Bishops’ Conference of Scotland

Report
to the
Scottish Child Abuse Inquiry

Redacted Version
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This report has been compiled using reports and records from a variety of sources within the Church in Scotland. It may be that we have not been able to discover all the relevant information. As the search for additional information continues, the Inquiry can be assured that we shall furnish any further evidence which emerges.
1. The structure of the Catholic Church in Scotland

- The creation/existence of the Scottish Hierarchy
- The role of the Bishops Conference of Scotland (BCS) and jurisdiction/powers over the different dioceses
- Regularity of meetings of the BCS and nature of topics discussed
- The nature and extent of diocesan autonomy
The creation/existence of the Scottish Hierarchy

The first part of this response places the answer in historical context and goes on to examine the current existence of the Hierarchy in Scotland.

Due to the dramatic changes of the Reformation, the ancient Hierarchy of Scotland died out in 1603 with the death of James Beaton, Archbishop of Glasgow. Whilst having a long history dating back centuries, the details of which are not relevant here, the Hierarchy of Scotland as it exists today therefore dates from 4th March 1878 with some revisions from 5th April 1948.

In 1878 Pope Leo XIII restored the ancient Hierarchy in Scotland by means of the Apostolic Constitution Ex Supremo which created two Archdioceses and four dioceses in Scotland, the four dioceses being suffragan sees of the Province of Saint Andrews and Edinburgh. The Archdiocese of Glasgow remained an Archiepiscopal See without suffragan sees.

This arrangement of the Catholic Church in Scotland continued until 1948 when another Apostolic Constitution, Maxime Interest of Pope Pius XII moved some territory of the Archdiocese of Glasgow into the Diocese of Galloway and removed some territory to create the Diocese of Paisley and the Diocese of Motherwell. These two new dioceses, by means of another Apostolic Constitution Dominici gregis were to be suffragan sees of Glasgow, now, like Saint Andrews and Edinburgh a Province of its own. These Apostolic Constitutions were published on 25th May 1947 and came into effect on 5th April 1948.

This means that at the beginning of the twentieth century, there were six dioceses in Scotland, two of them Archiepiscopal sees, one Metropolitan and one not; but from April 1948 there were eight dioceses, the two new ones created from what had previously been the territory of the Archdiocese of Glasgow. Both Archdioceses are now Metropolitan. Residential establishments which may have been founded in the

1 An Apostolic Constitution is the most formal means by which a Pope issues a document and which, of its very nature, establishes what the document decrees.
2 Acta Sanctae Sedis Vol XI, Libreria Editrice Vaticana, 1878, pages 5-21
3 An Archdiocese is a diocese which is headed by an Archbishop. The office of Archbishop carries no power jurisdiction beyond that held by a Bishop. Some archdioceses are Metropolitan, as St Andrews and Edinburgh whilst others are not, such as Glasgow at this time
4 A diocese, like an archdiocese, is a portion of the people of God; that portion is to be found within defined geographic limits and is cared for by a bishop.
5 A suffragan see is a diocese within the care of an archdiocese – it is suffragan because, like the archbishop and other bishops of the province, the bishop has a vote should a local synod be called. The votes of suffragan bishops and of archbishops carry the same weight. Local Synods are extremely infrequent.
6 Namely Aberdeen, Dunkeld, Galloway, Argyll and the Isles
7 Acta Apostolicae Sedis Volume XXXIX Typis Polyglottis Vaticanis pages 473-476
8 Namely Motherwell, Paisley
9 Acta Apostolicae Sedis Volume XXXIX Typis Polyglottis Vaticanis pages 476-478
territory of the Archdiocese of Glasgow may therefore, since 1948, find themselves in the diocese of Paisley or the diocese of Motherwell.

It is also important to note that some institutions pre-existed the restoration of the Hierarchy in Scotland and may have been in situ when diocesan bishops were re-established. The original St Mary’s Industrial School, for example, is to be found on OS Maps of 1850, predating the restoration of the Archdiocese of Glasgow.

The legal history of the Catholic Church requires to be examined in understanding the existence of the Hierarchy in Scotland today. This will be referred to again below in Q2 regarding the relationship between the dioceses and the religious orders, but it is a fundamental principle underlying the governance of the Catholic Church in the light of two thousand years of history and legal development.

