had wanted to learn what the Home Office, in light of the Curtis Report’s recommendations, considered “fundamental and essential to the upbringing of any homeless child from the UK who might be entrusted to the care of the Fairbridge Society”, both during and after care.<sup>1387</sup>

In response, the Home Office prepared a memorandum that was sent directly to Fairbridge UK in September 1947.<sup>1388</sup> This memorandum emphasised that the emigration of children deprived of a home life should

“only be considered in the light of the standard of care which these children may hope to enjoy in this country as the provisions of the Education Act 1944 and the recommendations of the Curtis Committee take effect...it would be difficult to justify proposals to emigrate deprived children unless the Societies or Homes to which they go are willing and able to provide care and opportunity on the same level...as [the child] would have had in this country.”<sup>1389</sup>

A letter from the CRO to Walter Garnett dated 2 October 1947 highlighted

that the memorandum constituted “a departmental, not a government, statement of views.”<sup>1390</sup> Thus, the policies outlined in the memorandum remained consultative only, and were not endorsed by central government.

Despite the new agreement on cooperation between Fairbridge UK and the Australian committees, concerns continued to arise about standards at Molong and Pinjarra, particularly about staffing, conditions, training, and the number of children in the homes.

Fairbridge UK’s efforts to set standards overseas were largely ignored. For example, in 1950, Fairbridge UK insisted on a maximum of 10 children per cottage. This could be increased to 12 in emergency situations, and was based on the rationale that cottage mothers could not give any more children than that sufficient attention.<sup>1391</sup> Fairbridge New South Wales opposed this and did not implement this policy at Molong.

The numbers of children in cottages were also high at Pinjarra. In 1951, there were suggestions that the use of corporal punishment at Pinjarra and Molong exceeded that recommended by the Home Office in a 1951 memorandum on the conduct of children’s residential homes.<sup>1392</sup> In 1953, a suggestion to appoint a cottage mother from England to train other

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1385 Prince’s Trust, Fairbridge Farm Schools (Incorporated) Offices in London, Agreement, with the Board of Governors of the Kingsley Fairbridge Farm School of Western Australia, 12 May 1947, at PRT.001.001.6512.

1386 Constantine *et al.*, paragraph 17.14.

1387 TNA, MH102/1403, Letter from C. Costley-White (CRO) to Walter Garnett, 2 October 1947, at LEG.001.002.9422.

1388 TNA, MH102/1403, Letter from H.T. Logan (Fairbridge Acting General Secretary) to D.M. Rosling (Home Office), 20 September 1947, at LEG.001.002.9421.

1389 TNA, MH102/1403, Migration of Children Who Have Been Deprived of a Normal Home Life, draft memorandum by the Home Office with minor amendments by Fairbridge, September 1947, at LEG.001.002.9427.

1390 TNA, MH102/1403, Letter from C. Costley-White (CRO) to Walter Garnett, 2 October 1947, at LEG.001.002.9422.

1391 IICSA, 2018, paragraph 2.2.3.51.

1392 TNA, DO35/6383, Memorandum by the Home Office on the Conduct of Children’s Homes, 1951, at LEG.001.004.7784-7803.

cottage mothers was met with resistance by Pinjarra and Molong, and was seen as “unwarranted.”<sup>1393</sup>

IICSA concluded that Fairbridge UK failed to ensure competent staff were hired or supervised.<sup>1394</sup> Also, the custodian of the children at Molong may not have had childcare credentials.<sup>1395</sup> There were wider concerns relating to allegations against Principals, discussed below.

Towards the mid-1950s, Fairbridge UK faced increasing concerns about the future of its emigration scheme, with decreasing numbers of children being nominated by institutions. These concerns were echoed in minutes of Fairbridge UK’s Executive Committee and Council. For instance, in July 1958, the Executive Committee noted that, because of the unwillingness of local authorities to nominate children for migration, “the Society’s work would depend on the development of the family scheme”.<sup>1396</sup> Constantine, Harper, and Lynch suggested that statements such as these indicated that “Fairbridge was more driven by a determination to remain more broadly engaged in emigration work, perhaps in its own interests, rather than as an essential response to the needs of children in the UK.”<sup>1397</sup>

In 1957, Fairbridge UK signed a three-year-agreement with the CRO under the Outfits and Maintenance Agreement. This agreement included standards regarding the selection and preparation of children, staffing numbers, assimilation of children

into Australian life, the possibility of foster care, training of children, and an “adequate standard of comfort” for children.<sup>1398</sup> It also provided that, should the Secretary of State be unsatisfied by arrangements, he could terminate the agreement. However, as described in [Volume 1](#), the experiences of applicants show that arrangements were still not satisfactory at Pinjarra. For instance, “Kath”, who arrived at Pinjarra in 1958, described how children were segregated, had no shoes, did not receive adequate medical care, and had an abusive cottage mother. “Gregs” described a lack of shoes, an “impersonal” environment with many chores, and inadequate education. “Watto”, who arrived at Pinjarra in 1959, remembered heavy chores, a regimented existence in the cottages, and cottage mothers who had no understanding of children.<sup>1399</sup> Plainly, Pinjarra fell short of the conditions expected by the Outfits and Maintenance Agreements.

In summary, it appears that Fairbridge UK did try to implement standards overseas and actively sought the advice of the Home Office. Attempts to implement standards fell short, yet children were still sent to Fairbridge Australia institutions.

### Monitoring

IICSA noted that Fairbridge UK’s policy of reporting on individual children appeared to improve over time in an attempt to meet Home Office expectations.<sup>1400</sup> Fairbridge UK’s awareness of the need to check on children’s welfare was linked to growing concerns

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1393 Prince’s Trust, Minutes of meeting of the Executive Committee, 16 July 1953, at PRT.001.001.0257-0258.

1394 IICSA, 2018, paragraph 2.2.3.53.

1395 Constantine *et al.*, paragraph 6.7.

1396 Prince’s Trust, Minutes of special meeting of the Executive Committee, 22 July 1958, at PRT.001.001.0497.

1397 Constantine *et al.*, paragraph 13.53.

1398 Prince’s Trust, Memorandum for the Council and Executive in regard to the new agreements, 30 July 1957, at PRT.001.001.0442-0443.

1399 See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#).

1400 IICSA, 2018, paragraph 2.2.3.54.

about the governance relations between Fairbridge UK and the Fairbridge committees in Australia, who had significant autonomy.<sup>1401</sup> There were but brief reports on individual children relating to education, training, health, character and well-being from Pinjarra before and during the First World War. Four progress reports were identified by Constantine, Harper, and Lynch as having been sent by Fairbridge to Whinwell Children's Home regarding the few children sent from there to Australia by Fairbridge UK.<sup>1402</sup>

By 1945, following several cases of abuse uncovered at various institutions (both in Australia and Canada), Fairbridge UK was aware of the need for better monitoring of institutions.<sup>1403</sup> In response to allegations of mistreatment at Northcote, Fairbridge UK wrote telling the trustees of Northcote that the Principal, Colonel Heath—who ultimately resigned—had “failed to send [Sir Charles Hambro] (in accordance with Fairbridge practice) special news of children which it is my duty to pass on to parents.”<sup>1404</sup> Sir Charles Hambro noted that this failure had

“made my relations with parents and guardians extremely difficult because I represent, for them, their link with the authorities in charge of their children and it is my personal word they hold as an earnest of all undertakings respecting the children.”<sup>1405</sup>

This suggested that Fairbridge UK was keen to obtain reports on individual children and generally passed news about them on to their parents.

Some details of the reports are available. In 1948, Fairbridge UK introduced a policy at the farm schools under which the Principals were required to send half-yearly reports on individual children from when they entered the school until they reached the age of 21. These reports, which included medical reports, cottage mothers' reports, and comments by the Principals of the schools, demonstrated that Fairbridge UK had some knowledge of the children. Nevertheless, the Principal of Molong, Frederick Woods, was reprimanded for not submitting reports. The general inspections by members of local overseas committees were not effective in identifying problems.<sup>1406</sup>

The 1952 minutes of Fairbridge UK's Executive Committee noted that the report received from Pinjarra had “indicated a wise and understanding attitude towards the children and problems of administration.”<sup>1407</sup> However, in 1958, it was recorded that there were concerns about Molong. This comment was not expanded upon, and it is probable this relate to the poor management under Principal Woods.<sup>1408</sup>

From the available evidence, Constantine, Harper, and Lynch concluded that, although Fairbridge UK had attempted to implement a monitoring system, it did not provide

“significant safeguards from the physical and sexual abuse, and poor emotional and educational support, that many former Fairbridge residents have described. The discrepancy between the Society's awareness of the need for monitoring

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1401 Constantine *et al.*, Appendix 3, paragraph 4.2.

1402 Constantine *et al.*, paragraph 17.7 and paragraph 13.66.

1403 Constantine *et al.*, Appendix 3, paragraph 4.1.

1404 See TNA, DO35/1138, Letter from Sir Charles Hambro to the Earl Grey, 15 October 1943, at LEG.001.002.0614.

1405 TNA, DO35/1138, Letter from Sir Charles Hambro to the Earl Grey, 15 October 1943, at LEG.001.002.0614.

1406 Constantine *et al.*, paragraph 17.6; Appendix 3, paragraph 4.5.

1407 Prince's Trust, Minutes of meeting of the Executive Committee, 8 May 1952, at PRT.001.001.0206.

1408 Prince's Trust, Minutes of meeting of the Executive Committee, 5 June 1958, at PRT.001.001.0481.

the overseas farm schools to which it sent children and systems for doing this, and such failures in safeguarding, suggests that whilst such awareness and systems might have been a necessary safeguard for child migrants, they were not in themselves sufficient to protect them.”<sup>1409</sup>

I agree with their conclusion.

In his evidence, Professor Lynch elaborated. In particular, he added that, because the Principal’s input into monitoring was important, an abusive Principal would not be a reliable witness.<sup>1410</sup> Although it appeared that Fairbridge UK stipulated a degree of reporting on children, this did not protect children from abuse.

Regarding aftercare, Constantine, Harper, and Lynch saw evidence that Pinjarra monitored children after they had left the school and were placed in employment, a policy which was introduced early on in Pinjarra’s history. Aftercare reports appeared detailed and covered the living conditions, church attendance, savings, and membership of the Old Fairbridgeans Association.<sup>1411</sup>

However, some reports recorded unsatisfactory outcomes. By 1938, 41 children had been sent back to the UK. In 1944 Walter Garnett commented on poor aftercare practices.<sup>1412</sup> Caroline Kelly was also critical of aftercare at Northcote in 1944.<sup>1413</sup>

The Principal of Pinjarra reviewed aftercare provision in 1953, and his successor submitted an analysis of aftercare reports in 1959 to inform future policy. However, no aftercare reports were sent from the Northcote farm school during or after the war.<sup>1414</sup>

Evidence provided by SCAI applicants indicates that, in practice, aftercare was poor.<sup>1415</sup> “Watto” had no further contact with Fairbridge or the Western Australia Welfare Department after she left Pinjarra in 1963.<sup>1416</sup> Similarly, although Fairbridge Australia helped “Gregs” find a job, he received little support and guidance, and does not remember anybody checking on him.<sup>1417</sup> Despite some attention to aftercare, in practice it was ineffective.

## Inspections

Constantine, Harper, and Lynch found no evidence that Fairbridge institutions in Australia were subject to regular inspections by the UK or Australian Governments, despite the fact that they received public money and that Fairbridge was expected to conform with state legislation.<sup>1418</sup> Local Fairbridge committees did carry out inspections of schools, but these were carefully managed visits.<sup>1419</sup> It is likely that there were child welfare department reports, but these were likely “light touch” due to the “high esteem” in which Fairbridge was

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1409 Constantine *et al.*, Appendix 3, paragraph 4.6.

1410 [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-00000022, p.69.

1411 Constantine *et al.*, paragraph 17.6.

1412 TNA, DO35/1138/4, Garnett Report, May 1944, at LEG.001.004.3973-3978; Garnett Report, October 1944, at LEG.001.002.0278. See also [Chapter 1.2](#).

1413 NAA, A436 1945/5/54, Kelly Report, 1945, at NAA-000000028, p.55. See also [Chapter 1.2](#).

1414 Constantine *et al.*, paragraph 17.7.

1415 See [Case Study no. 8, Volume 1](#).

1416 [Transcript, day 178](#): “Watto”, at TRN-5-00000008, p.43.

1417 [Transcript, day 181](#): Read-in statement of “Gregs”, at TRN-5-00000012, p.133.

1418 Constantine *et al.*, paragraph 17.8.

1419 [IICSA](#), 2018, paragraph 2.2.3.52.

held, and there is no evidence that they were passed back to Fairbridge UK.<sup>1420</sup> For instance, “Gregs” did remember some visitors at Pinjarra, but children were “virtually hidden from them and had no interaction with them.”<sup>1421</sup>

SCAI has seen records of three early inspections of Pinjarra. One dates from 1914 and was carried out by J.N. Cox, a member of the Advisory Board for the Child Emigration Society. Two other reports from 1916 and 1917 were carried out by R.W. Crouch, state inspector for the children’s department. All three resulted in largely positive reports.<sup>1422</sup> At the time of these inspections, Kingsley Fairbridge and his wife ran the farm school. SCAI saw no evidence of any further inspections, by the state or by individuals, until 1943.

## Concerns

The majority of the subsequent inspections and reports about Fairbridge farm schools identify unsatisfactory aspects of the schools. Walter Garnett visited Northcote in May 1943, after the UK High Commission had learned of alleged abuse.<sup>1423</sup> In short, he raised concerns about the allegations of abuse, about poor selection of children, about children being brought up in isolated locations, about aftercare arrangements, about inappropriate training for children, and about the fact that the State of Victoria’s legislation meant that the child welfare

department had no control over children’s homes, and so no inspections had taken place. These powers were later provided under the Immigration (Guardianship of Children) Act, 1946.<sup>1424</sup>

Homes other than Northcote also faced criticisms resulting in inspection, including concerns raised by Fairbridge officials. In 1943, Gordon Green, the General Secretary of Fairbridge UK, compiled a dossier of complaints from former and current staff at Pinjarra.<sup>1425</sup> Sir Charles Hambro forwarded this dossier to the Dominions Office in April 1944, requesting the UK High Commissioner to undertake an official inspection to safeguard the welfare of children. Constantine, Harper, and Lynch suggest this “is indicative of Fairbridge [UK] and the UK government apparently taking seriously their duty of care, but follow-up action was slow (there was a war going on).”<sup>1426</sup>

The dossier raised concerns regarding the oversight that Fairbridge UK had over Australian institutions, particularly around staff recruitment, appropriate management and oversight, and utilising funding appropriately. Gordon Green suggested that some children who were “troublesome” were transferred to other homes “too hastily”, sometimes for minor offences such as “petty thieving or trivial insubordination.” Some of these children were placed in homes with other children who were “hardened cases

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1420 IICSA, 2018, paragraph 2.2.3.56.

1421 Transcript, day 181: Read-in statement of “Gregs”, at TRN-5-000000012, p.126.

1422 TNA MH102/1400, Copy of a report made to the Agent-General at his request, 10 July 1914, at LEG.001.004.0241-0242; TNA MH102/1400, Copy of the report on the Fairbridge Farm School Pinjarra, Western Australia, made to the State Children Department, Perth, Western Australia, 8 March 1916, at LEG.001.004.0248; TNA MH102/1400, Report of Inspector Crouch about Fairbridge Farm School Pinjarra, 16 February 1917, at LEG.001.004.0269.

1423 TNA, DO35/1138, Report on Northcote Farm School, May 1943, at LEG.001.002.0668-0673. See also [Chapter 1.2](#).

1424 Constantine *et al.*, paragraph 17.9.

1425 TNA, DO35/1330, Reports on the irregularities in the administration of the Fairbridge Farm School in Western Australia, at LEG.001.003.4907-4964.

1426 Constantine *et al.*, paragraph 26.2.

of delinquency".<sup>1427</sup> In 1942, one in seven children from Pinjarra had been placed in such homes. Some children had been refused permission to sit Junior Certificate exams, despite their wishes to do so.

The dossier expressed concern that some children may have been exploited. Some children who had completed their training at the school were employed without wages, worked long hours, and were not sent into other employment. Many children were placed in employment without adequate checks made about the employers by the Principal. In addition, many children were paid lower wages than were due to them as a matter of law, and children had no redress when they did not get paid at all. Young girls were also "left without protection in remote homesteads" when the owners left for holidays.<sup>1428</sup> In 1935, Fairbridge UK sent a fund of £5,000 to assist "gifted" young people to gain employment opportunities other than farm and domestic work. This fund had not been utilised properly.

Walter Garnett, who had visited Northcote after allegations arose there in 1943, went on to inspect other farm schools in May 1944, including Pinjarra and Molong, reporting in October 1944. Although he criticised aspects of farm schools and recommended that farm schools should widen the training offered to children, he generally recognised their value.<sup>1429</sup> He pointed out that the care provided at Barnardo's homes was of a higher standard than at Fairbridge:

"Children sent to the Barnardo Homes have been continuously in the care of the one organisation before and after leaving the United Kingdom; this gives a continuity of training and coupled with the long experience of this organisation in handling children may account for the comparative absence among children at Mowbray Park and Burwood of many of the problems which have arisen at the Fairbridge Schools."<sup>1430</sup>

When the Australian Government was planning for post-war immigration in the context of failings at Pinjarra, the Chief Migration Officer, Reuben Wheeler, who visited the farm schools with Walter Garnett in May 1944, produced a separate confidential report.<sup>1431</sup> The report raised concerns about allegations of sexual abuse and the supervision of children at Northcote. He supported the idea of moving the children at Northcote to Molong, a move that occurred later in 1944.<sup>1432</sup> In general, he had concerns about the limited training offered to children. He was, on the whole, positive about Molong. He did enquire as to whether there had been any allegations of impropriety at Molong and was told there had not been any trouble. However, as will be discussed later, there had in fact been allegations in 1940, which prompted the then Principal, Richard Beauchamp, to resign.<sup>1433</sup>

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1427 DO35/1330, Reports on the irregularities in the administration of the Fairbridge Farm School in Western Australia, at LEG.001.003.4909.

1428 DO35/1330, Reports on the irregularities in the administration of the Fairbridge Farm School in Western Australia, at LEG.001.003.4909.

1429 TNA, DO35/1138/4, Garnett Report, October 1944, at LEG.001.002.0248-0288. See also [Chapter 1.2](#).

1430 TNA, DO35/1138/4, Garnett Report, October 1944, at LEG.001.002.0254. See also [Chapter 1.2](#).

1431 TNA, DO35/1138/4, Wheeler Report, May 1944, at LEG.001.004.3973-3978. See also [Chapter 1.2](#).

1432 Constantine *et al.*, paragraph 27.2.

1433 TNA, DO35/1138/4, Wheeler Report, May 1944, at LEG.001.004.3986; Constantine *et al.*, paragraphs 4.1 and 27.6.



### Sir Charles Hambro's visit

Sir Charles Hambro and a Fairbridge UK delegation visited the Australian farm schools in 1947. A report of this visit recorded that a new agreement had been signed with the New South Wales Committee that would make Fairbridge UK responsible for policy, leaving a Board of Governors to manage the school.<sup>1434</sup> Principals would be appointed by Fairbridge UK.

In a report making reference to the visit, Molong was described as "a very happy place", with a good Principal, staffing, and teachers. The school was in the process of recruiting an aftercare officer, and the delegation recommended the appointment of a head matron. The school planned to build a hostel, more staff buildings, and two cottages. However, aftercare was "insufficient". The delegation spoke to alumni, who comprised "a very fine group of boys and girls", though the report noted that these alumni regretted "that they had not had a better education."<sup>1435</sup>

This report also alluded to distrust between Fairbridge UK and the Australian committees. They were greeted with "a serious undercurrent of suspicion, misunderstanding and antagonism to any domination from London."<sup>1436</sup> The delegation had some difficult conversations with the local committee, but agreed to give responsibility for the management of the school to a Board of Governors who would, in turn, be accountable to Fairbridge UK.

The delegation also visited Pinjarra where they "were impressed with the beauty of the site but found that extensive reconstruction was necessary."<sup>1437</sup> The cottages and accommodation required extensive work and the farm was "out of date". Management "appeared sound, but disheartened." At the time of the visit, only 15 children were there, but they "made a good impression."<sup>1438</sup> Pinjarra's management planned to improve the education and training, as well as ensuring the buildings "conform at least to modern State standards and requirements."<sup>1439</sup>

Northcote farm school fulfilled "all the requirements of a Farm School: in fact, many of the cottages were perhaps even too luxurious and too beautifully furnished." However, the farm was inadequate and in poor land. The delegation found the Principal and his wife to be "most enthusiastic, and right on top of their job."<sup>1440</sup>

### Inspections

In 1944, at the request of the Australian Commonwealth Government, Caroline Kelly produced a report on Fairbridge Australia's methods. Her report was highly critical. It raised concerns about accommodation, training, aftercare, likely sexual abuse, the lax oversight of a hostel for old boys and girls, and inadequate management.<sup>1441</sup> She recommended that no further children should be admitted to Pinjarra until "an overhaul" of the administration of the school was implemented. She was positive about Molong.

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1434 Prince's Trust, Minutes of meeting of the Executive Committee, 16 December 1947, at PRT.001.001.2248.

1435 Prince's Trust, Minutes of meeting of the Executive Committee, 16 December 1947, at PRT.001.001.2246.

1436 Prince's Trust, Minutes of meeting of the Executive Committee, 16 December 1947, at PRT.001.001.2246.

1437 Prince's Trust, Minutes of meeting of the Executive Committee, 16 December 1947, at PRT.001.001.2248.

1438 Prince's Trust, Minutes of meeting of the Executive Committee, 16 December 1947, at PRT.001.001.2248.

1439 Prince's Trust, Minutes of meeting of the Executive Committee, 16 December 1947, at PRT.001.001.2250.

1440 Prince's Trust, Minutes of meeting of the Executive Committee, 16 December 1947, at PRT.001.001.2250.

1441 NAA, A436 1945/5/54, Kelly Report, 1945, at NAA-000000028, pp.26-92.

In 1948, a state inspection of Pinjarra was conducted because Fairbridge UK planned to send a party of migrants there.<sup>1442</sup> The inspection report commented on the material conditions of the school, noting that building works were being carried out and some other facilities were in a good condition. The school rooms were not equipped and renovations had been hampered by the war. The report concluded by recommending the nomination for 100 children with “no hesitation”.<sup>1443</sup>

The last state inspection of Pinjarra seen by SCAI was carried out in March 1949.<sup>1444</sup> The brief paragraph about the farm school noted that the first children had arrived recently, a statement that is somewhat perplexing given that both Pinjarra and Molong had been receiving child migrants since before 1937. The report noted that there was enough accommodation for those children, and more children were expected to arrive shortly. Improvements were being made to the buildings. It was “somewhat premature to give an opinion as to whether the children have settled down successfully, but I have no doubt that their future is assured.”<sup>1445</sup>

There were other visits to the Australian Fairbridge institutions. Muriel Welsford, of the Women’s Voluntary Society, visited the Fairbridge farm schools in 1950 and identified some inadequacies. At Molong, the medical care and religious teaching was inadequate and the institution was in

an isolated location, which might affect the ability to recruit staff.<sup>1446</sup> She also concluded that the Principal of Pinjarra was not firm enough with the children.<sup>1447</sup>

John Moss’s report about Pinjarra in 1952 found it to be satisfactory, although he was concerned by the staffing, and the limited contact children had outside the home.<sup>1448</sup> John Moss attended a meeting of Fairbridge UK’s Executive Committee in May 1952 prior to the publication of his report. At the meeting, John Moss stated that this report should not be provided to the committee prior to its publication, but he did relay the criticisms he was making of the institutions.<sup>1449</sup>

The Ross fact-finding mission was critical of the Fairbridge schools, and Molong in particular. The fact-finding mission criticised the training, staff, the Principal at Pinjarra, and the children’s lack of outside contact. The report was, however, fairly positive about Northcote, particularly on aspects such as the accommodation, contact outside the home, and the attention received by children.<sup>1450</sup>

Anthony Rouse’s private notes, taken during his visit with Reuben Wheeler in 1956, recorded that at Pinjarra children wore no shoes and were not allowed to go to foster homes or be adopted.<sup>1451</sup>

All these reports suggest that there were deficiencies in the farm schools and that their standards were consistently below what the

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1442 Constantine *et al.*, paragraph 17.13.

1443 TNA, MH102/1406, Fairbridge Farm Schools: Emigration of 100 Children to Pinjarra Western Australia, at LEG.001.002.9637.

1444 NAA A445 133/2/8, Report on Catholic Child Migrant Homes in Western Australia, 21 March 1949, at NAA-000000004, p.48.

1445 NAA A445 133/2/8, Report on Catholic Child Migrant Homes in Western Australia, 21 March 1949, at NAA-000000004, p.48.

1446 TNA, MH102/2334, Welsford Report, 1950, at LEG.001.003.1730.

1447 TNA, MH102/2334, Welsford Report, 1950, at LEG.01.003.1732.

1448 Moss Report, 1953, at CMT.001.001.0476-0529.

1449 Prince’s Trust, Minutes of meeting of the Executive Committee, 8 May 1952, at PRT.001.001.0200.

1450 [Cmd. 9832] Report of a fact-finding mission, 1956, at LEG.001.002.3761. See also [Chapter 1.3](#).

1451 TNA, BN29/1325, Rouse Report, Fairbridge Farm School, 1956, at LEG.001.004.3156.

Home Office would have expected, and what Fairbridge UK had accepted as the required standards of care. The institutional nature of the farm schools in itself contradicted the standards of care expected by this time.

### Concerns of former staff members

In addition to the concerns that prompted the inspections outlined above, various other concerns were submitted to the Home Office or to Fairbridge UK. There is no available evidence of inspections or visits being carried out in response to these concerns.

Lucy Cole-Hamilton worked at Pinjarra from 1934 to 1945. In October 1947, on hearing that child migration was to be resumed, she wrote to the Under-Secretary of State at the Home Office.<sup>1452</sup> She raised a number of concerns. They were all significant matters. She questioned how children's individuality would be safeguarded, how they would be supervised in a different country, and expressed doubts about whether the system was "conducive to the children's happiness or welfare in a great many ways, nor indeed to the State's."<sup>1453</sup> She was concerned about how local authorities would appoint their aftercare officers and that they might "evade any rule".<sup>1454</sup> She also expressed concern over the guardianship of the children, and whether membership of the Pinjarra Committee would be open to the public or if it would be restricted. She queried whether children would be encouraged to pursue employment or education as they saw fit,

or if they were to be restricted to domestic and rural work. She was also uneasy about the suitability of staff, how they would be selected, and whether they would be adequately paid.

In 1949, Dallas Paterson, a former Principal at Pinjarra between 1936 and 1937, wrote to the Home Office with concerns about the selection of children, their welfare, education, integration, employment, and aftercare. He emphasised that sending organisations should retain responsibility for child migrants sent overseas, and he criticised the Western Australian Committee.<sup>1455</sup>

Executive Committee minutes from 1953 also referred to a complaint about Molong. The complaint consisted of allegations about shortage of food, children's pocket money, and abuse. However, the Committee deemed that "explanations given were satisfactory", and the cottage mother who made the complaint had left Molong.<sup>1456</sup> It is not known whether investigations were carried out.

### Abuse

By 1945, there had been a number of incidents involving allegations of children being sexually abused at the Fairbridge farm schools in Australia. These included the Principal of Molong being forced to resign by the New South Wales Committee following allegations of sexual abuse in 1940, and the Principal of Northcote resigning in 1943, again due to allegations of sexual abuse.

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1452 TNA, MH102/1557, Letter from Lucy Cole-Hamilton to the Under-Secretary of State (Home Office), 10 October 1947, at LEG.001.006.0934-0935. See also [Chapter 1.3](#).

1453 TNA, MH102/1557, Letter from Lucy Cole-Hamilton to the Under-Secretary of State (Home Office), 10 October 1947, at LEG.001.006.0934.

1454 TNA, MH102/1557, Letter from Lucy Cole-Hamilton to the Under-Secretary of State (Home Office), 10 October 1947, at LEG.001.006.0934.

1455 TNA, MH102/2041, Emigration of Children: Memorandum submitted by Dallas Paterson - relating to personal experience as Principal, Fairbridge Farm School, Pinjarra, W. Australia, c.1948, at LEG.001.006.2793.

1456 Prince's Trust, Minutes of meeting of the Executive Committee, 7 May 1953, at PRT.001.001.0238.

## Molong

In October 1940, W.D. Stewart, the Chair of the Fairbridge Council in Sydney, wrote to Sir Charles Hambro informing him that Principal Richard Beauchamp had been asked to resign.<sup>1457</sup> W.D. Stewart wrote that Richard Beauchamp had chosen to retire “as an alternative to suspension and...full charges”, adding that the police were not called. As has been seen in other cases, W.D. Stewart was concerned that the allegations could affect the reputation of Fairbridge:

“[W]e suddenly had brought to our notice information suggesting that the well-being of some of the children had already suffered violently, and that there was spreading, in the School, a condition which unless it were arrested immediately and ruthlessly, would both destroy the morals of the school and lead to a scandal that would very detrimentally, if not ruinously, affect the whole of the Fairbridge scheme; both here and elsewhere.”<sup>1458</sup>

W.D. Stewart reported that there had been a lack of supervision over the children, and that

“[i]t is now known that immoral and perverted practices have been indulged in on a serious scale, that there have been visits by boys to girls dormitories in the night, that there have even been visits by boys at night to a female member of the Principal’s house staff, and that there has been some free association between boys and girls on the farm lands in at least doubtful circumstances.”<sup>1459</sup>

Fairbridge UK “only reluctantly accepted the recommendation to terminate Richard Beauchamp’s employment”, and Sir Charles Hambro personally wrote to him telling him of his regret and that he would help to find him another job within the Fairbridge organisation.<sup>1460</sup> No thought appears to have been given to the risk that Beauchamp might pose to other children. Their protection was not prioritised over his interests or over the protection of Fairbridge’s reputation.

Principal Frederick Woods, was appointed in 1945 following Richard Beauchamp’s resignation. He was confirmed in post by Fairbridge UK but six months later, in February 1946, Claude Reading, the chair of the Fairbridge Council in Sydney at the time, wrote to London to tell them that Frederick Woods had been the subject of allegations made by one of the girls at Molong.<sup>1461</sup> The allegations had been brought to the attention of the child welfare department, and Frederick Woods had been “completely exonerated” by the child welfare authorities. Again, it seems the allegations were not unearthed by Fairbridge, but by a third-party. There is no indication of the police being alerted.

In 1948, the Fairbridge Sydney Council asked the child welfare authorities to investigate Frederick Woods following further allegations, this time made by the bursar, that children were not properly fed or looked after, that the Principal was “a sexual pervert”, that physical abuse had taken place, and other “matters too dreadful to mention.”<sup>1462</sup> The child welfare investigation

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1457 Prince’s Trust, Telegram from W.D. Stewart to Sir Charles Hambro, 1 October 1940, at PRT.001.001.3887.

1458 Prince’s Trust, Telegram from W.D. Stewart to Sir Charles Hambro, 1 October 1940, at PRT.001.001.3889.

1459 Prince’s Trust, Letter from W.D. Stewart to Sir Charles Hambro, 1 October 1940, at PRT.001.001.3892.

1460 Constantine *et al.*, paragraph 27.6.

1461 Prince’s Trust, Letter from Claude Reading to Sir Charles Hambro, 5 February 1946, at PRT.001.001.4110.

1462 Prince’s Trust, Investigation at Fairbridge Farm School by V.A. Heffernan, Superintendent of Investigations, 5 March 1948, at PRT.001.001.4096-4101.

did not substantiate any of the allegations, but did criticise Frederick Woods' use of punishment. The Sydney Council asked the bursar to resign, stating that he might have been "suffering from the effects of his imprisonment by the Japanese".<sup>1463</sup> The Sydney Council did inform London about the outcome, again demonstrating that a primary concern was for the reputation of Fairbridge by reassuring London that the investigation was done "with the minimum of publicity."<sup>1464</sup>

Concerns at Molong remained. In 1951, the Director of the New South Wales Child Welfare department was concerned by the conditions at Molong. Further complaints were made in the 1960s about many instances of cruelty. The latter concern was passed to Fairbridge UK but no further action was taken.<sup>1465</sup> Frederick Woods remained in post until 1966.

### David Hill

David Hill's work, *The Forgotten Children*, which draws on archives and interviews with former residents, as well as David's own experiences at Molong from 1959, describes how children were physically and sexually abused, as well as neglected, at Molong.<sup>1466</sup> He detailed his experiences of Principal Frederick Woods, whom he described as brutal and fearsome.

David Hill's work revealed "a long-standing organisational awareness in Australia and in London of serious problems associated with child care provision."<sup>1467</sup> This included awareness that the nutrition at Molong

was insufficient, and that there were poor educational outcomes for children in the 1950s. David Hill also outlined witness accounts about a child abused in the early 1960s by a house mother who inflicted cruel punishment. The child welfare department had shared a confidential report with Fairbridge in Sydney and London about this instance, but no further action was taken beyond telling the house mother to stop whipping children.<sup>1468</sup>

David Hill drew attention to other instances of physical and sexual abuse by staff, as well as his own personal experiences in the 1960s. He described how an aftercare officer was dismissed in 1962 for alleged sexual abuse, and that a dairyman who inflicted physical punishment and a garden supervisor who made inappropriate comments to the children were also dismissed. He described incidences of children being punished for bedwetting. An article that David Hill wrote for the *Sydney Morning Herald* in 2013 referred to a boy who had been sexually and physically abused at Molong.<sup>1469</sup>

David Hill also drew attention to a parent who had travelled to Molong with her children on the one-parent scheme, and who withdrew her children after four days. She reported to the child welfare authorities and Fairbridge management outlining her concerns about bedwetting, poor food, inadequate clothing, and cruelty. She also drew attention to the poor response of Frederick Woods.<sup>1470</sup>

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1463 Prince's Trust, Letter from the Chairman to Sir Charles Hambro, 16 March 1948, at PRT.001.001.4104-4105.

1464 Prince's Trust, Letter from the Chairman to Sir Charles Hambro, 16 March 1948, at PRT.001.001.4104.

1465 Constantine *et al.*, paragraphs 27.9-27.10.

1466 David Hill, *The Forgotten Children: Fairbridge Farm School and its Betrayal of Britain's Child Migrants to Australia* (2008), North Sydney: Heinemann, Random House.

1467 Constantine *et al.*, paragraph 27.4.

1468 Constantine *et al.*, paragraphs 27.9-27.10.

1469 Constantine *et al.*, paragraph 27.11.

1470 Constantine *et al.*, paragraph 27.12.

A letter dated July 1965 records that Frederick Woods was ultimately asked to resign. Woods had married a cottage mother who had only recently joined the school. Both Frederick Woods and the cottage mother were recently divorced, and the Fairbridge Council deemed this a scandal that “had besmirched the good name of Fairbridge.”<sup>1471</sup> Further, “[f]or some 15 years now there had been anxiety about the way in which Mr. Woods had been running Molong”. There was an appendix outlining “some of the major incidents”.<sup>1472</sup> Although serious concerns had been raised about Frederick Woods’ management of the school, and of sexual abuse, for many years—and these concerns had been recorded by the Fairbridge Council—it appears that Frederick Woods was only asked to resign following what was regarded as a personal scandal that had the possibility of attracting negative publicity.<sup>1473</sup>

David Hill located information regarding the retirement of another Principal, Jack Newberry, in the late-1960s in response to a series of allegations of sexual abuse. It is unclear whether the child welfare department was involved. Jack Newberry was cleared of the allegations. In 1969, he retired at the request of the New South Wales branch of Fairbridge due to his age. Constantine, Harper, and Lynch suggest this may have been a “discreet” way of dealing with the matter.<sup>1474</sup> IICSA concluded that the evidence seen by them suggested that Fairbridge UK was not aware of allegations of sexual abuse against Newberry.<sup>1475</sup>

Fairbridge UK was clearly aware of there being many serious concerns about Molong and its management over decades, but still continued to send children to an environment in which they were exposed to neglect, and physical, sexual, and emotional abuse.

### Northcote

As already mentioned, Walter Garnett’s report into Northcote Farm School in 1943 was prompted by the UK High Commission’s discovery of sexual abuse allegations. This report was passed on to the Dominions Office, and the local trustees asked the Principal, Colonel Heath, to resign.<sup>1476</sup> Walter Garnett had concluded that “something was radically wrong with the internal management of the farm school” and the local trustees had “failed to exercise sufficient supervision”.<sup>1477</sup> The Chief Inspector of schools told Walter Garnett that he was “shocked” by the behaviour of teachers towards girls. These teachers had since been dismissed pending the outcome of criminal investigations. Walter Garnett noted that the UK parent bodies of both Northcote and Molong had passed control to local bodies who had “little or no previous experience of this type of work”.<sup>1478</sup>

Sir Charles Hambro wrote to the UK trustees of Northcote in strong terms, observing that the “weak point” in the arrangements between Fairbridge UK and Northcote was that the relationship was not defined. Fairbridge UK had worked with Northcote on the assumption

1471 Prince’s Trust, Extract of minute book, at PRT.001.001.8082.

1472 Prince’s Trust, Extract of minute book, at PRT.001.001.8082.

1473 Prince’s Trust, Extract of minute book, at PRT.001.001.8083-8084.

1474 Constantine *et al.*, paragraph 27.13.

1475 IICSA, 2018, paragraph 2.2.2.47.

1476 TNA, DO35/1138, Letter from Walter Garnett to R.A. Wiseman, 4 June 1943, at LEG.001.002.0667.

1477 TNA, DO35/1138, Garnett Report, May 1943, at LEG.001.002.0672.

1478 TNA, DO35/1138, Garnett Report, May 1943, at LEG.001.002.0673.

“that through you we could ensure the children would have enlightened guidance and protection and that our undertakings to the parents and guardians as to the care, training and placing of the children would be honoured. But the absence of such an Agreement has now (and forgive my bluntness) given ‘Northcote’ freedom to lay the blame for their troubles at our door here”.<sup>1479</sup>

He also referred to allegations that children were sent out to work at a young age, and reiterated that Northcote had demonstrated

“disregard of Fairbridge promises and, even more seriously, of Fairbridge duty. Children have been sent out to work by Colonel Heath at fourteen or younger, sometimes because they gave him trouble and sometimes to oblige an employer. Fairbridge...cannot be a purveyor of child labour nor can it shelve its duties in respect of difficult children. It is an unjust and dangerous course. But that is not always apparent even to our friends on the other side.”<sup>1480</sup>

Sir Charles Hambro raised concerns about a lack of aftercare, for which the Principal was to blame. He rebutted claims made by Northcote that poor selection was to blame, and threatened to end Fairbridge UK’s practice of selecting children for Northcote. This indicates that Fairbridge UK expected certain standards of the institutions

in Australia, but the ill-defined nature of the relationship between Fairbridge UK and Northcote hindered this aim. It is not clear what the response to this was, and it highlights the inherent problem in relying on another organisation to uphold standards.

Reuben Wheeler’s report in 1944 considered the sexual abuse allegations at Northcote in further detail. The allegations involved girls aged 13 and 14. One teacher had been prosecuted but subsequently acquitted. Girls involved in this case had been found in bed with former “old boys”.<sup>1481</sup>

In 1944, all of the children at Northcote were transferred to Molong because “of wartime conditions, falling numbers and perhaps concerns about children’s well-being”.<sup>1482</sup> In 1947, Fairbridge stopped migrating children to Northcote on the grounds that “[a] child who was received for care by the Fairbridge Society could not be handed on to another Society”.<sup>1483</sup>

### Pinjarra

As noted above, Gordon Green’s dossier of complaints about Pinjarra was an indictment of how Pinjarra operated.<sup>1484</sup> It was even more telling because the author was the General Secretary of the London committee. A Dominions Office memorandum concluded that the dossier disclosed “a most disturbing state of affairs”.<sup>1485</sup> Another note described the dossier as a “deplorable story.”<sup>1486</sup>

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1479 TNA, DO35/1138, Letter from Sir Charles Hambro to the Earl Grey, 15 October 1943, at LEG.001.002.0613-0614. Emphasis in original

1480 TNA, DO35/1138, Letter from Sir Charles Hambro to the Earl Grey, 15 October 1943, at LEG.001.002.0614. Emphasis in original.

1481 TNA, DO35/1138/4, Wheeler Report, May 1944, at LEG.001.004.3974.

1482 Constantine *et al.*, paragraph 25.4.

1483 Prince’s Trust, Note of meeting between the Fairbridge Society and the Northcote Trustees, 10 July 1947, at PRT.001.001.6392.

1484 TNA, DO35/1330, Reports on the irregularities in the administration of the Fairbridge Farm School in Western Australia, at LEG.001.003.4907-4964.

1485 TNA, DO35/1330, Reports on the irregularities in the administration of the Fairbridge Farm School in Western Australia, at LEG.001.003.4861.

1486 TNA, DO35/1330, Reports on the irregularities in the administration of the Fairbridge Farm School in Western Australia, at LEG.001.003.4862.

This was followed by the inspection report of farm schools by Walter Garnett in 1944, referred to above. Walter Garnett had alerted his first impressions to the Dominions Office by letter in June 1944 in which he considered that “Pinjarra has concealed adverse facts” regarding boys being placed in reformatories “and that every possible difficulty has been encountered there”.<sup>1487</sup> He alluded to “rumours” and referred to Caroline Kelly’s report in 1944, which noted that all responsible persons at Pinjarra were aware of a “grave state of affairs”, that was “concealed for fear that scheme might be damaged and financial backing suffer”.<sup>1488</sup> He recommended that a Fairbridge representative and the UK and Australian governments should conduct a full investigation of the affairs at Pinjarra. There is no evidence to suggest that such an investigation took place and it appears that, once more, Fairbridge prioritised its reputation over the safety of children.

As already mentioned, Lucy Cole-Hamilton and Dallas Paterson, former staff at Pinjarra, both raised concerns about the well-being of children at Pinjarra to the Home Office in 1947 and 1949, respectively. In addition, John Moss raised concerns about Pinjarra and the Ross Report also criticised the institution.

