

Wednesday, 21 August 2024

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(10.00 am)

LADY SMITH: Good morning and welcome to the last day that we're hearing evidence in this chapter of Phase 8. We have one witness, I think, who is ready to be the final witness; yes, Mr MacAulay?

MR MACAULAY: Yes, good morning, my Lady. The one witness for today is Monsignor Hugh Bradley.

LADY SMITH: Thank you.

Monsignor Hugh Bradley (sworn)

LADY SMITH: I hope the first question I have for you is an easy one. How would you like me to address you?

A. Hugh is fine.

LADY SMITH: That's easy enough.

Hugh, in the red folder, you'll see there are copies of documents that we'll be referring you to in your evidence. We can also bring them up on screen which you might find helpful too, but they'll both be there for you.

Hugh, as I say to all witnesses, I do appreciate that giving evidence at a public inquiry is a stressful event, even for somebody whose daily work involves them appearing in public. This is a bit different: I understand that.

If you want a break at any time, please don't

1 hesitate to let me know, whether you just want to pause
2 where you're sitting or leave the room for a little
3 while, that's not a problem. Just speak up.

4 If at any time you've got any questions, do tell us.
5 If you don't understand what we're asking you, that's
6 our fault, not yours. We're not explaining things well
7 enough. So you tell us.

8 If you're ready to start, Hugh, I'll hand over to
9 Mr MacAulay and he'll take it from there. Thank you.

10 Mr MacAulay.

11 Questions by Mr MacAulay

12 MR MACAULAY: My Lady.

13 Yes, good morning, Hugh.

14 A. Good morning.

15 Q. Can you confirm for me that you were born in 1961?

16 A. I was, yes.

17 Q. At present, I think you are the Parish Priest for the
18 Holy Cross Parish in Glasgow; is that correct?

19 A. Yes, I am.

20 Q. Just going back a bit. I see from your CV that you have
21 a BA from Strathclyde University; is that correct?

22 A. Yes.

23 Q. You have a number of qualifications that you obtained at
24 the Pontifical Gregorian University in Rome.

25 A. Yes.

1 Q. How long did your studies take in Rome?

2 A. Eight years.

3 Q. You were ordained a priest in 1989?

4 A. I was, aye.

5 Q. Did you also spend time in Rome at the Vatican?

6 A. I did. After almost four years in my first parish,
7 which was St Robert's in Priesthill, Glasgow, I was
8 asked to go and work in one of the Vatican offices, the
9 Congregation for Catholic Education. Part of the
10 Congregation dealt with the formation of priests, so
11 that was the office that I was seconded to, if you like,
12 and I was the English language official. There were
13 more important people making decisions, but I was the
14 official that did the day-to-day work there, and I was
15 there for almost six years.

16 Q. Looking to the positions you had in Scotland, I think
17 you served as the General Secretary of the Bishops'
18 Conference from 2013 to 2019?

19 A. That's right, aye.

20 Q. Are you still connected to the Bishops' Conference?

21 A. No.

22 Q. Now, you're currently the Vicar General of the
23 Archdiocese of Glasgow?

24 A. Yes.

25 Q. What does that entail?

1 A. The vicar general is the, if you like, the right-hand
2 man, the second in charge of the archdiocese. So,
3 a vicar is someone who -- I'm not lecturing you, please
4 don't presume that, but a vicar is someone who holds
5 power and can exercise power on behalf of another, and
6 the vicar general can exercise the same powers as the
7 bishop within the archdiocese, while being mindful
8 always that he has to reflect the mind of the bishop.
9 So it's basically to allow the proper administration of
10 the archdiocese; support the bishop, in our case the
11 archbishop, in his work.

12 Q. I think when you were General Secretary of the Bishops'
13 Conference, you were quite involved in the McLellan
14 Commission; is that right?

15 A. Yes, yes. Well, I was refreshing my mind about this
16 before I came. All of -- the McLellan Commission and
17 different other initiatives came out of the BBC Scotland
18 inquiry into Fort Augustus Abbey. It was a terrible,
19 terrible shock. The bishops were obviously taken a bit
20 aback by it, and there was -- they really wanted to be
21 able to show people, show our society, that they were
22 responding to others' concerns, so they came up with
23 three different initiatives.

24 One was the McLellan inquiry, the McLellan
25 Commission.

1 But they also did -- let me just remind myself.
2 They did a review of the historical files that were held
3 in the diocese to check about whether all the
4 allegations had been reported to police, and to be able
5 to publish the allegations that had been received. They
6 also committed to doing that annually, the Bishops'
7 Conference.

8 Then the third part of it was an independent review
9 of the structures and practice of safeguarding within
10 the Catholic Church in Scotland.

11 Q. Are you, as vicar general, closely connected to the
12 day-to-day management of safeguarding issues?

13 A. Yes. Every day, there's something. So I would, in
14 a sense, oversee directly the safeguarding work of the
15 archdiocese on behalf of the archbishop. He's involved
16 too, but the more hands-on parts of it would be what we
17 call the DRAM -- I'm sure you have heard this, so it's
18 the Diocesan Risk Assessment Management team and that's
19 a body which advises the archbishop on cases,
20 allegations that come up or ... and they look at it with
21 the safeguarding adviser, who is a professional, full
22 time, and then they would make recommendations to the
23 archbishop about what should happen.