The first legal texts were books of legal praxis and decisions bound together and used as sources for legal decisions. As these decisions could, like the laws of nations, change over time, the understanding of the law could be complex. This is the situation that was in force at the beginning of the twentieth century, a situation widely recognised to be unsatisfactory. It was therefore decided to codify the law of the Church to make it accessible and easy to understand. This is what is called the Code of Canon Law which was published in 1917. This law governed the Church until 1983 when, in the light of the teaching of the Second Vatican Council, a revised Code of Canon Law was published. This is the law which governs the Church today: “The Code of Canon Law”10. It is important to note that the Documents promulgated by the Second Vatican Council provide the teaching upon which the Code of Canon Law is based. These documents are all published and accessible to the public, as is the Code of Canon Law.

Hence, in the timescale requested by this Inquiry, there are three different phases in the governing law: 1) up until 1917 [called Codex]; 2) 1917-1983 [called 1917 Code]; 3) 1983 - present [called 1983 Code]. As far as matters discussed here, the law remains broadly similar and there is no great need to go into detail on each of them.

The Code of Canon Law defines Church institutions and their existence and it is important to examine these.

The legal framework within which the Church operates is based on subsidiarity. Decisions are made at the most local level possible and, only when a more important principle is at stake, does a decision move to a

10 [http://www.vatican.va/archive/ENG1104/_INDEX.HTM](http://www.vatican.va/archive/ENG1104/_INDEX.HTM) is the most convenient way to access the current law in an official English translation.
superior. Hence the creation of a new diocese may only be carried out by the Pope\textsuperscript{11}, the creation of a new parish may only be carried out by the bishop\textsuperscript{12}, the creation of, for example, a parish choir may be carried out on the authority of the local parish priest.

The Code of Canon Law states definitions and powers, therefore if a Pope creates a diocese, that is all he does. The definition of what a diocese is and how it exists and how it is structured are all found in the Code of Canon Law\textsuperscript{13}. The Pope does not govern that diocese on a day-to-day basis. While the Pope does possess the power to change the law, it is not a power he uses frequently.

The creation of a diocese, by the law itself, creates a juridic person in the eyes of the Church\textsuperscript{14}. That juridic person has rights and obligations defined by the law of the Church.

A diocese must also be able to act in the civil jurisdiction, for example to purchase property, and so must relate to the law of the land in terms of civil juridic personality; how that is achieved varies from place to place. In Scotland, this is normally achieved by the means of a Deed of Trust by which a bishop appoints trustees who are those who act in the civil forum. These trusts are recognised as Charities and registered as such with the Office of the Scottish Charity Regulator. In Church Law the bishop acts for the juridic person of his diocese; in civil law the trustees act for the juridic person of the diocese.

Every diocese must have a bishop or his equivalent, and while the Pope appoints a bishop to a diocese, he does not engage in the day-to-day supervision of that bishop. The Code of Canon Law defines the office of bishop and the bishop exercises his office per that definition\textsuperscript{15}. The bishop enjoys autonomy within the limits of the law of the Church. The Pope appoints the bishop, but the law itself gives the bishop the authority and power he possesses. This is not given to the bishop by the Pope but rather by the very nature of the office of bishop.

Every diocese is divided into parishes\textsuperscript{16}. Parishes are created by decree of the bishop and, by their very creation their rights and duties as well as their juridic personality in Church Law are established\textsuperscript{17}. A bishop may create a parish, but he does not have the power to change what a parish is: that is defined by the law of the Church. The bishop cannot be forced to create a new parish but, if he does, he does so with the template provided by the Code of Canon Law. The bishop does not have the power to change that template.

\textsuperscript{11} The Code of Canon Law, 1983 Edition, Canon 373
\textsuperscript{12} ibid, Canon 515 §2
\textsuperscript{13} ibid, Canons 368-374
\textsuperscript{14} ibid, Canon 373
\textsuperscript{15} The Code of Canon Law 1983 Edition Canons 375-402
\textsuperscript{16} ibid, Canon 374§1
\textsuperscript{17} ibid, Canons 515-552
Just as a diocese needs a bishop to lead it, so too a parish needs a parish priest. Once again, when the bishop appoints someone as Parish Priest, the law itself gives him powers and authority in the territory of his parish. Those powers are not absolute but are defined in the law\(^\text{18}\). The bishop does not have the power to limit those powers and authority as they are given by the law itself. It is the very act of being appointed that provides the rights and obligations, not the power of the bishop passing down to the parish priest.