The experiences of SCAI applicants at Pinjarra highlight the poor and abusive conditions there.<sup>1489</sup> “Kath” went to Pinjarra when she was 12 years old in 1958. She found the building to be large, uncomfortable, and boys and girls, including siblings, were segregated.<sup>1490</sup> “Kath’s” cottage mother was cruel to her, her belongings were removed from her, and she did not remember wearing shoes unless it was for a special day trip.<sup>1491</sup> Her mother had to fight to take “Kath” back into her care, and Fairbridge correspondence referred to her as a “nuisance”.<sup>1492</sup>

“Gregs” echoes “Kath’s” memory of wearing no shoes except for on special occasions, and noted that the new arrivals would “hobble from shade to shade” and “would also be covered in mosquito bites.”<sup>1493</sup> “Gregs” was beaten both by his cottage mother, who he refused to call ‘mother’ as requested, and by older boys in the institution.<sup>1494</sup> “Gregs” was left unprotected from severe sexual abuse by an older boy in his cottage, which “destroyed [his] childhood.”<sup>1495</sup> “Gregs” explained how he was deprived of education at Pinjarra not because he was not capable, but rather because of the cost to Fairbridge.<sup>1496</sup>

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1487 TNA, DO35/1138/4, Telegram from High Commission to the Dominions Office, 28 June 1944, at LEG.001.004.3992.

1488 TNA, DO35/1138/4, Telegram from High Commission to the Dominions Office, 28 June 1944, at LEG.001.004.3991-3992.

1489 See [Case Study no. 8, Volume 1](#).

1490 [Written statement of “Kath”](#), paragraph 21, at WIT.001.002.4152.

1491 [Transcript, day 172](#): “Kath”, at TRN-5-000000003, p.62.

1492 Prince’s Trust, Extract from Mr Aspinall’s letter, 1 July 1958, at PRT.001.002.2280.

1493 [Transcript, day 181](#): Read-in statement of “Gregs”, at TRN-5-000000012, pp.116-117.

1494 [Transcript, day 181](#): Read-in statement of “Gregs”, at TRN-5-000000012, p.128.

1495 Western Australian Redress Scheme, Application of “Gregs”, at WIT.003.001.2670.

1496 [Transcript, day 181](#): Read-in statement of “Gregs”, at TRN-5-000000012, p.119; Prince’s Trust, Letter from H.R.M. Allan to W. Vaughan, 1 February 1961, at PRT.001.002.0633.



“Watto”, who arrived at Pinjarra when she was about 11 years old, also described walking about barefoot. She was bitten by mosquitoes so severely that the bites got infected and required extensive medical attention.<sup>1497</sup> She too suffered abusive discipline from her cottage mother, and bullying from other girls in her cottage.<sup>1498</sup> She was not allowed to see her brother regularly even though he was also at Pinjarra.<sup>1499</sup>

### Post-migration period

Prior to its dissolution in October 2013, Fairbridge UK had done little in response to requests from former child migrants. It did put former migrants in touch with its archive at the University of Liverpool. Access to the archive was possibly limited until 2013, when the Prince’s Trust took over. Fairbridge UK has provided no support, counselling, or reparations to former migrants. The organisation has not apologised. However, Dame Martina Millburn of the Prince’s Trust apologised on behalf of the Prince’s Trust and implied that it had not been given the “full truth” about child migration by Fairbridge UK.<sup>1500</sup> IICSA concluded that “[o]ver many years Fairbridge repeatedly failed to offer any support or reparations to its former child migrants who had suffered sexual abuse.”<sup>1501</sup>

In March 2020, following the publication of IICSA’s Report about child migration, the Prince’s Trust reinstated Fairbridge UK as a

company, but under a new name, ‘Fairbridge Restored’, in order to pay compensation to former child migrants.<sup>1502</sup> In September 2022, the administration period for Fairbridge Restored was extended for a further 24 months.<sup>1503</sup> This has been perceived negatively by some former child migrants, who see this as causing them further delays in obtaining compensation.

### Fairbridge Society: An overview

Although Fairbridge UK had processes in place for the selection of children for migration, instances of children being migrated with mental, physical, and educational problems show that the systems were not sufficiently robust.

The monitoring that took place after migration did not serve to protect children from sexual, physical, and emotional abuse.

There were deficiencies in the aftercare of children that exposed them to difficulties including financial exploitation and discrimination, and the risk of sexual abuse.

Although there were some positive accounts of the farm schools in Australia, there were also contemporaneous reports of alarming failures that ought to have prompted a rigorous review of the farm school model and substantial improvements. Those negative reports were reinforced by messages from former Fairbridge staff members. The Fairbridge UK response to these concerns was inadequate.

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1497 [Transcript, day 178](#): “Watto”, at TRN-5-00000008, pp.35-36.

1498 [Transcript, day 178](#): “Watto”, at TRN-5-00000008, p.22.

1499 [Transcript, day 178](#): “Watto”, at TRN-5-00000008, p.41.

1500 IICSA, 2018, paragraph 2.2.4.71.

1501 IICSA, 2018, paragraph 2.2.4.71.

1502 See Companies House, “[Fairbridge \(Restored\) Limited Filing History](#),” Retrieved 6 September 2022.

1503 See “[Prince’s Trust ‘should be ashamed’ over ‘cruel’ redress delays to abuse victims](#)”, Evening Standard, 5 September 2022. Retrieved 6 September 2022.

The evidence of SCAI applicants, combined with evidence from the UK and Australian inspections of Pinjarra, and concerns raised by Fairbridge staff and management, shows that Fairbridge UK was well aware that children were sent to environments that were not suitable, and were exposed to abuse. Responses to allegations of abuse were inadequate and it seems the police were not alerted when allegations were made. Too often, Fairbridge prioritised its reputation over the protection of children.

Fairbridge UK did accept that standards were not adequate, and recognised the importance of improving the standards of care in the farm schools, but it appears to have been rendered impotent in the face of a dysfunctional relationship with the local Australian committees. That failure is inexcusable given the continued flow of child migrants and the continuation of financial support. Fairbridge UK, in effect, sent children into environments that it knew were substandard.

Fairbridge UK's migration scheme to Canada created an environment where children were exposed to sexual, physical, and emotional abuse. The Harvey Report (1944) and the Carbery Report (1949) disclosed the existence of abusive regimes. Five years elapsed between the Harvey and Carbery inspections, during which time Fairbridge UK did little to ameliorate the situation. It ought to have been obvious to Fairbridge UK that, from the perspective of the well-being of children, the farm school model—as employed in both Canada and Australia, contemporaneously—perpetuated a form of institutional care that facilitated abuse. That constituted a serious breach of its duty of care to the children sent there.

Fairbridge UK has offered little support to former migrants, and has minimised and defended the child migration scheme. For all Kingsley Fairbridge's well-meaning philanthropic endeavours, Fairbridge's legacy for former child migrants is one of denial and rejection.

## 2.4 The Catholic Church

### Introduction

The Catholic Church in the UK played a pivotal role in the migration of children, especially to Australia. There were a number of rationales at play, including the spread of the Catholic faith overseas, and a stated belief that migration was in the children's best interests. The involvement of the Catholic Church in the migration of children "took administratively complex forms".<sup>1504</sup>

In Scotland, unclear relationships between Scottish organisations and organisations whose remit only extended to England and Wales exacerbated this complexity.<sup>1505</sup> The paucity of extant records has compounded the difficulties in identifying the role and responsibilities of the organisations involved in the migration of Catholic children. This chapter will highlight the most salient problems faced by administrative organisations and sending institutions in relation to the Catholic migration schemes, and outline the motivations of Scottish institutions, their knowledge of, and responses to, the policy of child migration.

### Administrative organisations: the Catholic Church in Scotland

#### Brief history

##### Administrative bodies

Several organisations were involved in facilitating Catholic migration from the UK. Key among these were the Catholic Child Welfare Council (CCWC), formed in 1929,

and the Catholic Council for British Overseas Settlement (CCBOS), which was formed by a merger of two pre-existing Catholic bodies in 1939.<sup>1506</sup>

The CCWC's jurisdiction extended to England and Wales alone but the child migration scheme was UK-wide. This meant that when religious orders, which did not and do not necessarily follow national or diocesan boundaries, were asked to nominate children for migration, they may have done so from institutions in all four UK nations.<sup>1507</sup> In that context, the CCWC sometimes co-ordinated the migration of Catholic children from Scotland, although Scotland was technically outwith its jurisdiction.<sup>1508</sup> SCAI has identified 71 LEM3 forms authorising the migration of Scottish children bearing the signature of someone claiming to be affiliated with the CCWC, dating from 1946 to 1955.<sup>1509</sup> It is possible that the CCWC had an even greater involvement than this with the migration of Scottish children.

As with the CCWC, the CCBOS' jurisdiction originally extended only to England and Wales. Around 1947, the Catholic Council for British Overseas Settlement for Scotland and Northern Ireland (CCBOS S&NI) was established to manage child migration in Scotland and Northern Ireland. Father Quille, Secretary of the Archdiocese of St Andrews and Edinburgh, ostensibly oversaw this branch, but the organisational structure of the CCBOS S&NI is unclear. While their

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1504 Constantine *et al.*, Appendix 3, paragraph 5.1; [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-000000022, p.74.

1505 [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-000000022, p.74.

1506 Constantine *et al.*, paragraph 13.15.

1507 Written statement of Mary Gandy, paragraph 23, at BEW-000000006.

1508 [Transcript, day 184](#): Mary Gandy, at TRN-5-000000015, p.50.

1509 See [Appendix C](#) for further details about the LEM3 forms recovered by SCAI. .

work was discussed “in Archdiocesan minutes for the Social Services Committee for Edinburgh...we can’t see any other references to this organisation at all”.<sup>1510</sup> Professor Lynch inferred that the Scottish Catholic Hierarchy had delegated child migration work to Father Quille, but that the body did not have a distinctive organisational infrastructure.<sup>1511</sup> In evidence, Michael McGrath, on behalf of the Bishops’ Conference of Scotland (BCS), added that the Scottish Catholic Hierarchy “appointed someone who facilitated contact with the potential migrants. Whether they were aware of the full extent of the programme and its implications and so on, I don’t know.”<sup>1512</sup>

Father Quille had administrative support in his role. By April 1947, the Australian bishops had agreed to pay the salary of a secretary “to handle emigration for 12 months, with poss. renewals.”<sup>1513</sup> In May, the Australian Bishops and the CCBOS S&NI made an agreement that Father Quille be given £500 to fund a secretary and by June that year, Norah Menaldo had been employed in the post. Her role was expansive. She liaised with the Scottish Office and Australia House, produced reports on migration, and even signed some children’s LEM3 forms ostensibly on behalf of the CCWC (with whom she had no official affiliation). One SHD memorandum

also noted that she was expected to inform the SHD and local authorities when children had been migrated. It is unclear whether she ever did so.<sup>1514</sup> From 1950, memoranda from and correspondence with the SHD referred to Norah Menaldo as the secretary for the Australian Catholic Immigration Committee (ACIC).<sup>1515</sup>

At the annual meeting of November 1947, the CCWC confirmed that “Fr. P.F. Quille is responsible for migration from Scotland and N. Ireland.”<sup>1516</sup>

In the same period, the Federal Catholic Immigration Committee (FCIC), which was based in Australia, opened an office in London, which became known as the Australian Catholic Immigration Committee (ACIC), in order to facilitate the expected wholesale migration of children to Australia. The ACIC became particularly prominent in child migration, including the migration of Scottish children, during the 1950s. The ACIC received funds from the UK Government to distribute to Catholic sending organisations in the UK to support the migration scheme.<sup>1517</sup> With regard to England and Wales, representatives of the ACIC were expected to work in conjunction with the CCWC in the migration of individual children, but these expectations were repeatedly frustrated.

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1510 [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-000000022, p.114.

1511 [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-000000022, p.114.

1512 [Transcript, day 196](#): John Michael McGrath, at TRN-5-000000027, p.142.

1513 Bishops’ Conference of Scotland, Minutes of a meeting held on 24 April 1947, at BSC.001.001.0206; Agreement between the Hierarchy of Australia, represented by their Secretary, His Grace, the most Rev. J.D. Simonds, D.D., Coadjutor Archbishop of Melbourne and Father Quille, Secretary, Catholic Council for British Oversea Settlement for Scotland and Northern Ireland, 8 May 1947, at BSC-000000022, p.1; Emigration accounts, at BSC.001.001.0349.

1514 NRS, ED11/384, Memorandum from J.R. Gordon (SHD), 19 February 1948, at SGV.001.004.4515.

1515 NRS, ED11/306, Memorandum by J.R. Gordon (SHD), 28 August 1950, at SGV.001.003.7363; NRS, ED11/306, Memorandum by W.M. Smith (SHD), 21 September 1950, at SGV.001.003.7363. See Letter from Noel W. Lamidey to Norah Menaldo, 19 December 1950, at BEW-000000075, p.22. See also Constantine *et al.*, Appendix 3, paragraph 5.20.

1516 Bishops’ Conference of Scotland, Minutes of the 17th annual meeting of the CCWC, 19-20 November 1947, at BSC.001.001.4299.

1517 Constantine *et al.*, paragraph 13.15. See correspondence and other documents on the UK Government recognition of the Australian Catholic Immigration Committee as a sending organisation for child migrants in TNA, DO35/3386, and DO35/3387; Lynch, 2020.

Some organisations actively recruited for child migrants; in 1938, the Catholic Emigration Association (one of the two bodies that would become the CCBOS the following year) circulated an “alluringly attractive illustrated brochure”, which promoted the opportunities provided by the Christian Brothers in Western Australia for “orphaned and poor boys”.<sup>1518</sup> However, most of the direct recruitment of Catholic child migrants was undertaken by individuals, only sometimes acting on behalf of these organisations.

### Individuals

Various Catholic representatives played a significant role in recruiting children and promoting child migration. In 1938, Brother Conlon visited the UK on behalf of his order, the Christian Brothers, to assist in the migration of boys from the UK to Christian Brothers’ institutions in Australia. It is not known whether Brother Conlon’s recruitment drive in 1938 involved Scottish children but it is likely that it did, given that the Sisters of Nazareth subsequently migrated Scottish children from their homes under Brother Conlon’s signature.<sup>1519</sup> This direct recruitment was carried out without there being any apparent liaison with local child rescue administrators and was not associated with an umbrella organisation, such as the CCBOS.<sup>1520</sup> In 1938, Brother Conlon migrated 110 children from the UK.<sup>1521</sup> The outbreak of the Second World War interrupted his recruitment drive and child migration paused temporarily.<sup>1522</sup>

When child migration resumed after the war, Brother Conlon continued his recruitment work. In June 1946, he wrote to Monsignor Craven at the CCWC outlining the recently agreed immigration policy between the UK and Australia, which aimed to migrate 17,000 children per year from the UK to Australia. Brother Conlon advised that he had already “obtained written permission from the Minister for Immigration...to select children in the United Kingdom”.<sup>1523</sup> He explained that the financial help to be provided by both Governments to support this work was, at that time, not finalised, but that

“it would be advisable to begin to select children immediately for the Bishops’ plan, otherwise, it is possible that when we are offered shipping accommodation, the children may not be ready, whereas, Non-Catholic organisations like Fairbridge Farm Schools and Barnardo’s Homes, with their standing committees, will be ready to move when the opportunity arises.”<sup>1524</sup>

Consequently, in July 1946, Denis G. Murphy wrote to Brother Conlon on behalf of the CCWC to “inform [Conlon] that you should act only through [the bishops’] representatives, who will accompany you to the Homes and orphanages in their respective dioceses” and asking Brother Conlon “not to communicate with, or visit, any Homes etc. without reference to the representatives”.<sup>1525</sup> Minutes from the CCWC’s annual meeting of 7 November 1946 similarly recorded that the CCWC

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1518 [Transcript, day 189](#): Professor Stephen Constantine, at TRN-5-000000020, p.2; Constantine *et al.*, paragraph 10.21.

1519 [Transcript, day 189](#): Professor Stephen Constantine, at TRN-5-000000020, pp.105-106; Constantine *et al.*, paragraph 13.17.

1520 [Transcript, day 197](#): Professor Gordon Lynch, at TRN-5-000000028, p.74.

1521 Bishops’ Conference of Scotland, Minutes of a confidential meeting in the Catholic Enquiry Office, Edinburgh, 19 July 1946, at BSC.001.001.0221.

1522 [Transcript, day 189](#): Professor Stephen Constantine, at TRN-5-000000020, p.2.

1523 Bishops’ Conference of Scotland, Letter from Brother Conlon to Monsignor Craven, 7 June 1946, at BSC.001.001.0216.

1524 Bishops’ Conference of Scotland, Letter from Brother Conlon to Monsignor Craven, 7 June 1946, at BSC.001.001.0216.

1525 Bishops’ Conference of Scotland, Copy of a letter from Denis G. Murphy (CCWC) to Brother Conlon, 11 July 1946, at BSC.001.001.0852.

had agreed to support Brother Conlon's recruitment "provided he can give us sufficient guarantees for [child migrants'] welfare".<sup>1526</sup> This shows that Brother Conlon was expected to work with the CCWC, contrary to his earlier practice of migrating children directly from Catholic institutions. This stipulation reflected the Catholic Hierarchy's recommendation to the CCWC "that all Homes having the care of children shall come under the charge of the diocesan rescue societies, especially... with regard to admittance and discharge of children."<sup>1527</sup>

While this was the position in England and Wales, the CCWC had no jurisdiction in Scotland and there seems to have been no equivalent condition imposed for children migrated from Scotland.<sup>1528</sup> Unlike in England and Wales, there seems to have been no diocesan rescue societies in Scotland, only religious orders. In any case, Brother Conlon initially appeared to comply with the CCWC's request, but it is apparent that many children were migrated from Nazareth Houses in England and Wales under circumstances that did not meet the stipulated conditions, circumventing the CCWC entirely.<sup>1529</sup>

In June 1946, Brother Conlon wrote to the Archdiocese of St Andrews and Edinburgh,

advising them of his intention to visit Scotland to select suitable children for migration to Australia.<sup>1530</sup> On 19 July 1946, a "confidential meeting" took place in the Catholic Enquiry Office between Brother Conlon, Father Quille, and Lady Margaret Kerr. During this meeting, they discussed migration in general, particularly child migration, and Brother Conlon's migration "policy."<sup>1531</sup> Brother Conlon informed Father Quille and Lady Kerr that the CCWC in England had "instructed [him] that their representatives will do liaison between Brother Conlon and the Hierarchies in England and Wales", and had "given him particulars of Catholic Homes" he could visit to select children for migration. As set out above, this did not reflect the instructions he had been given with regard to England and Wales. Nonetheless, his representations set the precedent for his proposed work in Scotland.<sup>1532</sup> Brother Conlon aimed to migrate children from the ages of five to 14, but "as near 5 as possible", and "Approved Schools [were] to be avoided."<sup>1533</sup> Brother Conlon confirmed he had "received letters from Archbishop Campbell [of Glasgow] giving him authority from the Scottish Hierarchy to visit the Homes in their dioceses."<sup>1534</sup>

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1526 Catholic Bishops' Conference of England and Wales, Minutes of the 16th annual meeting of the CCWC, 7 November 1946, at BEW.001.001.0100; [Transcript, day 197](#): Professor Gordon Lynch, at TRN-5-000000028, pp.74-75.

1527 Catholic Bishops' Conference of England and Wales, Minutes of the 16th annual meeting of the CCWC, 7 November 1946, at BEW.001.001.0110; Constantine *et al.*, Appendix 4, paragraph 2.3.

1528 [Transcript, day 197](#): Professor Gordon Lynch, at TRN-5-000000028, pp.75-76.

1529 [Transcript, day 197](#): Professor Gordon Lynch, at TRN-5-000000028, pp.82-85.

1530 Constantine *et al.*, paragraph 13.17.

1531 Bishops' Conference of Scotland, Minutes of a confidential meeting in the Catholic Enquiry Office, Edinburgh, 19 July 1946, at BSC.001.001.0220-0221.

1532 Bishops' Conference of Scotland, Minutes of a confidential meeting in the Catholic Enquiry Office, Edinburgh, 19 July 1946, at BSC.001.001.0220.

1533 Bishops' Conference of Scotland, Minutes of a confidential meeting in the Catholic Enquiry Office, Edinburgh, 19 July 1946, at BSC.001.001.0220-0221.

1534 Bishops' Conference of Scotland, Minutes of a confidential meeting in the Catholic Enquiry Office, Edinburgh, 19 July 1946, at BSC.001.001.0221; [Transcript, day 196](#): Andrew Ramsay Nicoll, at TRN-5-000000027, p.108. Archbishop Campbell was the Archbishop of Glasgow. See [Transcript, day 196](#): Andrew Ramsay Nicoll, at TRN-5-000000027, p.108.

It appears that the Archdiocese of St Andrews and Edinburgh welcomed the opportunity to assist child migration to Australia and saw child migration as a means of rescuing Catholic children who had been placed in non-denominational institutions. It was at about this time that Father Quille was charged with managing the migration of Scottish Catholic children.<sup>1535</sup> Father Quille promoted the scheme to homes run by religious orders in Scotland and Northern Ireland, and to local authorities in Scotland, drafting a circular to send to the Public Assistance Authorities, which was sent to Brother Conlon for approval on 23 April 1947.<sup>1536</sup> The final version, which was amended slightly by Brother Conlon, promised that:

“The Migrant children will be maintained, educated and trained in the Homes at the expense of the British and Australian Governments until they reach the age of 16 years, after which those in charge of the Homes will secure suitable employment for them and keep in touch with them...until they are 21 years of age.”<sup>1537</sup>

Although Father Quille and Brother Conlon sent this circular to various Scottish organisations, including public authorities, only the Sisters of Nazareth and the Good Shepherd Sisters migrated children under

the Catholic authorities’ auspices. Records suggest that Brother Conlon visited Smyllum Orphanage, run by the Daughters of Charity, and selected a number of children for migration.<sup>1538</sup> However, it seems that the public authorities that placed children at Smyllum–Lanarkshire and Dundee–were not enthusiastic about the practice.<sup>1539</sup> Similarly, when Brother Conlon “put forward the scheme to the officials in Glasgow they were not very willing to consider it” because they may lose “the cream of our children” and the fear that “Local Authorities would ultimately have to shoulder the burden of weekly contribution”.<sup>1540</sup> Regardless of the public authorities’ reasons for objecting, this is an example of how children placed in residential care by public authorities, as opposed to being placed directly by parents or others were better protected against migration.

As he had done in England and Wales, Brother Conlon signed the LEM3 forms of Scottish children.<sup>1541</sup> His practices were considered problematic even contemporaneously. In August 1947, Norah Menaldo visited London to see Brother Conlon regarding emigration, and upon her return to Edinburgh “reported chaos...from Bro. Conlon’s handling of the situation.”<sup>1542</sup> The ‘situation’ is not detailed, but Brother Conlon “left for Australia” immediately thereafter.<sup>1543</sup>

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1535 [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-000000022, p.114. As noted above, there is little reference to the CCBOS S&NI outwith minutes for the Social Services Committee for Edinburgh, suggesting that the work was largely Father Quille’s and the organisational infrastructure was unclear.

1536 Bishops’ Conference of Scotland, Letter from Father Quille to Brother Conlon, 23 April 1947, at BSC.001.001.0198.

1537 Bishops’ Conference of Scotland, Letter from to Brother Conlon to Father Quille, 25 April 1947, at BSC.001.001.0195.

1538 Bishops’ Conference of Scotland, Letter from to Brother Conlon to Father Quille, 25 April 1947, at BSC.001.001.0859.

1539 [Transcript, day 196](#): Andrew Ramsay Nicoll, at TRN-5-000000027, pp.117-118.

1540 Bishops’ Conference of Scotland, Letter from Father Quille to Brother Conlon, 23 April 1947, at BSC.001.001.0861.

1541 See [Appendix C](#) for further details.

1542 Bishops’ Conference of Scotland, Minute book of Archdiocesan Social Services (St Andrews and Edinburgh), 1946-1948, at BSC.001.001.4133.

1543 Bishops’ Conference of Scotland, Minute book of Archdiocesan Social Services (St Andrews and Edinburgh), 1946-1948, at BSC.001.001.4133.

Even when concerns were raised, Father Quille remained committed to the child migration policy. The minute book of the Archdiocesan Social Services for Edinburgh at St Andrews records one comment from April 1948 that “there was a strong body of opinion behind the view that this Emigration should stop. Perhaps we were following the emigration business rather blindly.”<sup>1544</sup> By June 1948, though, Father Quille had “arranged for the scheme’s continuance for another year.”<sup>1545</sup>

In 1948, Father Nicol, the director of the FCIC, who was based at Nazareth House, Hammersmith, London, took over from Brother Conlon as the promoter and recruiter for Catholic child migration.<sup>1546</sup> Although Father Nicol knew that the Hierarchy in England and Wales had ruled that

“representatives from [Australia] should work in close co-operation with Canon Flint [the Secretary of the CCWC]...Father Nicol was not happy about this scheme as [he con]sidered it to be cumbersome and restricted, and he has been [deali]ng direct with Nazareth Homes”.<sup>1547</sup>

From about 1952, Father Stinson, another representative of the FCIC, became involved in the migration of Scottish children, particularly from the Sisters of Nazareth institutions.<sup>1548</sup> Father Stinson knew that the

CCWC “deals only with England and Wales” so that “some [arrange]ment would have to be made for Scotland...but as most of the houses concerned there are [Nazare]th House institutions, they could probably be handled [by] Canon Flint negotiating with their Head House here [in Lond]on.”<sup>1549</sup> This demonstrates a willingness by Father Stinson and the FCIC to circumvent national boundaries and their differing statutory requirements in order to secure children for migration more easily.

Despite Father Stinson’s assertion that he and the FCIC were “perfectly [ready] to co-operate in every way” with the CCWC, he too approved children’s migration without the CCWC’s approval. A letter from Canon Flint to Father Stinson in late 1953 noted that “at least 114 children from England and Wales were dealt with directly by yourself without reference to this office [the CCWC]. It was the Brother Conlon–Father Nicol technique all over again!”.<sup>1550</sup> On behalf of the CCWC, Canon Flint told Father Stinson that “the Catholic Child Welfare Council does not hold itself responsible for future enquiries concerning these children whose emigration it did not sponsor”, thus purporting to reject all future responsibility for those children migrated directly under Father Stinson’s signature.<sup>1551</sup> The CCWC’s repeated attempts to bring child migration under its

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1544 Bishops’ Conference of Scotland, Minute book of Archdiocesan Social Services (St Andrews and Edinburgh), 1946-1948, at BSC.001.001.4156.

1545 Bishops’ Conference of Scotland, Minute book of Archdiocesan Social Services (St Andrews and Edinburgh), 1946-1948, at BSC.001.001.4159.

1546 Bishops’ Conference of Scotland, Scottish Catholic Archives, Catholic Child Migration to Australia from Scotland and Northern Ireland 1946-1950, April 2010, at BSC.001.001.0168.

1547 Bishops’ Conference of Scotland, Letter from Father Stinson to Unnamed, Undated [between 1950 and 1952], at BSC.001.001.4304. The left margin of this letter has been obscured by the scanning process; square brackets indicate a best attempt to recreate the words and sense of the letter.

1548 [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-000000022, p.34.

1549 Bishops’ Conference of Scotland, Letter from Father Stinson to Unnamed, Undated [between 1950 and 1952], at BSC.001.001.4305.

1550 Bishops’ Conference of Scotland, Letter from Canon Flint to Father Stinson, 6 November 1953, at BSC.001.001.4333.

1551 Bishops’ Conference of Scotland, Letter from Canon Flint to Father Stinson, 6 November 1953, at BSC.001.001.4333.



supervision went unobserved. Given Father Stinson's willingness to migrate children from Nazareth Houses in Scotland, which were part of the Province of the Sisters of Nazareth with its principal house in England, it is likely that Scottish children, as well as those from England and Wales, were affected.

Although there were multiple administrative organisations who engaged with child migration, there was little to differentiate the tasks that each of them undertook. It is perhaps unsurprising that, as Professor Lynch contended, the UK Government lacked clarity over which organisation it was dealing with.<sup>1552</sup>

### End of Scottish Catholic Church Involvement

There is no evidence available to SCAI that the CCBOS S&NI continued to manage migration from Scotland after 1950. Based on his examination of the available records, Andrew Nicoll (the former archivist of the Scottish Catholic Church between 2003 and 2012) believed the child migration scheme ended in 1950.<sup>1553</sup> However, this merely seems to be when the CCBOS S&NI ceased to operate. Father Quille seems to have continued to have some involvement in Catholic migration from Scotland. In November 1954, he informed Canon Flint that the number of applications for migration, from adults as well as families and children, was "too small to warrant economically additional administrative provision in the sense of an office and a special secretary", and had informed Australia House that the Edinburgh office was "no longer in a position to do this work."<sup>1554</sup> By the mid-1950s, the local authorities' concentration "on a policy

of boarding out" meant that "the number of children in our Homes has been considerably reduced. Further more [sic] of those that are left there are quite a number low grade who would not be accepted by the migration authorities."<sup>1555</sup> Records suggest that Norah Menaldo also continued to have some involvement in the migration of Catholic children from Scotland as secretary of the ACIC.<sup>1556</sup>

Although Scottish Catholic Church authorities' involvement in child migration ended, Scottish children were still being migrated. Children were recruited directly from institutions, particularly from the Sisters of Nazareth homes. Thereafter, the ACIC and the CCWC managed the administration of child migration to Australia.

Even if the Scottish Catholic Hierarchy ceased to have direct involvement, child migration was a policy of which they approved and that set a precedent. The approval and facilitation of child migration by the Scottish Catholic Hierarchy exposed child migrants to abusive regimes and they did so in blind ignorance of what their policy meant for these children.

In 1955, "there was accommodation waiting for another 400 Catholics" in Australia, including children, and Monsignor Crennan had once more "asked for the help of members of the Council to find Catholics to populate the country. Unless we could find its population there was a great danger that the land would be open to millions of pagans from the north."<sup>1557</sup> Despite the demand for migrants

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1552 [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-000000022, p.99.

1553 [Transcript, day 196](#): Andrew Ramsay Nicoll, at TRN-5-000000027, p.89.

1554 Bishops' Conference of Scotland, Letter from Father Quille to Canon Flint, November 1954, at BSC.001.001.4308.

1555 Bishops' Conference of Scotland, Letter from Father Quille to Canon Flint, November 1954, at BSC.001.001.4308.

1556 See [Constantine et al.](#), Appendix 3, paragraph 5.20.

1557 Catholic Bishops' Conference of England and Wales, Minutes of the 25th annual meeting of the CCWC, 25 October 1955, at BEW.001.001.0182.

“the Home Office, apparently acting on the draft regulations, had refused to allow six of the seven youths and girls, due to sail on November 2<sup>nd</sup>, to leave without further information being produced. It seems that it will no longer be permissible to emigrate a child on the signature of the Administrator of a Rescue Society, and the Home Secretary is reserving to himself the right to judge each case.”<sup>1558</sup>

At the same CCWC meeting it was decided that Canon Flint would relinquish his position as the key facilitator of child migration for the CCWC, so that child and adult migration could be operated from one centre, and “Canon Flood [in his capacity as Secretary of the CCWC] accepted the responsibility, and emigration work was transferred from Coleshill [Birmingham] to the Crusade of Rescue.”<sup>1559</sup>

It is likely that some Catholic children were migrated after 1955, but it marked the beginning of the end of what had been a substantial participation of the Catholic Church in child migration from the UK to Australia. By 1961, the Interdepartmental Committee appointed to review long term migration reported that

“[t]he Roman Catholic organisations, previously responsible for about half the total number of child migrants to Australia, have turned away from emigration as a means of providing for children in their care; others are being more careful about the selection of children.”<sup>1560</sup>

As demonstrated from the CCWC’s minutes from 1955, this ‘turn away’ was influenced by the tightening of requirements that were intended to safeguard children.

### Motivation

In his oral evidence, Michael McGrath, said that

“given that there was to be a migration scheme...they [the Scottish Catholic Hierarchy] would have wanted those children, if they were Catholic, to have the opportunity to have been resident in a Catholic institution in Australia and to be taken care of...their motives would have been to help Catholic children receive appropriate provision within Australia, within Catholic institutions”,<sup>1561</sup>

as opposed to specifically helping the Catholic Church.

This position is supported to an extent by Brother Conlon’s concern to avoid children being migrated by organisations such as Barnardo’s and Fairbridge, and the CCWC’s concern about “our children being sent overseas by non-Catholic societies – such as the Fairbridge Scheme which has centres in the colonies where children are received and kept in settlements so that they are isolated from the Community”.<sup>1562</sup> These concerns suggest some regard for the spiritual welfare of the children but they are also clearly indicative of a desire to increase the Catholic communities in Australia; children were, to that extent, being regarded as commodities.

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1558 Catholic Bishops’ Conference of England and Wales, Minutes of the 25th annual meeting of the CCWC, 25 October 1955, at BEW.001.001.0183. The writer was possibly referring to the Children Act, 1948, Section 33 draft regulations. See [Chapter 1.3](#) and [Appendix D](#) for a copy.

1559 Catholic Bishops’ Conference of England and Wales, Minutes of the 25th annual meeting of the CCWC, 25 October 1955, at BEW.001.001.0183.

1560 NRS, ED11/384, British Emigration Policy: Report by Interdepartmental Committee, November 1961, at SGV.001.004.4732.

1561 [Transcript, day 196](#): John Michael McGrath, at TRN-5-000000027, pp.144 and 147.

1562 Bishops’ Conference of Scotland, Letter from Brother Conlon to Monsignor Craven, 7 June 1946, at BSC.001.001.0216; Bishops’ Conference of Scotland, Minutes of an Extraordinary Meeting of the CCWC, 13 June 1946, at BSC.001.001.4310.

## Records

Prompted by a request from a former child migrant, Cardinal Keith O'Brien instructed Andrew Nicoll in his role as archivist to carry out research into child migration from Scotland.<sup>1563</sup> Cardinal O'Brien told Nicoll that he knew nothing about child migration. Andrew Nicoll analysed the available records and produced a report for the BCS in April 2010. The report was shared with the Scottish Bishops.<sup>1564</sup>

Due to a paucity of records, the report covered the relatively short period of 1946 to 1950. Andrew Nicoll was perplexed by the lack of extant records regarding child migration, particularly because many of the Catholic Enquiry Office's other records survived.<sup>1565</sup> As he explained, "it was always a puzzle...why would all these other records survive but the records for child migration not survive?"<sup>1566</sup>

There was no evidence in the extant records of concerns or reservations about the places for which children were destined, or how the care that they were to receive there was to be monitored.<sup>1567</sup> There was no evidence that the bodies associated with the Catholic Church in Scotland sought to monitor the welfare of child migrants. The Social Services Committee of the Archdiocese of St Andrews and Edinburgh did briefly discuss child migration at meetings in the period 1947-49,

but these discussions did not concern the welfare of the children. They never sought reports on children. The progress reports that were received in connection with child migration related largely to organisational issues such as recruitment.

It is evident that the Scottish Catholic Hierarchy was keen to continue the existing arrangements to support child migration. Professor Lynch explained that the Scottish Catholic Hierarchy "seemed very enthusiastic about it, though obviously without, apparently, any evidence base in terms of the progress of individual children or much knowledge of the receiving institutions."<sup>1568</sup>

When Andrew Nicoll circulated his report in 2010, Mario Conti, the then Archbishop of Glasgow, made

"a general statement directed at me that - I think it was: what business did you have doing that? And the business I had doing it was I was asked by the cardinal to do it...I chose at the time not to dig deeper...I could tell it was an issue and I thought I don't need to go there."<sup>1569</sup>

It seems that, by then, an uncomfortable institutional acceptance of the pain caused by child migration had developed but some figures in positions of authority within the Catholic Church did not wish to see it openly acknowledged or discussed.

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1563 [Transcript, day 196](#): Andrew Ramsay Nicoll, at TRN-5-000000027, pp.87-88.

1564 Bishops' Conference of Scotland, Scottish Catholic Archives, Catholic Child Migration to Australia from Scotland and Northern Ireland 1946-1950, April 2010, at BSC.001.001.0161; [Transcript, day 196](#): Andrew Ramsay Nicoll, at TRN-5-000000027, p.87 and p.91.

1565 [Transcript, day 196](#): Andrew Ramsay Nicoll, at TRN-5-000000027, pp.88-89.

1566 [Transcript, day 196](#): Andrew Ramsay Nicoll, at TRN-5-000000027, p.100.

1567 [Transcript, day 196](#): Andrew Ramsay Nicoll, at TRN-5-000000027, pp.96-97.

1568 [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-000000022, p.143.

1569 [Transcript, day 196](#): Andrew Ramsay Nicoll, at TRN-5-000000027, p.91.

## Numbers

According to research carried out by Dr Rosemary Keenan, Chief Executive of the Catholic Children's Society, Westminster, there were around 102 Scottish children migrated from Catholic institutions in Scotland between 1939 and 1956.<sup>1570</sup>

Andrew Nicoll explained that it would be impossible to accurately identify the numbers of children migrated from Scotland:

"[T]he reports, dated differently, referred to the same institutions from the same time period, but one report would say one number and another report would say others, so it wasn't clear from what I saw...really there was no way of saying."<sup>1571</sup>

He estimated that the Catholic Church in Scotland was involved in the migration of at least 200 Scottish children.<sup>1572</sup>

## Policies

Catholic authorities, including the CCBOS S&NI, the CCWC, and the ACIC, owed a duty of care to the children they migrated, and systems should have been in place to protect children's welfare. In that duty, they failed.

## Selection and Consent

There appears to have been little centralised policy from either individual Catholic administrative bodies or the Church Hierarchy regarding the selection of children for migration. For instance, at a meeting in April 1947, "Fr. Quille reported having received a letter from Bro. Conlon - 340 out of 400

passages for Catholic adults & children in 1947. Lasswade forms & Aberdeen's - all filled."<sup>1573</sup> Andrew Nicoll interpreted this to mean that a list with a number had been sent to each religious institution, and they were expected to select individuals for migration to fill that quota.<sup>1574</sup> It is also possible, given the specific reference to "forms" at Lasswade and Aberdeen, that instead of sending a list of numbers required, migration forms were sent to institutions that cared for children in advance of the children being selected, and Brother Conlon or Father Quille expected to have all those forms completed. While the Bishops' Conference of Scotland suggested in their closing submission that "[r]esponsibility for identifying children to participate in the migration scheme, acquiring consent and monitoring the care and welfare of children would have lain with religious institutions, in conjunction with the statutory authorities", this overlooks the significant pressure brought to bear by Australian Catholic administrative organisations and the role they played in specifying the numbers of children they wanted for migration purposes.<sup>1575</sup>

The most explicit statement of the selection process dates from June 1946, when Brother Conlon wrote to Monsignor Craven at the CCWC, outlining the child migration scheme, explaining that a migration officer should be appointed by the CCWC, who should be responsible for "select[ing] suitable children".<sup>1576</sup> The requirements were:

"(c) That the children they select be between the ages of 5 and 14 years, preference being given to those between the ages of 5 and 11 years.

1570 [Transcript, day 184](#): Dr Rosemary Keenan, at TRN-5-000000015, pp.10-12.

1571 [Transcript, day 196](#): Andrew Ramsay Nicoll, at TRN-5-000000027, p.103.

1572 [Transcript, day 196](#): Andrew Ramsay Nicoll, at TRN-5-000000027, p.103.

1573 Bishops' Conference of Scotland, Minutes of a meeting held on 24 April 1947, at BSC.001.001.0206.

1574 [Transcript, day 196](#): Andrew Ramsay Nicoll, at TRN-5-000000027, p.118.

1575 Bishops' Conference of Scotland, Written Closing Submissions, at BSC-000000052, p.1.

1576 Bishops' Conference of Scotland, Letter from Brother Conlon to Monsignor Craven, 7 June 1946, at BSC.001.001.0218.

(d) That no final selection be made until a representative of the Australian Bishops, resident in the United Kingdom, and who is a teacher, experienced in Australian School methods, will have tested the children selected by the Migration agent and satisfied himself with regard to their intelligence, character and general suitability."<sup>1577</sup>

The motivation for the latter provision was not concerns for children's welfare, but "to safeguard the Migration agent against criticisms that may arise, should any of the migrants fail to come up to expectations in Australia."<sup>1578</sup>

Throughout this period of child migration, representatives of the Catholic organisations signed children's LEM3 forms. From the analysis of LEM3 forms recovered by SCAI, the most frequent signatories were Brother Conlon, Father Quille, Father Nicol, and Canon Flint.<sup>1579</sup> Norah Menaldo's signature appears on nine forms. She signed ostensibly on behalf of the CCWC (not the CCBOS S&NI), with Father Quille countersigning each form, also ostensibly on behalf of the CCWC. On many forms, the individual signing for the sponsoring organisation also acted as a witness to the guardian's signature, which was frequently provided by a Mother Superior at the sending institution.<sup>1580</sup> There is no evidence that any of these individuals had power, as a matter of law, to consent to the migration of the children concerned.

Administrative bodies did, however, have certain expectations regarding consent. In 1950, Noel W. Lamidey, Chief Migration Officer at Australia House, wrote to Norah Menaldo with

"reference to signing of forms of consent for prospective child migrants whose parents cannot be traced. This Department would be prepared to accept the written consent of the Superior of the House in which the child migrant was living, provided the Director of the Australian Catholic Immigration Committee, London, through whom such applications would be passed to this office, can satisfy us that all efforts to trace the child's parents had failed."<sup>1581</sup>

The implication of this letter is that, at least from 1950, children's consent forms should only have been signed by Mother Superiors in cases where it could be shown that *all efforts* to find their parents had been undertaken and failed. Given the high number of forms signed by Mother Superiors, it seems highly unlikely that this instruction was observed.

### Monitoring

There was very little post-migration monitoring by the Catholic Church and associated administrative bodies.

Mary Gandy, General Secretary of the Catholic Child Welfare Council from 1992 to 2002, was not aware of there being any information available about post-migration reporting.<sup>1582</sup> Likewise, Michael McGrath had not "come across any evidence that

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1577 Bishops' Conference of Scotland, Letter from Brother Conlon to Monsignor Craven, 7 June 1946, at BSC.001.001.0218.

1578 Bishops' Conference of Scotland, Letter from Brother Conlon to Monsignor Craven, 7 June 1946, at BSC.001.001.0218.

1579 See [Appendix C](#).

1580 A further examination of the LEM3 forms is at [Appendix C](#).

1581 Catholic Bishops' Conference of England and Wales, Letter from Noel W. Lamidey to Norah Menaldo, 19 December 1950, at BEW-000000075, p.22. Noel Lamidey's letter is addressed to Norah Menaldo by name, but wrongly affiliates her with the ACIC, highlighting the fact that government officials did not always know with which organisation they were liaising.