24 I'm also a member -- I'm chair of the DRAM, but
25 I'm also a member but not the chair of the Diocesan

1 Safeguarding Advisory Group, which brings together
2 professionals from different fields. The chair of that
3 currently is a retired police chief superintendent.

4 Q. Are you also at present involved in the Cora Foundation?

5 A. I am, yes.

6 Q. Are you the chair?

7 A. I am the chair, yes.

8 Q. We heard a little bit about the Cora Foundation from
9 Monsignor Smith when he gave his evidence, but it's
10 a registered charity, is that correct?

11 A. Yeah.

12 Q. And it's a company limited by guarantee?

13 A. Yes.

14 Q. Looking to the size of the organisation now, I think
15 it's quite a sizeable organisation?

16 A. Well, it has grown quite a lot in recent ... It is and
17 it isn't, because Cora's distinct from the different
18 organisations that are part of it. So each of the
19 schools and now Stepdown, which is to help residents of
20 the schools into life after the school, each of them is
21 a separate charity and they have their own boards and
22 they have their own procedures/ policies.

23 Cora really exists to offer support/ co-ordinate
24 services. For example, we share financial services. We
25 share -- the response to this Inquiry has been

1 co-ordinated through Cora, simply to allow us to prepare
2 documents and all the rest of it.

3 LADY SMITH: Hugh, does Cora own the properties; the
4 buildings, the land?

5 A. No, I think each board owns the property.

6 LADY SMITH: Really?

7 A. I can be corrected on that, but I think each school owns
8 its properties.

9 MR MACAULAY: If we take St Andrew's School that we are
10 going to be talking about, when St Andrew's School was
11 set up, I think as we shall see, the property that
12 became the school was transferred to the school -- to
13 the board as trustees.

14 A. Yes.

15 Q. Again, I'll come on to that, but just going back to the
16 Cora Foundation, Monsignor Smith described its role as
17 that of a 'facilitating function'?

18 A. Yes.

19 Q. Would that sum up what Cora does?

20 A. Yes. So, as I've mentioned, the finance has been the
21 big thing. Previously, Cora also co-ordinated training,
22 ongoing formation for the employees of the different
23 schools and bodies, but that's no longer the case. Each
24 school now looks after its own.

25 And in fact we're currently undergoing a review of

1 the services provided by Cora to see if we can be more
2 responsive to the needs of the schools.

3 The schools particularly, not so much Stepdown, but
4 the schools are finding it very difficult to continue
5 operating, because of the financial squeeze that they're
6 currently having to operate under. The finances are
7 very, very tight and now -- it wasn't the case when the
8 schools were founded, but now each school has to
9 negotiate a bed rate with this -- Scotland Excel, which
10 operates on behalf of the Scottish Government.

11 And each school does that separately, although
12 obviously at Cora meetings the chairs of each board
13 would discuss what they're offering, but that bed rate
14 is being pushed down and down and down and it really is.
15 It's quite hard to offer this full range of services.

16 So we're doing a review through Cora of the
17 functions of Cora, to see if more of the, if you like,
18 the peripheral to care functions, maybe even education
19 functions, could be done more centrally and at less
20 cost.

21 Q. Then looking to Cora, you are the chair. The
22 membership; how many members are there on the board?

23 A. Currently there are five -- six, including me.

24 Q. Are you the only member of the clergy?

25 A. Yeah.

1 Can I explain why I'm in the post? It might be
2 helpful. Monsignor Smith was the chair for many years
3 and had great knowledge of the schools and the body of
4 Cora, but he obviously was ill and he died, and at the
5 time I was the Diocesan Administrator of the Archdiocese
6 of Glasgow, Archbishop Tartaglia having died. I was
7 elected by the College of Consultors in the archdiocese
8 to hold the fort, if you like, so because of the
9 situation, I had myself appointed as the chair of Cora,
10 basically seeing it as an interim measure until we got
11 through the different parts of the pandemic, and then we
12 would look for someone else to take that on, but
13 I'm still there.

14 Q. You are here today, Hugh, to represent the Archdiocese
15 of Glasgow, and in particular to speak to the responses
16 that the archdiocese has made to questions posed by the
17 Inquiry in what we call Section 21 notices.

18 When this chapter began, the Inquiry was looking at
19 three schools with which the archdiocese, or the
20 Catholic Church more generally, had a connection. That
21 was St John Bosco's, St Philip's, Plains and
22 St Andrew's, Shandon. Today we're focusing on
23 St Andrew's, Shandon, of course we've already focused on
24 the other two.

25 If I can put this -- perhaps before I do that,

1 I think it's right to say that the Catholic Church in
2 Scotland, in particular through Archbishop O'Brien as he
3 then was, and the late Archbishop Tartaglia, have
4 apologised to all those who have suffered any form of
5 abuse at the hands of those representing the
6 Catholic Church?

7 A. They have, yeah, they did.

8 Q. I think the first apology was from the then
9 Archbishop O'Brien in December 2001. Then
10 Archbishop Tartaglia apologised in August 2015?