In Scotland, parishes do not have civil juridic personality.

This same scenario applies in a bishop’s relations with a religious order; this is further developed in the response to Q3. It should be noted that, like the diocese and like the parish, every religious community has its own template. This template, “The Constitutions”, defines the structures and existence of a religious institute\(^\text{19}\). The institute cannot function within a diocese unless the bishop gives them authority to do so. When the bishop gives them that permission, the law itself states that he gives them permission to live according to their constitutions\(^\text{20}\). The bishop is not able to change those constitutions or shape them to his way of thinking. Rather, by dint of having been given permission to operate within the diocese, they are automatically required to work within that template. A specific work of a religious community would not, therefore, always require the permission or even the explicit knowledge of the bishop once he had invited that religious community to work in the diocese. Good manners and courtesy would demand that the bishop was aware of what was being undertaken by religious; the law, however, does not legislate for such.

The role of the Bishops Conference of Scotland (BCS) and jurisdiction/powers over the different dioceses

The Bishops’ Conference of Scotland was established by the Holy See on 14 December 1968. It is the permanently constituted assembly of the Bishops of Scotland. To promote its work the Conference establishes various agencies, the most important of which are termed Commissions. Priests, deacons, religious and lay people are included in the membership of these agencies which have an advisory function in relation to the Conference. These agencies include: the Parliamentary Office; the Media Office; the Heritage Commission; the Justice and Peace Commission; the Office of Safeguarding; the Scottish Catholic Education Service. Each agency, according to its remit, may also have an executive function; and, between meetings of the Conference, an agency may respond to an immediate problem by taking decisions or issuing a statement in its own name.

\(^\text{18}\) ibid
\(^\text{19}\) The Code of Canon Law 1983 Edition Canon 578
\(^\text{20}\) ibid, Canon 611
Regularity of meetings of the BCS and nature of topics discussed

The Bishops’ Conference of Scotland meets seven times per year to address the work of six departments: Doctrine, Unity & Evangelisation; Sacred Liturgy and Worship; Catholic Education; Caritas Scotland; Ordained Ministry & Consecrated Life; the Lay Faithful. Other matters relevant to the Church’s national interests may be discussed in the course of any meeting.

The nature and extent of diocesan autonomy

This matter has been examined above. A diocese is autonomous and has its own rights and obligations from the law itself. A diocese is not governed from any other place, though in matters of major importance the actions of a diocese may be limited by the Holy See. These limits are to be found in the Code of Canon Law and are generally to be found with the phrase “reserved to the Holy See” or similar expression.

Examples of this limitation of a bishop’s power are the need for permission from the Holy See to spend a very large sum of money\(^{21}\) or allowing lay persons to solemnise marriages\(^{22}\). Another limit upon the authority of the bishop, and pertinent to this report (c.f. Q7c) is that he has no power to forgive someone who breaks the seal of Confession. The seal is so significant and of such importance to the whole Church, that forgiveness for the breaking of that seal rests with the Holy See.

The limits placed upon diocesan bishops are relatively few and do not interfere with the day-to-day governance by the diocesan bishop of his diocese.

In the context of this report, the question will also be developed in terms of the limits of the autonomy of the diocesan bishop in his relations with the Bishops’ Conference of Scotland.

The Church law on Conferences of Bishops is to be found in the Code of Canon Law in Canons 447-459. These Canons are based upon the experience of the Church whereby bishops in neighbouring dioceses found it useful to work together on some things and the Second Vatican Council established them as normative for all countries. The Conferences too have juridic personality by means of their establishment and civil juridic personality by means of a Deed of Trust.

\(^{21}\) Ibid Canon 638§3  
\(^{22}\) Ibid, Canon 1112§1
In the case of Scotland, the bishops had regular meetings together even prior to the establishment of Conferences of Bishops. These meetings were mainly organised to share information and to discuss matters of common interest to the bishops. They did not have the formality or structure of the current Bishops’ Conference of Scotland. In terms of the civil law the bishops had established juridic personality by means of a deed of trust – The Catholic National Endowment Trust – which continues in existence as the civic juridic personality of the Bishops’ Conference of Scotland.

It is important to note that the primary purpose of a Conference of Bishops is pastoral\(^23\) and it does not possess power of governance over any bishop. Where the law of the Church requires that Bishops’ Conferences decree on certain matters, these Decrees of the Conference of Bishops must be passed by two thirds of the bishops and the decisions, once recognised by the Holy See, are therefore enforceable in the country\(^24\). Where the law does not require a decree but the bishops wish to act on some matter together of concern and make a decree, unanimity is required for the decree to have force\(^25\).