1582 [Transcript, day 184](#): Mary Gandy, at TRN-5-000000015, p.57.

indicates that the [Scottish] bishops were informed about the welfare of the children, either on their way to Australia or once they were there”, though he added that this would not be unusual in the context, given that the Bishops did not receive reports on children while they were in Scottish institutions either.<sup>1583</sup> The Bishops’ Conference

“would have assumed, and obviously the assumption was wrong...that in going to Catholic institutions in Australia, they would have been well taken care of, as they would have assumed they were being well taken care of in Catholic institutions in Scotland.”<sup>1584</sup>

Michael McGrath acknowledged that “we now know that not to have been the case in every case.”<sup>1585</sup>

Catholic institutions were not, however, in the dark about post-migration conditions. As a result of governmental, state, and independent reports, administrative organisations—including the CCWC—acknowledged concerns. When Sir Ronald Cross, the UK High Commissioner to Australia, submitted a critical report to the Dominions Office about the Christian Brothers farm school at Tardun in 1942, the Dominions Office drew this report to the attention of Bishop Griffin who was at that time the auxiliary Bishop in Birmingham, and Canon Craven of the Crusade of Rescue, the child rescue society for the Archdiocese of Birmingham, both of whom had previously played an active role in the migration of children to Christian Brothers institutions.<sup>1586</sup>

Bishop Griffin offered to raise the issue directly with the Christian Brothers, but was persuaded not to do so by the Dominions Office for fear that it could affect the follow-up report on conditions at Tardun, which they were in the process of commissioning.<sup>1587</sup> The follow-up report did not address many of the concerns raised by Sir Ronald Cross.<sup>1588</sup> Nonetheless, Bishop Griffin seems to have been reassured by the Dominions Office that the follow-up report was satisfactory.<sup>1589</sup>



Aerial photograph of St Mary's, Tardun. Date unknown. Photograph courtesy of Barry Coldrey.

The Dominions Office also alerted Canon Craven to the criticisms made of Christian Brothers institutions in Walter Garnett's report in 1944. Walter Garnett visited St Vincent's Orphanage, Castledare; St Joseph's Farm School, Bindoon; and the Christian Brothers Agricultural Training School, Tardun. He described these institutions as: “poorly equipped and the accommodation is of very low standard” (Castledare); “in course of construction by the boys” (Bindoon); and

1583 [Transcript, day 196](#): John Michael McGrath, at TRN-5-000000027, p.144.

1584 [Transcript, day 196](#): John Michael McGrath, at TRN-5-000000027, p.146.

1585 [Transcript, day 196](#): John Michael McGrath, at TRN-5-000000027, p.146.

1586 TNA, DO35/1138, Cross Report, 1942, at LEG.001.004.4488; [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-000000022, p.75. See also [Chapter 1.2](#).

1587 [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-000000022, p.76.

1588 TNA, DO35/1138/4, Letter from Sir Ronald Cross, 24 June 1943, at LEG.001.004.4608.

1589 TNA, DO35/1138/4, minute of meeting, 24 August 1943, at LEG.001.004.4596.

“primitive” (Tardun).<sup>1590</sup> Canon Craven knew that conditions at Castledare were poor, that Brother Conlon “required watching”, and that the Christian Brothers might “absorb the children into their own Institutions, rather than allow them to choose their own vocation.”<sup>1591</sup> He accordingly insisted that the Catholic Church should not migrate any further children to those institutions until representatives of the Catholic Church from the UK had carried out inspections. However, no such investigation was forthcoming.<sup>1592</sup>



Bindoon Boys’ Town, building work, 1952. Photograph from Western Australia Government photographer collection. Source: [State Library of Western Australia](#).

In May 1946, Archbishop Griffin (by then Archbishop of Westminster) and Canon Craven met with Archbishop Simonds, the Archbishop of Melbourne, and Brother Conlon, who had come to the UK to resume child migration to Catholic institutions in Australia in the post-war period. It is not known whether Archbishop Griffin and Canon Craven raised the criticisms they knew had been made by Sir Ronald Cross and Walter Garnett in the preceding years.<sup>1593</sup>

Criticisms were actively dismissed. The meeting with Archbishop Simonds and Brother Conlon prompted an Extraordinary Meeting of the CCWC, held on 13 June 1946. Archbishop Griffin and Canon Craven attended.<sup>1594</sup> Although “Fr. Hunting pointed out that at the last Ordinary Meeting we had received a rather unfavourable report on the Tardun Scheme, which Canon Bennett agreed had left us with a rather uneasy feeling about conditions in Australia”, Canon Craven argued that the earlier criticisms of the Christian Brothers resulted from wartime pressures, and dismissed complaints “such as over-crowding and bad outfits” as “not serious”.<sup>1595</sup> Canon Craven’s conclusion could perhaps have been due to naivety as a consequence of assurances from the Dominion’s Office and/or the Australian Catholic hierarchy, or to him not being prepared to face up to the implications of accepting that there was a problem with Tardun, but it was also an approach that failed to prioritise the protection and safety of children.

The assisted migration agreement between the UK and Australia was soon to be renewed. Catholic organisations were concerned about “the preservation of a child’s Catholic faith, and the maintenance of a child in a Catholic residential institution is seen as a good source of confidence that that will happen”.<sup>1596</sup> This meeting considered the resumption of child migration as a positive development.<sup>1597</sup> This led Brother Conlon to report at the

1590 TNA, DO35/1138/4, Garnett Report, October 1944, at LEG.001.002.0242-0243.

1591 TNA, DO35/1139, Minute of meeting with Canon Craven, 13 February 1945, at LEG.001.002.1281.

1592 [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-000000022, p.77; Constantine *et al.*, Appendix 3, paragraphs 5.2-5.3.

1593 [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-000000022, p.79.

1594 Bishops’ Conference of Scotland, Minutes of an Extraordinary Meeting of the CCWC, 13 June 1946, at BSC.001.001.4310.

1595 Bishops’ Conference of Scotland, Minutes of an Extraordinary Meeting of the CCWC, 13 June 1946, at BSC.001.001.4310; Constantine *et al.*, Appendix 3, paragraph 5.6.

1596 [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-000000022, pp.85-86.

1597 [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-000000022, p.90.

confidential meeting with Father Quille and Lady Margaret Kerr in 1946 that “[h]e has had the approval of His Eminence Cardinal Griffin and the whole hearted support of the Committee appointed by him.”<sup>1598</sup>

Nonetheless, the need for independent inspections of receiving institutions prior to the migration of further children was recognised at a meeting of the CCWC in November 1946.<sup>1599</sup> Canon Craven recognised this at a meeting in January 1947, when he told officials from the Dominions Office that

“there could be no actual movement of children for some considerable time and certainly not until the Catholic Council were completely satisfied as to the settlement arrangements in Australia. The main concern of the Council was to safeguard the welfare of the children, and he had in mind the somewhat critical reports on the living conditions for children in the Christian Brothers’ Institutions in Western Australia.”<sup>1600</sup>

The lack of direct inspections continued to be raised at subsequent meetings of the CCWC, but there is no evidence that direct inspections ever took place.<sup>1601</sup>

No systematic monitoring of child migrants’ welfare appears to have taken place by the Catholic Church in the UK. In 1952, in response to the circulation of the draft

section 33 regulations under the Children Act, 1948, the CCWC devised a standard form to be used by Catholic institutions in Australia to report back on the welfare of the children they migrated. Although the CCWC appears to have expected regular reports on welfare when child migration resumed after the Second World War, there were “still no regular individual monitoring reports being sent back.”<sup>1602</sup> At the CCWC’s annual meeting in October 1953, it was reported that “there had been no returns yet”, other than 18 forms sent directly by a Mother Superior in Australia following an approach by the CCWC, “all of which seemed encouraging.”<sup>1603</sup> By 1955, some reports were being received, but they were “patchy in terms of institutional reports and not really there in terms of the reports on the individual children”.<sup>1604</sup>

Some reports were deceptive. For instance, although Ian Donaldson, a SCAI applicant who was sent to Bindoon as a child, had no family or friends outside the institution and he “never heard from...or wrote to” anyone, in the UK or in Australia, an annual report written by Bindoon to the CCWC maintained that he corresponded with friends or relatives in England and that he visited an Australian family.<sup>1605</sup> Similarly, Nazareth House, Camberwell, reported to the CCWC that “Alice” was of very good health and faced no serious illnesses, when in fact she suffered from recurrent severe vomiting and had

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1598 Bishops’ Conference of Scotland, Minutes of a confidential meeting in the Catholic Enquiry Office, Edinburgh, 19 July 1946, at BSC.001.001.0220. See Constantine *et al.*, paragraph 5.12.

1599 Bishops’ Conference of Scotland, Minutes of the 16th annual meeting of the CCWC, 7 November 1946, at BSC.001.001.4314.

1600 TNA, DO35/1139, Minute of meeting with Canon Craven, 3 January 1947, at LEG.001.004.5042.

1601 [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-000000022, p.99.

1602 [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-000000022, p.128.

1603 Bishops’ Conference of Scotland, Minutes of the 23rd Annual Meeting of the CCWC, 20 October 1953, at BSC.001.001.4331-4332.

1604 Bishops’ Conference of Scotland, Minutes of the 25th Annual Meeting of the CCWC, 25 October 1955, at BEW.001.001.0183; [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-000000022, p.135.

1605 [Transcript, day 171](#): Read-in statement of Ian Donaldson, at TRN.001.005.0295; Catholic Bishops’ Conference of England and Wales, Annual Report of Australian Child Migrant for Catholic Child Welfare Council of England and Wales, 13 October 1956, at BEW-000000082, p.54. Ian Donaldson’s full account is included in Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#).



had her appendix removed.<sup>1606</sup> The Catholic Episcopal Migration and Welfare Association (CEMWA), a state-based receiving agency in Western Australia, reported in September 1955 that they were “quite satisfied that the scheme has proved successful, and it must be remembered that most of the children were retarded in some degree when they first came out”; this contradicts the fact that the LEM3 forms for many child migrants stated that they were ‘bright’.<sup>1607</sup>

To the CCWC, this report from the CEMWA, as well as other reports from receiving institutions “read like very honest reports and gave satisfaction. We were not yet receiving annual reports on each individual child, but Mgr Crennan had promised that these would be dispatched in the future”.<sup>1608</sup>

As Mary Gandy explained, “[t]here seem to have been many promises but not a lot forthcoming.”<sup>1609</sup> She agreed with the conclusion provided to IICSA by Bishop Marcus Stock about the monitoring of children:

“I would view the inability of the Catholic Child Welfare Council between 1951 and 1956 to achieve a system of annual reports on individual children as a significant lost opportunity. Of course, we cannot know whether these reports would have reflected the true picture and, given the disparity between such reports as were received and the evidence of many child migrants now, it might well be inferred that they would not have done so.”<sup>1610</sup>

Regardless of whether reports would have been effective measures in protecting children, failing to produce any ought to have called into serious question the whole policy of child migration.

Mary Gandy and Bishop Stock openly accepted that chances were missed that may have protected children.

Governmental authorities could have done significantly more to protect the children they migrated overseas, but that responsibility did not rest with government alone: the agencies who facilitated children’s migrations also, plainly, shared that responsibility.

### Post-migration period

In 1985, the Crusade of Rescue, which was responsible for the migration of children from England, changed its name to the Catholic Children’s Society (Westminster) (CCSW). Following the publication of Joy Melville’s *Lost Children of the Empire* in 1989, CCSW started to review their involvement in child migration and examine their records.<sup>1611</sup> Contemporaneously, they began receiving enquiries from former child migrants to Australia. From that point onwards, they tried to support these individuals.

In addition, CCWC provided signposting, tracing, family reunion, and support services to former child migrants. From 1992, the CCWC engaged a family researcher whose role was to assist former child migrants who contacted the CCWC wanting to identify and

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1606 Catholic Bishops’ Conference of England and Wales, Half-yearly report of Australian Child Migrant, at BEW-000000083, pp.2-5. In later life she found that this illness was undiagnosed coeliac disease. “Alice’s” full account is included in Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#).

1607 Catholic Episcopal Migration & Welfare Association, Report on British migrant children who have come to Australia since WW2, 1 September 1955, at BSC.001.001.4339. See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#): James Albert McGregor, Frank Maloney Morrison, “Alice”, and “Trish”, all have LEM3 forms that describe them as bright.

1608 Bishops’ Conference of Scotland, Minutes of the 25th Annual Meeting of the CCWC, 25 October 1955, at BEW.001.001.0183.

1609 [Transcript, day 184](#): Mary Gandy, at TRN-5-000000015, p.59.

1610 Written statement of Bishop Marcus Stock for IICSA, paragraph 34, 24 June 2017, at BEW.001.001.0300. Bishop Marcus Stock has been the tenth Bishop of Leeds since 2014.

1611 Written statement of Dr Rosemary Keenan, paragraph 19, at BEW-000000008.

locate their family in the UK. Prior to that, the General Secretary of the CCWC would respond directly to these enquiries.

In 1993, the Australian Child Migrants Sub-Committee of the CCWC was established, with the aim of standardising and improving services available to former child migrants. In 1994, the CCSW began to compile a database of Catholic child migrants from the UK, a project spearheaded by Rosemary Keenan. This continues to be a living record and, at the time she gave evidence, contained records for 1,133 former child migrants.<sup>1612</sup>

CCWC provided evidence to the Western Australia Select Committee in 1996, the UK House of Commons Select Committee on Health in 1997/1998, and the Australian Senate Community Affairs Committee in 2000/2001. In 1997, Rosemary Keenan convened the Sending Agencies Group comprising CCSW, Barnardo's, Fairbridge, the Salvation Army and other agencies, with a view to further improvement and development of services. Following the Select Committee on Health inquiry in 1997/1998, the Department of Health established an Inter-Agency Forum on child migration to progress that inquiry's recommendations.

In 2001, the CCWC established the Australian Child Migrant Project (ACMP) to respond to the needs of former child migrants who had been primarily in the care of the Sisters of Nazareth. The Order did not themselves have the facilities or the expertise

to deal with these inquiries.<sup>1613</sup> When the ACMP concluded in 2005, the CCSW offered to continue providing services to former child migrants who had been migrated from religious orders. This service is funded from the balance of funds from the ACMP.<sup>1614</sup>

The CCSW provided two written statements to IICSA.<sup>1615</sup> They are clearly now alert to what they accept has been an enormous impact on individuals of having been migrated as children and have made real efforts to afford them support.

### Apologies

In closing submissions, the CBCEW apologised unreservedly to all former child migrants, and accepted that there were "significant failings in the administration of the child migration programme."<sup>1616</sup>

The BCS also apologised in its closing submissions

"for any harm caused to those who may have suffered in any way as a result of a migration scheme that was misguided and flawed in both design and operation."<sup>1617</sup> However, it did not accept responsibility for the scheme maintaining that "[r]esponsibility for identifying children to participate in the migration scheme, acquiring consent and monitoring the care and welfare of children would have lain with religious institutions, in conjunction with the statutory authorities."<sup>1618</sup>

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1612 Written statement of Dr Rosemary Keenan, paragraph 42, at BEW-000000008.

1613 Written statement of Dr Rosemary Keenan, paragraph 22, at BEW-000000008.

1614 Written statement of Dr Rosemary Keenan, paragraph 22, at BEW-000000008.

1615 Written statement of Dr Rosemary Keenan, paragraph 24, at BEW-000000008.

1616 Catholic Bishops' Conference of England and Wales, Closing Submissions, paragraphs 13 and 27, at BEW-1000000111.

1617 Bishops' Conference of Scotland, Written Closing Submissions, at BSC-000000052, p.2.

1618 Bishops' Conference of Scotland, C Written Closing Submissions, at BSC-000000052, p.2.

## The Catholic Church in Scotland: An overview

I am satisfied that the Catholic Church in Scotland gave little thought to the fate of the children who were migrated under its auspices. There were no systems in place to assess the suitability of the places where Scottish children were sent, how they were cared for, and how they fared thereafter. As described in Volume 1, children were sent to abusive regimes at homes run by the Christian Brothers, the Sisters of Nazareth, and the Sisters of Mercy and the Salesians of Don Bosco.<sup>1619</sup> Each and every one of them was at risk of being abused and for some that risk materialised. No doubt the Catholic Church in Scotland believed assurances provided by Australian promoters of child migration, putting their trust in those such as Brother Conlon and Father Nicol. But they took what they were told at face value without further investigation. Furthermore, Brother Conlon knew that there were indications that children were being sexually abused in institutions run by the Christian Brothers.

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<sup>1619</sup> See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#).

## The Sisters of Nazareth

### Brief history

In my findings in Case Study no. 2, I set out the history and ethos of the Congregation of the Sisters of Nazareth (SoN).<sup>1620</sup> In brief, the Order is an international Roman Catholic religious congregation founded by Victoire Larmenier in London in 1851. The first Scottish Nazareth House was founded in 1862. Its function, ethos, and mission in relation to children was “to provide a loving, caring and safe environment”, which included “providing or enabling an appropriate education and training for life.”<sup>1621</sup> By 1931, the SoN ran four children’s homes in Scotland, in Aberdeen, Cardonald, Kilmarnock, and Lasswade. These homes also accommodated elderly residents.

### Motivation

On behalf of the Order, Sister Doolan, Regional Superior, told the Inquiry that the Order’s participation in the child migration scheme was “motivated by a desire to spread the Catholic faith” and to provide children with a better life overseas—where children would be cared for in a Catholic institution—because of the poor economic conditions within the UK.<sup>1622</sup> Similarly, the Sisters of Nazareth’s responses to section 21 notices for the individual houses all note that “the aim and intention of the child migration scheme was to offer children a

better future in the new colonies.”<sup>1623</sup> The Order suggested that its stance was “reactive to public policy” and to Catholic initiatives in childcare.<sup>1624</sup> In a further statement, Sister Doolan and Sister Teresa Walsh, on behalf of the Order, stated that “[i]t should be remembered that the child migration scheme was initiated by governments who actively sought the co-operation of the Sisters of Nazareth to put the scheme into effect.”<sup>1625</sup>

Minutes of the General Council and the Chapter present a different picture. The first mention of child migration to Australia appears in the General Council minutes of 1923, where it was reported that “Major McCauley is very anxious for us to send out children about 12 years of age to Australia and thinks the Government will pay their passage out & also for the Sisters who may accompany them.”<sup>1626</sup> The Council members “agreed it would be a good thing” if the scheme was “well thought out.”<sup>1627</sup> No motive is explicitly mentioned there, but when the matter was raised again two years later, the Chapter was reminded that “about two years ago a Catholic gentleman in London” (presumably Major McCauley), “asked us to send some of our girls out to Australia for the spread of Catholicity.”<sup>1628</sup> While the Chapter noted that “[t]here are much better openings for girls in Australia than at home” for domestic work and that “as a rule, they get on better”, concern is

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1620 Scottish Child Abuse Inquiry, [Case Study no.2](#): The provision of residential care for children in Scotland by the Sisters of Nazareth between 1933 and 1984 in the Nazareth Houses in Aberdeen, Cardonald, Lasswade, and Kilmarnock (May 2019), pp.7-11.

1621 [Transcript, day 9](#): Sister Anna Maria Doolan, at TRN.001.003.4132.

1622 [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027, p.50; Sisters of Nazareth, Statement of Sister Anna Maria Doolan and Sister Teresa Walsh detailing responsibility for final approval of migration of children, 1946 to 1954, at NAZ.001.007.8762.

1623 Sisters of Nazareth, Part C response to section 21 notice, at NAZ-000000001, p.1.

1624 Sisters of Nazareth, Part 1 and Part 2 response to section 21 notice, 1900-1930, at NAZ.001.006.2833.

1625 Sisters of Nazareth, Statement of Sister Anna Maria Doolan and Sister Teresa Walsh detailing responsibility for final approval of migration of children, 1946 to 1954, at NAZ.001.007.8764.

1626 Sisters of Nazareth, General Council minutes, 1923, at NAZ.001.007.8913.

1627 Sisters of Nazareth, General Council minutes, 1923, at NAZ.001.007.8913.

1628 Sisters of Nazareth, Chapter book minutes, 1925, at NAZ.001.007.8914.

given to ensuring that the girls sent out “get a good name for Nazareth House”.<sup>1629</sup> Once again, “the majority approved of the scheme if it could be worked out – it would help to spread Catholicity.”<sup>1630</sup> In due course, “[t]he first group comprising 3 Sisters and 25 girls left for Australia from Tilbury on 26<sup>th</sup> March 1926.”<sup>1631</sup> So, in these early stages of the Order’s involvement, the impetus did not emanate from “governments” at all. Rather involvement in child migration appears to have been prompted by a desire to showcase the work of the Sisters of Nazareth and to spread the Catholic faith. Further, the Mother General, independent of government intervention, continued to stimulate the Order’s involvement in the child migration programme over the following years.<sup>1632</sup>

### Locations

The Order migrated children to individual placements in Canada from 1881 to 1930, and to the following institutions in Australia during the later period:

- Nazareth House, Geraldton;
- Nazareth House, Camberwell;
- St Joseph’s Home, Neerkol;
- St Joseph’s Orphanage, Subiaco;
- Castledare Boys’ Home;
- Clontarf Boys’ Town;
- Bindoon Boys’ Town;

- St Mary’s Agricultural School, Tardun;
- St John Bosco Boys’ Town, Glenorchy.<sup>1633</sup>

The experiences of some of the children migrated by the Order are described in [Volume 1](#).

### Numbers

IICSA found that the Order migrated 145 children to Canada between 1881 and 1930. It also found that 63.1% of the children migrated by the Catholic Church between 1945 and 1963 were said to have been nominally in the care of the Order prior to migration.<sup>1634</sup> The Historical Institutional Abuse Inquiry in Northern Ireland concluded that it was likely that 122 children were migrated from Nazareth Houses in Northern Ireland, although some may have originated from the Republic of Ireland. The majority of these children were aged 10 or younger.<sup>1635</sup>

Extant records indicate that in the period between 1900 and 1930, seven children were migrated directly from Nazareth Houses in Scotland to Canada and Australia.<sup>1636</sup> These children were aged 15 or older and were juvenile migrants. Between 1938 and 1963, the Order’s records suggest that 71 children aged 14 or younger were migrated by the Order to Australia directly from Nazareth Houses in Scotland.<sup>1637</sup> However, other children were sent from Scottish

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1629 Sisters of Nazareth, Chapter book minutes, 1925, at NAZ.001.007.8915.

1630 Sisters of Nazareth, Chapter book minutes, 1925, at NAZ.001.007.8915.

1631 Sisters of Nazareth, Confidential briefing paper: Sisters of Nazareth and Emigration, 2009, at NAZ.001.006.2441.

1632 Sisters of Nazareth, Statement of Sister Anna Maria Doolan and Sister Teresa Walsh detailing responsibility for final approval of migration of children, 1946 to 1954, at NAZ.001.007.8762; Sisters of Nazareth, Chapter book minutes, 1925 and 1928, at NAZ.001.007.8914-8916.

1633 Sisters of Nazareth, Confidential briefing paper: Sisters of Nazareth and Emigration, 2009, at NAZ.001.006.2439, In Australia, the Nazareth Houses were run by the Sisters of Nazareth; St Joseph’s Orphanage was run by the Sisters of Mercy; Castledare, Clontarf, Bindoon, and Tardun were run by the Christian Brothers; and St John Bosco’s was run by the Salesians of Don Bosco.

1634 IICSA, 2018, paragraph 2.9.1.

1635 HIA Inquiry, 2017. paragraphs 111-120.

1636 Transcript, day 196: Sister Anna Maria Doolan, at TRN-5-000000027, p.48; Sisters of Nazareth, Part 1 and Part 2 response to section 21 notice, 1900-1930, at NAZ.001.006.2837.

1637 Transcript, day 196: Sister Anna Maria Doolan, at TRN-5-000000027, p.39.

Nazareth Houses to Australia via the Nazareth House in Carlisle. According to Sister Doolan, Superior at Nazareth House, Cardonald, that meant that the total number was “99 or around that number.”<sup>1638</sup>

### SCAI applicants

Twenty-two SCAI applicants were sent to Australia by the Sisters of Nazareth.

Yvonne Radzevicius was sent to Nazareth House, Geraldton, aged 10; “Anne” (LTI), “Trish” (LST), “Alice”, and “Mary” were all sent to Nazareth House, Camberwell, aged nine or 10; and “Michaela” was sent to St Joseph’s, Neerkol, when she was eight.

The Sisters of Nazareth sent “Stuart” and “John” (MEF) aged 11, Ian Donaldson aged 10, and Frederick Smith and “Michael” aged nine, to Bindoon. “Tony” was sent to Clontarf aged 8. “Harry” and “Johno” aged seven, “James” aged six, and “Tom” aged five, were sent to Castledare. James Albert McGregor and Walter Kerkhof were sent to St Joseph’s Orphanage, Subiaco, aged five and four respectively.



Sisters of Mercy, St Joseph’s Orphanage, front entrance, 3 December 1953. Photograph from the State Library of Western Australia’s collection of online images. Source: [Find & Connect](#).

Three children were sent to St John Bosco Boys’ Town: “John” (FBC) and Christopher Booth, both aged 11, and Francis Morrison, aged nine.



St John Bosco Boys’ Town, 1948. Photograph from Dominic College collection. Source: [Find & Connect](#).

Due to the paucity of records maintained by the Order, the precise number of children migrated by the Order cannot be established. What is evident is that the Order played a significant role in child migration, particularly to Australia, in the period after the Second World War.

### Records

Each Nazareth House kept a children’s register, the primary purpose of which was to document every child’s date of admission and discharge. Other records, including observation books and founding histories of the houses were also maintained. It has been possible from such records to establish the identities and other details of children who were migrated by the Order.<sup>1639</sup> Prior to 1994, there was no central archive for the Order, and records were held in individual houses across the UK.<sup>1640</sup> In 2003, the Order’s former archivist, Dr Peter Hughes, carried out research into child migration by the

1638 [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027, p.40.

1639 [Transcript, day 196](#): Karen Firmin-Cooper, at TRN-5-000000027, pp.7-9.

1640 [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027, p.36.

Order and produced a revised version of that research in December 2009.<sup>1641</sup>

Karen Firmin-Cooper, the present archivist, said that the information provided to the Inquiry about the children who were migrated represented the results of the Order's best efforts from the records available, but cautioned that the information may not be entirely accurate.<sup>1642</sup> Sister Doolan noted there were "not a lot of records...in the archive relating to child migration."<sup>1643</sup> Records were mostly registers from the Nazareth Houses and provided scant details about individual children.<sup>1644</sup> It was unclear to Sister Doolan "whether there was documentation and it got lost in the houses or was destroyed".<sup>1645</sup>

According to the revised paper by Peter Hughes in 2009, a minute of the General Council meeting held in January 1946 "is the only reference to the child migration scheme in the central official records of the Sisters of Nazareth during the entire 16 years of the post-war migration."<sup>1646</sup> The Order acknowledged that their "contemporaneous record-keeping was inadequate."<sup>1647</sup> This meant it was difficult to contact parents to obtain consent to their child's migration. Many records were destroyed or lost when individual homes closed. Not all records were transferred to the central archive, and

the Sisters in individual houses did not keep copies of all records. In addition, records sent with child migrants to Australia, including medical records, social work records, and birth certificates, were inadequate. This made it more difficult for child migrants to obtain adequate medical treatment or support, to obtain citizenship in later life, and to ascertain basic biographical details about themselves, such as their age or legal name.<sup>1648</sup>

### Policies

The Sisters of Nazareth's initial section 21 response maintained that the Order was not aware of any formal policies or procedures for child migration, but that the Order adhered to any government guidelines.<sup>1649</sup> In a later letter to the Inquiry, the Order explained that they "did not have evidence of government guidelines in place when they were asked to send children."<sup>1650</sup> In evidence, Sister Doolan reiterated this position stating, on behalf of the Order, that they had no records of any policies or procedures relating to child migration. She did not think that such documents would ever have existed.<sup>1651</sup> The Order's letter also disclosed that the Order was not certain about whether child migration was undertaken "at the request of the government".<sup>1652</sup> In this letter, they also accepted that "there may not have

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1641 [Transcript, day 196](#): Karen Firmin-Cooper, at TRN-5-000000027, pp.21-22.

1642 [Transcript, day 196](#): Karen Firmin-Cooper, at TRN-5-000000027, p.16.

1643 [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027, p.36.

1644 [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027, pp.36-37.

1645 [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027, p.41.

1646 Sisters of Nazareth, Confidential briefing paper: Sisters of Nazareth and Emigration, 2009, at NAZ.001.006.2442.

1647 [Transcript, day 199](#): Sisters of Nazareth, Closing Submissions, at TRN-5-000000030, p.156.

1648 [Transcript, day 199](#): Sisters of Nazareth, Closing Submissions, at TRN-5-000000030, pp.157-158.

1649 Sisters of Nazareth, Part 1 and Part 2 response to section 21 notice, 1900-1930, at NAZ.001.006.2837.

1650 Sisters of Nazareth, Letter from Clyde & Co in response to questions from Professor Gordon Lynch, 27 September 2019, at NAZ.001.007.8897.

1651 [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027, pp.40-41.

1652 Sisters of Nazareth, Letter from Clyde & Co in response to questions from Professor Gordon Lynch, 27 September 2019, at NAZ.001.007.8898.

been adherence to the standards of the day and the Curtis report.”<sup>1653</sup> These documents demonstrate inconsistent and contradictory understandings of the duties the Order owed towards the children who had been placed with them, and of how or whether they in fact complied with legislative requirements.

In his paper, Peter Hughes stated he found it “very surprising” that no formal documents or official guidelines had been preserved.<sup>1654</sup> It is more likely that, as Sister Doolan accepted, no such documents ever existed.<sup>1655</sup>

### Selection

Records do disclose that representatives of the Christian Brothers in Australia visited the Order’s houses in Scotland looking for children to be migrated both before and after the Second World War.<sup>1656</sup> The extent to which the Christian Brothers influenced the selection process is not known. In a response made to SCAI’s requests, Sister Doolan suggested that “the local Superior and Sister working with the children would have been responsible for approving children for migration.”<sup>1657</sup> The Order stated that the Sisters would have selected children, and that the children would go through

educational, medical, and psychological tests. They could not, however, find any evidence of specific criteria by which children were chosen.<sup>1658</sup> They may have been likely to choose the children who seemed enthusiastic about migration and it is also possible that they chose those whose parents did not visit them.<sup>1659</sup> In a letter to SCAI, the Order stated that there were no committees to consider whether individual children should be migrated.<sup>1660</sup>

In their closing submissions, the Order stated that there was no formal policy for selecting children, and “selection of children appears to have been left to the discretion and judgment of the Superior who was in charge of the particular house in question.”<sup>1661</sup> The lack of any formal policies contributed to children being migrated where it was not in their best interests to do so.

In 1948, Nazareth House, Geraldton, requested that 100 girls be sent there.<sup>1662</sup> Father Nicol reported to Canon Flint that “[m]any of these I think I can get in Scotland” and the rest from elsewhere “to make up the required number”, and that the Sisters of Nazareth “had agreed to help him secure children from their residential homes.”<sup>1663</sup>

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1653 Sisters of Nazareth, Letter from Clyde & Co in response to questions from Professor Gordon Lynch, 27 September 2019, at NAZ.001.007.8898.

1654 Sisters of Nazareth, Confidential Briefing Paper: Sisters of Nazareth and Emigration, 2009, at NAZ.001.001.0567.

1655 Sisters of Nazareth, Statement of Sister Anna Maria Doolan and Sister Teresa Walsh detailing responsibility for final approval of migration of children, 1946 to 1954, at NAZ.001.007.8762.

1656 [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027, pp.50-51.

1657 [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027, p.54; Sisters of Nazareth, Letter from Clyde & Co in response to questions from Professor Gordon Lynch, 27 September 2019, at NAZ.001.007.8897.

1658 Sisters of Nazareth, Part 1 and Part 2 response to section 21 notice, 1900-1930, at NAZ.001.006.2834.

1659 Yvonne Radzevicius considered that “the Catholic Church picked those whose parents didn’t come and visit them, so they wouldn’t notice it”: See [Transcript, day 116](#): Yvonne Radzevicius, at TRN.001.005.0046.

1660 Sisters of Nazareth, Letter from Clyde & Co in response to questions from Professor Gordon Lynch, 27 September 2019, at NAZ.001.007.8897.

1661 [Transcript, day 199](#): Sisters of Nazareth, Closing Submissions, at TRN-5-000000030, p.140.

1662 Bishops’ Conference of Scotland, Minutes of the 17th annual meeting of the CCWC, 19-20 November 1947, at BSC.001.001.4300; See also Bishops’ Conference of Scotland, Up to date list of children required immediately as at 26 November 1948, at BSC.001.001.0256.

1663 Constantine et al., Appendix 4, paragraph 2.4; Catholic Bishops’ Conference of England and Wales, Letter from Father Nicol to Canon Flint, 29 October 1948, at BEW.001.001.0006.



The issue was ongoing four years later, in March 1952, when a circular letter from the Mother General in London to the Nazareth

Houses asked for more children to be sent to Australia. Its tone was comparable to that of a shopping list.<sup>1664</sup>

J.M.J.-4  
Nazareth House,  
Hammersmith,  
London W.6  
21st March 1952.

My dear Mother,

A request has been received for boys and girls to be sent to Australia under the Catholic Emigration Scheme, and I wish you to be prepared to send some children.

Twenty girls are required at once for Nazareth House, Geraldton, W.A. and I am consenting to the girls going, on condition that they will be sent to Nazareth Houses in Australia, and not to other Homes. The boys will go as usual to the Christian Brothers and to a new Home being opened for boys, by an order of Priests.

I am grieved to say that the Australian Department for Emigration has complained about problem children, wet-beds and mentally deficienta being sent from Nazareth Houses to Australia, and these children will be returned by the Australian Government to the Houses from which they were sent. The Government in Australia with the Government in this country, pays the cost of transport, and says these children are a liability on the country. The Home office, London, has been notified by the Australian Government about this matter, even the Nazareth Houses in this country that sent such children have been named to the H.O., so it is humiliating for the Congregation, and looks as if we were putting our obligations on other people. This is very serious, as I have been notified that some Catholic Homes in Australia were to be closed to children on account of the unsatisfactory state of affairs among these children. Please remember that Nazareth Houses will be included in this and the good name of the Congregation (at present respected in Australia) will suffer also.

Only normal, well-behaved children from 5 to 10 years

of age are to emigrated and this is the responsibility of the Superiors and Sisters in charge of the children. It has been put before me that only the Sisters living in the Houses with the children can really tell if they are what they ought to be, it is not possible for doctors etc. to know, except in very bad cases.

As soon as you have selected the children send me their names and ages, and be careful not to select children belonging to people who may object to their going.

With warm love from all in the 'Old Home' and praying God to ever bless and guide you.

Your affectionate Mother,  
*M. Emmanuel Mary*  
Superior General.

Sisters of Nazareth, Circular letter from Mother Emmanuel Mary (Superior General) to Mother Superiors, 21 March 1952

The Order was not thinking of the best interests of the children at all.

A similar situation arose in relation to Nazareth House, Camberwell, in the 1950s. When it became apparent that the Australian Commonwealth Government's 1943 plan to support the immigration of 50,000 war orphans in state-run homes was not viable, the Government diverted funding to the existing care systems being provided by voluntary organisations.<sup>1665</sup> This included funding the establishment of a

new wing at Nazareth House, Camberwell, to accommodate 150 girls. Approval to fund this project was granted in 1948, by which time the Commonwealth Department of Immigration was aware that the number of prospective migrant children available was in fact much lower than had been originally anticipated. However, specific assurances were given by the Order that there would be a sufficient supply of migrants to justify the significant expenditure necessary for the Camberwell development and approval was

1664 Sisters of Nazareth, Circular letter from Mother Emmanuel Mary (Superior General) to Mother Superiors, 21 March 1952, at NAZ.001.006.2916.

1665 [Transcript, day 197](#): Professor Gordon Lynch, at TRN-5-000000028, p.100.

granted on the basis of those assurances.<sup>1666</sup> Having given those assurances, the Order had put themselves under pressure to deliver.

Despite the extensive and costly work being undertaken to prepare Nazareth House, Camberwell to receive child migrants, Peter Hughes found “no reference to the Melbourne arch-diocesan authorities, nor to any Catholic Migrants Society, nor to any kind of diocesan child care organisation” being involved in the commissioning and carrying out of this work, nor any documentary evidence that the Sisters in Melbourne, the Superior General, or the General Council were encouraged by diocesan authorities in Melbourne to place female child migrants at Camberwell.<sup>1667</sup>

The UK Government was only approached about the possible approval of Camberwell in 1950, two years after the funding agreement had already been made and when the building works were not yet complete. Tasman Heyes, Secretary, Australian Department of Immigration, nonetheless requested that the Home Office recognise Camberwell “as an ‘approved institution’ for the purposes of child migration”.<sup>1668</sup> To support his request, he directed the Home Office’s attention to the “very favourable reports”, particularly from Helen Harrison, received about Nazareth House, Geraldton.<sup>1669</sup>

By this time, the Clyde and Curtis Reports and other developments meant that the practice of placing children in need of care in large institutional homes had fallen out of favour. Initially, the Home Office and the SHD were reluctant to approve Camberwell.<sup>1670</sup> Writing to the Home Office in December 1950, T.M. Martin of the SHD said “[i]t is too big to be anything but an institution” and that “by our standards the dormitories are probably overcrowded”.<sup>1671</sup> The Home Office decided to request further information about Nazareth House, Camberwell, before approving it.<sup>1672</sup> Camberwell was eventually approved to receive child migrants in 1953.<sup>1673</sup>



Nazareth House, Camberwell. Photograph from Nazareth House photo collection. Source: [Find & Connect](#).

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1666 [Transcript, day 197](#): Professor Gordon Lynch, at TRN-5-000000028, p.104.

1667 Peter Hughes, Migrant children and Nazareth House, Camberwell, 2002, at NAZ.001.006.2465.

1668 Sisters of Nazareth, Letter from Tasman Heyes to Secretary (Home Office), 12 October 1950, at NAZ.001.006.2471.

1669 Sisters of Nazareth, Letter from Tasman Heyes to Secretary (Home Office), 12 October 1950, at NAZ.001.006.2471. Helen R. Harrison was an experienced inspector for the SHD who unofficially visited Australian homes in 1950.

1670 Constantine *et al.*, Appendix 4, paragraph 3.2.

1671 Sisters of Nazareth, Letter from T.M. Martin (SHD) to M.G. MacGregor (Home Office), 18 December 1950, at NAZ.001.006.2472-2473.

1672 Sisters of Nazareth, Letter from M.G. MacGregor (Home Office) to A.S. Palmer (CRO), 15 January 1951, at NAZ.001.006.2474.

1673 Sisters of Nazareth, Extract from letter from K.R. Crook (High Commissioner’s Office, Canberra), to R.L. Dixon (CRO), 7 August 1953, at NAZ.001.006.2498.

In October 1953, Father Stinson, by then administrator for the ACIC, had visited the UK to recruit child migrants and produced a report for the FCIC (the parent branch in Australia of the ACIC) detailing his recruitment work. He noted that:

“The position regarding Girls is very desperate. After seven months of really hard work from January to August of this year...I could only manage to submit the names of 45 girls, only 20 of whom were approved...I then called on the Mother General of Nazareth again pointing out to her that her Sisters in Melbourne had received £90,000 from the Australian Govt. for their Extensions, and that if the Migrant girls were not forthcoming it was quite likely they would be asked to refund the money. Once again I emphasised to her that the Mother Superior in Melbourne had assured the Govt. that she had an undertaking from the Mother General in England that the Houses in Britain would make the children available.”<sup>1674</sup>

As in 1948, the Superior General in the UK had given assurances to the Superior in Melbourne that child migrants would be forthcoming, but it was proving impossible to meet this commitment.<sup>1675</sup> The Order “prioritised its organisational needs to ensure a flow of girls to Camberwell” over the best interests of the children involved.<sup>1676</sup> This

led to the migration of Scottish children in circumstances where migration was not in their best interests. Children were regarded as commodities to make up numbers.

This demand to fill places in order to protect the Order led to poor selection practices. A circular letter sent by the Superior General in March 1952 reported that the standard of the children that had already been sent had been criticised, and the Australian Department for Emigration had complained of “problem children, wet-beds and mentally deficient” children.<sup>1677</sup> The Superior General mentioned that these children were returned to the UK at the expense of the UK and Australian Governments and were “a liability on the country.”<sup>1678</sup> The Australian Government named the specific Nazareth Houses that had sent ‘defective’ children in their correspondence with the Home Office, which was “humiliating for the Congregation”.<sup>1679</sup> Furthermore, being sent ‘unsatisfactory’ children could lead to the closure of institutions in Australia, an event that would be detrimental to the “good name of the Congregation”.<sup>1680</sup> Nonetheless, she had already consented to 20 girls going to Nazareth House, Geraldton, and boys would be sent to Christian Brothers institutions, or an unnamed “new Home being opened for boys, by an Order of Priests”, possibly referring to John Bosco’s in Glenorchy,

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1674 NAA, A445 133/2/124, Report by Father Stinson, 1 October 1953, at NAA-000000034, pp.2-3.

1675 [Transcript, day 197](#): Professor Gordon Lynch, at TRN-5-000000028, p.104.

1676 Constantine *et al.*, Appendix 3, paragraph 3.17.

1677 Sisters of Nazareth, Circular letter from Mother Emmanuel Mary (Superior General) to Mother Superiors, 21 March 1952, at NAZ.001.006.2916.

1678 Sisters of Nazareth, Circular letter from Mother Emmanuel Mary (Superior General) to Mother Superiors, 21 March 1952, at NAZ.001.006.2916.

1679 Sisters of Nazareth, Circular letter from Mother Emmanuel Mary (Superior General) to Mother Superiors, 21 March 1952, at NAZ.001.006.2916.

1680 Sisters of Nazareth, Circular letter from Mother Emmanuel Mary (Superior General) to Mother Superiors, 21 March 1952, at NAZ.001.006.2916.