11 A. That's right.

12 Q. That was after the -- following from the McLellan
13 Commission recommendations; is that right?

14 A. That's right, yeah.

15 Q. I think there have also been local apologies?

16 A. Yeah.

17 Q. In local churches, through parishes?

18 A. Yes. But -- I mean, are you asking me to tell you what
19 they were?

20 Q. No, no. Just to confirm that's happened?

21 A. There have been, uh-huh.

22 Q. If I can then start looking at the responses to the
23 Section 21 notice. Can I first of all put this letter
24 on the screen for you to look at? It's
25 BSC.001.001.0892.

1 You will see this is a letter from
2 McSparran McCormick, who for many years have been
3 solicitors to the archdiocese?

4 A. They have, yeah.

5 Q. It's dated 1 March 2019, and you will see it's relating
6 to St Andrew's School, and I'll just read bits of this:

7 'We refer to the Section 21 notice served on the
8 Roman Catholic Archdiocese of Glasgow relating to
9 St Andrew's School, Shandon, Dunbartonshire, and enclose
10 the Archdiocese of Glasgow's response to parts A and B.

11 The Archdiocese of Glasgow has instructed thorough
12 searches of its own archives as well as the National
13 Archives in Edinburgh and engaged with its insurers, but
14 the information traced and compiled to date is scant and
15 does not go far in assisting the Inquiry with its
16 investigations.'

17 The letter finishes:

18 'The answers provided relate to the school itself
19 which appeared to have been separately constituted as
20 an entity and registered and inspected as such.'

21 That was the letter sending in the responses.

22 If I can then turn to page 2, we begin by looking at
23 Part A of the response and there was a question --

24 I needn't put it on the screen, but the question was:

25 'When, how and why was the organisation founded?'

1 The answer that is given:

2 'It appears to have been founded in or around 1963.
3 The original buildings were purchased by the trustees
4 for Springboig St John's School and a copy of the title
5 is attached.'

6 I'll just look at that in a moment.

7 So there we are given some information about the
8 background to the school. What I want to ask you at the
9 very outset, Hugh, is this: how was this document
10 constructed? Who was involved?

11 A. This?

12 Q. Yes.

13 A. There would have been different people involved.

14 Monsignor Smith, he was the Chancellor of the
15 Archdiocese at the time. Myself, I was involved as
16 General Secretary of the Bishops' Conference. The
17 Archivist for the Archdiocese of Glasgow,
18 Dr Mary McHugh, who has great knowledge of all these
19 things for us. Canon lawyers would have had a look at
20 it to see if there were any implications for it, but
21 those would have been the main people who had --

22 Q. What about the solicitors?

23 A. Yes, well, they would have been involved in collating
24 the material, but we would have to provide the material
25 to them.

1 Q. When you say 'collating the material', as we read the
2 text, we are looking at item 1 here, who would have
3 written that text?

4 A. I presume it would have been maybe one of the
5 solicitors, yeah.

6 Q. And --

7 LADY SMITH: When you said 'Canon lawyers', who? You said
8 Canon lawyers would be involved.

9 A. Sorry, my Lady?

10 LADY SMITH: In the list you gave me, including your name
11 and Monsignor Smith's, you included Canon lawyers. Who?

12 A. So, we have -- well, the priest that we used for these
13 as a Canon lawyer was -- Canon Paul Gargaro is his name.

14 LADY SMITH: Thank you.

15 A. So he would ...

16 Generally, all of the responses to the Section 21
17 notices that were issued by your Inquiry were
18 co-ordinated by a committee that I chaired --

19 LADY SMITH: Hugh, it was a very simple question that
20 Mr MacAulay is asking you. When you look at the answers
21 here, who wrote them?

22 A. I presume Monsignor Smith.

23 LADY SMITH: You think he wrote the words in the boxes?

24 A. Yes, uh-huh.

25 LADY SMITH: Why do you presume that, because I thought

1 a moment ago you thought the lawyers did it?

2 A. I suppose the truth is, I don't know.

3 LADY SMITH: Maybe you don't know.

4 MR MACAULAY: No.

5 LADY SMITH: Okay.

6 A. It may be better to say I don't recall. At the time

7 I would have known, but right now it's not --

8 LADY SMITH: I'm not trying to catch you out, Hugh.

9 I'm just trying to find out --

10 A. No, I'm trying to be just honest.

11 LADY SMITH: I'm just trying to find out what the extent of

12 your knowledge is.

13 MR MACAULAY: I think as we move on, and you are probably

14 anticipating this, Hugh, is that in fact very little

15 information has been provided. That is the reality and

16 I'll come to look at how that's been presented, but

17 looking at item 1 again, the reference there to the

18 disposition from the trustees for Springboig St John's

19 to the trustees for St Andrew's School ... and perhaps

20 we can just move on to page 13.

21 This may not mean very much to you, but we're

22 looking at an extract of the title details, and you will

23 see the second entry relates to a disposition by the

24 trustees for the managers of Springboig St John's School

25 to the trustees for managers of St Andrew's School. So

1 do we see that St Andrew's School, the title was held by
2 the trustees of the managers, that is what we take from
3 that? That was your understanding?