The Conference of Bishops is not therefore a primarily legislative body but rather a pastoral body working together where the needs of the Church are wider than one diocese. The individual autonomy of each diocesan bishop is in no way diminished by the existence of the Conference. No-one may act on behalf of the Conference, not even the President of the Conference, without the consent of every bishop\(^26\).

It is very clear from Church law that the bishop, while autonomous in his own diocese, works however with the bishops of his own country to decide upon matters which are of concern to the whole Catholic community e.g., Catholic teaching on radio or television, the publication of a Catechism of Catholic Teaching or the regulations surrounding the baptism of adults, to give but three examples.

Therefore, Diocesan autonomy within the Church may be described as complete autonomy unless the canon law explicitly limits that autonomy. Such limitations are few.

Perhaps, relevant to this current Inquiry, an example may illustrate. The commission of a sin of sexual abuse of a minor by a member of the clergy was a matter in which the bishop’s authority was not impeded by the canon law. There were processes in canon law for dealing with such a crime but these were only invoked when other methods of pastoral correction, therapy etc. had been proven ineffective. A criminal trial in a Church Court (a Tribunal) was a relatively rare event since the law came to encourage other means of

\(^{22}\) Ibid Canon 447  
\(^{23}\) Ibid Canon 445§2  
\(^{24}\) Ibid Canon 445§4  
\(^{25}\) Idem
satisfying justice and remedying a sin or crime. This was particularly the case after the Second Vatican Council (see below). This meant that reports of such crimes were dealt with by the diocesan bishop with effectively no external, or indeed internal, oversight.

Historical accusations of child abuse pre-date compulsory reporting of such crimes and hence the civil law was not always invoked. An example would be a case where parents may have reported abuse to a bishop but were adamant and determined that, for the sake of their child, the matter was not to be reported to the police. Nowadays the parents’ demand would be disregarded; in the past it would have been decisive. Even in cases where a priest was reported to the police, after an investigation by the police and the report to the Procurator Fiscal, it could happen that sometimes a Fiscal would discuss the matter with a particular bishop and decide that a period of therapy in a residential establishment would be a better course of action than taking the case to trial. Agreements could be made that spending a year in residential therapy at such a place approved by the Fiscal would be the end of the matter.

This being the case, it is true that in some historical cases the civil authorities were not notified at the time and in others the civil authorities and the Church authorities worked together in attempting to deal with such cases by therapy rather than by prosecution. Whilst such arrangements would not happen today, they were generally considered in the past to offer an appropriate response to such accusations.

It is relevant at this point to mention a document entitled *Crimen Sollicitationis* issued by the Holy See in 1962. This dealt primarily with the ecclesiastical crime of solicitation by a priest within the Sacrament of Confession, namely a priest seeking sexual favours from a penitent within confession. This document laid out the process that was to be followed in the examination of such an accusation. In terms of the current examination, paragraph 73 of the document made the same provisions apply to the sexual involvement of any cleric with a pre-adolescent child.

This decree required that anyone who was the victim of such a crime was to report that crime immediately and certainly within a month of the offence.

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28 A cleric is a man who has been ordained and is either a deacon, priest or bishop. Being bishop, priest or deacon is a sacramental state in Catholic theology; being a cleric is to possess certain legal rights and duties. Ordination, being sacramental, can never be removed or undone. Clerical status, on the other hand - that is certain rights and duties - may be revoked. This is called laicisation and may occur because someone chooses to ask for such for himself or because it is imposed as a penalty upon a person. This penal removal of the clerical state is what is somewhat erroneously referred to a being “defrocked”; this is not a term that would be officially used in legal cases. In the years prior to the reforms associated with the Second Vatican Council it was possible for someone to become a cleric who was not ordained; this likewise demonstrates the fact that being a cleric is a legal status subject to change. Such a cleric was in the process of training for ordination and, in the practice of the time, extremely unlikely to be involved in any pastoral works as they would be living in the seminary.
Significant attention was brought to this document because it was to be kept in the secret archive of the diocese and because there was a requirement that the one giving evidence was required to take an oath of confidentiality (para. 23) this same confidentiality applied to all involved in the case (para. 13).