Tasmania.<sup>1681</sup> She requested in her circular that the Mother Generals of Houses in the UK “be prepared to send some children.”<sup>1682</sup> She stipulated that:

“Only normal, well-behaved children from 5 to 10 years are to be emigrated and this is the responsibility of the Superiors and Sisters in charge of the children...only the Sisters living in the Houses with the children can really tell if they are what they ought to be, it is not possible for doctors etc. to know, except in very bad cases”.<sup>1683</sup>

The tenor of this letter, focussing as it does so heavily on the Order’s reputation with no apparent thought being given to the “unsatisfactory state of affairs among these children” when they reached Australia, shows that children were being recruited for the Order’s own purposes, and not because anyone was truly trying to assess what was in their best interests.<sup>1684</sup>

SCAI applicant Yvonne Radzevicius’ contention that the Order sent children who would not be missed by their parents in the UK is largely confirmed by the Superior’s instruction to “be careful not to select children belonging to people who may

object to their going.”<sup>1685</sup> This was a deeply flawed approach to selection.<sup>1686</sup>

The Ross fact-finding mission in 1956, which visited institutions run by the Sisters of Nazareth and the Christian Brothers, presented a damning indictment of the selection processes.<sup>1687</sup> It reported that at Camberwell, a number of girls were “backward and of poor intelligence”, despite the Superior General’s directions in 1952.<sup>1688</sup> The mission reported that:

“Both the Mother Superior and the State Child Welfare Department commented on the apparent unsuitability, through low intelligence or emotional disturbance, of some of the girls sent, three or four of whom would probably never be self-supporting, and also on the very inadequate records which accompanied them.”<sup>1689</sup>

The Ross Report concluded that the personal histories of children migrated, if they existed at all, were minimal.<sup>1690</sup> The Order appears not to have kept adequate records of the children in their care, again highlighting the flawed selection process.

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1681 Sisters of Nazareth, Circular letter from Mother Emmanuel Mary (Superior General) to Mother Superiors, 21 March 1952, at NAZ.001.006.2916. The Salesians of Don Bosco is a Roman Catholic Religious Congregation with 89 autonomous provinces. The Australian and British provinces were, and have always been, unconnected. There is no evidence that the Salesians in Scotland and England did engage in child migration.

1682 Sisters of Nazareth, Circular letter from Mother Emmanuel Mary (Superior General) to Mother Superiors, 21 March 1952, at NAZ.001.006.2916-2917.

1683 Sisters of Nazareth, Circular letter from Mother Emmanuel Mary (Superior General) to Mother Superiors, 21 March 1952, at NAZ.001.006.2916-2917.

1684 Sisters of Nazareth, Circular letter from Mother Emmanuel Mary (Superior General) to Mother Superiors, 21 March 1952, at NAZ.001.006.2916-2917.

1685 [Transcript, day 116](#): Yvonne Radzevicius, at TRN.001.005.0058. Sisters of Nazareth, Circular letter from Mother Emmanuel Mary (Superior General) to Mother Superiors, 21 March 1952, at NAZ.001.006.2916-2917.

1686 Sisters of Nazareth, Letter from Clyde & Co in response to questions from Professor Gordon Lynch, 27 September 2019, at NAZ.001.007.8897; [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027, pp.40-41.

1687 See [Chapter 1.3](#) for further detail on the Ross Report.

1688 [Cmd. 9832] Report of a fact-finding mission, 1956, at LEG.001.002.3798.

1689 [Cmd. 9832] Report of a fact-finding mission, 1956, at LEG.001.002.3798.

1690 [Cmd. 9832] Report of a fact-finding mission, 1956, at LEG.001.002.3798; [Transcript, day 191](#): Professor Gordon Lynch, TRN-5-000000022, pp.173-174.

The case of SCAI applicant “Anne” is significant and troubling.<sup>1691</sup> She was sent from Nazareth House, Kilmarnock, to Camberwell. As a very young child she had contracted polio, leading to infantile paralysis. She spent three years in hospital, one of them in an iron lung. As in the case of many children who were victims of polio, she subsequently required leg callipers to assist her mobility and she had been using them throughout her time at Kilmarnock. She was sent to Australia without her callipers, supported by a medical assessment by a doctor in Kilmarnock and the Mother Superior’s confirmation that “Anne” had never had any serious illness. “Anne” told the Sisters in Australia about her medical history, and they told her she was lying. After one Sister noticed that “Anne” was falling over regularly, she was referred to the Royal Children’s Hospital in Melbourne, where a specialist confirmed that she had indeed had polio as a child. When the case was queried with the Mother Superior of Kilmarnock who had authorised “Anne’s” migration, she “denied any knowledge of [‘Anne’s’] callipers.”<sup>1692</sup> When the issue was escalated, the Chief Medical Officer in London contacted Dr Barr, who had conducted “Anne’s” pre-migration examination. Dr Barr stated that “it seems to me appalling that I failed to notice” her condition, and “I cannot find excuse for myself.”<sup>1693</sup>

I agree with the conclusion of Constantine, Harper, and Lynch that

“In the context of an apparent attempt by the Sisters of Nazareth to recruit more girls for migration to Camberwell, the medical declaration made by the Mother Superior of Nazareth House, Kilmarnock, seems most plausibly understood as a deliberate falsification of [‘Anne’s’] medical history in an attempt to keep up the number of girls being accepted for migration.”<sup>1694</sup>

### Consent

The Sisters of Nazareth could not determine what information children were told before and after migration, but did acknowledge that it was limited. In his paper in 2009, Peter Hughes concluded that

“[t]here is no reference anywhere to any prescribed or perceived need actively to obtain parental consent. The local superior or her delegate generally assumed a legal capacity to give consent under their status *in loco parentis*.”<sup>1695</sup>

This accorded with Sister Doolan’s understanding.<sup>1696</sup> In evidence given to the Inquiry, the Order suggested that a child’s parent or guardian was asked for consent if they “were known to the Sisters”, otherwise the Local Superior would consent *in loco parentis*.<sup>1697</sup>

Sister Doolan conceded in evidence that it was not possible to ascertain whether parental consent was sought from the limited archival evidence available.<sup>1698</sup> The facts I have found on the basis of applicant

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1691 See [Case Study no. 8, Volume 1](#).

1692 [Transcript, day 172](#): Read-in statement of “Anne”, at TRN-5-000000003, p.46.

1693 Letter from Dr George Barr to Dr J.B. Mathieson (Chief Medical Officer, Australia House), 5 September 1955, at WIT.003.001.2735.

1694 Constantine *et al.*, Appendix 3, paragraph 3.17.

1695 Sisters of Nazareth, Confidential briefing paper: Sisters of Nazareth and Emigration, 2009, at NAZ.001.006.2442. Emphasis in original.

1696 [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027, p.58.

1697 Sisters of Nazareth, Part 1 and Part 2 response to section 21 notice, 1900-1930, at NAZ.001.006.2834.

1698 [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027, p.46.

evidence indicate that the approach to consent was inadequate. Frederick Smith, sisters “Trish” (LST) and “Mary”, and Walter Kerkhof, all had parents who were alive at the time of their migration, but their parents did not sign consent forms for their migration. “Johnno” recalls that his mother informed him in later life that the Sisters of Nazareth at Aberdeen had told her that he had been adopted, when in fact he had been migrated without her knowledge or consent. Similarly, Yvonne Radzevicius’ godmother was told that there was no Yvonne at Nazareth House, Cardonald, when she went to look for her. Neither her or Yvonne’s mother consented to Yvonne’s migration.<sup>1699</sup> In each of these cases, and in many others, a Mother Superior signed as guardian of the child in question.

Although Peter Hughes and Sister Doolan concurred that there was no explicit expectation that the Order would obtain parental consent before migrating a child in their care, several extant records complicate this stance. Firstly, the migration forms that were often signed by Mother Superiors specifically state, in Section B, that consent should be provided by the “father if living”.<sup>1700</sup> More explicitly, the letter from the Chief Migration Officer to Norah Menaldo in December 1950 referred to above stated that the Mother Superior’s signature would only be accepted if the Department were satisfied that “all efforts to trace the child’s parents had failed.”<sup>1701</sup> There are indications

that Nazareth Houses were aware of this expectation. In evidence, Sister Doolan referred to a case in which two boys were migrated without their mother’s consent, and the mother subsequently attempted to find her sons only to be told that they had been sent to Australia. Sister Doolan noted that the Order, at that time, “tried for up to two years and then they couldn’t find the mother so eventually they let them migrate to Australia”, observing too that none of the original correspondence with the mother survived.<sup>1702</sup>

The Sisters’ claim that they had been trying to trace the mother for two years indicates that the Sisters of Nazareth accepted that parental consent to migration was important. It is unclear whether such attempts were actually made, but Nazareth House, Aberdeen, was able to contact the mother two years after the boys’ migration in order to return her daughter to her, and the mother repeatedly claimed that she wrote “many letters from time to time to your different establishments for news of them but received no replys [sic].”<sup>1703</sup> In a letter to Canon Flint, Mother Emmanuel Mary confirmed that the mother of the boys “wrote on some occasions”, which is how they were able to trace her to return her daughter.<sup>1704</sup> When the Sisters contacted her to return her daughter to her in 1955, the mother appears to have been at the same address as she had been at when her sons were migrated and the Sisters apparently could not trace

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1699 See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#): Frederick Smith, “Trish” (LST), “Mary”, Walter Kerkhof, “Johnno”, and Yvonne Radzevicius.

1700 Sisters of Nazareth, LEM3 form template, at NAZ.001.006.2921.

1701 Catholic Bishops’ Conference of England and Wales, Letter from Noel W. Lamidey to Norah Menaldo, 19 December 1950, at BEW-000000075, p.22.

1702 [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027, p.62.

1703 Catholic Bishops’ Conference of England and Wales, Copy of letter from D. Rowlands to Sister Mary, 15 November 1955, at BEW-000000075, p.24.

1704 Catholic Bishops’ Conference of England and Wales, Letter from Mother Emmanuel Mary to Canon Flint, 1 December 1955, at BEW-000000075, p.39.

her.<sup>1705</sup> This demonstrates that the Sisters of Nazareth were aware, at least from 1951, that the consent of a parent should be obtained before the migration of a child from Nazareth Houses.

In this case, the LEM3 migration forms of the two brothers were initially signed in January 1951 and December 1952. The earlier form was signed by Father Nicol on behalf of M. Canning, with Sister Francis Rita (the Mother Superior) signing as guardian. The later form was signed by Father Stinson of the ACIC, again with Sister Francis Rita signing as guardian.<sup>1706</sup> The forms were signed *before* the Sisters were purportedly attempting to trace the boys' mother. Furthermore, both brothers also had application forms for the FCIC, both of which were signed retrospectively by the Mother Superior at Nazareth House, Aberdeen, on 24 March 1953.<sup>1707</sup> The boys sailed two weeks prior to that date, on 10 March 1953.

This case is not an isolated one. An analysis of children sent to Australia from Nazareth Houses discloses that, of 632 children sent from institutions across the UK, 538 were sent without parental consent.<sup>1708</sup> Whilst Peter Hughes' paper concluded that "in general the Sisters took a reasonable common sense approach that their status as adults *in loco parentis* gave them capacity to grant consent", in closing submissions the Order accepted that the legal basis for consenting *in loco parentis* was dubious.<sup>1709</sup> As discussed in [Chapter 1.1](#), being *in loco parentis* did

not remove the parental rights vested in the child's parents and, as Professor Norrie stated, any individual or institution acting *in loco parentis* did not have a legitimate right to approve a child's emigration.

On the issue of whether children gave informed consent, Sister Doolan accepted that children were given misleading information about Australia and that their ages prevented them from giving valid consent:

"when [the Christian Brothers] were talking to the children they sold [Australia] as a place of sunshine, and there would be horse riding and they could pick the oranges off the trees, or they said to them would they like to go on a big ship. So it was all things that were appealing to the children...They were such young children I don't think they could have had informed consent, most of them, and all children would jump at the chance of going somewhere different. You know, 'Would you like to go on a big ship?' sounds very appealing, doesn't it? And I think to some of them...Australia they thought was somewhere down the road, they didn't realise how far away it was and all that went with that."<sup>1710</sup>

This reflects the experiences of many SCAI applicants. The Order accepted in its closing submissions that parents could not have given informed consent either, as they were given inadequate information.<sup>1711</sup> Sister Doolan accepted that children were

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1705 Catholic Bishops' Conference of England and Wales, Letter from D. Rowlands to [Canon Flint], 25 January 1956, at BEW-000000075, pp.47-48.

1706 NAA, LEM3 forms, at NAA.001.001.1596 and NAA.001.001.1601.

1707 Catholic Bishops' Conference of England and Wales, FCIC application forms, at BEW-000000075, pp.25-26 and pp.52-53.

1708 Sisters of Nazareth, Analysis of children sent to Australia between 1938 and 1963 from Nazareth House, at NAZ.001.006.2458.

1709 Sisters of Nazareth, Confidential briefing paper: Sisters of Nazareth and Emigration, 2009, at NAZ.001.006.2444; [Transcript, day 199](#): Sisters of Nazareth, Closing Submissions, at TRN-5-000000030, pp.142-143.

1710 [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027, pp.64-65.

1711 [Transcript, day 199](#): Sisters of Nazareth, Closing Submissions, at TRN-5-000000030, p.144.

given misleading and incorrect information about their families, as some children were incorrectly told they were orphans.<sup>1712</sup>

SCAI has identified 140 LEM3 forms. Of these total, 78 LEM3 forms pertain to children from Nazareth Houses. Of these 78 LEM3 forms, 38 were signed by the Mother Superior (or other senior Sister) as 'guardian'.<sup>1713</sup>

From these and other LEM3 forms it is apparent that the individual Nazareth Houses had their own distinctive practices. For instance, the forms signed at Nazareth House, Cardonald, consistently recorded the Mother Superior's signature in Sections A and B. Section A of this form should have been signed by the 'Sponsoring organisation,' usually taken to be the migration agency, and Section B by the child's 'guardian,' a role that was not legally held by the Mother Superior. The witness to Section B, in each of the cases available from Cardonald, was Father Stinson. Father Stinson was also the signatory to Section C. That means that he witnessed the Mother Superior's signature and also played a key role in formally approving the migration, thereby acting in circumstances where he had a significant conflict of interest.<sup>1714</sup>

At Nazareth House, Lasswade, Sister Edmund Joseph—the Mother Superior—signed a number of forms as the child's guardian. Another Sister, Sister Ann, signed Section A of the form on behalf of the sponsoring organisation. Five separate forms follow this format, and in each the "Catholic Child Welfare Council Birmingham" was inserted as the name of the sponsoring organisations

in a different ink and in a hand that was different from either of the signatures. It is difficult to ascertain what association Sister Ann had with the CCWC Birmingham. Cases such as this also highlight the problems that were inherent in sending children from Scottish institutions through an English administrative organisation.

Sister Francis Rita O'Hara, Mother Superior of Nazareth House, Aberdeen, signed several LEM3 forms in the place of the child's guardian. One form signed by Sister Francis Rita O'Hara in 1952 contains a signature only on Part B. Parts A and C, which ought to have been completed by the sponsoring organisation, are blank. The form nonetheless bears two stamps from the Department of Immigration approving the child's migration.<sup>1715</sup>

In her evidence, Sister Doolan said that, based on research carried out by the Order, she accepted that in the "majority of cases" the local Superiors had signed the consent forms.<sup>1716</sup> In some cases, the forms had been signed by priests, but she was unsure why a priest would sign the form instead of the Mother Superior.<sup>1717</sup>

The confusion over signatories extended beyond that of 'guardian' and into the arena of the sponsoring organisations. Professor Lynch was struck by

"the sheer plethora of different organisational names here [on LEM3 forms]...I don't think it is plausible to suggest that there were these different organisations running parallel in terms

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1712 [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027, p.72.

1713 This is also explained in [Appendix C](#).

1714 Catholic Bishops' Conference of England and Wales, LEM3 forms from Nazareth House, Cardonald, at BEW-1000000105; BEW-1000000109; and BEW-000000071.

1715 NAA, LEM3 form from Nazareth House, Aberdeen, a NAA.001.001.1555.

1716 [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027, p.43.

1717 [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027, p.52.



of the migration of children in 1947, so I think we have to assume that not all of these were in existence...we have this plethora of names being used which don't actually seem to map on to an organisational structure that we can evidence at all, apart from the Catholic Child Welfare Council".<sup>1718</sup>

Not only were forms being signed by individuals without guardianship powers, and without the knowledge or consent of the true legal guardians, but, astonishingly, the administrative organisations themselves named on some of the LEM3 forms may not even have existed.

### Monitoring

The Sisters of Nazareth ran houses in different parts of the UK, with their principal house being in Hammersmith, London. There is no reason, on the evidence, to think that the Scottish houses would have approached the monitoring of children migrated to Australia differently from other Nazareth Houses in the UK.

In evidence to the Historical Institutional Abuse Inquiry in Northern Ireland, the Order maintained that it had a monitoring system in place, but could not find any records to support this.<sup>1719</sup> Visitation reports did exist but, as case study findings on the Sisters of Nazareth found, the visitation system focused on the functioning of the Order rather than the welfare of the children.<sup>1720</sup>

The Order was unable to provide this Inquiry with documentary evidence that addressed the welfare of child migrants.<sup>1721</sup> Visitation reports seen by the Northern Ireland Inquiry had only "sporadic and very short" references to child migrants.<sup>1722</sup>

Despite this, the Order told IICSA that it believed it did have a system of receiving individual reports for children sent to the Nazareth Houses at Geraldton and Camberwell in Australia. At that time, the Order was unable to provide documentary evidence to support that claim.<sup>1723</sup>

Additional information provided to SCAI discloses that individual reports on children at Camberwell were submitted from 1956.<sup>1724</sup> Professor Lynch suggested that this was because of the fact-finding mission's visit several months earlier.<sup>1725</sup> There is no evidence of any monitoring of the progress of children migrated to Geraldton. The fact-finding mission did not visit Geraldton.

The Order told SCAI it was "not aware of follow up undertaken once children had [been] migrated."<sup>1726</sup> There is no evidence that the Order received any reports on the welfare of children that they migrated to other Orders' organisations, such as those run by the Christian Brothers and the Sisters of Mercy. I am satisfied that no such monitoring was carried out.

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1718 [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-000000022, pp.121-122. See [Appendix C](#) for an analysis of LEM3 forms recovered by SCAI, including a breakdown of sponsoring organisations' signatories.

1719 [HIA Inquiry](#), 2017, paragraphs 152-153.

1720 Scottish Child Abuse Inquiry, [Case Study no.2](#), pp.100-101.

1721 Constantine *et al.*, Appendix 3, paragraph 5.33; [HIA Inquiry](#), 2017, paragraphs 152-153.

1722 [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-000000022, p.152.

1723 Constantine *et al.*, Appendix 3, paragraph 5.33; [IICSA](#), 2018, paragraph 2.9.3.14.

1724 See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#), "Alice".

1725 [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-000000022, p.154.

1726 Sisters of Nazareth, Letter from Clyde & Co in response to questions from Professor Gordon Lynch, 27 September 2019, at NAZ.001.007.8898.

Professor Lynch concluded that

“[t]he fact that so little individual reporting on the welfare of child migrants in Australia was undertaken by the Sisters of Nazareth might be understood as an expression of a wider organisational culture in which children were perceived to be part of the corporate body of the Order rather than as individuals in need of particular kinds of social and emotional nurture.”<sup>1727</sup>

### Inspections

Sister Doolan explained that, although the Order’s leadership in Hammersmith would have visited Nazareth Houses in Australia periodically, this would have been “a very general visit”, rather than a visit with a specific purpose of looking into the welfare of individual children.<sup>1728</sup>

Official UK and Australian Government inspections very occasionally visited the homes run by the Order in Australia. Walter Garnett was positive about Nazareth House, Geraldton, in October 1944. He described it as “a most modern, well-equipped institution”.<sup>1729</sup> Around the same time, Caroline Kelly found the building at Geraldton, which had been built recently, to be satisfactory, as were the plans for training, staffing, and education.<sup>1730</sup> There were no children in residence at the time of her visit.

In April 1947, a state inspection described Nazareth House, Geraldton, and the plans

in place for child migrants. It noted that there were elderly people in residence, and the inspector warned that “the matter of future accommodation for the old people becomes one of extreme urgency.”<sup>1731</sup> The inspection recommended that further building work for housing children be undertaken, but found the existing building satisfactory. In May 1947, state inspectors recommended that no children should be sent there because of the continued presence of elderly residents.<sup>1732</sup> Previously, in 1946, the Sisters of Nazareth’s General Council had acknowledged that children should not be accommodated with the elderly residents.<sup>1733</sup> The Council did not make this decision out of any recognition that that was what the welfare of the children at Geraldton required, but because it would be difficult to provide sufficient accommodation for a new intake of child migrants while the elderly residents remained there.<sup>1734</sup> The elderly residents were still living there during the state’s inspections in 1947. The UK Government was cognisant of these state reports and directed that no children should be sent to Nazareth House, Geraldton, while elderly people were resident there.<sup>1735</sup>

Despite this direction, girls continued to be sent to Geraldton. In early 1949, the UK High Commission inquired of the Australian Commonwealth Department of Immigration why child migrants were being sent there

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1727 [Transcript, day 191](#): Professor Gordon Lynch, at TRN-5-000000022, p.167; Constantine *et al.*, Appendix 3, paragraph 5.41.

1728 [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027, pp.69-70.

1729 TNA, DO35/1138/4, Garnett Report, October 1944, at LEG.001.002.0282.

1730 NAA, A436 1945/5/54, Kelly Report, 1945, at NAA-000000028.

1731 NAA, A445 133/2/8, Nazareth House, Geraldton - Application for Building Permit, 29 April 1947, at NAA-000000004, pp.129-130.

1732 NAA, A445 133/2/8, Letters from R.W. Gratwick to Tasman Heyes, 20 May and 26 May 1947, at NAA-000000004, pp.121-131.

1733 Sisters of Nazareth, General Council minutes, January 1946, at NAZ.001.006.2919-2920.

1734 Sisters of Nazareth, General Council minutes, January 1946, at NAZ.001.006.2919-2920.

1735 TNA, DO35/3386, Letter from Walter Garnett to Charles Dixon, 12 June 1947, at LEG.001.004.5585; Constantine *et al.*, Appendix 2, paragraph 3.4.

against the UK Government's orders.<sup>1736</sup> In March 1949—presumably in response to the High Commission's inquiries—an officer at the Immigration Department reported that, although in early 1947 it had been agreed that the Nazareth House should receive no child migrants at that time, their original quota of 50 girls was reinstated in June 1947 because "the Roman Catholic Authorities purchased R.A.A.F. buildings at Geraldton" and it was therefore "considered that satisfactory accommodation could be provided for the children".<sup>1737</sup> He added that he was

"quite satisfied that the Sisters at Nazareth House realise that the presence of the old people is not desirable and that they are taking the necessary precautions to keep the children away from any undue influence that may result therefrom."<sup>1738</sup>

A state inspection in November 1949 raised further concerns about children still being housed with elderly people. It appeared there had been "no effort made to arrange alternative accommodation for these [elderly] people."<sup>1739</sup>

A similar problem existed at Nazareth House, Camberwell. Early reports, pre-dating its approval as a receiving institution, found that "[a]pproximately 150 aged people are

cared for in the existing establishment but it is agreed that the children's contact with the aged folk will be negligible. They will be in a separate wing under separate charges."<sup>1740</sup> When John Moss visited the Home in 1952, he noted that "[t]he old people are carefully selected and do not generally come into contact with the children who are never allowed in their part of the building".<sup>1741</sup>

In reality, SCAI applicants who were resident at Camberwell and at Geraldton were forced to care for the elderly patients, and even to prepare for burial the bodies of those who had died.<sup>1742</sup> At Nazareth House, Geraldton, Yvonne Radzevicius had to help "look after the elderly people."<sup>1743</sup> At Camberwell, "Alice", at the age of 12, was forced to help a nun wash the body of an elderly man who had died. She described how "there were bowls of cotton wool that had to be put into every orifice of his" which "absolutely petrified" her;<sup>1744</sup> "Trish", also at Camberwell, had to strip and wash the body of an elderly woman who had died, including filling her orifices with cotton wool.<sup>1745</sup> "Mary" recalled that, at Camberwell, her sister "was forced to lay out dead bodies...clean bed pans and face the indignity of being groped by old people who were beyond reason or inhibitions".<sup>1746</sup>

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1736 Constantine *et al.*, Appendix 2, paragraph 3.15.

1737 Sisters of Nazareth, Letter from E.R. Denney (Immigration Department, W.A.) to Under Secretary for Lands and Immigration, Perth, 21 March 1949, at NAZ.001.006.2467.

1738 Sisters of Nazareth, Letter from E.R. Denney (Immigration Department, W.A.) to Under Secretary for Lands and Immigration, Perth, 21 March 1949, at NAZ.001.006.2467.

1739 NAA, PP6/1/1949/H/1165, Report of Inspection of Nazareth House, Geraldton, by R. Marriot, F.D. Mather and J.J. Abbot, 24 November 1949, at NAA-000000024, p.1.

1740 Sisters of Nazareth, Summary of reports concerning Nazareth House, Camberwell, at NAZ.001.006.2470.

1741 Sisters of Nazareth, Copy of rough note prepared by John Moss during his visit to Australia in 1951/52, at NAZ.001.006.2491.

1742 See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#).

1743 [Transcript, day 116](#): Yvonne Radzevicius, at TRN.001.005.0078

1744 [Transcript, day 177](#): "Alice," at TRN-5-00000007, p.82.

1745 [Transcript, day 177](#): "Trish" (LST), at TRN-5-000000007, pp.35-36.

1746 Child Migrants Trust, Statement of Historic Institutional Abuse of "Mary", at WIT.003.001.2687. See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#).

Despite institutional knowledge that young girls should not be housed with elderly residents, and assurances from reports and the Church authorities that they did not come into contact with the elderly residents, female child migrants were exposed to traumatic and abusive practices arising from their proximity.

In 1956, the Ross Report described Nazareth House, Camberwell, as “more like a hospital than a home.”<sup>1747</sup> Some of the older girls had “sexual difficulties”, the Mother Superior was unable to deal with them, and the girls did not receive adequate preparation for life.<sup>1748</sup> Sister Doolan accepted that the Order did not act on the recommendations made by negative reports, and that “there didn’t seem to be much change following on from those reports at the time.”<sup>1749</sup>

Although the Sisters of Nazareth sent children to homes other than Nazareth Houses in Australia, most notably to Christian Brothers institutions, the Order could find no evidence that they were checked for their suitability. Remarkably, they felt able to state that “the sisters at that time would have had no reason to think the homes would be any different than their own homes”, but those Sisters were not in fact in any position to assess what the other homes were like when nobody from the Order had visited them or sought to find out what they were really like. There was no evidence of the Order visiting any of these institutions.<sup>1750</sup>

Sister Doolan suggested that, historically, “there was a trust between congregations... that the homes would look after the children properly”.<sup>1751</sup> That may be so but the reality was that that trust was based on rocky foundations and led to them putting children at risk. She also considered that, “at the time, the Sisters didn’t have reservations about sending the children, they had no concerns about the places they were going to, but there’s no written records really pertaining to it either.”<sup>1752</sup>

My findings in relation to another SCAI applicant who was not migrated but was resident at Nazareth House, Aberdeen in the 1960s indicate that there was institutional knowledge of the poor conditions overseas. John McGuinness remembered that “[s]ometimes the nuns would threaten us with being sent to Australia...I heard that children who stepped out of line would be sent there for ten years and have their names changed before being brought back.”<sup>1753</sup> Evidently the Sisters knew that the system was deeply problematic, hence their threat of migration to Australia being wielded as a disciplinary tool.

Such a threat accords with the findings of the Ross Report of 1956 that three Christian Brothers’ institutions, Castledare, Clontarf, and Bindoon, were not fit for purpose. The report also found that the children at St Joseph’s, Neerkol, were institutionalised and isolated from the wider community. The children at St John Bosco Boys’ Town,

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1747 [Cmd. 9832] Report of a fact-finding mission, 1956, at LEG.001.002.3762.

1748 [Cmd. 9832] Report of a fact-finding mission, 1956, at LEG.001.002.3762.

1749 [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027, p.55.

1750 Sisters of Nazareth, Part 1 and Part 2 response to section 21 notice, 1900-1930, at NAZ.001.006.2833-2834; [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027, p.69.

1751 [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027, p.42.

1752 [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027, pp.64-65.

1753 Written statement of John McGuinness, paragraph 91, at WIT-1-000000407.

Glenorchy, behaved in a manner that was seen as reflective of children brought up in institutions. Staff failed to understand the needs of children.<sup>1754</sup> The Sisters of Nazareth sent children to all of these institutions, but never commissioned their own inspection of any of them.



Clontarf Boys' Town, January 1984. Picture by Betty Smith. Source: [State Library of Western Australia](#).

In closing submissions, the Order recognised that this was a flawed approach:

“No inspections of any of the receiving institutions in Australia were carried out by the Sisters. The Sisters appear to have assumed that if the institutions were being managed by another Catholic order, the conditions and regime would be comparable with equivalent Scottish institutions...But that...certainly wasn't a reasonable assumption in respect of the institutions administered by other Catholic orders. In particular, the conditions of the institutions administered by the Christian Brothers in Western Australia were wholly unacceptable even by the prevailing

standards of the day, which means it is recognised and accepted by the Sisters that they should have taken some steps to satisfy themselves that the receiving institutions could provide the requisite standard of care to child migrants before arranging their migration to those institutions...It would have been possible for a Sister from one of the Nazareth Houses in Australia to visit the other receiving institutions in Australia in order to ascertain the level of care provided. Such inspections may not have identified all deficiencies but they may have provided some additional safeguards”.<sup>1755</sup>

### The post-migration period

The Order has now recognised that child migration has cast a dark cloud upon its history, and has taken steps to recognise past failings and also to provide financial and emotional assistance to former child migrants.

The Order responds to requests for information from former child migrants.<sup>1756</sup> Sister Doolan explained that the Order has participated in schemes set up by the CMT and engaged with Australian redress schemes. The Order has assisted the CCSW in setting up its database of former child migrants, helped migrants reunite with families, and funded journeys.<sup>1757</sup> Former child migrants are able to seek assistance with locating records and tracing family from the CCSW. This service is funded by the Order from the balance of funds from the ACMP.<sup>1758</sup>

1754 [Cmd. 9832] Report of a fact-finding mission, 1956, at LEG.001.002.3763.

1755 [Transcript, day 199](#): Sisters of Nazareth, Closing Submissions, at TRN-5-000000030, pp.151-152.

1756 [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027, p.45.

1757 [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027, pp.75-78.

1758 [Transcript, day 170](#): Sisters of Nazareth, Opening Submissions, at TRN.001.005.0156-0157.

## Apologies

Senior counsel for the Order issued an apology on its behalf in his opening submissions and repeated it in the closing submissions he made for them:

“We, the Sisters of Nazareth, sincerely apologise and are deeply saddened by the pain and distress suffered by so many men and women as a result of the child migration scheme. We wholeheartedly commit ourselves to continue to support those who contact us and warmly welcome each one to Nazareth House, where accommodation is provided, if available.”<sup>1759</sup>

Sister Doolan apologised on behalf of the Order in her evidence:

“Looking back on the scheme now, it was a dreadful scheme, taking those young children away from their homeland and sending them out to a very strange land... And quite a number of them...said they were told they were orphans so they had no contact with their families, and many of them, when they did find their families, it was too late their parents maybe had died...So it was a very, very hard scheme, and the children were so young, and they lost so much. Whatever we do to help them now will never make up for that...I can only apologise unreservedly to each and every one of those children that went out and had such hard lives and lost a lot of their family contacts.”<sup>1760</sup>

## The Sisters of Nazareth: An overview

The Order conceded that there were significant failures in their approach to child migration. The Order accepts that there were:

- i. No policies for selecting children to participate in this Scheme.
- ii. Problems relating to consent to migration.
- iii. The failure to inspect institutions in Australia.
- iv. The lack of supervision and aftercare of child migrants.
- v. Inadequate record keeping.”<sup>1761</sup>

They were right to do so. While there is little evidence that the Order had contemporaneous knowledge of the abuse and ill-treatment of child migrants in Australia, if inspections, continuing supervision, and aftercare had been in place the abuse of children may well have been uncovered.<sup>1762</sup>

The Order’s involvement in child migration lacked any systemic protective measures. They were beguiled by the false promises of clerics as to how children would fare in Australia. Their houses at Camberwell and Geraldton were complicit in a numbers game driven by financial considerations.

The Order’s historical and ready embrace of child migration conflicted with their founding ethos of providing children with loving, caring, and safe environments that provided appropriate education and training for life. For many child migrants, that ethos was far from the reality of their childhood lives of abuse, fear, and sadness after migration to Australia, and the enduring legacies that their experiences engendered.

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1759 [Transcript, day 170](#): Sisters of Nazareth, Opening Submissions, at TRN.001.005.0154.

1760 [Transcript, day 196](#): Sister Anna Maria Doolan, at TRN-5-000000027, pp.72-73.

1761 Sisters of Nazareth, Written Closing Submissions, paragraph 12, at NAZ-000000072.

1762 Sisters of Nazareth, Written Closing Submissions, paragraph 43, at NAZ-000000072.

## Good Shepherd Sisters

### Brief history

The Congregation of Our Lady of Charity of the Good Shepherd (“Good Shepherd Sisters”) was founded by St. Mary Euphrasia Pelletier and approved by Pope Gregory XVI in 1835.<sup>1763</sup> The organisation was established to provide residential care for women and, in later periods, for children facing difficulties. The Good Shepherd Sisters ran several institutions for children in Scotland from the 1930s to the early 1980s, including Woodfield Children’s Home (also known as the Good Shepherd Home of Colinton), The Good Shepherd Centre, Bishopton, and St Euphrasia’s.

In evidence, Sister Rosemary Kean, Province Leader, explained that “normally our congregation did not work with young children, and the children in Colinton in Edinburgh we were asked to take post-war... as a special arrangement because there was a great shortage of places for [them].”<sup>1764</sup> As a result, “we didn’t have many policies in relation to young children”.<sup>1765</sup>

### Locations

The Good Shepherd Sisters migrated children from their institution in Colinton, Edinburgh, to two institutions in Australia: St Joseph’s Orphanage, Subiaco, and St Vincent de Paul’s Orphanage, Goodwood. Both institutions in Australia were run by the Sisters of Mercy.



St Joseph’s Girls’ Orphanage, dormitory, c.1920s/1960s. Photograph from the Institute of Sisters of Mercy of Australia and Papua New Guinea Archives and Heritage Centre collection. Source: [Find & Connect](#).

### Motivation

The Good Shepherd Sisters offered no specific motivation for its participation in the child migration scheme beyond the fact that the Order “was asked to comply with the Ecclesiastical Authorities regarding sending children to Australia.”<sup>1766</sup> One of the few contemporaneous records available referring to child migration notes that “[t]he Ecclesiastical Authorities were anxious to send as many Catholics as possible to this young country.”<sup>1767</sup>

If there was an institutional motivation for engaging in child migration programmes, it was not documented. Sister Kean explained that the Order “were simply co-operating with the authorities” and “weren’t part of the planning”, but anticipated that migration

1763 Congregation of Our Lady of Charity of the Good Shepherd, Parts A and B response to section 21 notice, at GSH.001.001.0113.

1764 [Transcript, day 194](#): Sister Rosemary Kean, at TRN-5-000000025, p.5.

1765 [Transcript, day 194](#): Sister Rosemary Kean, at TRN-5-000000025, p.5.

1766 Congregation of Our Lady of Charity of the Good Shepherd, Parts C and D response to section 21 notice, Woodfield Children’s Home, at GSH.001.001.0412.

1767 Congregation of Our Lady of Charity of the Good Shepherd, Copy of an entry from Woodfield Convent annals, at GSH.001.001.0483.

would provide children with a better life, particularly given that the scheme was sanctioned by governments and ecclesiastical authorities.<sup>1768</sup>

Sister Kean noted that “[i]t was understood at that time that Australia was the land of opportunity, and I know of many families who took advantage of the £10 ticket to emigrate.”<sup>1769</sup> However, she did differentiate between a family migrating and lone children being migrated, stating that “it seems unusual to send unaccompanied children to a strange country”.<sup>1770</sup>

## Numbers

The Good Shepherd Sisters migrated 15 girls aged between six and 13 to Australia between 1947 and 1949.<sup>1771</sup> Two of these children travelled to Australia with their mother.

Four SCAI applicants, “Maryanne”, “Rose”, “Trish”, and “Helen”, were sent to Australia from the Colinton home. “Maryanne”, “Rose”, and “Trish” were sent to St Joseph’s Orphanage, Subiaco, aged 14, nine, and five respectively. “Helen” went to St Vincent de Paul’s Orphanage, Goodwood, when she was nine.<sup>1772</sup>



St Vincent de Paul Orphanage, one of the dormitories, date unknown. Photograph courtesy of MacKillop Family Services. Source: [Find & Connect](#).

1768 [Transcript, day 194](#): Sister Rosemary Kean, at TRN-5-000000025, p.9.

1769 [Transcript, day 194](#): Sister Rosemary Kean, at TRN-5-000000025, pp.7-8.

1770 [Transcript, day 194](#): Sister Rosemary Kean, at TRN-5-000000025, p.8.

1771 Congregation of Our Lady of Charity of the Good Shepherd, Parts C and D response to section 21 notice, Woodfield Children’s Home, at GSH.001.001.0412.

1772 See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#): “Maryanne”, “Rose”, “Trish” (MZW), and “Helen”.



## Records

Sister Kean explained that extant records are “sparse.”<sup>1773</sup>

The annals for Woodfield include an entry stating that:

“Two groups of children – seven in each – left us to go to Australia, the first in November 1947, the second in December of the following year [1948]. Another one who was too young to go with her two sisters in 1947 went in April 1949. They joined children from Nazareth House who were also going there.”<sup>1774</sup>

There is little else by way of records to explain the Good Shepherd Sisters’ participation in child migration. It is likely that the Order was influenced by the false promises made by clerics who the Order trusted.

The admissions records for Woodfield do record children’s admissions and discharges, with discharge records stating when a child was migrated. This constitutes the only record of specific children migrated from Good Shepherd institutions.<sup>1775</sup> The Order has no records to show where the children were sent.<sup>1776</sup> In cases where children remained in the UK upon discharge, the Order usually recorded information about a child’s specific destination. Sister Kean thought that the lack of records regarding

children migrated to Australia suggests that the Sisters at the time did not have that information.<sup>1777</sup>

## Policies

The Order assumed that it had no policies or procedures relating to child migration.<sup>1778</sup>

The Order contends that it was not directly involved in child migration. Instead, they stated that children were sent from Woodfield to Nazareth House in preparation for travelling to Australia, possibly as a result of the reference in the annals to Good Shepherd children joining children from Nazareth House (above).<sup>1779</sup> However, this inference is incorrect. Four SCAI applicants all travelled directly from Woodfield and made no reference to moving to Nazareth House prior to their migration. In any event, the Good Shepherd Sisters would have been directly involved even if they migrated children via the Sisters of Nazareth institutions because such children would still have been specifically chosen by them for migration.

Although, as noted above, the Order’s position was that it was asked to comply with the Ecclesiastical Authorities regarding sending children to Australia, it also stated that it had no knowledge of what the policies of the ecclesiastical authorities were.<sup>1780</sup> In evidence, Sister Kean explained that

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1773 [Transcript, day 194](#): Sister Rosemary Kean, at TRN-5-000000025, p.3.

1774 Congregation of Our Lady of Charity of the Good Shepherd, Copy of an entry from Woodfield Convent annals, at GSH.001.001.0483.

1775 Congregation of Our Lady of Charity of the Good Shepherd, Letter from Sister Rosemary Kean to SCAI, 23 October 2018, at GSH.001.001.0480. See also Congregation of Our Lady of Charity of the Good Shepherd, Admission records for “Rose”, “Maryann”, and “Trish” (LST), at GSH.001.001.0484, and Congregation of Our Lady of Charity of the Good Shepherd, Response to section 21 notice, at GSH.001.001.0477-0478.

1776 [Transcript, day 194](#): Sister Rosemary Kean, at TRN-5-000000025, p.14.

1777 [Transcript, day 194](#): Sister Rosemary Kean, at TRN-5-000000025, p.14.

1778 [Transcript, day 194](#): Sister Rosemary Kean, at TRN-5-000000025, p.5; Congregation of Our Lady of Charity of the Good Shepherd, Response to section 21 notice, at GSH.001.001.0469.

1779 Congregation of Our Lady of Charity of the Good Shepherd, Response to section 21 notice, at GSH.001.001.0473; Copy of an entry from Woodfield Convent annals, at GSH.001.001.0483.

1780 Congregation of Our Lady of Charity of the Good Shepherd, Parts C and D response to section 21 notice, Woodfield Children’s Home, at GSH.001.001.0412.

“ecclesiastical authorities” referred to the Catholic Church in Scotland.<sup>1781</sup> The Order understood that the policies were put in place at that time to offer children the chance of a better life in Australia, but that “we don’t seem to have been party to those plans.”<sup>1782</sup> Instead, the Order simply “expected that the plans for these children were positive” by virtue of the fact that they were approved by governments and by ecclesiastical authorities.<sup>1783</sup> Once more, assumptions were the order of the day and were made without any cogent basis in fact.

### Selection and consent

The Good Shepherd Sisters could find no evidence to explain how children were selected, whether consent was obtained from children or their families, what information was given to children prior to migration, or what information was provided to their families.<sup>1784</sup> The Order had no knowledge about how children were selected for migration or how migration was sanctioned.<sup>1785</sup>

The SCAI applicants who were migrated from Woodfield shed some light on selection processes. “Maryanne” recalled that “a gentleman...and a lady” visited her school, St Thomas Aquinas in Edinburgh, one day to ask who wanted to go to Australia.<sup>1786</sup>

“Maryanne” and another girl in the class put their hands up, and this was the basis of their being selected for migration.<sup>1787</sup> “Helen”, on the other hand, remembers that “[s]omeone came to the orphanage and did a presentation” about Australia, and she put her hand up when asked who wanted to go.<sup>1788</sup> “Rose” remembered being “asked as a group” who wanted to migrate. Although she did not specify whether they were asked in the home or at school.<sup>1789</sup> “Trish” was only five years old when she was migrated to Australia. She had no memory of being asked whether she wanted to go.<sup>1790</sup>

There is evidence from the Order’s registers that, although some children were identified for migration, there were three children who were described as “not for migration.”<sup>1791</sup> It appears that two of these children had been placed in care by the Edinburgh local authority, again demonstrating that local authorities generally refused to agree to migration.<sup>1792</sup> The other child “has a Mother mentioned” in their records, suggesting that the Sisters may have been more likely to migrate children who appeared to have been abandoned by their parents.<sup>1793</sup> This would not, however, explain why the four SCAI applicants, all of whom had forms signed by their parents, were selected for migration.