4 A. Yes, uh-huh.

5 Q. Do we see the way this seems to have developed is that
6 it was Springboig St John's who bought the land
7 originally, and then transferred it to St Andrew's?

8 A. Yes, but I was asking questions about what originally
9 happened and my understanding is that the government
10 provided money to buy these schools, to establish these
11 schools.

12 Q. The school then, according to the title, was sold to
13 St Andrew's -- if I can do it in shorthand -- in 1965.
14 That's what the title says. If we assume it opened at
15 around then, it closed -- as we look at (viii), if we go
16 back to the other ESC.001.001.0892 document, page 2, if
17 we look at (viii), the school closed in 1986?

18 LADY SMITH: I think that is (ix), isn't it? If you're
19 looking at page 2, (viii) has: 'n/a', but (ix) has: 'n/a
20 - school closed in 1986'.

21 I have been provided with the hard copy which has
22 that reference on it, and page 2 is different. Don't
23 worry. Carry on.

24 MR MACAULAY: Just to take from you --

25 LADY SMITH: My confusion is it's page 1. Page 1, (viii),

1 is actually what you are looking at. It's page 2 on the
2 right-hand bottom corner, but on the document itself it
3 is called page 1 of 11. Thank you.

4 MR MACAULAY: Just to confirm then, Hugh, the school opened
5 in around 1965 or thereabouts, and it closed in 1986?

6 A. Yes.

7 Q. It existed for just over 20 years?

8 A. Yeah.

9 Q. Looking at the next answer, which on my copy is (ix),
10 the question was:

11 'If the organisation was founded as a religious
12 order congregation by members of a particular faith or
13 church, what was the precise relationship between the
14 order, congregation and the religious hierarchy within
15 that faith or church?'

16 We see that the answer is that: 'Appointed board and
17 chaplain'. Do I take it from that that it was the
18 archdiocese that appointed the board and the chaplain to
19 the school?

20 A. I clarified this. The archbishop would have appointed
21 some of the board members, but there were other board
22 members who were there representing presumably the
23 Scottish Office to begin with, and then, later, Local
24 Authorities, so -- but the majority of them I think
25 would have been appointed by the archbishop.

1 Q. That is clarified later on, that there were other
2 members of the board who were not appointed by the
3 archbishop.

4 If we go on to 1.3, and we have a question there
5 under the heading 'Legal status'. Perhaps we can put
6 the question 1 on the board first, and then we'll go to
7 the answer. That's on INQ.001.004.0847, at page 4.

8 The first question is: 'What is the legal status of
9 the organisation since it was founded?' -- and the
10 answer given was that: 'It was an unincorporated
11 association, also known as a voluntary body.'

12 Then the question: 'Were there any changes in the
13 legal status of the organisation since it was founded?'
14 The answer there is, 'Not known'. I just wonder why was
15 it not known if there were any changes to its status?

16 A. Because we don't have any records -- we, the
17 archdiocese, don't have any records of that school.

18 Q. The next question, at 3:

19 'What if any material changes were there to the
20 legal status of the organisation?'

21 Again the answer is 'Not known'?

22 A. I don't know.

23 Q. Can I ask you then about records, and if I take you to
24 another letter, this is at BSC-000000054.

25 You will see this is a letter dated 17 December 2021

1 and, clearly, the solicitors, McSparran McCormick, have
2 been asked about records. In the second paragraph:

3 'As indicated to the Inquiry team some time ago, our
4 client has very limited records pertaining to
5 St Andrew's School, Shandon.'

6 Then they go on to say:

7 'It remains our client's position, following
8 a further extensive search of its own archives, that it
9 does not hold the following (and is not aware of where
10 such records would be held) which is being sought by the
11 Section 21 notice, namely: admission and discharge
12 books, records relating to punishment, discipline,
13 restraint and isolation, children's records, records
14 relating to staff and allegations or complaints, records
15 relating to investigations, records relating to the
16 individual applicants narrated in appendix 2.'

17 I just want to ask you, Hugh, why do you not have
18 these records?

19 A. The short answer is: I don't know. I believe that the
20 records were the responsibility of the governing body.
21 They weren't the responsibility of the archdiocese and
22 so the governing body should have been in care of those
23 records. Then I'm also informed that when the school
24 closed, or when children left the school, the records
25 were transferred to the Local Authority responsible.

1 Q. I can follow that in relation to records -- social work
2 records relating to children, but these are important
3 documents. Admission and discharge books, punishment
4 books... why have these not been kept?
5 A. Because they weren't our documents.
6 Q. But --
7 A. The archdiocese -- these were -- this was a school
8 managed by a Board of Managers and the documents/ the
9 records belonged to them.
10 Q. Have you made enquiries then, Hugh, in relation to any
11 former members of the board, what happened to the
12 records?
13 A. We have tried, yes. But we haven't been successful in
14 any way.
15 Q. What about the solicitors? Did the solicitors have
16 a role to play in connection with the Board of Managers?
17 A. Off the top of my head, I don't know.
18 Q. Do you know if the solicitors would attend board
19 meetings?
20 A. It's current practice that they do, so I can presume,
21 but I don't know, that they did at that time too.
22 Q. Under the rules, meetings were to be held on a monthly
23 basis -- I think you probably are aware of that -- and
24 there would be minutes kept of these meetings?
25 A. Yeah, there should be.