It is essential to note that this same confidentiality applied, and indeed still applies, to all cases taking place within an ecclesiastical tribunal (sometimes commonly called a “Church Court”). Unlike the civil court system in Scotland where witnesses are examined and cross examined before the Judge and Jury, the Tribunal system involves the collection of witness evidence in written form that, once gathered, is examined by the Judge or Judges concerned. Confidentiality therefore is imposed in order to maintain the integrity of the evidence gathering, allowing witnesses to speak freely without being influenced by others. The civil law has a similar concern to ensure that witnesses do not affect one another’s testimony. There is not, and was not, any intention in this requirement of confidentiality to limit the rights of an accuser in the civil forum.

A parallel case may be noted in the case of marriage annulment, which is likewise heard by an ecclesiastical tribunal. The case is not heard, however, prior to the granting of a divorce by the civil court system. The witnesses, nevertheless, are required to take a promise of confidentiality even although the matter has already been aired in another forum. The same would be true had a criminal court already found someone guilty and the same case were now being presented to an ecclesiastical tribunal. Confidentiality is procedural and hence the mis-understanding of this document’s requirement of such.

Perhaps more pertinent is the fact that the procedure described in this document seemed to be seldom actually used in practice, and was certainly to most practical purposes almost forgotten by the 1970s. The document was issued on the eve of the largest gathering of Catholic bishops ever. This gathering, the Second Vatican Council, began to change the point of view of the Church towards a more pastoral, person-centred attitude. It became more frequent to seek to assist and provide the offender with the means to reform and change. This led to many of the difficulties the Church found when accused of having more concern for the perpetrator than the one abused and the accusations of secrecy levelled.

A discussion of the meaning of secret archive may be of assistance at this point since it is often misunderstood and sometimes misrepresented. The Code of Canon Law has seven references to the secret archive. Four of them occur in Canons 489 and 490 which defines the secret archive and who has access to it, namely only the bishop. Canon 1082 requires the storage of the records regarding an impediment to marriage which is not public and any dispensation from this. This would be an exceptionally unusual case and most dioceses would be unlikely to have any such record. Canon 1133 requires a record of any marriage which may be celebrated secretly to be kept in the secret archive. Once again this is an extremely unusual case and most dioceses would have unlikely to have any such marriages celebrated and recorded. Canon 1139 requires that warnings given to people that they may be in danger of committing an offence against Church law be recorded in the secret archive. Once again this is an unusual occurrence and once again most dioceses would make little if any use of this provision. In reality, such warnings would generally be recorded in a personnel file held confidential to the senior office bearers of the diocese, but not necessarily in a secret archive. There are no other provisions in the law for the contents of a secret archive. Hence there is much less to the secret archive than may be imagined. Likewise, the storage of the document Crimen Sollicitationis, while designed to be placed in the secret archive, would in most cases no longer be there. The majority of secret archives are most likely empty. As with other major organisations, sensitive information would simply be stored in confidential files.
The McLellan Commission quoted Mgr Bob Oliver, Secretary of the Pontifical Commission for the Protection of Children, who addressed the Scottish Bishops during their annual in-service at the Royal Scots College Salamanca in January 2015:

We did not listen to victims and underestimated the extent of the problem: we missed red flags and warning signs; we were conned by many offenders; and believed, often with professional advice, that some offenders could be returned to ministry.30

This experience was not unique to the Bishops of Scotland and, looking around other countries, the same pattern may be discerned. The public outcry around the world caused the Holy See to consider this matter and to decree that the crime of the abuse of a minor by a cleric was of such concern to the whole Church that a bishop was no longer to be the only authority in his diocese on this matter. The document of Pope John Paul II was entitled Sacramentorum Sanctitatis Tutela and was promulgated by the Pope’s own authority on 30th April, 2001. Now, should a cleric be credibly accused of sexual abuse of a minor, that matter is to be referred to the Holy See and their instructions are to be followed. It is effectively only since this date that the Holy See would have any systematic knowledge of the numbers and types of such offences. In this way, the autonomy of the diocesan bishop has been restricted in dealing with this crime.

This illustrates that the autonomy of the bishop is limited rarely, and only for the most serious reasons.