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1781 [Transcript, day 194](#): Sister Rosemary Kean, at TRN-5-000000025, p.6.

1782 Congregation of Our Lady of Charity of the Good Shepherd, Parts C and D response to section 21 notice, Woodfield Children’s Home, at GSH.001.001.0412; [Transcript, day 194](#): Sister Rosemary Kean, at TRN-5-000000025, p.14.

1783 [Transcript, day 194](#): Sister Rosemary Kean, at TRN-5-000000025, p.9.

1784 Congregation of Our Lady of Charity of the Good Shepherd, Response to section 21 notice, at GSH.001.001.0469; [Transcript, day 194](#): Sister Rosemary Kean, at TRN-5-000000025, pp.4-5.

1785 [Transcript, day 194](#): Sister Rosemary Kean, at TRN-5-000000025, p.10.

1786 [Transcript, day 114](#): “Maryanne”, at TRN.001.004.6728-6279. St. Thomas of Aquinas is in the parish of St Peter’s, Edinburgh, where Father Quille was diocesan priest from 1948-1956.

1787 [Transcript, day 114](#): “Maryanne”, at TRN.001.004.6279.

1788 [Transcript, day 177](#): Read-in statement of “Helen”, at TRN-5-000000007, pp.125-126.

1789 [Transcript, day 174](#): Read-in statement of “Rose”, at TRN-5-000000004, p.134.

1790 See [Case Study no. 8, Volume 1](#), Good Shepherd Sisters.

1791 [Transcript, day 194](#): Sister Rosemary Kean, at TRN-5-000000025, p.10.

1792 [Transcript, day 194](#): Sister Rosemary Kean, at TRN-5-000000025, p.12.

1793 Congregation of Our Lady of Charity of the Good Shepherd, Response to section 21 notice, at GSH.001.001.0479.

As for the sanctioning of migration from Woodfield, surviving LEM3 forms provide some insight. Of the 15 LEM3 forms recovered for children migrated from Woodfield, 10 of the signatures in Part A—designated for the sponsoring organisations—were provided by Father Quille, purportedly on behalf of the CCWC. The remaining five are blank in Part A, except for one form which erroneously bears the signature of the child’s mother.

All four SCAI applicants from Woodfield had Part B of their consent forms signed by a parent. For the 11 non-applicants, a parent signed in seven instances; an uncle in one instance; and William Wallace of the Welfare Glasgow Corporation in three instances. None of the Good Shepherd forms bear the signature of the Mother Superior. Sister Kean’s supposition “that local authorities with parents or guardians made the decision about the children who were sent to Australia” is understandable, but in all cases (apart from where sponsoring organisation sections had been left blank), it was Father Quille who signed as sponsor for the migration; local authorities were only involved for children who were explicitly in local authority care.<sup>1794</sup>

## Monitoring

The Order had no records of the destinations to which children were sent, nor of the suitability of receiving institutions. Neither did the Order have any reports on the progress and aftercare of children.<sup>1795</sup>

Sister Kean believed that the children at Woodfield were cared for well at the home. Applicants told SCAI of their experiences at Woodfield, detailed in Volume 1.<sup>1796</sup> “Maryanne” had a more positive experience at Woodfield than at Nazareth House, Kilmarnock, and she was not physically abused. “Rose” found the Sisters at Woodfield to be strict but not physically abusive. “Trish” was too young to remember life at Woodfield. “Helen” recalled that the nuns were “very gentle with the children” and that she “felt very secure” there.<sup>1797</sup>

Sister Kean provided this rationale for the notion that migration would give children better lives overseas:

“I think our expectation was that these children would be going to foster families or some kind of situation like that, and not to residential establishments.”<sup>1798</sup>

This is, to some extent, supported by the fact that “Helen”, who was migrated from Woodfield, remembered being “told that I would be going to a foster family.”<sup>1799</sup>

However, this was not the reality, and discloses a serious failure of duty on the Order’s part during the migration period to make proper inquiries about where children would be sent—rather than proceeding on the basis of assumption— and to safeguard the welfare of the children to whom they owed a duty of care.

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1794 [Transcript, day 194](#): Sister Rosemary Kean, at TRN-5-000000025, p.10.

1795 Congregation of Our Lady of Charity of the Good Shepherd, Response to section 21 notice, at GSH.001.001.0474.

1796 See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#), Good Shepherd Sisters.

1797 [Transcript, day 177](#): Read-in statement of “Helen”, at TRN-5-000000007, p.124. See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#), Good Shepherd Sisters.

1798 [Transcript, day 194](#): Sister Rosemary Kean, at TRN-5-000000025, p.9.

1799 [Transcript, day 177](#): Read-in statement of “Helen”, at TRN-5-000000007, p.126.

## The post-migration period

The Order's section 21 response provided no information about services provided to former migrants in the post-migration period.<sup>1800</sup>

## Good Shepherd Sisters: An overview

In opening submissions, it was stated on behalf of the Good Shepherd Sisters that "[t]he Order has the greatest sympathies for survivors who have suffered from abuse and indeed for all those who feel let down by the care system."<sup>1801</sup>

The Order also voiced

"their appreciation for the opportunity to participate in this inquiry and their hope and desire that it will go towards providing the survivors with the closure that they seek...the Good Shepherd Sisters in their closing statement to phase 1 made clear that they deplore abuse of children in any form and that they are happy to assist your inquiry in any way required of them."<sup>1802</sup>

Sister Kean apologised "[a]bsolutely, and without reservation" for the Order's involvement in child migration: "[R]ather than giving them a new life...for some it has been soul destroying. So we abhor this treatment and suffering of these children and we find it deplorable".<sup>1803</sup>

I do not doubt the genuine nature of Sister Kean's position, but the fact remains that the Order participated in child migration without taking proper steps to protect children entrusted into its care.

In closing submissions, the Order again apologised for its participation in child migration, acknowledging the harm of child migration schemes:

"It is with the utmost regret that the Order now believes that the child migration scheme was flawed from the outset and was inherently ill-conceived. The Order fully recognises the role it played in the child migration scheme and apologises unreservedly for any harm and suffering experienced by the children who were sent to Australia."<sup>1804</sup>

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1800 Congregation of Our Lady of Charity of the Good Shepherd, Response to section 21 notice, at GSH.001.001.0474.

1801 [Transcript, day 170](#): Congregation of Our Lady of Charity of the Good Shepherd, Opening Submissions, at TRN.001.005.0150.

1802 [Transcript, day 170](#): Congregation of Our Lady of Charity of the Good Shepherd, Opening Submissions, at TRN.001.005.0150-0151.

1803 [Transcript, day 194](#): Sister Rosemary Kean, at TRN-5-000000025, p.29.

1804 [Transcript, day 199](#): Congregation of Our Lady of Charity of the Good Shepherd, Closing Submissions, at TRN-5-000000030, p.132.

## Christian Brothers

Although the Christian Brothers did not send children from their own institutions in the UK to Australia, they did receive approximately half of all Catholic children sent, primarily by the Sisters of Nazareth, to their four institutions in Western Australia.

### Brief history

In my findings in Case Study no.4, I set out the history and ethos of the Christian Brothers.<sup>1805</sup> In short, the Congregation of the Brothers of the Christian Schools of Ireland (“Christian Brothers”) was established in 1802 by Edmund Rice. Its original aim was to educate poor Catholic boys in Waterford, Ireland where Edmund Rice first founded a school.<sup>1806</sup> It did not establish an institution in Scotland until 1951, when St Ninian’s Residential Home opened in Falkland.

### Engagement with child migration

Brother Conlon, who, as outlined above, played a pivotal role in the migration of Catholic children to institutions in Australia, and particularly to the Christian Brothers’ institutions in Western Australia, was a Christian Brother. Originally he hailed from the Irish Christian Brothers, and he spent his later years in Australia. SCAI applicant “Jack” remembered that, while he was resident at Bindoon in the 1950s, Brother Conlon—who was by then in his 80s—was also resident there, adding that Brother Conlon “was the main character who used to go to Ireland and tee up the children to come to Australia.”<sup>1807</sup> Brother Conlon also ‘teed up’ children from Scotland, personally signing the migration forms of some SCAI applicants,

and other Scottish child migrants. Both pre- and post-Second World War, independently and in conjunction with the CCWC, Brother Conlon was one of the primary agents in the migration of children to Australia, and the importance of his connection with the Christian Brothers cannot be overstated.

### Rules

In my findings following the case study about the Christian Brothers, I found the Order had rules in place for the conduct of the Brothers, which recognised the clear risk of abuse to children. For instance, the “Directory and Rules of the Congregation” 1927 outline that “[i]n Residential Schools, for prudential reasons, the Brothers will need to be extremely reserved in their dealings with the boys; never, unless in very rare circumstances and in case of necessity should a Brother be alone with a boy.”<sup>1808</sup> These rules were for the Order as a whole and so would have applied equally to Brothers in the UK and in Australia and elsewhere.

Of particular relevance, the rules suggested concerns about corporal punishment and the manner in which Brothers should behave towards children:

“It must be the aim of the Brothers to reduce corporal punishment to a minimum in their schools in those countries in which it is still tolerated. If corporal punishment is deemed necessary, it should not be administered, save in accordance with the regulations in the Capitular Acts.

If a Brother considers exceptional punishment necessary, or the imposition

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1805 Scottish Child Abuse Inquiry, [Case Study no.4](#): The provision of residential care for children in Scotland by the Christian Brothers between 1953 and 1983 at St Ninian’s Residential Care home, Falkland, Fife (February 2021).

1806 Scottish Child Abuse Inquiry, [Case Study no.4](#), p.3.

1807 [Transcript, day 176](#): “Jack”, at TRN-5-000000006, p.18.

1808 Christian Brothers, [Directory and Rules of the Congregation of the Brothers of the Christian School of Ireland, 1927](#), Chapter L, The Schools, paragraph 34, Regulation 16, at CBR.001.001.0919

of some penance of a serious nature desirable, in special cases, the matter shall be referred to the Superior.

[...]

The regulations regarding corporal punishment in Day Schools are equally binding in the Residential Schools. As the Brothers hold the position of parents in regard to the children in these schools, every effort should be made to make the school as much as possible resemble a home; in this way a nice family tone and spirit will be cultivated and much good thereby effected.

[The Brothers] shall never apply a contemptuous or injurious name to any of the pupils, nor allow them to do so to one another. They shall call them by their Christian names.<sup>1809</sup>

The 1927 rules also acknowledged the risk of sexual abuse to children but, rather than pointing to the interests of children, focussed on the consequences to individual Brothers and the risks of reputational damage to the Church:

“Unless duty or necessity require it, a Brother must never be alone with a pupil. The Brothers should avoid taking a pupil by the hand, touching the face or otherwise fondling him.

Whilst [the Brothers] should cherish a tender affection for all their pupils, especially the poorest, out of love for our Lord Jesus Christ Whom they more closely resemble, they shall not manifest

a particular friendship or inclination for certain pupils, for such affections are most dangerous snares of the devil, and might easily be followed by fatal consequences, which would bring dishonour on Religion, and even render the guilty one liable to severe penalties under the civil law.”<sup>1810</sup>

From 1932 onwards, the rules included provisions that Brothers could be dismissed from the Congregation for “grave faults against morals”.<sup>1811</sup>

The Christian Brothers accepted in evidence to the Australian Royal Commission that if a complaint was made about sexual misconduct, the Order would most commonly ask the Brother about the complaint, and if he did not admit that it occurred, the word of the Brother was “usually taken” over that of the child, unless there was other evidence. Where a Brother admitted the complaint was true, action would be taken if there was “direct evidence of misconduct” or several allegations. For minor allegations, Brothers were usually warned and transferred from a residential institution to a day school. In the case of serious allegations, a Brother might be asked to dispense of their vows, and in rare cases dismissed.<sup>1812</sup>

These rules indicate that, as early as 1927, the Congregation was aware of the risks of abuse to children and there were procedures in place for dismissing Brothers. It is, however, notable that rules did not include notifying the relevant authorities

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1809 Christian Brothers, *Directory and Rules of the Congregation of the Brothers of the Christian School of Ireland, 1927*, Chapter LI, Conduct the Brothers are to Observe in Correcting the Pupils, paragraphs 1-2, 5 and 9, at CBR.001.001.0919. Emphasis in original.

1810 Christian Brothers, *Directory and Rules of the Congregation of the Brothers of the Christian School of Ireland, 1927*, Chapter XX, On Chasity, paragraphs 12-13, at CBR.001.001.0854-0855.

1811 Royal Commission into Institutional Responses to Child Sexual Abuse [ARC], *Report of Case Study no. 11 Christian Brothers*, (December 2014), at LIT.001.001.2316.

1812 ARC, *Report of Case Study no. 11*, 2014, at LIT.001.001.2317.

and prioritised the denials of Brothers over allegations that children had been abused. The Brothers acted in ways that were contrary to the rules governing the Order. SCAI applicants migrated as children experienced a wide range of physical, emotional, and sexual abuse at the hands of Brothers.<sup>1813</sup>

### Inspections

Contemporaneous inspection reports highlighted serious problems at institutions run by the Christian Brothers in Australia. These institutions were:

- Castledare Boys' Home
- Clontarf Boys' Town
- Bindoon Boys' Town, and
- Tardun Farm School.

Sir Ronald Cross visited Tardun in 1942 and raised concerns about the appearance and clothing of the children, the staff, overcrowding, "extremely rough" accommodation, and "uncleanly arrangements" for the boys. He came away from the visit "sorry for those nice boys, and somewhat haunted by the memory".<sup>1814</sup>

In October 1944, Walter Garnett criticised the facilities at Castledare, Bindoon, and Tardun, but found the training adequate. He was concerned by overcrowding, the remote locations, limited opportunities to interact with the community, and poor aftercare. He recommended that no children should be sent to Castledare until there were improvements made to the living conditions.<sup>1815</sup>



Castledare Boys' Home, aerial photograph, 4 September 1967. Photograph from Aerial Surveys Australia Collection. Source: [State Library of Western Australia](#).

A state inspection in May 1947 found that the accommodation at Clontarf was so poor it was unfit to receive child migrants. Bindoon did not have the required equipment to provide children with primary education. The inspectors recommended children should not be sent to Clontarf.<sup>1816</sup>



Clontarf Boys' Town, dormitory, 1906, courtesy of Department for Child Protection and Family Support, Superintendent of Public Charities and Inspector of Industrial and Reformatory Schools, Report 1906. Source: [Find & Connect](#).

1813 See Scottish Child Abuse Inquiry, [Case Study no. 8, Volume 1](#).

1814 TNA, DO35/1138, Cross Report, 1942, at LEG.001.004.4488-4490.

1815 TNA, DO35/1138, Garnett Report, October 1944, at LEG.001.002.0242-0243.

1816 NAA, A445 133/2/8, Letters from R.W. Gratwick to Tasman Heyes, 20 May and 26 May 1947, at NAA-000000004, pp.120-122.

In July 1948, state inspectors visiting Castledare found urine stains on floors and on children's pyjamas. They criticised the dirty state of the bathrooms, and concluded that the home was not fit for purpose for caring for children and could be "detrimental to health."<sup>1817</sup>



Facilities at Castledare, laundry, 1950. Photograph from Dease Studios collection. Source: [State Library of Western Australia](#).

A further state inspection of Castledare in 1949 found that it was:

"being used for a purpose for which it was not designed and consequently it is most difficult to cater properly for such a large number of very young boys. The fact that so many children have to sleep on partially enclosed verandahs instead of in properly equipped dormitories does not appear to be in their best interests. While it may be quite all right during the summer, it certainly must be uncomfortable for a lot of them during the wet periods."<sup>1818</sup>

A state inspection of Tardun in December 1949 raised concerns about "immoral practices" amongst the children. The Principal had taken action by removing a boy who "was considered to be the ring leader in these practices".<sup>1819</sup>

In 1952, John Moss criticised the sanitary arrangements at Castledare.<sup>1820</sup>

The Ross fact-finding mission of 1956 included visits to Christian Brothers' institutions. At Castledare it was "doubtful whether provision for even their [the boys'] physical welfare can be regarded as adequate."<sup>1821</sup> Children at Clontarf were found to "lead an institutional life", and bedwetters had to sleep outside. The teachers there were uninterested in the "special needs of boys who have no contact with parents."<sup>1822</sup> The report on Bindoon was particularly critical, with the authors finding it "hard to find anything good to say of this place".<sup>1823</sup>



Aerial photograph of Clontarf Boys' Town, 1939. Photograph from Stuart Gore Collection Source: [State Library of Western Australia](#).

1817 NAA, A445 133/2/47, Report on Castledare, 9 July 1948, at NAA-000000002, p.178.

1818 NAA, A445 133/2/47, Report on Castledare, 28 January 1949, at NAA-000000002, p.126.

1819 NAA, A445 133/2/41, Inspection: St Mary's Agricultural School, Tardun, and Nazareth House, Geraldton, 23 November 1949, at NAA-000000005, p.4.

1820 Moss Report, 1953, at CMT.001.001.0494.

1821 [Cmd. 9832] Report of a fact-finding mission, 1956, at LEG.001.002.3763.

1822 [Cmd. 9832] Report of a fact-finding mission, 1956, at LEG.001.002.3763.

1823 [Cmd. 9832] Report of a fact-finding mission, 1956, at LEG.001.002.3764.



Anthony Rouse's private notes of a visit to Bindoon and St John Bosco Boys' Town, Glenorchy, largely confirmed the findings of the Ross Report. Anthony Rouse found it "difficult to find anything good about" Bindoon and was shocked by the conditions.<sup>1824</sup> He also noted that children appeared to have been prepared for the inspection.

### Visitation reports

In addition to governmental and state inspections, the Australian Royal Commission identified that the Christian Brothers conducted some monitoring of institutions through provincial visitations.<sup>1825</sup> The hierarchy of the Order was such that the organisation was divided into various provinces. A leader of each province, the Provincial, was assisted by a Provincial Council. The Provincial Council was responsible for supervising communities by conducting annual visits. Until 1953, there was one Australia-wide province. After 1953, this was divided into two provinces, and a further division into four occurred after 1957.<sup>1826</sup> SCAI has not seen any visitation reports.

Similarly to my findings for Case Study no. 4, the Australian Royal Commission concluded that visitation reports largely focussed on the community of Brothers, their finances, and religious observance of individual Brothers and not on the welfare

of children.<sup>1827</sup> The Royal Commission found that visitation reports highlighted that there was an awareness of abuse within the Order. For instance, in 1943, a scrutiny book extract recorded that Brother Murphy had been transferred to Strathfield that year because of "gross accusations by evil boys".<sup>1828</sup> Evidently the Order was critical of the boys for making the accusations, and it indicates that the children were not believed. Further visitation reports seen by the Australian Royal Commission highlight that this was the standard response of the Christian Brothers to accusations of abuse.<sup>1829</sup>

A report on Bindoon in 1948 suggested there were concerns about Brother Wise, who was "given very definite and serious advice...regarding correct attitude and demeanour towards the boys".<sup>1830</sup> Likewise, in 1952, the visitation report cautioned that boys being sent to Brother Wise's room for bruises and other complaints was "dangerous and unnecessary".<sup>1831</sup> Brother Wise was also mentioned in correspondence between Brother Duffy, Assistant to the Superior General in Dublin, and Brother Carroll in 1954, in which Brother Duffy noted that Brother Wise's "relations with the boys have given rise for concern before, and for everybody's sake, the greatest care should be taken to protect both him and the boys."<sup>1832</sup> Brother Wise was transferred from Castledare to Melbourne.

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1824 TNA, BN29/1325, Rouse Report: St Joseph's Farm School, Bindoon, 1956, at LEG.001.004.3153.

1825 ARC, *Report of Case Study no. 11*, 2014, at LIT.001.001.2298.

1826 ARC, *Report of Case Study no. 11*, 2014, at LIT.001.001.2298; Scottish Child Abuse Inquiry, *Case study no. 4: The provision of residential care for children in Scotland by The Christian Brothers between 1953 and 1983 at St Ninian's Residential Care Home, Falkland, Fife*, (February 2021).

1827 ARC, *Report of Case Study no. 11*, 2014, at LIT.001.001.2305.

1828 ARC, *Report of Case Study no. 11*, 2014, at LIT.001.001.2318.

1829 ARC, *Report of Case Study no. 11*, 2014, at LIT.001.001.2318-2319.

1830 ARC, *Report of Case Study no. 11*, 2014, at LIT.001.001.2317.

1831 ARC, *Report of Case Study no. 11*, 2014, at LIT.001.001.2318.

1832 ARC, *Report of Case Study no. 11*, 2014, at LIT.001.001.2318-2319.

A visitation report of Clontarf from July 1957 recorded that Brother Angus was “found at fault in permitting boys to enter his bedroom and was given to understand that a serious view is taken of such conduct.”<sup>1833</sup> The same visitation report, however, blamed the boys for “wander[ing] through those parts of the house that are reserved for the Brothers”.<sup>1834</sup>

Brother Angus was referred to again in a report dated 1959, which noted that another allegation had been made against him in 1958, which Brother Angus had denied.<sup>1835</sup> In a letter of October 1959, Brother Duffy stated that as “similar charges” had been made previously against Brother Angus, he found

“it difficult to accept the claim of the young Brother that he did not realise that his conduct in Clontarf was very dangerous, and very unseemly. His very instincts would surely warn him. In any case it would seem that he has a most dangerous weakness, to say the least.”<sup>1836</sup>

It is unclear what—if any—action was taken in relation to the allegations against Brother Angus.

The Royal Commission noted that, throughout the 1950s, visitation reports referred to Brothers having “gone astray” or having a “weakness”.<sup>1837</sup> Such references appeared less often by the 1960s and there

may have been a decision to refrain from recording such matters.<sup>1838</sup>

SCAI, in its findings following the case study about the Christian Brothers’ home in Scotland, noted that visitation reports did pick up on problems, but that the Order did not act upon them. Those conducting the visitations neither spoke to children individually nor checked on their welfare.<sup>1839</sup>

SCAI applicants were abused by both Brothers Murphy and Angus, and were abused by Brother Angus in the time-frame in which allegations were known about by the Order. “Johno” was told to avoid Brother Angus by other boys.<sup>1840</sup> Frank Morrison was sexually abused at Tardun by Brother Angus when he would visit from Clontarf.<sup>1841</sup> Brother Angus sexually abused “Harry” and also killed “Harry’s” pet dog.<sup>1842</sup> Brother Angus attempted to molest “Tom”.<sup>1843</sup> Frederick Smith was raped by Brother Angus at Bindoon and Clontarf, and it was rumoured that Brother Angus had been moved to Clontarf for abusing the boys.<sup>1844</sup>

Bert McGregor was psychologically abused by Brother Murphy at Castledare.<sup>1845</sup> “Johno” was physically abused by Brother Murphy at Castledare and Clontarf.<sup>1846</sup> Ian Donaldson was “manhandle[d]” sexually by Brother

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1833 ARC, *Report of Case Study no. 11*, 2014, at LIT.001.001.2319.

1834 ARC, *Report of Case Study no. 11*, 2014, at LIT.001.001.2319.

1835 ARC, *Report of Case Study no. 11*, 2014, at LIT.001.001.2320.

1836 ARC, *Report of Case Study no. 11*, 2014, at LIT.001.001.2320.

1837 ARC, *Report of Case Study no. 11*, 2014, at LIT.001.001.2322-2323.

1838 ARC, *Report of Case Study no. 11*, 2014, at LIT.001.001.2323.

1839 Scottish Child Abuse Inquiry, *Case Study no. 4*, p.6 and p.14.

1840 *Transcript, day 180*: “Johno”, at TRN-5-000000010, p.131

1841 *Transcript, day 173*: Read-in statement of Francis Maloney Morrison, at TRN-5-000000002, p.41.

1842 *Transcript, day 171*: “Harry”, at TRN.001.005.0219 and TRN.001.005.0214.

1843 Royal Commission into Institutional Responses to Child Sexual Abuse, Statement of “Tom”, at WIT.003.001.0504.

1844 See *Transcript, day 179*: Frederick Wooltorton Smith, at TRN-000000009, p.39 and pp.65-67.

1845 *Transcript, day 123*: James Albert McGregor, at TRN.001.004.7177.

1846 *Transcript, day 180*: “Johno”, at TRN-5-000000010, p.79 and p.106.

Murphy at Bindoon.<sup>1847</sup> “Tom” was sexually abused by Brother Murphy at Castledare over several years.<sup>1848</sup> Walter Kerkhof was physically and sexually abused by Brother Murphy at Castledare and Clontarf.<sup>1849</sup> “James” was sexually and physically abused by Brother Murphy at Castledare.<sup>1850</sup> Several applicants alleged that abusers were knowingly moved around institutions.

The Provincial Council in Australia was based in New South Wales until 1953 and in Melbourne until 1968. In what can only be described as a clear understatement, the Christian Brothers accepted before the Australian Royal Commission that the Provincial Council’s oversight and supervision of the institutions “was not as tight as it could have been” had the Provincial Council been based in Perth.<sup>1851</sup> This does not explain why visitation reports that identified abuse were not acted on, or why complaints did not prompt responses that protected children.

### Responses to allegations

The Order’s closing submission states that “the Christian Brothers were aware of...nine allegations of sexual abuse by Brothers at the WA [Western Australian] institutions in the period from 1919 to 1959”.<sup>1852</sup> The Order’s responses to these nine instances were:

- The allegations made in 1919 led to Brother Carmody from Clontarf being convicted and charged.
- Allegations made against Brother Murphy—who appears across SCAI applicants’ evidence as a prolific abuser—prompted an “extensive investigation”, which exonerated Murphy.<sup>1853</sup>
- An allegation against Brother Foy led to his transfer to a non-educational institution.
- Another Brother was transferred from Clontarf to a day school in 1946 following an allegation against him, “although it is conceded the transfer was not in the best interests of the Wakefield Street Boys”.<sup>1854</sup>
- In 1950, a boy was transferred from Bindoon after he made an allegation against a Brother.
- In 1954, Brother Wise was transferred “to a community in Victoria where he would not be in contact with children”.<sup>1855</sup>
- Brother McLaughlin was given a warning in 1959 after “kissing and embracing a boy”.<sup>1856</sup>
- Likewise Brother Synan was warned in 1959 after touching a boy.<sup>1857</sup>
- Finally, allegations made against Brother Angus in 1957 and 1959 were denied and no action was taken.<sup>1858</sup>

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1847 [Transcript, day 171](#): Read-in statement of Ian Donaldson, at TRN.001.005.0298.

1848 Royal Commission into Institutional Responses to Child Sexual Abuse, Statement of “Tom”, at WIT.003.001.0504.

1849 [Transcript, day 172](#): Read-in statement of Walter Kerkhof, at TRN-5-000000003, p.111 and p.125.

1850 [Transcript, day 182](#): Read-in evidence of “James” (FBF), at TRN-5-000000013, p.219.

1851 ARC, [Report of Case Study no. 11](#), 2014, at LIT.001.001.2317.

1852 Christian Brothers, Written Closing Submissions, at CBR-000000004, p.2.

1853 Brother Murphy abused SCAI applicants James Albert McGregor, “Johnno”, “Harry”, Ian Donaldson, “Tom”, Frederick Smith, Walter Kerkhof, and “James” (FBF).

1854 Christian Brothers, Written Closing Submissions, at CBR-000000004, p.2.

1855 Christian Brothers, Written Closing Submissions, at CBR-000000004, p.2. Brother Wise abused Frederick Smith at Bindoon and at Clontarf.

1856 Christian Brothers, Written Closing Submissions, at CBR-000000004, p.2.

1857 Christian Brothers, Written Closing Submissions, at CBR-000000004, p.2. Brother Synan abused Frank Morrison at Tardun, and Brother McLaughlin sexually abused “Harry” and others at Clontarf.

1858 Christian Brothers, Written Closing Submissions, at CBR-000000004, p.3. Brother Angus abused Frank Morrison, “Tom”, and Frederick Smith.

With the exception of the action taken against the Brother transferred to Wakefield Street, the Brothers' responses to these incidents are considered by the Order as requiring to be regarded "within the context of cultural attitudes."<sup>1859</sup> Such a statement by the Order, even though it goes on to "accept that the response in some cases was not appropriate", is blind to the fact that these responses, spanning a 40-year period, were dealt with in much the same manner throughout. Indeed, the most historical allegation resulted in the most effective response, whereas the latest, dating from 1959, resulted in either warnings or no action at all, both ineffective.<sup>1860</sup> There is little acknowledgement that at least four of the specific alleged abusers named also abused SCAI applicants.

Although the Christian Brothers had faced allegations of abuse against Brothers within Australian institutions for many decades, the early 1990s saw the extent of these allegations come to light. This is demonstrated particularly through the work of two individuals: James Albert McGregor, a SCAI applicant and former Christian Brother; and Dr Barry Coldrey, historian to the Christian Brothers.

Bert McGregor, who had taken final vows at the age of 27 and was working as a teacher for the Christian Brothers, completed a Master's Degree in Education in Aberdeen in about 1990. During his degree programme, he happened to meet a man who had been

abused at Christian Brothers institutions in Western Australia. Bert, whose brother had also been abused in the same institutions, decided to conduct a survey of 15 individuals who had been at Castledare and Clontarf, and found that over 50% of them had alleged abuse in these institutions.<sup>1861</sup> Bert compiled a report of his findings and sent it to Brother Faulkner, the Provincial of the Brothers in Western Australia. Bert received no response, beyond being told "not to worry about it, they had it under control."<sup>1862</sup> Bert felt that his "future silence would put me on the side of those who cover up crimes. I would be as guilty as the abusers".<sup>1863</sup> So, he sent copies of his report to the Archbishop of Perth; the Superior General of the Christian Brothers in Rome; Provincial leaders of the southern Australian provinces; the Australian Federal Minister for Immigration; and the Premier of Western Australia. Only the Premier acknowledged receipt.<sup>1864</sup> Bert also contacted Dr Barry Coldrey about his findings.<sup>1865</sup> Still, nothing happened.

Several years later, having returned to Fiji to recommence his work as a teacher for the Brothers, Bert suffered "a massive breakdown", partly due to the knowledge that "the highest authorities were aware of the abuse" and were not acting. Upon returning to Australia, the Provincial for Western Australia visited Bert and asked him to sign off from the Christian Brothers. Bert believes they were trying "to get me

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1859 Christian Brothers, Written Closing Submissions, at CBR-000000004, p.3.

1860 Christian Brothers, Written Closing Submissions, at CBR-000000004, p.3.

1861 [Transcript, day 123](#): James Albert McGregor, at TRN.001.004.7199.

1862 [Written statement of James Albert McGregor](#), paragraph 145, at WIT.001.002.3094.

1863 James Albert McGregor, *With God Behind the Eight Ball*, at WIT.003.001.4602.

1864 James Albert McGregor, *With God Behind the Eight Ball*, at WIT.003.001.4602.

1865 Royal Commission into Institutional Responses to Child Sexual Abuse, Transcript, day WA13: James Albert McGregor, at WIT.003.001.8634.

out of their life".<sup>1866</sup> Bert's case suggests that, when faced with significant evidence that abuse occurred frequently within at least two Christian Brothers institutions, the Order's response was to ignore it, even when the information came from a member of their own Order. As in earlier periods, the institution acted to preserve its own reputation over the welfare of individuals failed by them.

When Bert was conducting his research, Barry Coldrey was commencing work for *The Scheme*, which examined the involvement of the Christian Brothers in childcare in Western Australia.<sup>1867</sup> *The Scheme* accepted that "it is likely that some sexual abuse was perpetrated" in Christian Brothers institutions, and discussed sexual behaviours between boys in the institution. However, it did not reveal the extent of the abuse that had come to light through Bert McGregor's research, and which had become increasingly apparent over the course of the inquiries that followed Barry Coldrey's publication.

Shortly after *The Scheme* was published, Barry Coldrey produced an edited version of the chapter discussing sexual abuse, for the attention of the Executives of the Christian Brothers, named *Reaping the Whirlwind*. There, Barry Coldrey stated that "[t]he relevant section of *The Scheme* was crafted to make the minimum admissions necessary to get out of the problem...The situation in the orphanages was worse than

the impressions given in *The Scheme's* treatment of the sexual abuse thing".<sup>1868</sup> He recognised that "there was apparently more abuse perpetrated by Christian Brothers in Australia than by members of kindred bodies doing similar works."<sup>1869</sup> *Reaping the Whirlwind* included damning evidence about many cases of the abuse of children within Christian Brothers institutions. They were largely dealt with ineffectively or not at all. In New South Wales in 1953, for instance, "ten separate allegations were made against different brothers...None attracted media attention; none was reported to the police."<sup>1870</sup>

Of Barry Coldrey's findings in *Reaping the Whirlwind*, perhaps the most notorious is "that sex rings may have been operating in two institutions". Barry Coldrey explained that, by 'sex ring' or 'sexual underworld', he meant that "monks doing the wrong thing with boys...are collaborating with one another in their activities. They know one another are acting against the Rule and assist and cover for each other. In the orphanage they may have shared the same boys."<sup>1871</sup> For the avoidance of doubt, he later repeated that "there is evidence of [sex] rings at Bindoon during the migration age and [at] Castledare during the early 1960s."<sup>1872</sup> This accords with the experience of SCAI applicants, including Frederick Smith. He was abused by Brother Wise, identified as a serious offender by Barry Coldrey, after telling him that he had been abused

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1866 Royal Commission into Institutional Responses to Child Sexual Abuse, Transcript, day WA13: James Albert McGregor, at WIT.003.001.8636.

1867 Barry Coldrey, *The Scheme: The Christian Brothers and Childcare in Western Australia* (1993), Singapore: Argyle-Pacific Publishing.

1868 Barry Coldrey, *Reaping the Whirlwind: the Christian Brothers and Sexual Abuse of Boys 1920 to 1994 - A Secret report for Congregation Executives* (1994), at INQ.001.004.0574.

1869 Coldrey, 1994, at INQ.001.004.0531.

1870 Coldrey, 1994, at INQ.001.004.0586-0587.

1871 Coldrey, 1994, at INQ.001.004.0615-0616.

1872 Coldrey, 1994, at INQ.001.004.0669.

by Brother Angus.<sup>1873</sup> “Jack” remembered that at Bindoon, on occasion, one Brother would remove a boy from the dormitory to a Brother’s room, “and the others would be in the room waiting.”<sup>1874</sup>

Barry Coldrey added that “when at times a degree of sexual abuse was occurring other staff members must have known, guessed or suspected that something was wrong but those staff members rarely, if ever, took any action.”<sup>1875</sup>

## Collusion

A research paper by Professor Lynch, published in 2021, drew on witness statements submitted to four separate inquiries by former child migrants who were resident at four Christian Brothers institutions in Western Australia.<sup>1876</sup> He found evidence that Brothers at those institutions may have colluded in the sexual abuse of male child migrants. This supports Barry Coldrey’s identification in 1994 of possible ‘sex rings’ in the Christian Brothers institutions of Western Australia, a finding that was suppressed at that time.<sup>1877</sup> The Christian Brothers’ responses to various inquiries have not acknowledged the possibility that such a ‘ring’ existed. Professor Lynch’s conclusions are, however, highly persuasive.

Professor Lynch has demonstrated that during the period 1947 to 1965, 34 of the 100 Brothers who worked at the Western

Australia institutions are alleged to have sexually abused boys. When a complaint was made about sexual abuse committed by a Brother, that Brother was often transferred to a different institution—as the Brothers’ closing submission also shows. Professor Lynch found that

“50% of the thirty-four Brothers against whom allegations of sexual abuse have been made were transferred between these four institutions, compared to 18% of the Brothers...against whom no allegations of sexual abuse have been made.”<sup>1878</sup>

The disparity between these transfer rates indicates that allegations may have been a cause for transfer, demonstrating an institutional awareness of alleged abusers. As a result of this practice, “contacts would have developed between many of them [the Brothers] through working at some point in the same institution.”<sup>1879</sup> Brother Angus, for example, would “have known twenty-eight of these other alleged abusers simply through his repeated transfer between three of these institutions.”<sup>1880</sup> Disclosures of abuse within institutions “could have added to a network of knowledge about abuse between alleged perpetrators”, and likewise, if a boy disclosed that he was being abused, rather than it leading to action aimed at protecting him and other children, it “could have exposed him to being targeted by other

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1873 [Transcript, day 179](#): Frederick Wooltorton Smith, at TRN-000000009, p.41. See also Frederick Wooltorton Smith, *Nine years under the Christian Brothers: The Fifteen Evil Ones* (1996), at WIT.003.001.8686.

1874 [Transcript, day 176](#): “Jack”, at TRN-5-000000006, p.62.

1875 Coldrey, 1994, at INQ.001.004.0637.

1876 Gordon Lynch, “[Possible collusion between individuals alleged to have sexually abused boys at four Christian Brother’s institutions in Western Australia, 1947-1965: a secondary analysis of material collected by historical abuse inquiries](#),” (2019, revised 2021), Kent Academic Repository, p.2.

1877 Coldrey, 1994, at INQ.001.004.0574. Coldrey’s report has never been publicly available, but has been cited in several legal proceedings and previous inquiries.

1878 Lynch, “[Possible collusion](#)”, 2021, p.2.

1879 Lynch, “[Possible collusion](#)”, 2021, p.2.

1880 Lynch, “[Possible collusion](#)”, 2021, p.2.

perpetrators.”<sup>1881</sup> What happened to SCAI applicant Frederick Smith is an example.<sup>1882</sup>

Child migrants had little contact with their family or others outside the institutions so there was little risk of abuse becoming known outside the Order.<sup>1883</sup> Similarly, relationships between the local police and the Christian Brothers “led to disclosures of sexual abuse...being not believed or not investigated.”<sup>1884</sup> The circumstances were ideally suited to enabling abuse by and collusion amongst Brothers to continue unchecked.

In receiving institutions run by organisations other than the Christian Brothers, only two individual instances of possible collusion have been found. In the Christian Brothers institutions, on the other hand, several witness statements “imply a degree of knowledge or direct collusion in the sexual abuse of boys at these four Christian Brothers’ institutions in Western Australia.”<sup>1885</sup> While Professor Lynch found that “[p]oints of connection between alleged abusers do not necessarily demonstrate collusion”, I am, however, satisfied that the available evidence strongly indicates that collusion did take place.<sup>1886</sup>

Despite the Christian Brothers’ insistence that the Provincial Councils did not know about the details of abuse suffered in institutions run by the Brothers, there are several factors that call that into question.<sup>1887</sup> Until 1953, there was just one Province

of Christian Brothers covering the whole of Australia, and only two provinces until 1957. This meant that one Provincial had oversight of all Christian Brothers until 1953 and would have been cognisant of the prevalent issues. The frequency with which Brothers moved between institutions following allegations made against them, as highlighted in Professor Lynch’s analysis, supports the Australian Royal Commission’s finding that from at least 1919 the Provincial Council knew about the allegations.<sup>1888</sup> Likewise, Barry Coldrey’s research—omitted from *The Scheme* but sent to Congregation Executives—demonstrates that the Provincials knew about and reacted to many allegations from at least 1919.<sup>1889</sup>

### The post-migration period

In 1979, the Christian Brothers concluded that child migration had been a positive experience for the migrants:

“Did these migrant children benefit from being transported from their home lands to Australia? It is difficult to answer the question without an accurate knowledge of what the alternative was for them. Lacking this knowledge, we can at least assert that in many ways Australia was kind to them. The health of most of them improved as a result of good food, a healthy climate, games and outdoor work, and good medical care when needed. In Castledare they were mothered by the Sisters of Compassion, Matron Kelly and

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1881 Lynch, “Possible collusion”, 2021, p.22 and p.3.

1882 Transcript, day 179: Frederick Woollorton Smith, at TRN-000000009, p.41.

1883 Lynch, “Possible collusion”, 2021, p.17.

1884 Lynch, “Possible collusion”, 2021, p.21.

1885 Lynch, “Possible collusion”, 2021, p.19.

1886 Lynch, “Possible collusion”, 2021, p.3.

1887 Christian Brothers, Written Closing Submissions, at CBR-000000004, p.3.

1888 ARC, *Report of Case Study no. 11*, 2014, at p.5.

1889 Coldrey, 1994, at INQ.001.004.0613.

Rosie Finucane, the long-serving, soft hearted cook. Many of the children found life-long friends to replace the family in England of which perhaps they had little memory.”<sup>1890</sup>

These claims can no longer be supported. The food was often insufficient and substandard. Perhaps more accurate is the assertion that “there is no doubt that [child migration] helped the institution that received them”, particularly from a financial perspective.<sup>1891</sup>



Clontarf Boys' Town, child migrants at work, c.1957/1958. Source: [CMT](#).

In 1993, the Province Leader, Brother Faulkner, acknowledged on national television that nine or ten Brothers had sexually abused children in their care. Several nights later, on a different programme, he spoke of 14 or 15 Brothers.<sup>1892</sup>

Consequently, in July 1993, the Christian Brothers issued a public apology in which they expressed “deep shame and regret” at the physical and sexual abuse that had occurred within their institutions.<sup>1893</sup> That said, the apology also stated that “the extent of the abuse appears to have been exaggerated in some quarters”.<sup>1894</sup>

In 1998, the Christian Brothers participated in the House of Commons Select Health Committee’s Inquiry into the Welfare of Former Child Migrants.<sup>1895</sup> At that time, they “warmly welcome[d]” the inquiry because “child migration was legislated for by the British Parliament, and was regulated and overseen by government agencies and officials.”<sup>1896</sup> The Christian Brothers’ submission stated that “there is a fundamental and ultimate responsibility for the phenomenon of child migration which belongs to governments, especially the British Government.”<sup>1897</sup> The Christian Brothers considered that the key issues faced by former child migrants were: adverse family circumstances; institutionalisation; the experience of migration itself; *some* cases of abuse in institutional care “both in the U.K. and in Australia”; and the transition from institutional life to adulthood.<sup>1898</sup> The Brothers cited arrangements they made for children to spend some time with families as having

1890 HC/CP/16569, Richard B. Healy, C.F.C, “The Christian Brothers: Castledare, 1929-1979” (1979), at HOC.001.001.3799.

1891 HC/CP/16569, Richard B. Healy, C.F.C, “The Christian Brothers: Castledare, 1929-1979” (1979), at HOC.001.001.3800.

1892 HC 755, House of Commons Select Committee on Health, *First Report, Welfare of Former British Child Migrants* (1997), Appendix 7: Memorandum by Voices.