1 Q. Does it follow from what you've been telling us, Hugh,
2 that none of these minutes of meetings can now be found?

3 A. That's the truth and maybe it's wrong and maybe it's
4 shameful, but that is the truth. We don't have those
5 records.

6 LADY SMITH: Hugh, going back to something you said a few
7 minutes ago, the archdiocese appointed members of the
8 board. Were any of those members representing the
9 archdiocese on the board?

10 A. I don't know. Let me think. (Pause)

11 I don't know, my Lady.

12 LADY SMITH: Do you know whether anybody reported back to
13 the archdiocese from time to time as to how the schools,
14 St Andrew's for example, were going?

15 A. I don't know that, my Lady, I'm sorry.

16 LADY SMITH: Might you have expected that to be something
17 that would have been good practice?

18 A. Yes, I think it would be.

19 LADY SMITH: And something that would have been done quite
20 naturally?

21 A. Uh-huh, I don't know.

22 LADY SMITH: Did you know, for example, I heard just
23 yesterday, Hugh, that the solicitors,
24 McSparran McCormick, were certainly on one recruitment
25 panel for one of the schools, not St Andrew's, but one

1 of the other schools, and that sounded like what
2 normally happened?

3 A. I didn't know that.

4 LADY SMITH: I see.

5 Mr MacAulay.

6 MR MACAULAY: Going back then to the Section 21 responses.
7 If we turn to the questions again, that is
8 INQ.001.004.0847, page 5, there is a question at 1.4(i):
9 'Did the organisation have any legal responsibility
10 for the children in its care?'

11 If we go to the answers, can we see in relation to
12 that answer, if we scroll further down, I think --
13 sorry, page 3, I think the answer is 'yes'?

14 A. The organisation here being...?

15 Q. Let's -- here we're looking at, as you told us, the
16 Board of Managers.

17 A. Yes, so, yes.

18 Q. But what we're -- we're not told what the legal
19 responsibility was; can you help me on that?

20 A. I really can't. I wouldn't know that. Sorry.

21 Q. Then on the next page, page 4, we have a number of
22 questions at 1.5 relating to the ethos of the school.
23 If we turn to the answers, we needn't spend too much
24 time on the questions, because the answers are really:
25 'not known'.

1 Can we at least say this, that being a Catholic
2 school then surely Catholicism must have had a role to
3 play in the ethos of the school?

4 A. Absolutely.

5 Q. Why has that not been fleshed out in this document?

6 A. Again, I don't know. Absolutely, Catholicism, if the
7 churches care for people, for children, for young
8 people, absolutely that should all have been.

9 Q. But why haven't -- why hasn't the response to the
10 questions that were put about ethos at least put forward
11 what you've just said, that Catholicism would really be
12 at the very heart of the ethos of the school?

13 A. I don't know.

14 Q. I just wanted to know what the difference was in
15 language. If you look at (b), the question there was:

16 'What services were provided at the establishment in
17 terms of care for children?'

18 Number (i) is 'not specifically known'. I just
19 wonder, is there a difference in emphasis in saying 'not
20 specifically known' and 'not known'?

21 A. Again, right now, I don't know that.

22 Q. There is a question, question (ix), if we can put
23 question (ix) on page 7 on the screen, it's quite a long
24 question:

25 'If the establishment was run by a Catholic

1 religious order/ congregation, were any prospective
2 members of the order/ congregation who were in training
3 permitted to care for children?'

4 The answer, if we go back to the answers, answer
5 (ix) is 'not known', but the one thing we do know --

6 A. We do know, that's right.

7 Q. It wasn't being run by an order?

8 A. That's right. That's wrong.

9 Q. Are you able to help why, in such an obvious question,
10 why 'not known' has been given as the answer?

11 A. Yeah, that's a mistake.

12 Q. If we look at 1.6, the question on page 7 of the
13 questions, number (i) is:

14 'How many children did the organisation accommodate
15 at a time and in how many establishments?'

16 If we turn to the answers on page 5, the very top of
17 the page, can we see we are actually given information
18 here, we are given the information: '24 initially and up
19 to 90'. I just wondered, standing what has been said,
20 how such precise figures could be offered when, as you
21 say, there are no records to provide the sort of
22 information we're looking for?

23 A. I don't know.

24 Q. Would you know where these numbers came from?

25 A. I don't. Right now, no, sorry.

1 LADY SMITH: Do you know why half of that question was just
2 not answered -- I'll remind you what the question was:
3 'How many children did the organisation accommodate
4 at a time and in how many establishments?'

5 We've got the numbers, I take it, of children --

6 A. Uh-huh.

7 LADY SMITH: -- I don't think the 90 relates to
8 establishments. We're just not told what the response
9 is to how many establishments, and you don't know why?

10 A. I think there was only one establishment.

11 LADY SMITH: Yes.

12 MR MACAULAY: Yes.

13 A. Yeah, okay.

14 LADY SMITH: It should be there, shouldn't it?

15 MR MACAULAY: Then there is a series of questions on page 8
16 of the questions, at 1.7, dealing with children's
17 backgrounds and their experiences. If we go to the
18 answers on page 6 of BSC.001.001.0892, can we see that
19 it's a blanket 'not known' for these 23 questions?