30 Report of the McLellan Commission 2.81 page 21
2. The Hierarchy BCS/Diocesan relationship with the religious Orders

- De La Salle Brothers
- Christian Brothers
- Benedictines
- Marist Brothers
- Orders/Congregations of nuns, for example, the Sisters of Nazareth
The Relationship of the Hierarchy and Religious Institutes

The Historical Framework

The Scottish Hierarchy was re-established in 1878 with the Apostolic Bull *Ex Supremo Apostolatus Apice*. This restored to the Catholic Church in Scotland the normal system of bishops and dioceses, which had been abolished at the Reformation. In 1908 Scotland was declared by St Pius X in his Apostolic Constitution *Sapienti Consilio* to be no longer a missionary territory and the usual law of the Church began to apply in Scotland.

Religious Institutes had worked in Scotland throughout the post-Reformation period, most famously Saint John Ogilvie, a Jesuit who was martyred in Glasgow in 1615, but religious institutes formally returned for the first time in 1834 when the Ursulines came to Edinburgh. The numbers grew in the following years and by 1878 there were eight male institutes and eight female ones. Over the next century this rose to thirty-one male institutes and fifty-seven female ones, and there are currently thirty-seven male institutes and ninety-one female ones. *(cf Appendix 1 – List of Religious Houses in Scotland)*

The Canonical Framework

The canon law framework for the relations between the hierarchy and the religious institutes is to be found within the Canon Law of the worldwide Catholic Church. Currently this is primarily found in the 1983 Code of Canon Law. The law was previously to be found in the 1917 Code of Canon Law, subject to various amendments and experiments that occurred after the Second Vatican Council. As well as the two Codes there have also been various Vatican documents over the years which dealt with the relationships between the hierarchy and religious institutes, notably *Mutuae Relationes* of 1978.

1917 was the first time the Church’s canon law was codified. Prior to this date the law was to be found in countless documents issued over the previous two millennia, gathered together to some extent in the *Corpus Iuris Canonici*, edited under Pope Gregory XIII in 1582. However since Scotland was regarded as a mission territory until 1908, the generally-applicable canon law was subject to various alterations to suit the conditions here. In the field relevant to us perhaps most relevant is the 1881 Apostolic Constitution.

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31 “Religious Institute” is the technical generic term for the different Orders, Societies, Congregations, etc. of religious men and women.

32 For background see MCROBERTS, D. “The Restoration of the Scottish Catholic Hierarchy in 1878” and CUNNINGHAM, J. “Church Administration and Organisation”, both in MCROBERTS, D. (ed.), *Modern Scottish Catholicism*, Glasgow, 1979, pp.3-29, the second pp.73-91.


34 The most recent Ecumenical Council of the Church, held in Rome between 1962 and 1965. The Council, and its aftermath, was a time of great change for the Catholic Church.
Romanos Pontefices, which highlighted the exemption from episcopal oversight enjoyed by religious in Great Britain but which also clarified that religious could not open monasteries, schools, etc., or change their use, without the permission of both the Holy See and the local Bishop.

It is important to note that the rights and obligations set out in Canon Law may well differ from those set out in Scots Law – e.g. when the Code of Canon Law talks of the bishop’s role in Catholic schools this obviously needs to be read in the light of the different functions of various authorities proper to the Scottish system of state Catholic schools. Canon Law cannot, in practice, grant a bishop a role in religious-run institutions where that is beyond what is foreseen by the provisions of Scots Law (such as the law on charity trustees or on education authorities).

The Relationship between the Hierarchy and Religious Institutes

The Hierarchy of the Catholic Church in Scotland - now constituted as the Bishops’ Conference of Scotland - (BCS) has no direct link with individual religious institutes, except where the Conference entrusts a national institution to a particular institute (e.g. where religious institutes were once given institutional roles in seminaries), in which case the same principles would apply as when a single bishop does so, as set out below. The Bishops’ Conference of Scotland does have a relationship with the Conference of Religious in Scotland – this is a relationship of coordination rather than subordination [1983 Code c.708].

Individual religious are bound by decisions of the BCS that are of general application to all Catholics [Vatican II, decree Christus Dominus, 35§4], such as establishing Holy Days of Obligation [1983 Code c.1246§2]. Certain Vatican documents also give specific powers to Bishops’ Conferences over religious institutes (e.g. the Congregation for the Doctrine of the Faith has allowed conferences to issue Guidelines on dealing with child sexual abuse cases which cover religious institutes as well as dioceses).