1893 Senate Committee on Community Affairs, *Forgotten Australians: A report on Australian who experienced institutional or out-of-home care as children* (Commonwealth of Australia, August 2004), paragraph 7.76.

1894 *Senate Committee on Community Affairs*, 2001, Appendix 7.

1895 HC/CP/16469, Congregation of Christian Brothers submission to the Inquiry into the Welfare of Former Child Migrants Health Committee of the House of Commons, 16 February 1998, at HOC.001.001.0811.

1896 HC/CP/16469, Congregation of Christian Brothers submission to the Inquiry into the Welfare of Former Child Migrants Health Committee of the House of Commons, 16 February 1998, at HOC.001.001.0813.

1897 HC/CP/16469, Congregation of Christian Brothers submission to the Inquiry into the Welfare of Former Child Migrants Health Committee of the House of Commons, 16 February 1998, at HOC.001.001.0813.

1898 HC/CP/16469, Congregation of Christian Brothers submission to the Inquiry into the Welfare of Former Child Migrants Health Committee of the House of Commons, 16 February 1998, at HOC.001.001.0816.



been a positive feature, whilst recognising the unacceptable nature of their institutional settings: “the efforts of some of our Homes to place boys with families on a regular basis... should be noted here as something that helped offset some of the deleterious effects of an institutional orphanage.”<sup>1899</sup>

The Christian Brothers acknowledged that “[t]hese traumas were not of [victims’] making”, and accepted that governments, agencies, and receiving institutions had “a moral responsibility to concern themselves with the welfare of former child migrants”.<sup>1900</sup> The Order’s evidence to the House of Commons outlined various initiatives taken by the Christian Brothers over the previous decade including:

- financing “The Child Migrant Friendship Society”;
- commissioning a history of the Christian Brothers’ institutions (*The Scheme*, by historian and Christian Brother Barry Coldrey), apologising to the victims of abuse;
- establishing a fund to assist former child migrants to travel back to the UK; and
- setting up and continuing to fund the Christian Brothers’ Ex-Residents’ Services (CBERS), which provided general counselling and adult literacy services, among other services.<sup>1901</sup>

At that time, the Christian Brothers “did not accept the accusation that there had been neglect or dereliction of duty at the level of the Order’s administration.”<sup>1902</sup>

Since the late 1990s, the Order’s position has, however, shifted. In evidence to SCAI the Order acknowledged that “Christian Brothers were guilty of stealing the innocence of children and using them for their own personal sexual gratification”, and that “leadership during the period of 1947 to 1968 failed to manage each of the institutions so as to prevent the sexual abuse of children resident in the institutions.”<sup>1903</sup> The Order accepted that its institutions facilitated “a physical environment where the boys had no privacy from the brothers”, and that “there was also geographic isolation.”<sup>1904</sup> Nonetheless, the Brothers’ closing submission continued to place responsibility for the failings of the child migration scheme elsewhere. As a baseline, the submission notes that The Directory and Rule, in place since 1932, sent a “clear message...that Brothers were to treat pupils and others with respect and dignity. There is a very clear implication that the invasion of a child’s sexuality was and is criminal behaviour.”<sup>1905</sup> It seems the Order considers a regulation written in the Brothers’ code of conduct to have been enough to counter the risk of children in their care being abused in the ways that have come to light after the institutions ceased functioning.

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1899 HC/CP/16469, Congregation of Christian Brothers submission to the Inquiry into the Welfare of Former Child Migrants Health Committee of the House of Commons, 16 February 1998, at HOC.001.001.0816.

1900 HC/CP/16469, Congregation of Christian Brothers submission to the Inquiry into the Welfare of Former Child Migrants Health Committee of the House of Commons, 16 February 1998, at HOC.001.001.0817.

1901 HC/CP/16469, Congregation of Christian Brothers submission to the Inquiry into the Welfare of Former Child Migrants Health Committee of the House of Commons, 16 February 1998, at HOC.001.001.0813-0815.

1902 HC/CP/16469, Congregation of Christian Brothers submission to the Inquiry into the Welfare of Former Child Migrants Health Committee of the House of Commons, 16 February 1998, at HOC.001.001.0815.

1903 Christian Brothers, Written Closing Submissions, at CBR-000000004, p.5.

1904 Christian Brothers, Written Closing Submissions, at CBR-000000004, p.4.

1905 Christian Brothers, Written Closing Submissions, at CBR-000000004, p.4.

Elsewhere, the submission states that

“the Christian Brothers accept that the limited role played by the State authorities at the time contributed to the boys having little access to adults outside the institutions to whom they may have disclosed their conditions including the abuse.”<sup>1906</sup>

The submission also refers to the “minimal written policies and procedures in relation to child protection, the handling of complaints of child sexual abuse and the disciplining of alleged offenders applying to the WA [Western Australia] institutions from 1947 to 1968.”<sup>1907</sup> In its statements, the Order seeks to deflect responsibility from the shoulders of the Brothers onto those of state and government officials. While it is true that government officials had a critical role to play in relation to the protection of children residing in institutions, such statements ignore the fact that the Brothers did nothing to mitigate governmental failures.

The Brothers’ closing submission goes on to highlight the Order’s engagement in schemes designed to support former residents. However, the majority of what is said is a repetition of what was in their submission to the House of Commons inquiry in 1998; the only additions to the measures outlined then were two further apologies having been made before the Australian Royal Commission and the Senate Community Affairs Reference Committee, and the Order having joined the Australian redress scheme.<sup>1908</sup>

## Apologies

In oral closing submissions to SCAI, an apology was reiterated on behalf of the Order:

“To all those who continue to endure this terrible suffering, we, that is the Oceania Province of the Christian Brothers, want to say that we have heard them and acknowledge their pain. What occurred in their homes is of the deepest shame to the current Christian Brothers. They will never defend the indefensible...To the survivors of abuse in those institutions, the Christian Brothers reiterate their apology first made in 1993. This apology endures. They commit themselves to walking with them on their lifelong journey in search of redress and healing for the failures of the past.”<sup>1909</sup>

## The Christian Brothers: An overview

The Christian Brothers institutions in Australia, to which many child migrants were sent from Scotland, subjected children to physical, sexual, and emotional abuse. When allegations were made, alleged abusers were moved from one institution to another, and children remained vulnerable to abuse.

Despite institutional knowledge about the abuse, and multiple governmental, state, and independent reports identifying concerns about the Christian Brothers institutions from as early as 1944, children were still migrated there for many years. Organisations in the UK failed to monitor children’s progress and where they were resident, and failed to respond to concerns when raised.

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1906 Christian Brothers, Written Closing Submissions, at CBR-000000004, p.6.

1907 Christian Brothers, Written Closing Submissions, at CBR-000000004, p.6.

1908 Christian Brothers, Written Closing Submissions, at CBR-000000004, p.10.

1909 [Transcript, day 199](#): Christian Brothers, Closing Submissions, at TRN-5-000000030, p.113.

## **The Catholic Church: An overview**

The Catholic Church's involvement with child migration schemes is complex. Nonetheless, the salient facts are:

- Catholic institutions in the UK actively engaged with the child migration schemes, with the financial support of governments both in the UK and in Australia.
- Their motivations for engaging with the schemes included a desire to safeguard children's religious faith, the propagation of Catholicism overseas, and financial considerations.
- Children were migrated on the often illegitimate joint authority of an individual Catholic recruiting agent and the Mother Superior of an institution.
- Catholic administrative bodies such as the CCWC attempted, but ultimately failed, to regulate the activities of individual recruiting agents.
- Catholic sending agencies and institutions did not monitor conditions in receiving institutions, and did not monitor the welfare of children sent overseas.
- Poor record-keeping practices have made it difficult to accurately measure the extent of the Catholic Church's engagement with the child migration schemes, and undermine former child migrants' attempts to trace personal histories.
- Some Catholic organisations have offered and continue to offer support to those migrated under the authority of the Catholic Church.

Sending organisations and religious orders have come to accept complicity in the migration of Scottish children to Australia where they faced abuse, and recognise the ongoing trauma that such migration caused.

## 2.5 Local authorities

### Introduction

The term “local authority”, when used in this chapter, refers to the historical or contemporary authority with jurisdiction over a particular geographical area. When reference is made to a council body, such as Highland Council, this includes predecessors, including Parish Councils and Burgh Councils. The records of Scottish local authorities have provided some evidence of the nature and extent of their involvement in child migration schemes.

### Poor Law

Children in the care of Poor Law authorities in the 19<sup>th</sup> century were not generally migrated overseas. There are no references to children in Poor Law care in Scotland being sent overseas in the 49 annual reports of the Board of Supervision for Relief of the Poor from 1845.<sup>1910</sup>

After the establishment of the Local Government Board for Scotland in 1894, there is some evidence in annual reports for the period 1895 to 1919 that five children in care were migrated to Canada, having been placed in Quarriers by Kirkintilloch Parish Council.<sup>1911</sup> In the period leading up to and following the Second World War, there are sporadic references to children in local authority care being migrated, though children were also migrated with family members or to join family members overseas.

In general, it is evident that Scottish local authorities had little enthusiasm for child migration when families were not involved in the migration process. Examples of local authority practices, drawn from a selection of local authorities’ section 21 responses, are presented below.

### Local authority involvement

Some local authorities, such as Dundee City, East Renfrewshire, Moray, North Ayrshire, Shetland, Borders, West Dunbartonshire, and Western Isles Councils, had no or minimal information about child migration.

Some local authorities did find some evidence of involvement in child migration. For instance, Fife Council found evidence of seven cases of migration between 1945 and 1970, of which two were juveniles travelling under the Big Brother movement. Another two migrants who travelled to New Zealand in 1968 were likely to have been juveniles, and two migrants were aged over 18 and no longer in care. The remaining boy was sent to Australia in 1950.<sup>1912</sup> Fife Council’s information related only to providing financial assistance. It could not find any specific policies about child migration.<sup>1913</sup>

South Lanarkshire Council found no information about policies or procedures relating to child migration.<sup>1914</sup> It did, however, find one instance where the council agreed to provide financial assistance to enable

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1910 Constantine *et al.*, paragraphs 3.4-3.5.

1911 Poor Law duties were taken over by the Scottish Board of Health in 1919, which later became the Department of Health in 1928. Constantine *et al.*, paragraphs 3.4-3.

1912 Fife Council, Response to section 21 notice, at FIC.001.001.4680.

1913 Fife Council, Response to section 21 notice, at FIC.001.001.4666.

1914 South Lanarkshire Council, Response to section 21 notice, at SLC.001.001.1890.

the migration of a young person from Kibble, suggesting that the council reacted to requests rather than following a stated policy. It found evidence that six children from Smyllum Park Orphanage, Lanark, an institution run by the Daughters of Charity, were migrated. One of the six children was placed there by the South Lanarkshire local authority and migrated to Canada. The other five children were placed there by Edinburgh and all were migrated to Australia.<sup>1915</sup>

North Lanarkshire Council found reference to a boy whose request to travel to Australia under a voluntary organisation founded in 1925 was approved, although it was not clear which organisation this was.<sup>1916</sup> There were no other details about selection, consent, medical examinations, maintaining contact with children, or information provided to children.

Falkirk Council provided a list of 10 children migrated from local authority care, but most of these were going to join foster or adopted parents overseas. It is not clear if those who did not go to join family were migrated through a formal child migration scheme.<sup>1917</sup> This was also the case with Clackmannanshire Council, which found evidence that a number of children were migrated overseas. It appeared that the majority of them were migrated from a family home or to join a family member. Clackmannanshire Council also provided

the Inquiry with information about children sent to Quarriers homes, who may have subsequently been migrated by Quarriers.<sup>1918</sup>

An article in the *Aberdeen Press and Journal* dated 25 February 1938 recorded that a number of Fairbridge UK representatives paid a visit to local authorities to promote the achievements of the Fairbridge Farm Schools in Australia and Canada. Among the representatives were the general secretary Gordon Green, and a representative from Australia House. The article acknowledged that "Aberdeenshire has already sent children to these schools".<sup>1919</sup> The convener of the Public Assistance Committee of Aberdeen County Council is quoted as saying that nine boys and one girl had been sent to Fairbridge schools, and that 14 more children "had been examined with a view to their being accepted."<sup>1920</sup> However, Aberdeen Council found limited evidence of child migration during the 1930s.<sup>1921</sup> The majority of children migrated were sent from family homes, with a few sent from foster care and one child sent from Oldmeldrum Parish Home.

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1915 Scottish Child Abuse Inquiry, [Case study no. 1](#): The provision of residential care for children in Scotland by the Daughters of Charity of St Vincent de Paul between 1917 and 1981, with a particular focus on Smyllum Park Orphanage, Lanark, and Bellevue Children's Home, Rutherglen, (October 2018)

1916 North Lanarkshire Council, Response to section 21 notice, at NLC.001.001.0259. The Big Brother movement was founded in 1925, so it is possible this is the organisation implied.

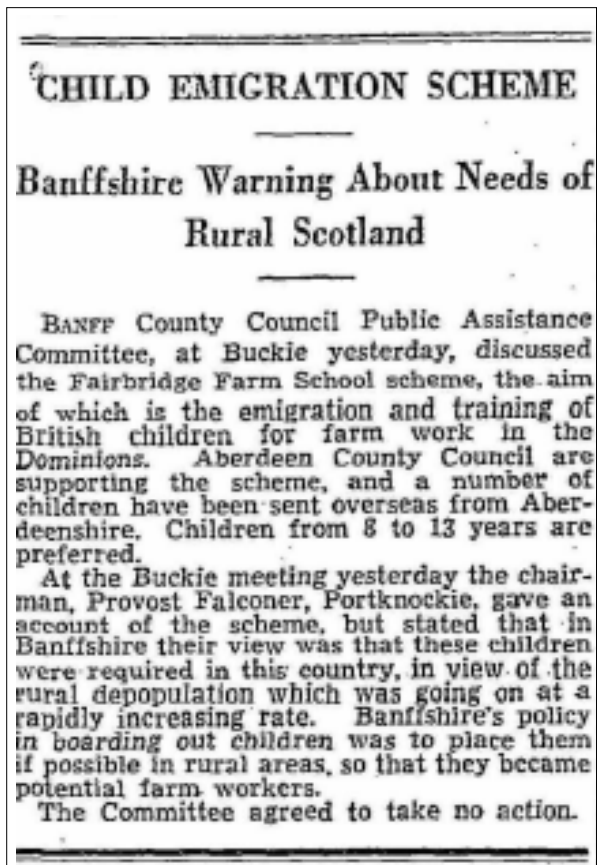
1917 Falkirk Council, Response to section 21 notice, at FAC.001.001.0897.

1918 Clackmannanshire Council, Response to section 21 notice, at CLC.001.001.0001.

1919 "Training for Poor Children. Scottish Needs--A Reminder", *Aberdeen Press and Journal*, 25 February 1938, at ABN.001.001.1250.

1920 "Training for Poor Children. Scottish Needs--A Reminder", *Aberdeen Press and Journal*, 25 February 1938, at ABN.001.001.1250.

1921 Aberdeenshire Council, Response to section 21 notice, at ASC.001.001.0110.



Child Emigration Scheme, *The Scotsman*, 6 April 1938.

In the early 1900s, Aberdeen Parish Council agreed to pay for the emigration of children, but only if children were joining a family member.<sup>1922</sup> In 1937, the Chief Public Assistance Officer at Aberdeen County Council convinced the Council to support Fairbridge's child migration scheme as it was financially attractive.<sup>1923</sup> In 1938, Banffshire objected and argued that children should be boarded out in rural areas instead.<sup>1924</sup> An article from *Aberdeen Press and Journal*

dated 6 April 1938 recorded that the chairman of the Public Assistance Committee made the following staunch plea against child migration:

"It is a tragic blot on our civilisation...that children from this country should be sent to other countries. It is the duty of Britain to do something for British children. It is sad to think that children who are so unhappily placed should be sent to farm service whatever their bent may be."<sup>1925</sup>

Aberdeen Council found that seven children left St Martha's Home to go to India, Canada, Australia, and Boston between 1920 and 1968.<sup>1926</sup> The boys and girls were aged between three and 10 years, although the age of one child was not recorded.<sup>1927</sup> Two of the seven children had a link to the Fairbridge scheme in Canada.<sup>1928</sup> Another record from Aberdeen Town Council suggests that a boy was migrated under the auspices of Barnardo's, having expressed a desire to do so.<sup>1929</sup> His parents had consented, and the Committee agreed to seek the consent of the Secretary of State for Scotland.

East Dunbartonshire Council's section 21 response indicated that Kirkintilloch Parish Council was the only parish to have given permission for children to migrate, the children being migrated by Quarriers.<sup>1930</sup> The parish council minute book recorded that there were four siblings: one brother "seemed well pleased at the prospect" of migration and was sent to Canada in April

1922 Constantine *et al.*, paragraph 3.8.

1923 Aberdeen City Council, Public Assistance Committee minutes, 1932-1936, at ABN.001.001.1216; "Training for Poor Children. Scottish Needs—A Reminder", *Aberdeen Press and Journal*, 25 February 1938, at ABN.001.001.1250.

1924 "No Banffshire Emigration", *Aberdeen Press and Journal*, 6 April 1938, at ABN.001.001.1251.

1925 "No Banffshire Emigration", *Aberdeen Press and Journal*, 6 April 1938, at ABN.001.001.1251.

1926 Aberdeen City Council, Response to section 21 notice, St Martha's former Children's Home, at ABN.001.001.1760.

1927 Aberdeen City Council, Response to section 21 notice, St Martha's former Children's Home, at ABN.001.001.1761.

1928 Constantine *et al.*, paragraph 3.8.

1929 Aberdeen Town Council minutes, 1930-1963, at ABN.001.001.1460.

1930 East Dunbartonshire Council, Response to section 21 notice, at EDC.001.001.0293.

1908; his brother was “anxious to go out to Canada beside his brother” and was sent in April 1909. Their sister was sent in June 1909.<sup>1931</sup> It is apparent that this process involved sibling separation, as a further five children from the same family were removed from their mother and placed in the care of the parish until they were aged 16, with three being sent to Quarriers and two older children sent to the Girls Industrial School, Ayr. In 1923, one of the brothers asked to go to Canada and this was agreed.

The records of East Lothian Council disclose that one boy was due to go to Canada in 1930, and was fitted out in preparation, but it is unclear whether he ultimately migrated.<sup>1932</sup> Four siblings from Quarriers were selected to emigrate in 1935, but this request was refused due to a lack of parental consent. One boy asked to go to Australia in 1947 or 1948 to be with his friends, although it is unclear if he travelled. Another sibling group of three children was emigrated to Australia from Nazareth House, Lasswade, in the late 1940s, while four of their siblings remained in Scotland at Smyllum Park Orphanage, Lanark. The records of East Lothian Council disclose that one child was emigrated to South Africa in 1950.<sup>1933</sup> The evidence suggests that East Lothian consented to child migration if there was parental or the Secretary of State’s consent.

Orkney Council found no evidence of a child migration policy, but it did on occasion support migration. This support was not

necessarily for children in care.<sup>1934</sup> Likewise, Perth and Kinross and South Ayrshire Councils found some evidence of child migration, but it was not clear if this was arranged through a migration scheme or private family arrangements.<sup>1935</sup>

Glasgow City Council’s response stated that records for the 1940s to the 1970s show that applications for children’s migration were mostly made by family members and, in “a couple of cases”, by migration societies.<sup>1936</sup> As with other authorities, in all cases the authority was reacting to applications rather than promoting migration as policy.<sup>1937</sup> Glasgow’s records for the early 1900s showed few children migrating.

Dumfries and Galloway Council found several references relating variously to the migration of children who had been admitted to Quarriers before migration; parents wishing to travel overseas with children; and some boys migrated from Dumfries Industrial School in 1902, although it is not clear what age they were. Regarding the latter, the Dumfries Industrial School Board Chairman met with the Liverpool School Board to discuss which boys from homes of a “disreputable character” would be suitable for migration. It was agreed that only six boys would be migrated and that reports of their homes and surroundings should be submitted. It was recorded in the school’s annual report of 1910 that boys occasionally expressed a desire to go to Canada, but the cost was prohibitive. Reports

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1931 East Dunbartonshire Council, Response to section 21 notice, at EDC.001.001.0294.

1932 East Lothian Council, Response to section 21 notice, at ELC.001.001.0036.

1933 East Lothian Council, Response to section 21 notice, at ELC.001.001.0036.

1934 Orkney Islands Council, Response to section 21 notice, at OIC.001.001.0001.

1935 Perth & Kinross Council, Response to section 21 notice, at PKC.001.001.0652 and South Ayrshire Council, Response to section 21 notice, at SAC.001.001.0397.

1936 Glasgow City Council, Response to section 21 notice, at GLA.001.002.4663.

1937 Glasgow City Council, Response to section 21 notice, at GLA.001.002.4664.

from 1912 and 1917 record parents giving consent to their children's migration.<sup>1938</sup>

Inverclyde Council found references to individual cases of migration, but not to a specific child migration policy.<sup>1939</sup> Most cases were of children emigrating to join relatives or travelling with family. The Children's Committee considered applications and sometimes agreed to pay expenses.

There was one reference in the Greenock Corporation Minutes for March 1962 that "the Committee agreed that the Children's Officer should explore the possibility of [two children] emigrating to Australia through the agency of the Fare Bridge [sic] Society."<sup>1940</sup>

East Ayrshire Council discovered records regarding requests for families to emigrate or for young people to join siblings overseas.<sup>1941</sup> In 1954, Barnardo's suggested that a child in its care who was under the supervision of East Ayrshire Council would be a suitable candidate for migration to Australia. The local authority approved the migration, subject to the consent of the Secretary of State and that of the child's parents. However, this child's mother refused to consent and the records show that the child was not to go to Australia.<sup>1942</sup> In a different case, the Children's Committee consented for a child to go to Australia in 1956 after "protracted negotiations", but available records do not explain what these negotiations were, other than paying for incidental costs during the journey.<sup>1943</sup>

Angus Council found records disclosing that four children were invited or submitted requests to go overseas between 1900 and 1945, and three between 1945 and 1970.<sup>1944</sup>

Sometimes it was not clear whether children migrated were in the care of the local authority. Aberdeen City Council found evidence of children moving to a different country in old school registers, but these records did not state whether children were in care, and it is "likely that many were simply moving with their families."<sup>1945</sup>

Councils tended to respond to requests for child migration on a case-by-case basis. The City of Edinburgh Council's records provide some insight into that process. For example, in 1949, its Children's Committee received a report from the City Services Officer proposing the migration of two boarded-out children, not related, "under the auspices of the Australian Catholic Migration Scheme."<sup>1946</sup> One of these children was to join a brother who had been migrated to Australia in 1947 under the scheme. When the Secretary of State's consent was sought, consent was provided for the child who was to join his brother, but refused for the other child because the child was too young to give consent and the conditions of the Children Act, 1948, were not met.

It is evident from the City of Edinburgh Council's records that the Church of Scotland made applications for children to be migrated. These cases all involved seeking

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1938 Dumfries and Galloway Council, Response to section 21 notice, Child migration evidence, at DGC.001.001.0165.

1939 Inverclyde Council, Response to section 21 notice, at INC.001.001.1811.

1940 Inverclyde Council, Response to section 21 notice, at INC.001.001.1813.

1941 East Ayrshire Council, Response to section 21 notice, at EAC.001.001.1046.

1942 East Ayrshire Council, Response to section 21 notice, at EAC.001.001.1050.

1943 East Ayrshire Council, Response to section 21 notice, at EAC.001.001.1050.

1944 Angus Council, Response to section 21 notice, at ANC.001.001.0003.

1945 Aberdeen City Council, Response to section 21 notice, at ABN.001.001.1457.

1946 Edinburgh City Council, Response to section 21 notice, at EDI-000000001, p.3.



the consent of the Secretary of State under the Children Act, 1948, which had introduced that process for children in local authority care. In its section 21 response, the City of Edinburgh Council compared this to the pre-1948 position, where migration of children took place without the involvement of the Secretary of State.<sup>1947</sup>

Highland Council found some evidence that council committees approved the migration of children, but did not arrange migration directly.<sup>1948</sup> Highland Council sent one boy under its care who had been cared for by Quarriers to Canada in 1906. It is evident from the records that the boy had two brothers at Quarriers who never left Scotland.<sup>1949</sup> Another three Quarriers boys were sent to Canada in 1924, and one child to Fairbridge, Pinjarra, in 1936.<sup>1950</sup>

Under the Children Act, 1948, local authorities were required to seek the consent of the Secretary of State before migrating a child in local authority care. Consequently, the Secretary of State's involvement underpinned local authority practice. A Scottish Education Department file stated that 21 applications for consent were considered for migration to Australia between April 1949 and February 1951. Consent was granted in a number of cases, and withheld in others. Some of the children whose cases were approved were being sent to join relatives.<sup>1951</sup>

In February 1948, a Scottish Home Office memorandum advised that "[t]he Scottish Representative of the Catholic emigration

scheme is Miss Menaldo...In cases where committed children are emigrated, she will let us know when they have actually sailed, as well as informing the local authority."<sup>1952</sup>

Norah Menaldo was not expected to request or provide consent, only to inform the local authorities of a child's migration after the fact; this suggests that local authorities' may not in fact have been actively involved in deciding whether or not a child should be migrated.

The involvement of Scottish local authorities in child migration after the passing of the Children Act 1948 is encapsulated in the following answer by the Secretary of State for Scotland to a question posed in the House of Commons on 20 November 1963 as to the number of children in the care of local authorities that had been sent overseas:

"Since the passing of the Act consent has been given to the emigration under emigration schemes of 36 children in the care of local authorities in Scotland. In no such case has consent been given where the parents or guardians were known to oppose the child's emigration."<sup>1953</sup>

A background note prepared by the SED on 18 November 1963, presumably to support the Secretary of State in preparing the answer for the question posed in the House of Commons on 20 November 1963, emphasised that

"there are two sets of circumstances in which the Secretary of State has power to give his consent to the emigration of a child in the care of a local authority whose

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1947 Edinburgh City Council, Response to section 21 notice, at EDI-000000001, pp.6-7.

1948 Highland Council, Response to section 21 notice, at HIC.001.001.0005.

1949 Highland Council, Response to section 21 notice, at HIC.001.001.0006.

1950 Highland Council, Response to section 21 notice, at HIC.001.001.0005.

1951 NRS, ED11/410, Homeless Children: Consents to emigration under section 14 of the Children Act, 1948, at SGV.001.003.8000-8007.

1952 NRS, ED11/384, Memorandum from J.R. Gordon, 19 February 1948, at SGV.001.004.4624.

1953 NRS, MH4/62, Parliamentary Debates, House of Commons, 20 November 1963, at SGV-000065313, p.1.

parents refuse consent to the emigration. He may give consent if the child is old enough to consent and does so and if conditions [as set out by the section 17 (1) of the 1948 Act] are satisfied. Secondly, if the child is too young to have a proper opinion in the matter (in practice in Scotland a boy under 14 and a girl under 12 would normally be considered too young), the Secretary of State may give consent if conditions [as set out by the section 17 (1) of the 1948 Act] are satisfied.”<sup>1954</sup>

I do not accept the qualification “normally” is appropriate but this statement broadly recognises that legal capacity in Scotland was only valid when a child attains a particular age.

The background note confirmed that “[t]he Secretary of State has no statutory duties or powers relating to the emigration of a child who is not in the care of a local authority.”<sup>1955</sup>

The evidence available supports the conclusion that children in the care of local authorities were not greatly at risk of being migrated; those authorities do not appear to have been much attracted to the migration of children as an option.<sup>1956</sup>

### Approaches made to local authorities

Local authorities were approached by a variety of sources to engage in child migration schemes. They responded to these approaches in varying ways.

Edinburgh Parish Council rejected proposals from the Salvation Army and Fairbridge to send children to Canada and Australia in 1911, 1913, and 1923.<sup>1957</sup> The Salvation Army approach in 1913 was made by a letter from David Lamb, Salvation Army Commissioner, inviting the Council to participate in child migration and enclosing leaflets for distribution to Councillors. The recommendation of the Children’s Committee not to participate was unanimously approved by the Council.<sup>1958</sup> Oldmachar Parish Council was also not interested in a Salvation Army scheme for children in Poor Law care in 1913.<sup>1959</sup>

Conversely, when Edinburgh Council received proposals from the General Secretary of Rhodesia Fairbridge Memorial College about a child migration scheme in 1948, the Committee approved of this scheme and instructed the Social Services Officer to select possible children. Also in 1948, the Children’s Committee received marketing materials from Fairbridge about the schools in Australia and Canada. It is not clear if it responded to their approach.<sup>1960</sup>

In 1911, Aberdeen Parish Council rejected an invitation from the Superintendent of Neglected Children in Winnipeg looking to recruit children for work in Canada. Edinburgh Parish Council received a similar invitation as the one received by Aberdeen Parish Council from Winnipeg.<sup>1961</sup>

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1954 NRS, MH4/62, SED, Background Note, 18 November 1963, at SGV-000065313, p.5.

1955 NRS, MH4/62, SED, Background Note, 18 November 1963, at SGV-000065313, p.6.

1956 Constantine *et al.*, paragraphs 3.4 and 3.22.

1957 Edinburgh City Council, Edinburgh Parish Council minutes, at EDI.001.001.8247, 8254, 8257-8258, 8266-8268.

1958 Edinburgh City Council, Edinburgh Parish Council minutes, at EDI.001.001.8257-8258.

1959 Constantine *et al.*, paragraph 3.8.

1960 Edinburgh City Council, Response to section 21 notice, at EDI-000000001.

1961 Edinburgh City Council, Edinburgh Parish Council minutes, at EDI.001.001.8247.

In 1913, the Scottish Office asked the Local Government Board if parish councils would subsidise the care of children sent to a Roman Catholic institution that owned and operated a farm home in British Columbia, Canada. The Board was hesitant to provide funding, but stated it would approve cases after scrutiny, as the scheme appeared to have the welfare of children at heart.<sup>1962</sup>

Evidence also suggests that, while voluntary societies and migration agencies had preferred age-ranges for children, this did not correspond with the requirements of local authorities. The Scottish Office informed the Salvation Army in 1949 that “normally we did not regard a child of under about 10 years of age as capable of expressing a proper opinion as to whether or not he wanted to emigrate” so that local authorities would be unlikely “to arrange for the emigration to Australia, under the Salvation Army scheme, if and when it is developed, of children” aged three to 10.<sup>1963</sup> This indicates that local authorities were unlikely to arrange for the emigration of children in the proposed age groups. This is confirmed by an internal SHD memorandum, which stated that “[t]he proposed age range excludes for all practical purposes children in the care of local authorities” because of the requirement for consent, which could not reasonably be given by a child of under eight years old.<sup>1964</sup>

Highland Council was approached by the Salvation Army regarding migration in 1914, but took no action. It was also approached by the High Commissioner for Australia in 1924,

but did not feel that anyone in their area would take advantage of a child migration scheme.<sup>1965</sup> It was approached again in 1950 by the Reverend Andrew Boag regarding the Dhurringile scheme. The Committee authorised the Children’s Officer to make applications for suitable boys. In an internal SHD memorandum, it was confirmed that the department had received applications for five boys in the care of local authorities in 1950, and the department would thus speak to the children’s officers.<sup>1966</sup> This might refer to the children from Highland Council, although it is not clear.

On 13 May 1947, North Lanarkshire Council was approached by the Director of Social Welfare at the Catholic Enquiry Office, Edinburgh, seeking information about Catholic children suitable for emigration.<sup>1967</sup> An entry in the minutes for 10 June 1947 reported that the Director of Social Welfare Services responded with details of children in Smyllum, and suggested that two children were suitable, while emphasising that the recommendation was “subject to adjustment of details” and consideration of the authority in charge of the scheme. There were no other details.

The Children’s Committee of Inverclyde Council were aware of a scheme in Australia after it was advertised in the Glasgow Herald in 1950; it recommended against participation in this scheme.<sup>1968</sup>

Other evidence suggests that Alan T. Auld of the Aberdeen Association of Social Services contacted the SHD in January 1953 to obtain

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1962 Constantine *et al.*, paragraph 3.6.

1963 NRS, ED11/384, Letter from T.M. Warton (Scottish Office) to W.B. Lyon (Children’s Department, Home Office), 4 October 1949, at SGV.001.004.4612.

1964 NRS, ED11/386, Memorandum from J.R. Gordon, 19 August 1950, at SGV.001.003.7864.

1965 Highland Council, Response to section 21 notice, at HIC.001.001.0005.

1966 NRS, ED11/386, Memorandum from J.R. Gordon (SHD), 8 September 1950, at SGV.001.003.7911.

1967 North Lanarkshire Council, Response to section 21 notice, at NLC.001.001.0260.

1968 Inverclyde Council, Response to section 21 notice, at INC.001.001.1811.

their view on the policy of child migration. He had been approached by the Reverend Andrew Boag in 1951 about Dhurringile and he had previously been visited by a representative of Fairbridge. He told the SHD that

“[i]n the course of our work, we sometimes come across boys, usually those deprived of a normal home life, who might be suitable for emigration, and I wondered whether I could learn from you the present policy of the Scottish Home Department in regard to the emigration of children unaccompanied by their parents.”<sup>1969</sup>

This letter suggests that local authorities were not kept abreast of the central government’s policy on child migration. Alan Auld was told by the SHD that the department’s “most direct concern” was “with the emigration of children in the care of local authorities” as this required the consent of the Secretary of State under section 17 of the 1948 Act.<sup>1970</sup> It is not clear if Alan Auld responded to this or migrated children under the proposed scheme, but this suggests some hesitation over whether to migrate children.

Midlothian Council found little reference to child migration in their records other than circulars received from the Scottish Board of Health about the assistance provided by the Empire Settlement Act, 1922.<sup>1971</sup>

The responses of local authorities to approaches made in connection with child migration appears to have been variable. In many cases, the schemes were rejected either as undesirable or unlikely to be

taken up but in some instances Children’s Committees responded and agreed to select and/or approve children for migration. In general, local authorities’ records suggest an increased receptiveness to child migration schemes after the mid-1940s. There was, however, no overarching child migration policy, whether across the board or within individual councils.

## Monitoring

Under the Children Act, 1948, local authorities could only authorise the migration of children under their care with the consent of the Secretary of State. The Secretary of State required to be satisfied that suitable arrangements had been or would be made for the child’s welfare overseas before giving such consent.

There is no evidence that local authorities themselves implemented systems for the monitoring of children when they were sent overseas. In fairness, this absence of monitoring systems has to be seen within a context in which few local authorities migrated children themselves. It is probable that local authorities would have relied on the policies and procedures of the voluntary organisations involved.<sup>1972</sup>

## Selection and Consent

Local authorities did not have policies in place to regulate selection or consent procedures. Records indicate that, when migration was proposed, each case was considered on its own merits, which included ascertaining the child’s own views and views of parents, when practicable. The Children

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1969 NRS ED11/386, Letter from Alan T. Auld (Aberdeen Association of Social Services) to W. Hewitson Brown (SHD), 6 January 1953, at SGV.001.003.7898.

1970 NRS ED11/386, Letter from W. Hewitson Brown (SHD) to Alan T. Auld (Aberdeen Association of Social Services), 17 January 1953, at SGV.001.003.7896.

1971 Midlothian Council, Response to section 21 notice, at MIC.001.001.2027.

1972 Constantine *et al.*, Appendix 3, paragraph 8.2.

Act, 1948, and the ensuing obligation to seek the consent of the Secretary of State grafted an additional layer of restraint onto the ability of local authorities to approve the migration of children.

### **Local authority involvement: an overview**

Rates of child migration organised by local authorities were low and,

“[a]s in England and Wales, few local authority Children’s Officers in Scotland were attracted by child migration as a childcare practice, and for this reluctance they were strongly criticised by child migration enthusiasts, including by some on the UK government’s own advisory Oversea Migration Board.”<sup>1973</sup>

The method of care preferred by Scottish local authorities was the boarding out (fostering) of children. It is interesting that the motivation behind this policy mirrored those of the child migrant enthusiast philanthropists: each was “confident about the physical and moral benefits of transferring children from debilitating urban environments to supposedly healthy rural locations.”<sup>1974</sup> For the philanthropists this often entailed sending children to an entirely new country; for Scottish local authorities this seems to have played out in relocating children within their own country, a practice which was far from problem-free.

What is evident is that, despite a general lack of participation in child migration schemes, local authorities were sometimes involved in the migration of children. When this happened, some siblings were separated, an outcome that created an unhappy legacy for many of those affected.

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1973 Constantine *et al.*, paragraph 3.19.

1974 Constantine *et al.*, paragraph 3.22.

## 2.6 Conclusion to Part 2

Organisations including Quarriers, the Church of Scotland, Barnardo's, Fairbridge, the Catholic Church, and Catholic Orders like the Sisters of Nazareth embraced child migration as a practice. Others, such as the Good Shepherd Sisters, became involved in selecting a relatively small number of children for migration, although it is not clear how that happened.

Quarriers' migration of children to Canada was testament to its "open door" policy. Such a policy provided a 'back door', in order to release accommodation in Scotland for further 'deserving' children.

Despite the extent of their participation in child migration, Quarriers may not have had any written policies in relation to it at all. Further, whilst they appear to have had some standard procedures that applied to child migration—such as in relation to consent and selection of children—those procedures were not always implemented nor were they necessarily effective.

Evidence presented to SCAI disclosed that Quarriers had flawed selection processes, including defective informed consent. Quarriers carried out limited monitoring of children after migration, and there was some post-migration correspondence with some children.

In relation to Canada, Quarriers accepted that placements did fail and that the vast distances involved were not conducive to the effective monitoring of children placed on farms or with families.

When Quarriers turned its attention to Australia, children were initially sent to Burnside, an institution about which Quarriers had little knowledge in relation to its suitability to care for children. There

is no evidence available about monitoring of the children sent there. Quarriers' relationship with the Church of Scotland resulted in Quarriers children being sent to Dhurringile, which Reverend Boag had convinced Quarriers was suitable to receive child migrants. That deception was laid bare by the critical Ross fact-finding mission. Quarriers did not assess Dhurringile's suitability independently.

Although Barnardo's did not establish a Scottish presence until during the Second World War, some Scottish children accommodated in Barnardo's homes in the UK were exposed to Barnardo's policy of migrating children to Canada. Like Quarriers, for Barnardo's to keep their front doors open to newcomers, children also had to be exiting through their back doors. Barnardo's migrated substantial numbers of children to Canada and it is likely they included Scottish children. Barnardo's had some policy documents on selection, including a set of conditions drawn up by Dr Thomas Barnardo in 1894 and subsequently, from 1944, the *Barnardo's Book*.

In Canada, children migrated by Barnardo's were placed in homes and farms. Barnardo's did take steps to vet placements through a policy that required those wishing to receive children to complete an application form and a questionnaire and to have the support of two referees. However, some children's records contain no such documents. Thomas Barnardo recognised the importance of monitoring, and children were visited at least annually.

When Barnardo's began migrating children to Australia, the children were placed in homes and farms and also sent to the Fairbridge Farm school, Pinjarra. Once

Barnardo's had established its own homes, it was able to provide a continuity of care by transferring children from Barnardo's institutions in the UK to Barnardo's institutions in Australia. This continuity was in contrast to other providers, such as Quarriers. Barnardo's did draw upon its Canadian experience as a guide to monitoring and aftercare, and there is evidence of aftercare inspections and contact being maintained with children after leaving care. When issues regarding sexual abuse arose in the 1950s, Barnardo's responded appropriately, without being influenced by the risk of reputational damage.

In Scotland—and the UK more generally—Fairbridge facilitated child migration by recruiting children and conveying them to Middlemore Homes and its own reception centre at Knockholt, in preparation for migration overseas, primarily to Canada and Australia.

Once in Canada, children were sent to the Fairbridge Prince of Wales Farm School in British Columbia, which operated from about 1938. The school finally closed in 1951, but its brief existence irreparably damaged the lives of children exposed to abuse.

This venture, which was sponsored by both the UK and Canadian governments, can be viewed as an experiment designed to promote the Fairbridge name at a time when child migration to Canada had effectively ceased, and institutional care was viewed as an anachronism. It exposed children to abuse.

The Fairbridge selection processes for migration to both Canada and Australia were defective, and children who were unsuitable for migration were migrated. Home Office advice on the appropriate ages for children to be selected for migration was ignored. The informed consent of

families and children was not obtained. The monitoring provided by half-yearly reports was inadequate and misleading. Inspections were highly critical of many aspects of the regime. The regime exposed many children to sexual, physical and emotional abuse.

A number of issues surfaced in the 1940's in relation to sexual abuse. Fairbridge UK and the UK Government knew about the sexual abuse, but that knowledge did not influence their approach to child care practice. Fairbridge responded inadequately and belatedly to allegations of sexual abuse.

In Australia, the tensions caused by the autonomy acquired by the Fairbridge institutions at Pinjarra and Molong resulted in children being exposed to substandard care and abuse. Fairbridge UK did try to persuade its Australian counterparts to improve standards of childcare, but without any real success. And yet, despite the knowledge that standards of care in Fairbridge's Australian institutions did not comply with the expected UK standards, Fairbridge UK continued its migration programme.

Fairbridge UK recognised the value of adequate monitoring, and reports on children were received in London. But that process did not protect children from abuse because it fell short of what was required to safeguard children. There was evidence of some aftercare, but also evidence of poor aftercare practices.

Inspections identified unsatisfactory aspects of the regimes, as did the Gordon Green dossier. Negative reports were reinforced by similar messages from former members of staff. The emergence of allegations of sexual abuse was subsumed by Fairbridge's commitment to protecting its reputation. It did not provide an empathic response to children entrusted to its care.

The Catholic Church's motivation for its involvement in child migration, primarily to Australia, included a desire to propagate the Catholic faith overseas. The Scottish Catholic Hierarchy approved of the migration of Catholic children, thereby endorsing the false promises made by its Australian clerical counterparts. Some criteria were in place for the selection of suitable children, but these had little regard for the welfare of the child. It appears that there was a preference for identifying children whose parents could not be traced, a policy that was frankly, shabby. Ultimately, the selection of children mainly fell to the religious Orders caring for the children. In Scotland, that was the Sisters of Nazareth and the Good Shepherd Sisters. The selection process was deceitful and devoid of informed consent.

Because child migration was a UK-wide policy, the actions of Catholic organisations in England and Wales had an impact upon the migration of Scottish children. The jurisdiction of the Catholic Child Welfare Council (CCWC) only extended to England and Wales but there is clear evidence of its involvement in facilitating the migration of Scottish children.