20 Can I just put this to you, Hugh: it must have been
21 known by those who were involved in this exercise -- and
22 you've indicated there was quite a team involved --

23 A. Uh-huh.

24 Q. -- what sort of backgrounds the children who went to
25 St Andrew's came from? I mean, do you yourself have

1 a sense as to what their backgrounds might have been?
2 Were they from broken homes? Were they sent there by
3 the courts or the Children's Panel?
4 A. All of that I presume, but I don't know for a fact.
5 LADY SMITH: Do you have no knowledge of the types of
6 backgrounds that led to children being placed in
7 St Andrew's School?
8 A. St Andrew's, specifically, no.
9 LADY SMITH: What about all of them?
10 A. Yes, other schools, yes, because of my involvement.
11 LADY SMITH: You must have some knowledge of what types of
12 children, what problems in the children's lives the
13 Church was trying to help with?
14 A. Yes, I can -- because of the knowledge which I have from
15 other schools, I can presume, yes, absolutely.
16 LADY SMITH: You see, all we've got in the answers is 'not
17 known'.
18 A. I apologise for that.
19 LADY SMITH: Do you agree, Hugh, that this looks really odd,
20 sitting where I'm sitting, as I read this, and knowing
21 where the response has come from, apparently, and you
22 have told me who was providing all the information, and
23 so much of this has been completed in this way.
24 Effectively saying to me:
25 'We know nothing. Go away, we can't help you.'

1 Mr MacAulay.

2 MR MACAULAY: The one thing I think that those involved in
3 this exercise knew or ought to have known was that
4 St Andrew's began as an Approved School.

5 A. Yes.

6 Q. We know what the purpose of Approved Schools were?

7 A. Yes.

8 Q. It became a List D School after the Social Work
9 (Scotland) Act 1968, so whoever was putting this
10 together would know that much, and probably could put
11 two and two together and provide some information about
12 the backgrounds of the children?

13 A. Yes, they could have.

14 Q. While the page is on the screen, page 6 of
15 BSC.001.001.0892, there is also questions about the
16 staff and the staff background. Again, the answers are
17 'not known'.

18 Was there any effort made to track down former
19 members of staff of the school when the Section 21
20 responses were being put together?

21 A. Off the top of my head, I don't know. I'm sorry.

22 I could maybe try and find that out.

23 Q. It would seem to be a natural route to take to get
24 information about the school. For example, former
25 headmasters. The school closed in 1986, so it was some

1 time ago, but it may very well be that there are
2 teachers, staff, who have survived and could provide
3 information?

4 A. Uh-huh, yeah. But as far as I know, I don't know
5 whether that was done or not. I apologise.

6 Q. If we go to the questions at 2.3, for example, on
7 page 11 of the questions, there are questions there
8 about leadership:

9 'How was the establishment managed and led?'

10 If we look to the answers on page 11 of
11 BSC.001.001.0892 -- sorry, it's page 9. Again, it's
12 all -- there are four questions and they're all 'not
13 known', but the question: 'How was the establishment
14 managed?' -- there was a Board of Managers, so at least
15 we know that amount?

16 A. Yes.

17 Q. So that's at least an answer that could have been
18 provided?

19 A. Uh-huh, yes. I can only say 'yes'.

20 Q. Do you know if there would have been -- would the school
21 have been led on a day-to-day basis by a headmaster,
22 headteacher?

23 A. Yes, I think we do know that.

24 Q. I think we have covered this, but there have been no
25 efforts made to track down any former headmaster?

1 A. I don't know whether efforts were made to do that.

2 Q. Then if I can turn back to the questions and go to 3.2,
3 and this is on page 13 of the questions, and this is
4 a section -- if we scroll down a bit on page 13, sorry,
5 scroll up rather, this is a section of the response
6 headed 'Part B' and it's headed 'Current statement'. At
7 3.1:
8 'Does the organisation/establishment accept that
9 between 1930 and December 2014 some children cared for
10 at the establishment were abused?'

11 Clearly that's covering the whole life of the
12 establishment and you are just concerned with the 1960s
13 onwards. The answer to that on page 12, 3.1 towards the
14 top, is 'no'. The question I want to put to you, Hugh,
15 is: how are you able to answer that question 'no'?

16 A. Because we had no knowledge. We were -- we had no
17 allegations. We had no -- at the time that form was
18 completed -- I now know that our insurers are dealing
19 with two claims.

20 Q. I'll come to that. But you have a specific 'no' here to
21 a question: 'Does the organisation accept that some
22 children cared for at the establishment were abused?'
23 Would that not be a 'not known' answer rather than 'no'?

24 A. Well, probably, probably, yes. It should be.

25 LADY SMITH: Because your point -- the point you keep coming

1 back to is you had no records?

2 A. Yes.

3 No, you're right.

4 MR MACAULAY: Without dwelling on the material, for a number
5 of pages, pages 6 to 10 of the responses, in the main,
6 the answers are 'not known'.