There were no systems in place to assess the suitability of the institutions to which children were sent. The Catholic Church carried out little, if any, post-migration monitoring

From the perspective of Scottish children, the Catholic Church in Scotland failed in its duty of care to children, who were dispatched to abusive regimes.

The Sisters of Nazareth were enthusiastic proponents of child migration. The Order was able to source children placed voluntarily in its four homes in Scotland, or one of its homes in England, whose potential migration was not controlled by the need to seek the consent of the Secretary of State.

Children were sent to Nazareth Houses in Australia, but also to establishments run by other organisations such as the Christian Brothers, the Sisters of Mercy, and the Salesians of Don Bosco.

The Order did not devise any policies on child migration. Its selection process lacked informed consent and was driven by deception and false promises. LEM3 forms were signed by persons who had no legal right to do so. Although the Order may have had some insight into how Nazareth Houses in Australia were run, there was no prior assessment of other institutions where children were sent, or subsequent monitoring of the children sent there. Children were sent to abusive regimes that included the most depraved forms of sexual abuse, and the preparation of dead elderly residents for burial. That the welfare of children was subordinated to the interests of the Order is manifest from the numbers game pursued to populate Nazareth Houses in Australia to protect the Order.

The Good Shepherd Sisters' participation in child migration may have been brief and involved few children, but it does raise the question of why the Order participated to the extent that it did. The Order had no policies on child migration, and maintained no records as to why children were selected and how consent was obtained. It is evident from the evidence of SCAI applicants sent by the Order that consent was largely uninformed. No inquiries were made as to where children were to be sent and no records exist. It appears that the Order assumed that children were being sent to foster homes. The Order totally abandoned children in its care to their fates overseas.

The Christian Brothers did not migrate children directly from its home in Scotland. However, the Order's Oceania province was an enthusiastic recruiter of children to its



homes in Australia. Volume 1 sets out the fates of children sent to these establishments and the abuse they suffered. Subsequent inquiries have also identified the extent the Order engaged in abusive regimes.

The Order was aware that Brothers were involved in the sexual abuse of children. Visitation reports did identify the existence of sexual abuse. Complaints of sexual abuse were made contemporaneously. The Order's responses to those reports and complaints was inadequate. There was collusion among Brothers that allowed sexual abuse to fester virtually unabated, and that justifies the conclusion that a paedophile ring was operating. Contemporaneous reports raised serious concerns about the conditions and regimes at Christian Brothers institutions, but children continued to be sent.

The involvement of Scottish local authorities in child migration was relatively minor. When it occurred, it usually consisted of the local authority agreeing to the migration of children whom it had placed in the care of other organisations who sought permission to migrate children. Even then, it is apparent that local authorities were not enthusiastic supporters of child migration. There was a recognition of the desirability of keeping children in a Scottish environment to promote a Scottish workforce rather than allowing Scottish children in care to benefit another country.

The main participants in child migration have acknowledged that child migration was a flawed policy, apologised, and offered support to former child migrants and their families. The main exception to that is Fairbridge UK, which was dissolved in 2013. Although the Prince's Trust was not a direct successor to Fairbridge UK, Dame Martina Milburn did tender an apology on behalf of the Trust.

# 3 Conclusion to Volume 2

I dedicated Volume 1 of these findings, published on 21 March 2023, to the accounts provided to SCAI, directly or indirectly, by former child migrants. That powerful testimony endorsed and developed what was found by other inquiries: that, however well-intentioned some of the proponents of child migration may have been, the policy of child migration was flawed. It severed children from families and their home country, resulting in a devastating loss of identity compounded by an exposure to abusive regimes. Children were treated as commodities, traded to countries like Canada and Australia to promote political, economic, and social agendas. Many child migrants bore the psychological scars associated with migration into adulthood and sadly, for far too many, to the grave.

As awareness of the scourge of child migration began to re-emerge at the end of the 20<sup>th</sup> century, and with the assistance of organisations like the CMT, some former child migrants pursued the search for family and restoration of identity, some with little or no success. Many former child migrants died without discovering that they were not the abandoned orphans that those entrusted with their care told them they were. These were unpardonable deceptions.

The flaws inherent in the child migration policy were evident from at least the late 19<sup>th</sup> century. The Doyle report, published in 1875, provided a clear message on the dangers associated with child migration. Andrew Doyle identified failures that continued to bedevil the policy of child migration

throughout its long history, such as poor selection processes, inadequate monitoring, and defective or non-existent aftercare. Those messages were repeated time and time again. Criticisms were levelled at the policy by those with a knowledge about what the proper care of children required. Systems of institutional care operating in the UK had been found to be inherently flawed, yet child migration practice adopted such institutional care as its primary type of provision. The report of the Ross fact-finding mission in 1956 ought to have been a fatal blow to the child migration policy, but even in the face of such strenuous criticism the policy continued to survive for a number of years with children continuing to be sent to abusive regimes.

The primary organisations in Scotland involved in child migration were voluntary organisations. In varying ways, voluntary organisations pursued practices that failed children in their care. Selection practices were defective, based on false promises, and duplicitous in obtaining consent. Post-migration monitoring, where it existed, was sporadic. Aftercare, in the few cases where it was implemented, lacked robustness. Barnardo's did strive to monitor children it migrated from its homes in the UK, as did Quarriers for the children they migrated to Canada. Barnardo's also responded in an appropriate way to allegations of abuse. Fairbridge and the Christian Brothers failed to do so

Organisations engaged in a policy that suffered from numerous defects and was subject to persistent criticism. It may be that an organisation like the Good Shepherd

Sisters was naïve, blinded by the assumption that—since the migration of children overseas was supported by the Catholic Church—such migration was acceptable. I do not see that as an excuse for the abandonment of children to an unknown fate.

The Catholic Church's endorsement of child migration cannot be overstated. That endorsement provided Catholic organisations with the comfort that sending children overseas was morally acceptable. Even so, that in no way diminished the duty incumbent on Catholic organisations to act in the best interests of children in their care, and to implement systems that ensured that the best interests of children were protected. They failed to do so.

What is particularly striking is the failure of successive UK governments to terminate the practice of child migration, and these governments must bear the brunt of the blame for the continuation of the policy.

Successive UK governments supported child migration. That support began with legislation that recognised the potential of migration as a means of populating the Dominions. Distinctive Scots law principles on capacity to consent were not addressed. Through the Empire Settlement legislation, philanthropy was overtaken by state support. That support continued alongside reports and other evidence that was critical of the practice and of the institutions involved.

When the practice of child migration received further recognition in the Children Act, 1948, the promise of the enactment of regulations to control the actions of voluntary organisations in the migration of children evaporated in the face of opposition and delay. Concerns expressed by various officials within and outwith the Home Office and Scottish Home and Education Departments were not acted upon. This was

a serious failure on the part of government in its duty of care to children in care.

It is clear to me that political considerations and the preservation of relationships with powerful organisations conspired to influence governments and override the reservations about children's welfare that government officials ventilated, and which were ultimately ignored. The practice of child migration did peter out, but that was because of a lack of supply: it had little to do with formal state intervention.

The UK Government has apologised for its involvement in child migration. A redress scheme has been introduced. It is for former child migrants to decide whether the steps taken constitute adequate absolution. For those who have died, these responses come too late.

I began these concluding remarks by referring back to the voices that told of their child migration experiences in Volume 1 of my findings. Many of those voices spoke of the pain associated with child migration—for many, an everlasting pain. That pain is testament to the obvious conclusion that the policy was flawed. I reject, without hesitation, the notion that such a conclusion is the product of a view that distorts the past by viewing it through a lens of present norms. Child migration was publicly considered as potentially abusive as early as 1875: it is not an anachronism to state that it was always a flawed policy.

## Appendix A: Terms of Reference

### Introduction

The overall aim and purpose of this Inquiry is to raise public awareness of the abuse of children in care, particularly during the period covered by SCAI. It will provide an opportunity for public acknowledgement of the suffering of those children and a forum for validation of their experience and testimony.

The Inquiry will do this by fulfilling its Terms of Reference which are set out below.

1. To investigate the nature and extent of abuse of children whilst in care in Scotland, during the relevant time frame.
2. To consider the extent to which institutions and bodies with legal responsibility for the care of children failed in their duty to protect children in care in Scotland (or children whose care was arranged in Scotland) from abuse, regardless of where that abuse occurred, and in particular to identify any systemic failures in fulfilling that duty.
3. To create a national public record and commentary on abuse of children in care in Scotland during the relevant time frame.
4. To examine how abuse affected and still affects these victims in the long term, and how in turn it affects their families.
5. The Inquiry is to cover that period which is within living memory of any person who suffered such abuse, up until such date as the Chair may determine, and in any event not beyond 17 December 2014.
6. To consider the extent to which failures by state or non-state institutions (including the courts) to protect children in care in Scotland from abuse have been addressed by changes to practice, policy or legislation, up until such date as the Chair may determine.
7. To consider whether further changes in practice, policy or legislation are necessary in order to protect children in care in Scotland from such abuse in future.
8. To report to the Scottish Ministers on the above matters, and to make recommendations, as soon as reasonably practicable.

### Definitions

‘Child’ means a person under the age of 18.

For the purpose of this Inquiry, ‘Children in Care’ includes children in institutional residential care such as children’s homes (including residential care provided by faith based groups); secure care units including List D schools; Borstals; Young Offenders’ Institutions; places provided for Boarded Out children in the Highlands and Islands; state, private and independent Boarding Schools, including state funded school hostels; healthcare establishments providing long term care; and any similar establishments intended to provide children with long term residential care. The term also includes children in foster care.

The term does not include: children living with their natural families; children living with members of their natural families, children living with adoptive families, children using sports and leisure clubs or attending faith based organisations on a day to day basis; hospitals and similar treatment centres attended on a short term basis; nursery and day-care; short term respite care for vulnerable children; schools, whether public or private, which did not have boarding facilities; police cells and similar holding centres which were intended to provide care temporarily or for the short term; or 16 and 17 year old children in the armed forces and accommodated by the relevant service.

'Abuse' for the purpose of this Inquiry is to be taken to mean primarily physical abuse and sexual abuse, with associated psychological and emotional abuse. The Inquiry will be entitled to consider other forms of abuse at its discretion, including medical experimentation, spiritual abuse, unacceptable practices (such as deprivation of contact with siblings) and neglect, but these matters do not require to be examined individually or in isolation.

## Appendix B: Numbers of Scottish children, or children who were resident in Scotland, migrated overseas by one of the child migration schemes

### Methodology

The Inquiry requested, and was provided with, information from sending organisations, local authorities, archives, and libraries about child migrants who were Scottish, or were resident in Scotland at the time of their migration, for a period ranging from the late 1800s to the late 1960s. Identifying child migrants who were Scottish, or were resident in Scotland at the time of their migration, is a difficult task due to the paucity of surviving records. Further, surviving records are primarily in paper format, and many organisations have scarce resources to review and digitise these files. Some sending organisations with headquarters in Scotland, such as Quarriers, were able to identify from their records all the children and young people they migrated, though in some instances it was not possible to distinguish between child migrants and juvenile migrants (that is, children over the school-leaving age when migrated). Some sending organisations with head offices in England, such as Barnardo's, were able to identify the children and young people they migrated, but could not always identify with certainty those who were Scottish, or who resided in Scotland at the time of their migration. Scottish local authorities were able to identify children in their care who were migrated during the period under consideration, but it was often not clear whether the migration had been organised through one of the child migration schemes in operation, or by family seeking to be reunited. Some organisations were able to provide information on children migrated in the late 1800s.

Information provided by organisations about individual child or juvenile migrants was entered into an Inquiry database. This included, as far as possible, the child or young person's name, date of birth, sex, date of migration, destination, and sending and receiving organisation. In some instances, applicants and other witnesses also provided information about other child migrants, such as siblings, other family members, or friends. This information was also entered into the database. By the end of the case study hearings in 2020, this database totalled 2,287 individuals who had been migrated as children or juveniles in the period 1870-1965. For analysis purposes, this table was cleaned to only include those cases where the available information was sufficient for us to say with some certainty that the individual was a child or a juvenile at the time of migration, and had been migrated via one of the many child or juvenile migration schemes in operation.

After cleaning, this database included 1,061 child migrants who were not applicants to SCAI, plus 46 applicants, totalling 1,107 child migrants who were born in Scotland, or who were resident in Scotland at the time of their migration. There were a further 122 cases of juvenile migration identified. The information presented below is drawn from this 'cleaned database'.

Further information about the total number of children who were Scottish nationals or were migrated from Scotland by the organisations considered in this report can be found in the relevant organisation's section above. The report produced for SCAI

by Professors Constantine, Harper, and Lynch also provides an analysis of the number of Scottish children, or children resident in Scotland, who were migrated during the relevant period. The analysis presented in their report was based on an earlier version of this 'cleaned database', which contained information on fewer individuals than the analysis presented below.

### **Sex and age at the time of migration**

Of the 1,107 children migrated, 747 were male and 360 were female.

From the available information, it was possible to establish the age at time of migration for 727 children. Of these, 463 were aged 10 or older at the time of migration. Thirty eight children were five years old or younger when they were migrated, including three girls who were one year old or younger when migrated by the Whinwell Children's Home, Stirling, to Canada in 1900 and 1910.

It was not possible to establish the age at the time of migration for 380 children. These children were migrated between 1872 and 1959.

### **Year of migration and country of destination**

Information about the year of migration was available for 851 children. These children were migrated between 1870 and 1965. Of this total, 76 were migrated before 1900, all but one of whom was migrated to Canada.

It was possible to establish the country of destination of 1,091 children. Most children were migrated to Canada or Australia. A total of 718 children were migrated to Canada between 1870 and 1947. Of these, 456 were migrated before 1930. A further 355

children were migrated to Australia between 1873 and 1965. Of the children migrated to Australia, 253 were sent after 1936. Eighteen children were migrated to New Zealand by the ROSL between 1949 and 1952. One 10-year-old boy was migrated to the Republic of Zimbabwe (formerly Southern Rhodesia) in 1946.

### **Sending and receiving institutions**

A variety of voluntary organisations and a few local authorities were identified as organisations responsible for arranging and/or consenting to the migration of Scottish children, or children resident in Scotland. Quarriers migrated more than 7,000 Scottish children to Canada between 1872 and 1938, with a further 38 children migrated to Australia between 1939 and 1963.<sup>1975</sup> SCAI's database contained details about 577 of these children. Available information indicates that 425 of these children were sent to Quarriers' reception home and distribution centre at Fairknowe, Ontario; and six to Marchmont Home, Ontario. The children who were migrated to Australia by Quarriers were migrated to Burwood (16) or Dhurringile (19). The destinations of the remaining children are not known.

A significant number of children (181) were migrated by Whinwell Children's Home in Stirling. Some of these children went to Hillfoot Farm, Emma Stirling's reception centre in Nova Scotia. Thirty-four were migrated to Australia, 24 of whom went to Fairbridge Farm School, Pinjarra.

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<sup>1975</sup> Quarriers, Written Closing Submissions, at QAR-1000000031, pp.1-2.

## Juvenile migrants

This dataset is based on the school-leaving age as set out in the expert's report. Throughout the period covered by this case study, the school leaving age was:

- 13 years old from 1872 to 1882.
- 14 years old from 1883 to 1946.
- 15 years old from 1947 to 1971.
- 16 years old from 1972 onwards.

## Sex of juveniles

This data has been inferred from individuals' first names, as sex was not recorded explicitly, and so may be incorrect in some instances. Similar to child migrants, approximately two-thirds of the juvenile migrants were male.

Sex	Number of juveniles
Female	37
Male	85
<b>Total</b>	<b>122</b>

## Decade of migration

The majority of the juveniles in this dataset were migrated overseas between 1900 and 1939. The 1930s saw a significant number of juveniles migrated.

Decade	Number of juveniles
1890s	1
1900s	35
1910s	21
1920s	20
1930s	38
1940s	-
1950s	3
1960s	4
<b>Total</b>	<b>122</b>

## Number of children sent to each country

Most of the juveniles were migrated to Canada, with only a small number migrated to Australia, and one to Kenya.<sup>1976</sup>

Country	Number of juveniles
Australia	7
Canada	114
Kenya	1
<b>Total</b>	<b>122</b>

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<sup>1976</sup> The migration of this 16 year old boy was organised via the farm manager in Kenya, rather than part of an established migration scheme. As the boy was the responsibility of Lanark Country Council's Public Assistance Committee, Lanark's children's officer and the Secretary of State for Scotland were among those involved in the decision to migrate the boy to Kenya. See Constantine et al., paragraph 16.25.



### Sending institution and destination

Most of the juveniles were migrated by Quarriers. Juveniles were also migrated from Aberlour, Barnardo's, and Whinwell Children's Home, Stirling.

Institution	Number of juveniles	Destination
Aberlour	12	Canada (11) Kenya (1)
Barnardo's	6	Australia (5) Canada (1)
Greenock Corporation/Inverclyde council	1	Australia
Middlemore	1	Australia
Quarriers	80	Canada
Whinwell Children's Home	22	Canada
<b>Total</b>	<b>122</b>	

Only seven juveniles in the dataset were migrated to Australia, two to a Fairbridge institution and five to Barnardo's homes. Of the juveniles sent to Canada 97 went to an unknown destination and 17 to Quarriers' receiving home, Fairknowe.

### Age of the juvenile at the time of migration

Of the 122 juveniles in the dataset, most (N=78) were migrated at the age of 14. The majority of juveniles were migrated during or before the 1930s. The drastic reduction in numbers of juveniles migrating overseas post-1930 coincides with the phasing out of assisted migration to Canada following the economic depression of the late 1920s.<sup>1977</sup>

Decade	1890s	1900s	1910s	1920s	1930s	1940s	1950s	1960s	Total
<b>Age</b>									
<b>14</b>	1	23	20	17	17				<b>78</b>
<b>15</b>		1	1	1	12		2	1	<b>18</b>
<b>16</b>		4		1	5			2	<b>12</b>
<b>17</b>		3		1	2				<b>6</b>
<b>18</b>		2			1			1	<b>4</b>
<b>19</b>		2							<b>2</b>
<b>20</b>							1		<b>1</b>
<b>23</b>					1				<b>1</b>
<b>Total</b>	<b>1</b>	<b>35</b>	<b>21</b>	<b>20</b>	<b>38</b>	<b>0</b>	<b>3</b>	<b>4</b>	<b>122</b>

<sup>1977</sup> See [Chapter 1.2](#).

## Appendix C: LEM3 form analysis

LEM3 forms were used by the Australian Commonwealth Department of Immigration after the Second World War to record and process an application for a child migrant's entry into Australia. LEM3 forms required four signatures to authorise the migration of a child: Sections A and C both required a signature on behalf of the sponsoring organisation; Section B required a parent's or legal guardian's signature—specifying that it should be signed by "Father if living"—as well as that of a witness, who should be "a Member or Official of any Banking Firm established in the United Kingdom, any Mayor, Magistrate, Justice of the Peace, Minister of Religious, Barrister-at-Law, Registered Medical Practitioner, Solicitor or Notary Public." Several LEM3 forms were made available to SCAI by sending organisations, such as the Sisters of Nazareth and Barnardo's. Other LEM3 forms were recovered after extensive searches of the NAA digitised archive.

The analysis presented below relies solely on the information recorded in the LEM3 forms recovered. Due to the nature and paucity of these records, this analysis cannot be taken as representative of all LEM3 forms for Scottish child migrants, or children migrated from Scotland, to Australia.

### Discrepancies in relation to forms sponsored by Catholic organisations

There are frequent discrepancies in relation to the sponsoring organisation signatory and the organisation who they represented. Many LEM3 forms use slightly different wording for what was presumably the same organisation. For instance, the "Catholic Child Welfare Council" and "Catholic Child Welfare Committee" are both used, though there is no evidence that a separate organisation called the "Catholic Child Welfare Committee" existed. This may be partly due to the fact that the signatory often provided the signature only, with the remainder of the form—including, in some cases, the name of the sponsoring organisation—being completed by a different hand.

### All Scottish child migrants

The sections below consider the LEM3 forms for the 29 applicants for whom forms were recovered, and 111 LEM3 forms recovered by the Inquiry for other child migrants from Scotland who were not applicants, resulting in a total of 140 forms. Most of the recovered forms (96) were for boys aged 4 to 15 years old at the time the form was completed. The remaining forms (44) were for girls aged 5 to 15 years old.

**Table 7: Number of boys and girls and age at the time LEM3 forms completed**

Age	Number of boys and girls	Age	Number of boys and girls
<b>4</b>	1 boy	<b>10</b>	18 boys 8 girls
<b>5</b>	6 boys 2 girls	<b>11</b>	9 boys 6 girls
<b>6</b>	10 boys 4 girls	<b>12</b>	9 boys 8 girls
<b>7</b>	7 boys 3 girls	<b>13</b>	4 boys 2 girls
<b>8</b>	9 boys 3 girls	<b>14</b>	7 boys 3 girls
<b>9</b>	15 boys 4 girls	<b>15</b>	1 boy 1 girl

**Table 8: LEM 3 forms signed per year and age of children at the time LEM3 form completed**

Year	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1959	1961	1962	1965	Total
<b>Age</b>																	
<b>4</b>		1															<b>1</b>
<b>5</b>		3	1	1		2							1				<b>8</b>
<b>6</b>	2	8	1	1			1			1							<b>14</b>
<b>7</b>		2		1		3	1		2		1						<b>10</b>
<b>8</b>	1	5				2	1	1					1	1			<b>12</b>
<b>9</b>	3	3		1	1	1		8		1			1				<b>19</b>
<b>10</b>	2	6	1	3	1	1	2	2	2	2	1		2	1			<b>26</b>
<b>11</b>	1	5		1	1		1	2			2		1			1	<b>15</b>
<b>12</b>	1	4		1	1	1		1	1	1		1	1	2	1	1	<b>17</b>
<b>13</b>	1	2		1	1										1		<b>6</b>
<b>14</b>	1	4		1		1				1	1		1				<b>10</b>
<b>15</b>											1			1			<b>2</b>
<b>Total</b>	<b>12</b>	<b>43</b>	<b>3</b>	<b>11</b>	<b>5</b>	<b>11</b>	<b>6</b>	<b>14</b>	<b>5</b>	<b>6</b>	<b>6</b>	<b>1</b>	<b>8</b>	<b>5</b>	<b>2</b>	<b>2</b>	<b>140</b>

## Sections A and C: sponsoring organisations and signatories

Sections A and C of LEM3 forms required a signature on behalf of the organisation that sponsored each child's migration.

Twelve of the 140 LEM3 forms recovered were signed in November or December 1946. All 12 of these forms were for children from Sisters of Nazareth institutions, including one Scottish child residing in Nazareth House, Carlisle. All had either the "Catholic Child Welfare Council Birmingham", or the "Catholic Child Welfare for Scotland, Victoria St. Edinburgh" named as the sponsoring organisation.<sup>1978</sup>

Eleven of these forms were signed by either P.A. Conlon (six) or Sister Ann (five). P.A. Conlon, a Christian Brother from Australia who came to the UK in 1946 to recruit child migrants, signed forms as a representative of the Catholic Child Welfare Council, Birmingham, in 1946 and 1947.<sup>1979</sup> Sister Ann signed for either "CCWC Birmingham" or "Catholic child welfare for Scotland". It is unclear who Sister Ann was, or what responsibility CCWC, Birmingham, had for children from Scotland.

Section A of one form from 1946 was, presumably erroneously, signed by G.S. Durnin, the headteacher of St Peter's Roman Catholic School in Aberdeen. The second page of that form is missing, so it is not possible to know who ultimately signed for the sponsoring organisation in Section C.

A further 43 forms were completed in 1947. Most of these (28) were for children from Sisters of Nazareth institutions, including

three Scottish children residing in Nazareth House, Carlisle. Fourteen forms were for children from the Good Shepherd Home in Edinburgh. One form was for a child from a Barnardo's Home in Scotland.

For the forms dated 1947, the "Catholic Child Welfare Council", the "Catholic Child Welfare Council Birmingham", or the "Catholic Child Welfare Committee" was identified as the sponsoring organisation for 27 children from the Sisters of Nazareth institutions, and for nine children from the Good Shepherd Home in Edinburgh. Information about the sponsoring organisation is not stated for one of the children from the Sisters of Nazareth, and five of the children from the Good Shepherd Home. Forms were ostensibly signed on behalf of the CCWC by P.F. Quille (17), Sister Ann (11), P.A. Conlon (four), and Norah Menaldo (one). P.F. Quille was a member of the Social Services Committee for the Archdiocese of St Andrews and Edinburgh, and Secretary to the Catholic Council for British Overseas Settlement for Scotland and Northern Ireland (CCBOS S&NI).<sup>1980</sup> Norah Menaldo was appointed in 1947 as administrator to the CCBOS S&NI.

A total of 14 LEM3 forms were recovered for the years 1948 and 1949. Five of these were for children from Sisters of Nazareth institutions, one for a child residing at the Good Shepherd Home in Edinburgh, one for a child migrated from Middlemore Emigration Homes by Fairbridge, and seven for children who were migrated from their family homes. Of the seven children from family homes, all of whom went to Australia, the CCWC was named as the sponsoring

1978 The Diocesan office for the Archdiocese of St Andrews and Edinburgh was located at 6 India Buildings, Victoria Street, Edinburgh.

1979 He had also been in the UK in 1936 to recruit children.

1980 It is unclear when CCBOS S&NI was established, but in 1947 an agreement was signed between the Australian Catholic Hierarchy and P.F. Quille for an annual payment to be made to the CCBOS S&NI by the Australian Catholic Hierarchy to cover the administrative costs of arranging the migration of Catholics to Australia—including children. See Constantine *et al.*, Appendix 3, paragraph 5.13.

organisation in five instances, and Fairbridge in two. The “Catholic Child Welfare Council”, the “Catholic Child Welfare Council Birmingham”, the “Catholic Child Welfare Committee”, or the “Catholic Child Welfare and Immigration Council” were identified as the sponsoring organisation for 11 of the 14 children. These forms were mostly signed by P.F. Quille (five) or Norah Menaldo (six). The forms which named Fairbridge as the sponsoring organisation were signed by either H.T. Logan (two) or W. Vaughan (one).

A total of 61 forms were recovered for the period 1950-1959. Over half (33) of these forms pertained to children who resided in one of the Sisters of Nazareth institutions in Scotland. These forms were signed by William Flint (12) or Norah Menaldo (two) on behalf of the CCWC; Cyril Stinson (12) on behalf of the Australian Catholic Immigration Committee (ACIC) or the Federal Catholic Immigration Committee of Australia (FCIC); and William Nicol (6) on behalf of the ACIC.<sup>1981</sup> One form did not identify the sponsoring organisation.

A further 22 forms named Fairbridge as the sponsoring organisation, with W. Vaughan signing in all cases.

Six forms were for children who had resided in a Barnardo’s institution in Scotland, with Barnardo’s named as the sponsoring organisation. Five of these were signed by T.F. Tucker, and one was left unsigned by the sponsoring organisation.

For the period 1961-65, nine forms were recovered. Four forms were for children who had been resident in a Barnardo’s institution in Scotland, with Barnardo’s named as the

sponsoring organisation. These forms were signed by P.L. Hartley (two) or G. Bloom (two). Three forms were for children migrated to Australia by Fairbridge, with the society identified as the sponsoring organisation and W. Vaughan signing all four. Two forms were for children who had been resident in Quarriers, with Quarriers identified as the sponsoring organisation. Both forms include the signatures of Hector C. Munro, the superintendent of Quarriers, and Lewis L.L. Cameron, on behalf of the CSCSS.

### **Section B: parents’ or guardians’ consent**

Section B of LEM3 forms required a parent’s or legal guardian’s signature, specifying that it should be signed by “Father if living”. Fifty-eight percent of the recovered LEM3 forms (84) were signed by a parent.

Seventy-eight forms related to children sent from Sisters of Nazareth institutions. Mother Superiors or Reverend Mothers signed 38 of these forms as the child’s guardian. Parents were the signatories of a further 39 forms. In one case, an official from the Corporation of the City and Royal Burgh of Dundee signed as the child’s guardian.

Three forms for children migrated from the Good Shepherd Home, Colinton, were signed by William Wallace Ford of the Welfare Glasgow Corporation as guardian. On one occasion, S.H. Rentoul, a representative of the Glasgow Corporation, signed as guardian for a child migrated by Fairbridge.

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1981 ACIC and FCIC were branches of the same organisation. From 1948, the Australian Catholic Immigration Committee (ACIC), was recognised by the UK Government as the Catholic organisation sending child migrants to Australia. Funding was made available to the ACIC, which was an unusual arrangement. Around 1949, both the CCBOS S&NI administrative address (in the Catholic Enquiry Office, on Victoria Street, Edinburgh) and Norah Menaldo, appear to have transferred over to the Australian Catholic Immigration Committee (ACIC). See Constantine *et al.*, Appendix 3, paragraph 5.20.

Table 9: Sending organisations and parents or guardians signatures

Sending Organisation	Form signed by	Number of children
<b>Sisters of Nazareth</b>	Father	15
	Mother	24
	Mother Superior/Reverend Mother	38
	Corporation of the City and Royal Burgh of Dundee	1
<b>Good Shepherd Home</b>	Father	3
	Mother	8
	Uncle	1
	Glasgow Corporation	3
<b>Fairbridge</b>	Father	14
	Mother	12
	Glasgow Corporation	1
	Blank	1
<b>Barnardo's</b>	Father	1
	Mother	2
	Grandparents	1
	Blank <sup>1982</sup>	8
<b>Quarriers</b>	Superintendent	2
<b>NA*</b>	Father	3
	Mother	1
	Guardian	1
	<b>Total</b>	<b>140</b>

\*These five children were migrated directly from their family home. Norah Menaldo signed four of these LEM3 forms, "For and on behalf of" the CCWC as the sponsoring organisation.<sup>1983</sup> P.F. Quille is the signatory of the other LEM3 form, who identified the CCWIC as the sponsoring organisation.

1982 In the case of one child migrated by Barnardo's in 1956, the mother did not sign the LEM3 form, but signed a separate form giving her consent for her children to be migrated.

1983 For an account of how one of these migrations was organised, see "Jack's" account in [Case Study no. 8, Volume 1](#).

The practice of having a representative of the sending institution or organisation signing LEM3 forms as a child's guardian was questionable because parental responsibility was not transferred to organisations when children were placed into care. Nor were these individuals considered "guardians" as defined in the Children Act 1948, section 59(1).<sup>1984</sup>

### Witnesses

Section B of the LEM3 form also required the signature of a witness to the parent or guardian's consent. The witness should be "a Member or Official of any Banking Firm established in the United Kingdom, any Mayor, Magistrate, Justice of the Peace, Minister of Religious, Barrister-at-Law, Registered Medical Practitioner, Solicitor or Notary Public". The witnesses on LEM3 forms often followed a regular pattern by institution, or were inappropriate. The consents on seven forms were witnessed by P.F. Quille, who also signed as the sponsoring signatory in each case. P.A. Conlon witnessed the consent on one form where he was also the sponsoring signatory, as did Cyril Stinson. Cyril Stinson, a strong proponent for child migration, also witnessed the consent on some additional forms. Nazareth House, Aberdeen, frequently called on minister Duncan Stone to act as witness, and his signature appears on nine different forms. Similarly, Mary Graham, a teacher in Aberdeen, witnessed the consent on five separate forms, as did David Patinson. John Breen, a clergyman, signed six forms as witness for Nazareth House, Lasswade. In short, the witnesses to the guardian's signatures were frequently not impartial, but were affiliated with or known to the institution.

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<sup>1984</sup> See [Chapter 1.3](#).

## Appendix D: Draft section 33 regulations, 16 March 1954<sup>1985</sup>

"In pursuance of the powers conferred upon me by subsection (1) and (2) of section thirty-three and section fifty-eight of the Children Act, 1948(a), I hereby make the following Regulations:-

1. (1) A voluntary organisation shall not select children for emigration unless –
  - (a) the child has attained the age of seven years;
  - (b) the child consents;
  - (c) the child has been interviewed by, or on behalf of the case committee and the case committee have recommended that he be selected;
  - (d) the parents or guardian of the child have been consulted by, or on behalf of, the case committee unless it is not practicable to consult them.

(2) Notwithstanding sub-paragraphs (a) and (c) of paragraph (1) of this Regulation a voluntary organisation may with the consent of the Secretary of State select for emigration a child who has not attained the age of seven years or who has been interviewed by or on behalf of, but has not been recommended for selection by, the case committee.

2. (1) Before a case committee recommend a child for selection for emigration the case committee shall, for the purpose of ascertaining whether the child is a suitable person to emigrate and whether emigration would be in the child's best interests, consider –
  - (a) a report on the child, his family and his home surroundings made by a

- person with training and experience in social work with children;
- (b) if the child attends a school, the opinion of the headmaster of the school and his school reports and school medical reports;
- (c) a written medical report on the child's physical health and mental condition made by a legally qualified medical practitioner who has examined the child with the previous six months.

(2) A case committee shall not recommend a child for selection for emigration unless they are satisfied that emigration will be in the child's best interests.

3. A voluntary organisation shall make arrangements to ensure that children who are emigrating are escorted on the journey by an adequate number of suitable persons (hereafter in these Regulations referred to as "escorts").
4. Before the arrival of a child in the country to which he is emigrating the voluntary organisation shall provide the person or organisation responsible for the child's care and possession in that country with such information as the voluntary organisation possesses which may assist in a proper understanding of the child and his needs.
5. A voluntary organisation shall, as far as possible make arrangements for it to be provided with a report on the child's welfare within six months from

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1985 TNA, MH102/2047, Draft Emigration of Children Regulations, 16 March 1954, at LEG.001.004.1896-1904.



the date of the child's arrival in the said country and thereafter with such a report annually until the child attains the age of eighteen years, so, however, that if the child on arrival in the said country has attained the age of fifteen years the voluntary organisation shall, as far as possible, make arrangements for it to be provided with not less than two such annual reports.

6. A voluntary organisation shall, as far as possible, make arrangements for ensuring that -
  - (a) a child is brought up in his religious persuasion;
  - (b) a child is given guidance in choosing a career and is placed in suitable employment;
  - (c) a child maintains contact with his parents or relatives.
7. (1) A voluntary organisation which, on the date on which these Regulations come into force, already makes arrangements for the emigration of children shall, before the [date of Regulations being brought into force], and any other voluntary organisation shall, before it makes any such arrangements, provide the Secretary of State with the following information concerning its intended operations for the emigration of children, namely:-
  - (a) the ages and sexes of the children who are usually selected by the voluntary organisation for emigration;
  - (b) the countries to which the children usually emigrate;
  - (c) the usual arrangements for escorting children during their journey;
  - (d) if arrangements are usually made for assembling children and their escorts prior to their journey and what these arrangements are;

- (e) the usual arrangements for the journey, including the type of ship or aircraft in which the journey is usually made and the class of accommodation normally occupied by the children;
- (f) the usual arrangements for ensuring that a child is met on arrival at the country to which he is emigrating by, or on behalf of, the person or organisation responsible for his care and possession in that country and conducted to his destination;
- (g) the names and addresses of any hostels, children's homes or other similar residential establishments in which a child is likely to be accommodated in the country to which he emigrates.

(2) If a voluntary organisation intends to alter its operations as respects any of the matters specified in sub-paragraphs (a) to (g) of paragraph (1) of this Regulation, it shall, before making the alteration, notify the Secretary of State of the intended alteration.

8. A voluntary organisation shall, on request, provide the Secretary of State with such information as he may require on the following matters concerning the welfare of children in countries to which they may emigrate, namely:-
  - (a) the accommodation, staffing and administration of any hostels, children's homes or other similar residential establishments in which children are likely to be accommodated;
  - (b) the selection of foster parents and the supervision of children committed to the care and possession of a foster parent;
  - (c) assistance, including financial assistance, which may be afforded to a child placed in employment until he becomes self-supporting.

9. (1) If the Secretary of State after considering the information provided by a voluntary organisation on the arrangements mentioned in subparagraphs (c) to (f) of paragraph (1) of Regulation 7 of these Regulations is not satisfied that those arrangements are satisfactory, the Secretary of State shall notify the voluntary organisation that he is not so satisfied and thereafter the voluntary organisation shall not make or carry out any arrangements for the emigration of children until it is notified by the Secretary of State that he is so satisfied.
- (2) If the Secretary of State after considering the information provided by a voluntary organisation under Regulation 8 of these Regulations and any other information available to him is not satisfied that the carrying out by that voluntary organisation of arrangements for the emigration of children to any particular country would be in the best interests of the children on the ground that in his opinion -
- (a) the hostels, children's homes or other similar residential establishments provided for children are not suitable places or are not properly staffed and administered;
  - (b) the arrangements for the selection of foster parents have proved unsatisfactory;
  - (c) the supervision of children committed to the care of foster parents has been inadequate;
  - (d) the arrangements mentioned in Regulation 6 of the these Regulations are not satisfactory.
- the Secretary of State shall notify the voluntary organisation that he is not so satisfied and thereafter the voluntary organisation shall not make or carry out any arrangements for the emigration of children to that country until it is notified by the Secretary of State that he is satisfied on the matters aforesaid.
10. Every voluntary organisation shall in respect of every child who emigrates enter in a register to be kept for the purpose -
- (a) his name, sex and date of birth;
  - (b) the country to which he emigrated;
  - (c) the date on which the journey began;
  - (d) the name of the ship or aircraft in which he travelled; and
  - (e) the name and address of the person or organisation having the care and possession of the child on his arrival in the country to which he emigrated.
11. Every voluntary organisation shall during the month of January in each year, or by such later date as may in any particular case be allowed by the Secretary of State, provide the Secretary of State with the following information, namely:-
- (a) the number, ages and sexes of the children who emigrated during the preceding year and the countries to which they emigrated, including those whose journey had been begun but not completed by the end of the preceding year;
  - (b) whether such children on arrival at the country to which they emigrated were, or would be, accommodated in a hostel, children's home or other similar residential establishment or placed in the care and possession of a foster parent,
  - (c) the number of children who during the preceding year were considered, but not recommended, by the case committee for selection for emigration by the voluntary organisation, or who were recommended by the case committee but were not selected by the voluntary organisation.

12. A voluntary organisation shall permit any person duly authorised in that behalf by the Secretary of State to inspect –
- (a) any report mentioned in Regulation 5 of these Regulations;
  - (b) any register mentioned in Regulation 10 of these Regulations;
  - (c) any other report, certificate or document in the possession of the voluntary organisation relating to the selection of any child or to the selection of any foster parent or the arrangements for the emigration of any child or to the matters mentioned in Regulation 6 of these Regulations.
13. These Regulations, other than Regulation 3, shall not apply to a child in respect of whose emigration the voluntary organisation only makes arrangements for the child's journey.
14. (1) For the purposes of these Regulations the expression "case committee" means a body of persons appointed by a voluntary organisation or by two or more voluntary organisations acting jointly whether or not such persons are members of any voluntary organisation.
- (2) At least one member of a case committee shall be a person with training in child welfare one shall be a person with first-hand knowledge of the country to which it is proposed that a child recommended for selection for emigration should emigrate.
15. (1) Every voluntary organisation shall keep a list containing the names, addresses and qualifications (if any) within the meaning of paragraph (3) of Regulation 14 of these Regulations of every person who has, during the previous ten years, been appointed to serve on a case committee which may recommend children for selection for emigration by that voluntary organisation.
- (2) Every voluntary organisation shall keep a record of the members of a case committee who recommended a child for selection for emigration by that voluntary organisation.
- (3) The said list and record shall be available for inspection by any person duly authorised in that behalf by the Secretary of State.
16. For the purposes of these Regulations, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them:-
- "child" means in relation to a voluntary organisation a person under the age of eighteen years for whose emigration that voluntary organisation makes, or considers making, arrangements;
- "emigration" means the emigration of a child from Great Britain to a place outside Great Britain other than Northern Ireland, the Channel Islands, the Isle of Man or the Republic of Ireland;
- "foster parent" means a person who has the care and possession of a child and is not the child's parent or guardian;
- "journey" means the passage to the country to which a child is emigrating commencing with the child's departure from Great Britain.
17. (1) These Regulations may be cited as the Emigration of Children Regulations, [date], and shall come into operation on [date].
- (2) The Interpretation Act, 1889(b), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament."<sup>1986</sup>

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1986 TNA, MH102/2047, Draft Emigration of Children Regulations, 16 March 1954, at LEG.001.004.1896-1904.

## Appendix E: Section 21 responses

In late 2016 and early 2017, 37 organisations, including some local authorities, were contacted by SCAI regarding 77 residential institutions responsible for the care of children. Organisations were asked a range of questions, including whether they had been involved in migrating children whose care had been arranged in Scotland. Responses indicated that 16 institutions had some involvement with child migration, and 50 institutions had no involvement. The responses for 11 institutions were unclear on this matter.

Responses that indicated involvement with child migration are listed in the table below.

Organisation/ local authority	Institution	Date of response
<b>Barnardo's</b>	Organisation	Date unclear <sup>1987</sup>
<b>Bishops' Conference of Scotland</b>	Organisation	28 April 2017 <sup>1988</sup>
	Archdiocese of St Andrew's and Edinburgh	28 April 2017 <sup>1989</sup>
<b>CrossReach</b>	Lord and Lady Polwarth Home	28 April 2017 <sup>1990</sup>
<b>Edinburgh City Council</b>	Clerwood Children's Home	Date unclear <sup>1991</sup>
	St Katherine's Secure Unit	Date unclear <sup>1992</sup>
	Howdenhall Centre	Date unclear <sup>1993</sup>
	Glenallan Children's Home	26 April 2017 <sup>1994</sup>
<b>Our Lady of Charity of the Good Shepherd</b>	Woodfield Children's Home, Colinton	3 August 2017 <sup>1995</sup>
<b>Quarriers</b>	Organisation	20 February 2017 <sup>1996</sup>
<b>Sisters of Nazareth</b>	Organisation	26 May 2017 <sup>1997</sup>
	Nazareth House, Aberdeen	26 May 2017 <sup>1998</sup>
	Nazareth House, Cardonald	26 May 2017 <sup>1999</sup>
	Nazareth House, Kilmarnock	26 May 2017 <sup>2000</sup>
	Nazareth House, Lasswade	26 May 2017 <sup>2001</sup>
<b>West Dunbartonshire Council</b>	Hill Park Children's Home	27 February 2017 <sup>2002</sup>

1987 Barnardo's, Part C response to section 21 notice, at BAR.001.001.0462.

1988 Bishops' Conference of Scotland, Response to section 21 notice, at BSC.001.001.0377.

1989 Bishops' Conference of Scotland, Appendix 4 Archdiocese of St Andrew's and Edinburgh, Response to section 21 notice, at BSC.001.001.0467.