7 If we turn to 4.2, there is a question headed
8 'Policy and practice', and question (i), at 4.1 on
9 page 14:

10 'Was there national policy/guidance relevant to the
11 provision of residential care for children?'

12 The answer to that, at page 1 of BSC-000000053, is:

13 'Yes, it is believed Scottish Office circulars were
14 issued.'

15 That is a positive response. What was the source
16 for that response?

17 A. That came from our legal advisers, so I presume they
18 knew that.

19 Q. At (iii), back to the questions on page 14:

20 'If there was national policy/guidance in respect of
21 any of the following in relation to the provision of
22 residential care for children, to what extent was the
23 organisation aware of such?'

24 And there is a list; child welfare, child
25 protection, complaints handling and so on and so forth.

1 In relation to that list, the answer is 'Impossible to
2 say'. I just wonder why was it impossible to say
3 whether there were policies in connection with these
4 issues?

5 A. I presume because it's going into specifics. I don't
6 know.

7 Q. Can I then move on to Part D of the response. That is
8 a part that focuses on abuse, and I'll just put that up
9 on the screen. It's at INQ.001.004.0847, page 29.

10 The question is -- this is at 5.1:

11 'What was the nature of abuse and/or alleged abuse
12 of children cared for at the establishment, for example
13 sexual abuse, physical abuse, emotional abuse?'

14 Here you say 'not known', and in a way that perhaps
15 contrasts to the specific 'no' that you provided
16 earlier?

17 A. Mm-hmm.

18 LADY SMITH: If you wanted to look at the answers, do you
19 want to go back to the page with the answers,
20 Mr MacAulay?

21 MR MACAULAY: Yes, page 12 of BSC-000000053.

22 So about halfway down, the answer to that question
23 is 'not known'. I'm just pointing out to you that
24 earlier you had said 'no' -- so 'not known' is the
25 answer you give us here.

1 A. Okay.

2 Q. There is no information provided in these pages in
3 connection with either any form of abuse, or indeed
4 civil actions, police involvement, prosecution
5 involvement, and so on.

6 Can I ask you, has the position changed since this
7 was put together?

8 A. Yes, but -- so, on Monday, I spoke with someone at our
9 insurers, just to clarify what the situation was in
10 regard to St Andrew's, and she told me that they're
11 dealing with two claims. That was all she told me. She
12 didn't tell me what they were or what they were doing,
13 but --

14 Q. I'm sorry, could you keep your voice up, Hugh?

15 A. Sorry, so I spoke with someone from our insurers on
16 Monday, the Chief Executive I think she is, and she told
17 me that they are currently dealing with two claims from
18 St Andrew's. They have received two claims from --
19 relating to St Andrew's, Shandon.

20 Q. What are the claims?

21 A. I don't know, she didn't offer me that information.

22 Q. Has the archdiocese received any complaints in relation
23 to allegations of abuse?

24 A. No. Regarding St Andrew's, no.

25 Q. Has there been any police involvement?

1 A. As far as I know, there hasn't, no.

2 Q. Very well. Well, Hugh, that essentially is all I want to
3 ask you about those documents.

4 Can I ask you this --

5 LADY SMITH: Before we leave the documents, I have one other
6 question, Hugh, and it's on page 3 of the Part C
7 response, at the top of that page, in relation to day to
8 day and policy, do you see that? The first answer
9 there:

10 'Believed to have followed all guidance, policies
11 and procedures issued by the Scottish Office.'

12 Can you tell me, Hugh, on what basis that belief was
13 formed?

14 A. I think, my Lady, it would be a presumption. It
15 wouldn't be a --

16 LADY SMITH: Not a basis in fact?

17 A. No.

18 LADY SMITH: You see, what's striking about the way these
19 questions have been answered, Hugh, is that a question
20 like that gets an answer that is favourable to the
21 archdiocese, to the Board of Managers, to the school,
22 whereas elsewhere I'm just told:

23 'We don't know anything. We don't have any records.
24 No.'

25 A. Yes.

1 LADY SMITH: How do you feel about that?

2 A. I'm not feeling very good about it, but ...

3 LADY SMITH: If I was to say to you that I'm afraid, thus
4 far, the responses to the questions I sent out in
5 statutory notices in this case -- and the responses to
6 the other two schools are not much better -- that they
7 stand out as being amongst the, let me put it this way,
8 least helpful, if not the most unhelpful, of any set of
9 responses to Section 21 notices I have received in this
10 Inquiry.

11 A. I am disappointed in that, my Lady, but I can see why
12 you would say that.

13 LADY SMITH: It doesn't exactly make it look as though the
14 recipients, or those who have written the responses for
15 the recipients, really get the message that we're doing
16 this in the public interest, and it is in the public
17 interest that those who are ordered to answer these
18 questions do so to the very best of their ability, even
19 if that involves doing a lot of investigation themselves
20 and digging around for information themselves. Because
21 at the heart of this is trying to have society do better
22 for children now and in the future. We all want that.

23 A. Yeah, absolutely.

24 LADY SMITH: This doesn't help.

25 A. No.

1 LADY SMITH: Lecture over, Hugh.

2 A. I accept that.

3 LADY SMITH: Let me hand over to Mr MacAulay.

4 MR MACAULAY: Perhaps just to follow through on that

5 particular question and answer.