1990 CrossReach, Parts C and D response to section 21 notice, Lord and Lady Polwarth Home, at COS.001.001.0395.

1991 Edinburgh City Council, Part C response to section 21 notice, Clerwood Children's Home, at EDI-000000003.

1992 Edinburgh City Council, Part C response to section 21 notice, St Katherine's Secure Unit, at EDI-000000001.

1993 Edinburgh City Council, Part C response to section 21 notice, Howdenhall Centre, at EDI-000000002.

1994 Edinburgh City Council, Part C response to section 21 notice, Glenallan Children's Home, at EDI-000000004.

1995 Congregation of Our Lady of Charity of the Good Shepherd, Parts C and D response to section 21 notice, Woodfield Children's Home, 1945-1970, at GSH-000000005.

1996 Quarriers, Part C response to section 21 notice, at QAR.001.001.0437.

1997 Sisters of Nazareth, Organisational Part C response to section 21 notice, at NAZ.001.001.0267.

1998 Sisters of Nazareth, Part C response to section 21 notice, Aberdeen House, at NAZ.001.001.0465.

1999 Sisters of Nazareth, Part C response to section 21 notice, Cardonald House, at NAZ.001.001.0366.

2000 Sisters of Nazareth, Part C response to section 21 notice, Kilmarnock House, at NAZ.001.001.0317.

2001 Sisters of Nazareth, Part C response to section 21 notice, Lasswade House, at NAZ.001.001.0416.

2002 West Dunbartonshire Council, Parts C and D response to section 21 notice, at WDC.001.001.0005.

In autumn 2018 and early 2019, further section 21 notices were sent to certain organisations and all local authorities in Scotland. These notices sought detailed information about any involvement in the migration of children whose care had been arranged in Scotland. The table below shows the substantive responses, date of receipt, and any substantive addenda.

Organisation/ local authority	Document date	Nil response?	Addenda
<b>Aberdeen City Council</b>	9 November 2018 <sup>2003</sup>	-	
	28 January 2019 <sup>2004</sup>	-	St Martha's former Children Home
<b>Aberdeenshire Council</b>	1 February 2019 <sup>2005</sup>	Nil	
<b>Aberlour Child Care Trust</b>	29 October 2018 <sup>2006</sup>	-	
<b>Action for Children</b>	4 December 2018 <sup>2007</sup>	Nil	
<b>Angus Council</b>	28 January 2019 <sup>2008</sup>	-	
<b>Argyll and Bute Council</b>	4 February 2019 <sup>2009</sup>	-	
<b>Barnardo's</b>	14 December 2018 <sup>2010</sup>	-	
	20 December 2019 <sup>2011</sup>	-	Follow-up letter with new information
	31 January 2020 <sup>2012</sup>	-	Updated response
	2 March 2021 <sup>2013</sup>	-	Updated information
<b>Birmingham City Council</b>	25 September 2018 <sup>2014</sup>	-	

2003 Aberdeen City Council, Response to section 21 notice, at ABN.001.001.1712.

2004 Aberdeen City Council, Response to section 21 notice, St Martha's former Children's Home, at ABN.001.001.1757.

2005 Aberdeenshire City Council, Response to section 21 notice, at ASC.001.001.0110.

2006 Aberlour Child Care Trust, Response to section 21 notice, 1900-1930, at ABE.001.008.7699; Aberlour Child Care Trust, Response to section 21 notice, 1930-2014, at ABE.001.008.8061.

2007 Action for Children, Response to section 21 notice, at AFC.001.001.0001.

2008 Angus Council, Response to section 21 notice, at ANC.001.001.0002.

2009 Argyll and Bute Council, Response to section 21 notice, at ABC.001.001.0001.

2010 Barnardo's, Response to section 21 notice, at BAR.001.005.3328.

2011 Barnardo's, Follow-up letter to section 21 notice, 20 December 2019, at BAR-000000021.

2012 Barnardo's, Response to section 21 notice, updated 31 January 2020, at BAR-000000006.

2013 Barnardo's, Updated information on child migration, 2 March 2021, at BAR-000000035 and BAR-000000036.

2014 Birmingham City Council, Response to section 21 notice, at BCC.001.001.0001.

Organisation/ local authority	Document date	Nil response?	Addenda
<b>Bishops' Conference of England and Wales</b>	10 May 2019 <sup>2015</sup>	-	
	31 May 2019 <sup>2016</sup>	-	
	5 August 2019 <sup>2017</sup>	-	Documents provided to IICSA
	17 October 2019 <sup>2018</sup>	-	CCWC register of children
	22 November 2019 <sup>2019</sup>	-	CCSW records for CCBOS S&NI
<b>Bishops' Conference Scotland</b>	23 October 2018 <sup>2020</sup>	-	
<b>Children 1<sup>st</sup></b>	30 April 2019 <sup>2021</sup>	Nil	
<b>Clackmannanshire Council</b>	18 April 2019 <sup>2022</sup>	Nil	
<b>CrossReach</b>	22 June 2018 <sup>2023</sup>	-	
	1 October 2018 <sup>2024</sup>	-	
<b>Daughters of Charity</b>	8 January 2019 <sup>2025</sup>	Nil	
<b>Dumfries and Galloway Council</b>	12 November 2018 <sup>2026</sup>	-	
<b>Dundee City Council</b>	7 December 2018 <sup>2027</sup>	-	
<b>East Ayrshire Council</b>	8 November 2018 <sup>2028</sup>	Nil	
<b>East Dunbartonshire Council</b>	30 January 2019 <sup>2029</sup>	Nil	
	18 June 2019 <sup>2030</sup>	-	

2015 Bishops' Conference of England and Wales, Response to questions 1-4 of section 21 notice, at BEW.001.001.0090.

2016 Bishops' Conference of England and Wales, Response to section 21 notice, at BEW.001.001.0001; See also Signed statement of Mary Gandy, at BEW.001.001.0059.

2017 Bishops' Conference of England and Wales, Response to section 21 notice, at BEW.001.001.0200.

2018 Bishops' Conference of England and Wales, CCWC Register of Children, at BEW.001.001.0542.

2019 Bishops' Conference of England and Wales, Letter in response to section 21 notice, at BEW.001.001.0698.

2020 Bishops' Conference of Scotland, Scottish Catholic Archives, Catholic Child Migration to Australia from Scotland and Northern Ireland 1946-1950, April 2010, at BSC.001.001.0168.

2021 Children 1<sup>st</sup>, Response to section 21 notice, at CHF.001.001.0061.

2022 Clackmannanshire Council, Response to section 21 notice, at CLC.001.001.0001.

2023 CrossReach, Part C response to section 21 notice, at COS.001.001.0446.

2024 CrossReach, Response to section 21 notice, at COS.001.001.0640.

2025 Daughters of Charity of St Vincent de Paul, Response to section 21 notice, at DSV.001.001.5677.

2026 Dumfries and Galloway Council, Response to section 21 notice, Child migration evidence, at DGC.001.001.0147.

2027 Dundee City Council, Response to section 21 notice, at DUN.001.001.0397.

2028 East Ayrshire Council, Response to section 21 notice, at EAC.001.001.1046.

2029 East Dunbartonshire Council, Response to section 21 notice, at EDC.001.001.0289.

2030 East Dunbartonshire Council, Response to section 21 notice, at EDC.001.001.0293.

Organisation/ local authority	Document date	Nil response?	Addenda
<b>East Lothian Council</b>	7 January 2019 <sup>2031</sup>	-	
<b>East Renfrewshire Council</b>	22 November 2018 <sup>2032</sup>	Nil	
<b>Edinburgh City Council</b>	12 November 2018 <sup>2033</sup>	-	
<b>Falkirk Council</b>	28 November 2018 <sup>2034</sup>	Nil	
<b>Fife Council</b>	25 January 2019 <sup>2035</sup>	-	
<b>Glasgow City Council</b>	12 November 2018 <sup>2036</sup>	-	
<b>Good Shepherd Sisters</b>	23 October 2018 <sup>2037</sup>	-	
<b>Highland Council</b>	1 February 2019 <sup>2038</sup>	-	
<b>House of Commons</b>	26 April 2019 <sup>2039</sup>	-	
<b>IICSA</b>	12 February 2019 <sup>2040</sup>	-	
	7 August 2019 <sup>2041</sup>	-	
<b>Inverclyde Council</b>	17 December 2018 <sup>2042</sup>	-	
<b>Kibble Education and Care Centre</b>	12 April 2019 <sup>2043</sup>	-	
<b>Midlothian Council</b>	12 November 2018 <sup>2044</sup>	Nil	
<b>Moray Council</b>	25 February 2019 <sup>2045</sup>	Nil	
<b>North Ayrshire Council</b>	12 November 2018 <sup>2046</sup>	Nil	
<b>North Lanarkshire Council</b>	25 January 2019 <sup>2047</sup>	-	
<b>Orkney Islands Council</b>	30 November 2018 <sup>2048</sup>	Nil	

2031 East Lothian Council, Response to section 21 notice, at ELC.001.001.0033.

2032 East Renfrewshire Council, Response to section 21 notice, at ERC.001.001.0006.

2033 Edinburgh City Council, Response to section 21 notice, at EDI.001.001.8132.

2034 Falkirk Council, Response to section 21 notice, at FAC.001.001.0897.

2035 Fife Council, Response to section 21 notice, at FIC.001.001.4659.

2036 Glasgow City Council, Response to section 21 notice, at GLA.001.002.4664.

2037 Congregation of Our Lady of Charity of the Good Shepherd, Response to section 21 notice, at GSH.001.001.0469.

2038 Highland Council, Response to section 21 notice, at HIC.001.001.0001.

2039 House of Commons, Response to section 21 notice, at HOC.001.001.0001.

2040 IICSA, Response to section 21 notice, at PRT.001.001.8129.

2041 IICSA, Response to section 21 notice, at ICA.001.001.0124.

2042 Inverclyde Council, Response to section 21 notice, at INC.001.001.1811.

2043 Kibble Education and Care Centre, Response to section 21 notice, at KIB.001.001.0009; Kibble Education and Care Centre, Introduction to response to section notice, at KIB.001.001.0001.

2044 Midlothian Council, Response to section 21 notice, at MIC.001.001.2027.

2045 Moray Council, Response to section 21 notice, at MOC.001.001.0258.

2046 North Ayrshire Council, Response to section 21 notice, at NAC.001.001.4562.

2047 North Lanarkshire Council, Response to section 21 notice, at NLC.001.001.0259.

2048 Orkney Islands Council, Response to section 21 notice, at OIC.001.001.0001.



Organisation/ local authority	Document date	Nil response?	Addenda
<b>Perth &amp; Kinross Council</b>	31 January 2019 <sup>2049</sup>	Nil	
<b>Prince's Trust</b>	12 February 2019 <sup>2050</sup>	-	
<b>Quarriers</b>	31 January 2019 <sup>2051</sup>	-	
<b>Royal Over-Seas League</b>	29 January 2019 <sup>2052</sup>	-	
	26 September 2019 <sup>2053</sup>	-	
<b>Salvation Army</b>	19 November 2018 <sup>2054</sup>	-	
	17 December 2018 <sup>2055</sup>	-	
<b>Scottish Borders Council</b>	5 December 2018 <sup>2056</sup>	Nil	
<b>Scottish Government</b>	31 January 2019 <sup>2057</sup>		
	28 November 2019 <sup>2058</sup>	-	
	1 September 2020 <sup>2059</sup>	-	
<b>Shetland Islands Council</b>	20 November 2018 <sup>2060</sup>	Nil	
	6 December 2018 <sup>2061</sup>	Nil	
<b>Sisters of Nazareth</b>	12 October 2018 <sup>2062</sup>	-	
<b>South Ayrshire Council</b>	12 November 2018 <sup>2063</sup>	-	
<b>South Lanarkshire Council</b>	29 October 2018 <sup>2064</sup>	-	
<b>St Vincent de Paul</b>	10 March 2019 <sup>2065</sup>	-	

2049 Perth & Kinross Council, Response to section 21 notice, at PKC.001.001.0652.

2050 Prince's Trust, Letter to Lady Smith, 8 March 2019, at PRT.001.001.8292.

2051 Quarriers, Response to section 21 notice, at QAR.001.008.0001.

2052 Royal Over-Seas League, Response to section 21 notice, at ROL.001.001.0001.

2053 Royal Over-Seas League, Response to section 21 notice, at ROL.001.001.0123.

2054 Salvation Army, Response to section 21 notice, Report 1: Child Emigration Policy, 1900-2014, at SAL.001.001.0005; Salvation Army, Response to section 21 notice, Report 2: Emigration Policy in Practice, 1900-2014, at SAL.001.001.0015.

2055 Salvation Army, Response to section 21 notice, Statement on availability of historic records, at SAL.001.001.0106.

2056 Scottish Borders Council, Response to section 21 notice, at SBC.001.001.0056.

2057 Scottish Government, Response to section 21 notice, at SGV.001.007.9457.

2058 Scottish Government, Report on Child Migration, November 2019, at SGV.001.009.8786.

2059 Scottish Government, Updated Report on Child Migration, September 2020, at SGV-000000463.

2060 Shetland Islands Council, Response to section 21 notice, at SHC.001.001.0008.

2061 Shetland Islands Council, Response to section 21 notice, at SHC.001.001.0012.

2062 Sisters of Nazareth, Response to section 21 notice, Child migration from Scottish Nazareth Houses 1900-1930, at NAZ.001.006.3050; Sisters of Nazareth, Part 1 and 2 response to section 21 notice, 1900-1930, at NAZ.001.006.2833; Statement of Sister Anna Maria Dolan and Sister Walsh detailing responsibility for final approval of migration of children 1946 to 1954, at NAZ.001.007.8762.

2063 South Ayrshire Council, Response to section 21 notice, at SAC.001.001.0397.

2064 South Lanarkshire Council, Response to section 21 notice, at SLC.001.001.1890.

2065 Society of St Vincent de Paul, Response to section 21 notice, at SVP.001.001.0001.

Organisation/ local authority	Document date	Nil response?	Addenda
<b>Stirling Council</b>	18 October 2018 <sup>2066</sup>	-	Whinwell Children's Home
	20 December 2018 <sup>2067</sup>		
<b>West Dunbartonshire Council</b>	15 April 2019 <sup>2068</sup>	Nil	
<b>Western Isles Council</b>	15 January 2019 <sup>2069</sup>	Nil	

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2066 Stirling City Council, Report relating to records held at Stirling Council Archives 1900-1980, Whinwell Children's Home, Response to section 21 notice, at STC.001.001.0564.

2067 Stirling City Council, Report relating to records held at Stirling Council Archives and Records Centre 1900-1970, Response to section 21 notice, at STC.001.001.1221.

2068 Western Dunbartonshire Council, Response to section 21 notice, at WDC.001.001.0162.

2069 Western Isles Council, Response to section 21 notice, at WIC.001.001.0001; Western Isles Council, Report by Archivist on archive sources consulted in response to section 21 notice, at WIC.001.001.0002.

## Appendix F: Biographies

### Professor Stephen Constantine

Professor Stephen Constantine is Emeritus Professor of modern British History at Lancaster University. He graduated in 1968 with a BA from Oxford University, and a DPhil from Oxford in 1984. He joined Lancaster University in 1971. He is a fellow of the Royal Historical Society. His research concerns the history of St Helena, Gibraltar, the Empire Marketing Board, and migration around the British Empire and Commonwealth, including child migration. He has written widely on the topic of child migration, including as an expert witness for the Independent Inquiry into Child Sexual Abuse (IICSA).<sup>2070</sup> He has given evidence to numerous inquiries on child migration including the Australian Senate Community Affairs Committee, 2001, and for IICSA in 2018.

### Professor Marjory Harper

Professor Marjory Harper is Professor of History at University of Aberdeen and Visiting Professor at the Centre for History, University of the Highlands and Islands. She received a BA and PhD in History from the University of Aberdeen, and has worked at the University of Aberdeen since. She is a fellow of the Royal Historical Society and the Society of Antiquaries of Scotland. Her research focuses on Scottish history since 1700, looking particularly at emigration, the Scottish diaspora, and the history of the Highlands and Islands. She has written many publications focusing on these, but her most recent ones look mostly at Scottish emigration in the 19<sup>th</sup> and 20<sup>th</sup> centuries.<sup>2071</sup>

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2070 See, for example, Stephen Constantine, "The British Government, Child Welfare, and Child Migration to Australia after 1945", *Journal of Imperial and Commonwealth History*, 30 (1) (2002), pp.99-132; Stephen Constantine, "Child Migration, Philanthropy, the State and the Empire", *History in Focus*, 14 (2008); Marjory Harper and Stephen Constantine, *Migration and Empire* (2010), Oxford: Oxford University Press.

2071 See, for example, Marjory Harper, *Emigration from Scotland between the wars: opportunity or exile?* (2017), Manchester: Manchester University Press; Marjory Harper, "Labour emigration to the 'British World' in the 19th century", *Continuity and Change*, 34 (1) (2019); Marjory Harper, *Testimonies of Transition: Voices from the Scottish Diaspora* (2018), Edinburgh: Luath Press Ltd.; Harper, Marjory and Stephen Constantine. *Migration and Empire* (2010), Oxford: Oxford University Press; Shubin, Sergei, and Marjory Harper. "Spiritual homes on the move: narratives of migrations from Scotland in the 18th and 19th centuries", *Social & Cultural Geography*, 23 (8) (2022), pp.1135-1154.

## Professor Gordon Lynch

Professor Gordon Lynch is Michael Ramsey Professor of Modern Theology at the University of Kent. He has previously held posts at Birkbeck College, University of London, University of Birmingham, and University of Chester. He is a Faculty Fellow at Yale University. His research over the last decade has been increasingly focused on the history of abuse of children involving religious organisations.<sup>2072</sup> He has previously given evidence and acted as an expert witness for IICSA with Stephen Constantine, co-curated an exhibition at the V&A Museum of Childhood on child migration, and worked on the Ballads of Child Migration project.

## Dr Margaret Humphreys

Dr Margaret Humphreys is a social worker and the Director of the Child Migrants Trust. She first became aware of child migrants while working at Nottinghamshire County Council in 1986, when she received a letter from a former migrant looking for help to find her family. Over the next couple of years, Margaret Humphreys met with many former child migrants. She brought this to public attention and established the Child Migrants Trust (CMT) in 1987. Since then, the CMT has helped to reunite former migrants with their families, assisted people to find their records, provided support and counselling, provided funding, and helped migrants to apply for citizenship.

## The Hon Joan Taylor, MBE

Joan Taylor has held a variety of elected and appointed positions in local and regional government and health services. During her career as a Nottinghamshire County Councillor she was the Chair of the Further Education Subcommittee for four years, and Chair of the Social Services Committee for nine years. She retired from the Council in 2009, and was subsequently made an Honorary Alderman of the Council.

In 1994 she was appointed as a Trustee of the Child Migrants Trust and became Chair of the Board of Trustees shortly afterwards. She received an MBE in 2009.

## Dr Philippa White

Dr Philippa White is the Director of, and was instrumental in developing, Tuart Place, an organisation that provides support to care-experienced people in Australia, including former child migrants. She has qualifications in social work, journalism, and trauma-informed counselling. She has extensive experience working with former child migrants, having previously directed an agency providing services to ex-residents of Catholic homes in Western Australia, and managing the redress scheme in Western Australia between 2008 and 2011.

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2072 See, for example, Gordon Lynch, *UK Child Migration to Australia, 1945-1970* (2021), Cham: Palgrave Macmillan; Gordon Lynch, *Remembering Child Migration: Faith, Nation-Building and the Wounds of Charity* (2015), London: Bloomsbury Academic; Gordon Lynch, "[Possible collusion between individuals alleged to have sexually abused boys at four Christian Brother's institutions in Western Australia, 1947-1965: a secondary analysis of material collated by historical abuse inquiries](#)" (2019, revised 2021), Kent Academic Repository; Gordon Lynch, "Pathways to the 1946 Curtis Report and the post-war reconstruction of children's out-of-home care", *Contemporary British History*, 34 (1) (2020), pp.22-43; Gordon Lynch, "[Catholic Child Migration Schemes from the United Kingdom to Australia: Systemic Failures and Religious Legitimation](#)", *Journal of Religious History*, 44 (3) (2020), pp.273-294; Gordon Lynch, "The Church of England Advisory Council of Empire Settlement and Post-War Child Migration to Australia", *Journal of Ecclesiastical History*, 71 (4) (2020), pp.798-826.

## **Anna Magnusson**

Anna Magnusson has worked in radio broadcasting since 1988. From 1999 to 2009, she was in charge of religious radio programming for BBC Scotland. She has produced, written, and presented a variety of radio shows worldwide. In 2012, she won the Sandford St Martin Trust Radio Prize. Alongside this, she is also a writer and teaches radio production. In 1985, she wrote *The Village* about William Quarrier and Quarriers Village. In 2006 she updated this text to include Quarriers' role in child migration, and republished it as *The Quarriers Story*.

## **Norman Johnston**

Norman Johnston, a former child migrant, is the President of the International Association of former Child Migrants and their families. The International Association was formed in 1997 to represent the views and interests of former child migrants, particularly through campaigning for justice, specialist services and redress from organisations and governments involved in child migration schemes, and the promotion of public awareness of the impact of migration. Since its formation, it has campaigned on behalf of former migrants and taken part in official governmental inquiries in both the UK and Australia.

## Appendix G: Gordon Brown's apology

On 24 February 2010 the then Prime Minister, Gordon Brown, made the following apology in the House of Commons:

*"Until the late 1960s, successive UK Governments had over a long period of time supported child migration schemes. They involved children as young as three being transported from Britain to Australia, Canada, New Zealand, South Africa and Zimbabwe. The hope was that those children, who were aged between three and 14, would have the chance to forge a better life overseas, but the schemes proved to be misguided. In too many cases, vulnerable children suffered unrelenting hardship and their families left behind were devastated. They were sent mostly without the consent of their mother or father. They were cruelly lied to and told that they were orphans and that their parents were dead, when in fact they were still alive. Some were separated from their brothers and sisters, never to see one another again. Names and birthdays were deliberately changed so that it would be impossible for families to reunite. Many parents did not know that their children had been sent out of this country.*

*The former child migrants say they feel that this practice was less transportation and more deportation—a deportation of innocent young lives. When they arrived overseas, all alone in the world, many of our most vulnerable children endured the harshest of conditions, neglect and abuse in the often cold and brutal institutions that received them. Those children were robbed of their childhood, the most*

*precious years of their life. As people know, the pain of a lost childhood can last a lifetime. Some still bear the marks of abuse; all still live with the consequences of rejection. Their wounds will never fully heal, and for too long the survivors have been all but ignored.*

*When I was first made aware of this wholly unacceptable practice, I wrote to the Prime Minister of Australia to urge that together, we do more to acknowledge the experiences of former child migrants and see what we could achieve. It is right that today we recognise the human cost associated with this shameful episode of history and this failure in the first duty of a nation, which is to protect its children.*

*Shortly, I shall be meeting a number of former child migrants here in the Palace of Westminster to listen first-hand to their experiences, and as Prime Minister, I will be apologising on behalf of our nation. To all those former child migrants and their families, to those here with us today and those across the world—to each and every one—I say today that we are truly sorry. They were let down. We are sorry that they were allowed to be sent away at the time they were most vulnerable. We are sorry that instead of caring for them, this country turned its back, and we are sorry that the voices of these children were not always heard and their cries for help not always heeded. We are sorry that it has taken so long for this important day to come, and for the full and unconditional apology that is justly deserved to be given.*

*I would like to recognise the work of my right hon. Friend the Member for Rother Valley (Mr. Barron) as Chairman of the Select Committee on Health, and of his predecessor the former Member for Wakefield, David Hinchcliffe. For their commitment to this cause, I would also like to praise all past and present members of the Commons Health Committee and the all-party group on child migrants. I would also like to pay tribute to the work of the Child Migrants Trust and the International Association of Former Child Migrants and their Families, which have campaigned for justice over many years. I know that the House will join me in paying special tribute to Margaret Humphreys, who founded the Child Migrants Trust and has been a constant champion and fighter for child migrants and their families.*

*Although we cannot undo the events of the past, we can take action now to support people to regain their true identities and reunite with their families and loved ones, and to go some way to repair the damage that has been inflicted. I can announce today support for former child migrants that includes the establishment of a new £6 million family restoration fund.*

*There are many painful memories as a result of the child migration schemes, and for many, today's apology will come too late for them to hear it. We cannot change history, but I believe that by confronting the failings of the past we show that we are determined to do all we can to heal the wounds. I commend this statement to the House.*<sup>2073</sup>

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2073 Hansard, "Child Migration", 24 February 2010, vol.506, at INQ-000000189.

## Appendix H: Publicity campaign

	Publication/Broadcast	Date
Australia and New Zealand	Child Migrants Trust newsletter	February and August 2017
	CLAN (Care Leavers Australasia Network) newsletter (Clanicle)	May and July 2017
	Tuart Times	February 2018 and February 2019
	TVNZ, New Zealand's national broadcaster	January 2018
	Radio New Zealand	January 2018
	Canada	YouTube video appeal by the Inquiry's Chair, encouraging any surviving British Home Children or their descendants to come forward to the Inquiry.



# Appendix I: Maps

## World Map

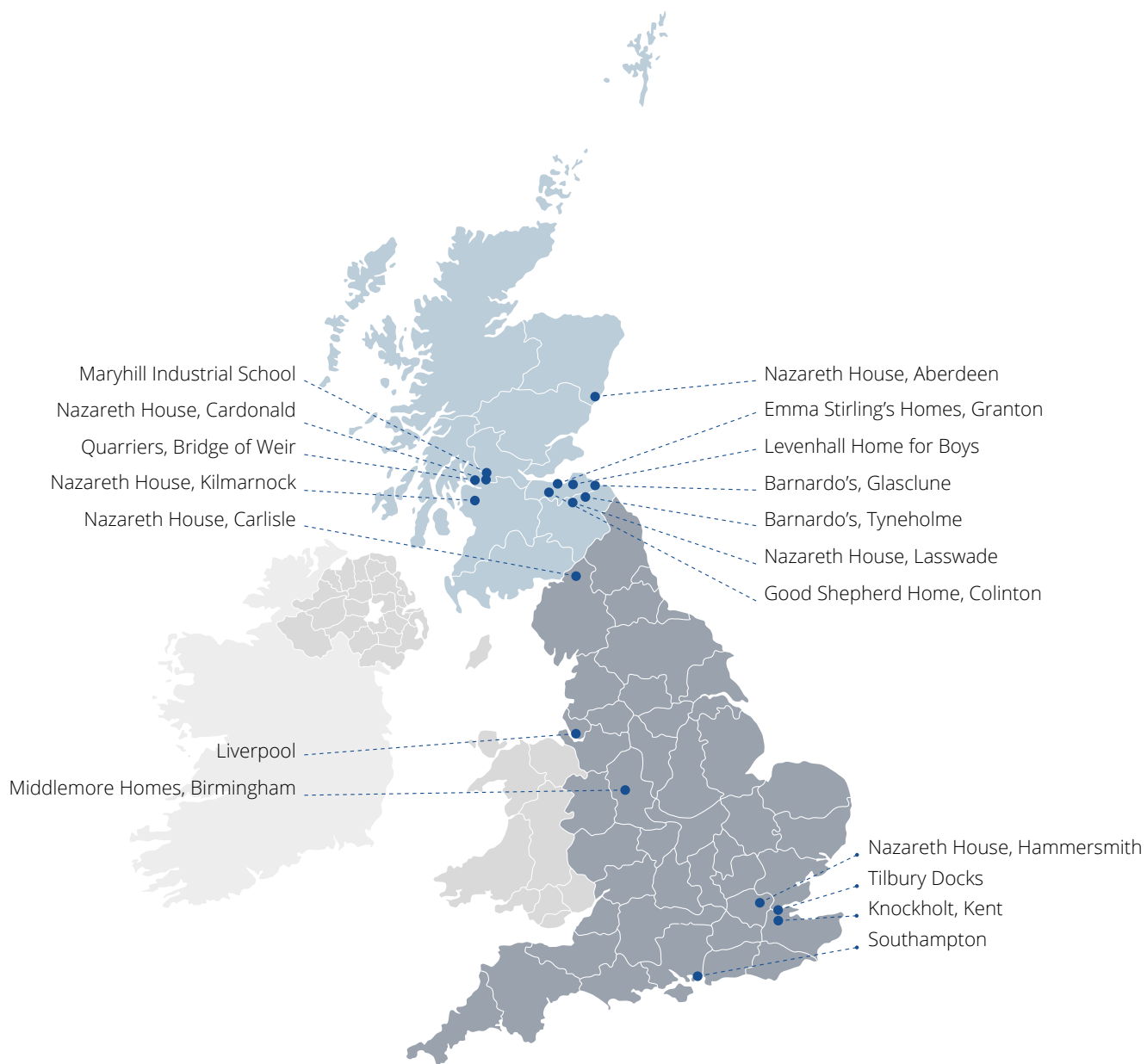
The map below provides an average number of days it took the child migrants whose accounts are included in this Volume to arrive at their country of destination.



Sailing times given are based on the average time SCAI applicants spent at sea.

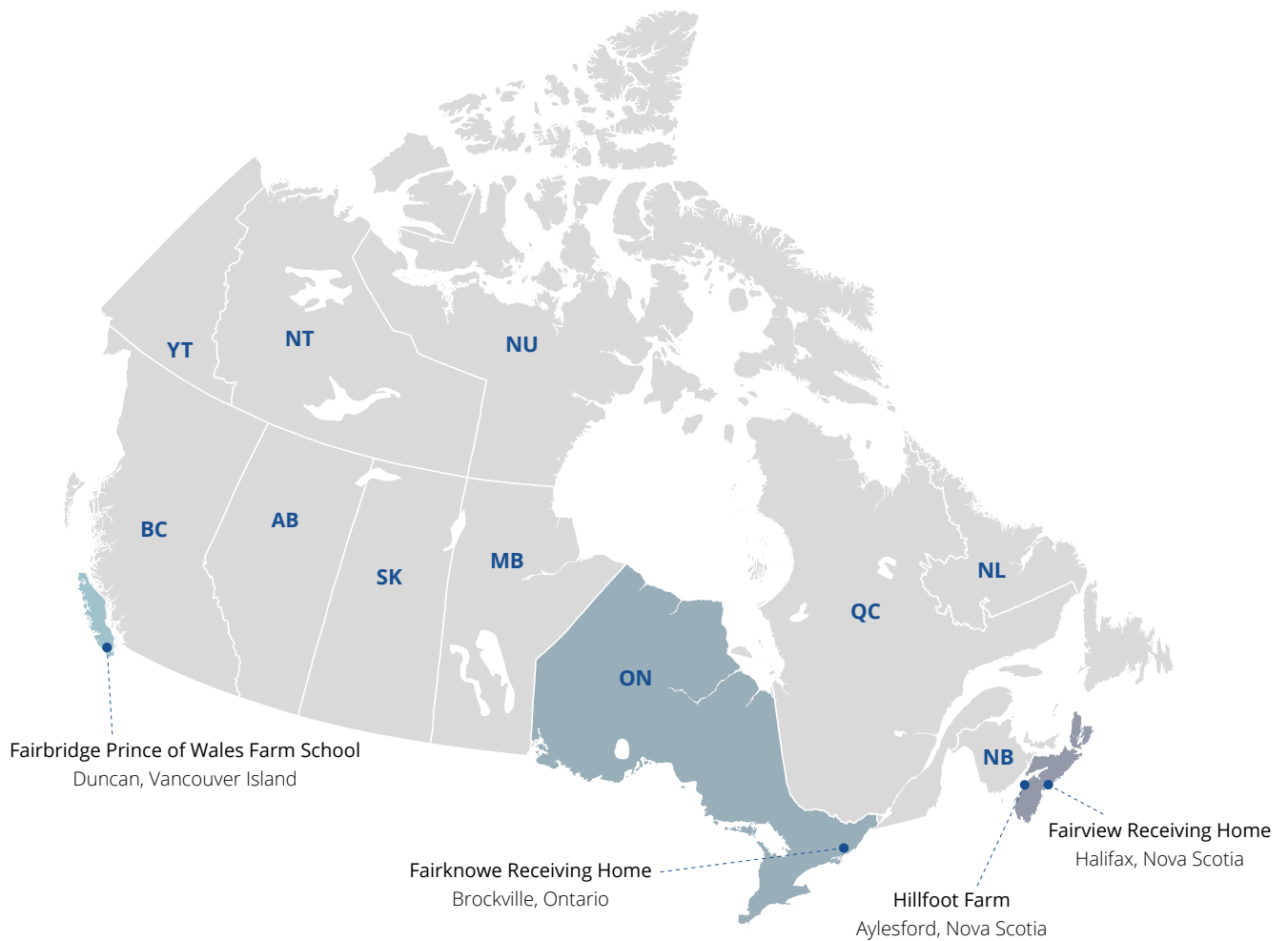
## Sending institutions and ports of departure in Scotland and England

The map below shows the locations of institutions in Scotland and England where child migrants whose accounts are included in this Volume were residing prior to migration, and the ports of departure.



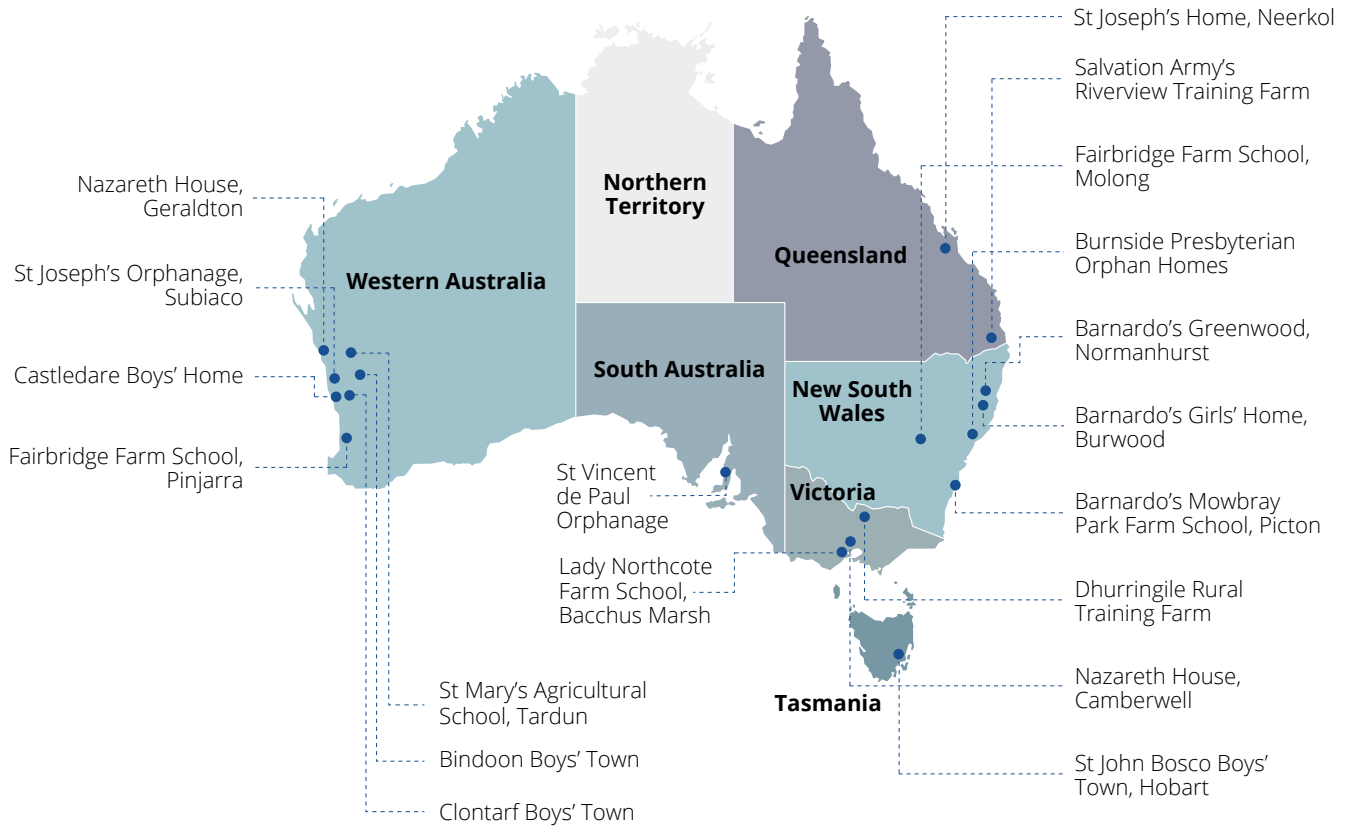
## Receiving Institutions in Canada

The map below shows the locations of receiving institutions and distribution homes in Canada mentioned in this Volume.



## Receiving Institutions in Australia

The map below shows the locations of receiving institutions in Australia.



## Appendix J: List of receiving institutions in Australia, their location, and responsible body

<b>Institutions in Australia</b>	<b>Location</b>	<b>Organisation responsible for oversight of the institution</b>
<b>Fairbridge Farm School, Pinjarra</b>	Pinjarra, Western Australia	Fairbridge Society
<b>Fairbridge Farm School, Molong</b>	Molong, New South Wales	New South Wales Council/Committee/Society
<b>The Lady Northcote Farm School</b>	Bacchus March, Victoria	Northcote Trustees/Committee/Society
<b>Barnardo's Mowbray Park Farm School</b>	Picton, New South Wales	Barnardo's
<b>Dr Barnardo's Girls' Home, Burwood</b>	Burwood, Victoria	Barnardo's
<b>Greenwood, Normanhurst</b>	Normanhurst, New South Wales	Barnardo's
<b>Nazareth House, Geraldton</b>	Geraldton, Western Australia	Sisters of Nazareth
<b>Nazareth House, Camberwell</b>	Camberwell, Victoria	Sisters of Nazareth
<b>Castledare School or St Vincent's Preparatory School</b>	Queen's Park, Western Australia	Christian Brothers
<b>Clontarf Boys' Town or St Joseph's Orphanage</b>	Manning, Western Australia	Christian Brothers
<b>Bindoon Boys' Town or St Joseph's Farm and Trade School</b>	Chittering Valley, Western Australia	Christian Brothers
<b>Tardun Farm School or St Mary's Agricultural School</b>	Tardun, Western Australia	Christian Brothers
<b>Dhurringile Rural Training Farm</b>	Tatura, Victoria	Presbyterian Church
<b>St Joseph's Girls Orphanage</b>	Subiaco, Western Australia	Sisters of Mercy
<b>St John Bosco Boys' Town</b>	Glenorchy, Tasmania	Salesians of Don Bosco
<b>Burnside Presbyterian Orphan Homes</b>	Parramatta, New South Wales	Burnside Board of Directors

## Appendix K: Other individuals referred to in this Volume acting in some form of official capacity

Country	Affiliation	Name	Role
UK	Home Office	H.H.C. Prestige	Secretary, Children's Department
		W.B. Lyon	Official, Children's Department
		H.L. Oates	Official, Children's Department
		R.J. Whittick	Official
		N.J.P. Hutchison	Official
		J.M. Northover	Official
		D.M.D. Rosling	Official
	Scottish Home Department	W. Hewitson Brown	Inspector, Children's Department (1951-59)
		J.S. Munro	Official
		T.M. Warton	Official
		J.R. Gordon	Official
		T. Martin	Official
		W.S. Kerr	Official
		R. Clark	Official
	Dominions Office/ Commonwealth Relations Office	L.S. Amery	Secretary of State (1924-29)
		Malcom MacDonald	Under-Secretary (1931-35) Secretary of State (1935-40)
		Edward Cavendish	Under Secretary (1940-45)
		Cecil Syers	Deputy Under-Secretary
		Richard Sedgwick	Assistant Under-Secretary
		G.B. Shannon	Official
		R.A. Wiseman	Official
		R.L. Dixon	Official
		N. Robinson	Official
	Australia House	Noel Lamidey	Chief Migration Officer (1946-55)
		Robert E. Armstrong	Chief Migration Officer
		Harold McGinness	Chief Migration Officer
	Essex County Council	C.M. Wansbrough-Jones	Children's Officer

Country	Affiliation	Name	Role
Australia	UK High Commissioner's Office	Geoffrey Whiskard	High Commissioner (1936-41)
	Department of Immigration	Arthur Calwell	Minister for Immigration (1945-49)
		Alick Downer	Minister of Immigration (1958-63)
		R.W. Gratwick	Commonwealth Immigration Officer for Western Australia
		R. Marriot	Alien Registration Officer
		M. Brown	Officer
		G. Bartley	Officer in Charge, British and Child Migration
		H.V. Casey	Commonwealth Migration Officer for Western Australia
		R. Minto	Commonwealth Migration Officer for Queensland
	T. Mellor	Commonwealth Migration Officer	
	Department of Lands and Immigration, Western Australia	H.E. Smith	Under-Secretary (1947-55)
		E.R. Denney	Officer in Charge, Immigration
		F. Carlton Smith	Under-Secretary (1955-64)
		Francis McAdam	Officer
		F.D. Mather	Boarding and Welfare Officer
		L. Alexander	Welfare Officer
		Mr Ritchie	Immigration Officer
		D.D. Fogarty	Institution Officer
	Child Welfare Department, Western Australia	J. McCall	Director
		H.T. McMinn	Secretary
		F. Stewart	Inspector
		R.W. Crouch	Inspector
		R.C. Ogborne	Inspector
		G. Paddon	Inspector
		O. Roberts	Inspector
		J.J. Abbot	Inspector
		W.L. Roberts	Inspector
		R. Marriot	Institution Officer

Country	Affiliation	Name	Role
	Children's Welfare Department, Victoria	J.V. Nelson	Director
		F.E. Graham	Officer in Charge
		Miss Phillips	Child Welfare Officer
	Social Services Department, Tasmania	G.C. Smith	Director
	State Children Department, Queensland	W. Smith	Director
	State Immigration Office, Queensland	D.W. Longland	State Migration Officer
	Unstated	F.W. Campbell	Inspector
	Executive Council of British Columbia	P. Walker	Deputy Provincial Secretary
		Dr A.L. Crease	General Superintendent, Provincial Mental Hospital