6 To say 'believed to have followed all guidance', et

7 cetera, when you don't have any evidence to help you as

8 to whether or not, and to what extent, guidance was

9 followed, is it an overstatement to say that it's

10 believed that all guidance has been followed?

11 A. Probably.

12 Q. Can I ask you this, Hugh: have you or anybody within the

13 archdiocese offices been following the evidence given to

14 the Inquiry in connection with St Andrew's?

15 A. No. Well, I haven't, no.

16 Q. And --

17 A. I don't think anyone within our diocese has followed.

18 Q. I can say to you that the Inquiry has heard evidence of

19 abuse in connection with St Andrew's, physical, sexual

20 and emotional, that evidence has been presented to the

21 Inquiry --

22 A. Okay.

23 Q. -- covering a period of time, and during the time that

24 the archdiocese was involved with the school in the way

25 that we have discussed.

1 Are you able to tell me if the archdiocese, or
2 indeed the Catholic Church in Scotland, is participating
3 in any way in the Redress Scheme?

4 A. As far as I know, we're not, because we are responding
5 to all allegations and claims that we receive through
6 our insurers.

7 LADY SMITH: That doesn't prevent an organisation
8 participating in the Redress Scheme.

9 A. No, it doesn't, but it illustrates that we're trying to
10 respond to what happened in an appropriate way.

11 LADY SMITH: That's what the archdiocese regards as being
12 the appropriate thing to do, is that what you're telling
13 me?

14 A. In that we are trying to respond -- if people come to us
15 with allegations, then we respond through our insurance
16 society.

17 LADY SMITH: Do you understand how the Redress Scheme works,
18 Hugh, or maybe you haven't looked at it?

19 A. I do, I do.

20 LADY SMITH: You do?

21 MR MACAULAY: Has the Catholic Church, if I can put it in
22 general terms, in Scotland, given any consideration to
23 participating in the Redress Scheme, standing the fact
24 that clearly, as the apologies that I mentioned earlier
25 have indicated, there's an acceptance that the

1 Catholic Church was involved, if I can put it that way,
2 in abuse.

3 A. Absolutely.

4 I really can't speak for the church nationally,
5 I don't have that locus, but I can speak for the
6 archdiocese and say that we have considered it and for
7 the time being we have decided not to be so involved.

8 Q. From what you're telling me, there are, at the moment,
9 two claims which are being dealt with by insurers?

10 A. Uh-huh.

11 Q. Therefore these claims are insurance driven; it will be
12 the insurers who will be in charge of managing these
13 claims, is that correct?

14 A. Yes.

15 Q. Very well, Hugh, that's really all I want to take from
16 you today.

17 Is there anything that you would like to say that
18 might assist the Inquiry?

19 A. I do -- I suppose -- it pains me to hear these things,
20 I didn't become a priest to -- I became a priest because
21 I wanted to serve God and to serve my neighbour, to love
22 God and to love my neighbour. Sermon over.

23 Because of that, it really does pain me to hear of
24 all these things that have happened, but I have to say
25 I've spent much of my last 20 years, 15 years, working

1 in this area and trying to make things better.

2 I do accept that the responses that we gave in this
3 regard, well, they don't seem to be great. So I accept
4 that. But our whole -- since the public inquiry was
5 announced, the Church ... the bishops specifically and
6 the other members of the Church have been keen to be
7 involved with the Inquiry and respond to the Inquiry.
8 And I'm sorry that we haven't shown that today, my Lady.

9 Q. Very well, Hugh. Thank you very much indeed for that
10 and for coming to give your evidence today, in what
11 I think has proved to be quite difficult circumstances
12 for you.

13 A. I won't say it's been a pleasure, but I have been glad
14 to be of any help, if I have been.

15 MR MACAULAY: My Lady, I can confirm that I haven't received
16 any applications for questions.

17 LADY SMITH: Thank you.

18 I add my thanks to you for coming here today, Hugh,
19 and being so frank in your answers to our questions.

20 It is possible that on, I suppose, on reflection,
21 the archdiocese may want to look again at the responses
22 that were provided to our Section 21 notices, and I have
23 to say if, on reflecting and looking again, it's
24 recognised that more could be said that's helpful to me
25 than has been said so far, I would welcome that.

1 A. Okay, my Lady.

2 LADY SMITH: I can now let you go and draw a sigh of relief,
3 Hugh.

4 Thank you.

5 (The witness withdrew)

6 MR MACAULAY: My Lady, that completes the evidential part of
7 this chapter.

8 Closing statements are due next Friday.

9 LADY SMITH: Next Friday, 30th. Very well.

10 MR MACAULAY: I think the process involves written
11 statements being forwarded to the Inquiry prior to the
12 30th, and no doubt a date will be provided in early
13 course.

14 LADY SMITH: Indeed, in the usual way, we'll get that out
15 and receive those statements in advance.

16 Thank you very much. I'll rise now until Friday,
17 30th.

18 (11.04 am)

19 (The Inquiry adjourned until
20 Friday, 30 August 2024 at 10.00 am)

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