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35 “Religious” means someone, male or female, who has professed the evangelical counsels of chastity, poverty, and obedience in a religious institute recognised by the Church [1917 Code c.488, 7°; 1983 Code c.573§2]. Male religious can be clerical or lay, that is, be priests or brothers. Female religious can be nuns, who principally live an enclosed life of prayer in monasteries, or sisters, who principally live an active life of Christian service in schools, hospitals, parishes, etc.
The Relationship between Dioceses and Religious Institutes

when an Institute comes to a Diocese or starts a new ministry

A religious institute needs the written consent of the Diocesan Bishop to establish a house in his diocese, whether this is the first time they have come to the diocese or whether they are simply opening a new house in a diocese where they are already present [1917 Code c.497§1; 1983 Code c.609§1]. This consent brings with it the right to engage in their proper works (e.g. a nursing institute gets the right to engage in nursing), subject to any conditions imposed by the Bishop at the moment of giving consent [1917 Code c.497§2; 1983 Code c.611, 2°] and the right for clerical religious institutes to have a church and to engage in sacred ministry [1917 Code c.497§2; 1983 Code c.611, 3°]. Under the 1917 Code further permission had to be obtained from the Bishop to build and open a school or hospital [1917 Code c.497§3]; under the 1983 Code this was limited to permission to open a school [1983 Code c.801]. The consent of the Bishop is also required if a house is changed from one purpose to another (e.g. if an orphanage is changed to a hospice), unless the change is only about internal matters (e.g. establishing a new infirmary for older members of the institute) [1917 Code c.497§4; 1983 Code c.612].

when a Religious Institute is working in a diocese

Religious institutes and bishops need to cooperate in their work, which requires a balance between two principles: the just autonomy of religious and the Bishop’s authority over all the apostolate in his diocese. The idea of “just autonomy” highlights their freedom from interference by bishops [1983 Code c.586§1], and local dioceses are given the obligation of safeguarding this autonomy [1983 Code c.586§2]. Some institutes also enjoy a special status known as “exemption” which makes them subject to the Holy See and exempts them to some extent from the power of local Bishops [1983 Code c.591]. Under the 1917 Code, exemption was more widespread, enjoyed by many religious [1917 Code c.615; c.618§1]. Moreover all of the larger institutes enjoy the status of “pontifical right” which makes them immediately subject to the Holy See as regards internal matters [1917 Code c.618§2; 1983 Code c.593].

The 1965 Vatican II decree Christus Dominus established the “fundamental principle” that all religious are subject to the authority of the Bishop as regards public works of the apostolate [CD 35§4]. The Bishop is the one responsible for coordinating all the apostolates in his diocese [1983 Code c.394] and so the Bishop has authority over the apostolate of religious, that is, over their public works (nursing, education, etc.) in his

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37 A religious house is the residence of a community [1917 Code c.488, 5°; 1983 Code c.608]. Religious are supposed to live in a religious house and not live independently [1917 Code c.606; 1983 Code c.665§1].
38 The Bishop has more powers over institutes of diocesan right, but none of the institutes involved in the Inquiry are of diocesan right.
diocese [1917 Code c.500§1; 1983 Code c.678§1], but not to the exclusion of the religious superiors [1983 Code c.678§2], with whom the Bishop must consult [1983 Code c.678§3].

Effectively the religious superiors have sole authority over the internal life of the institute but the Bishop has authority over their public ministry. The Bishop currently has the right to conduct a visitation of the institutes’ apostolic works (schools, hospitals, etc.) [1983 Code c.683§1], which includes the power to make provisions to deal with breaches of the law [1983 Code c.683§2]. He does not though have the right to conduct a visitation of most religious houses and so cannot intervene in their internal life [1983 Code c.628§2]. Under the 1917 Code the Bishop had the obligation to conduct a formal visitation of houses of lay religious institutes [1917 Code c.512§2, 3°], including enquiring into whether anything detrimental to good morals has crept into their life and if Superiors are responding properly to any grave abuses [1917 Code c.618§2, 2°]. The Bishop did not have these powers over clerical religious houses, and could only inspect the church and sacristy [1917 Code c.512§2, 2°].

When a Bishop entrusts the running of a diocesan work of the apostolate (e.g. a diocesan school) to a religious institute the work remains totally subject to the Bishop, without prejudice to the internal governance of the religious superiors [1983 Code c.681§1]. There should be a written agreement specifying all the relevant details [1983 Code c.681§2].

The Bishop has a specific right of vigilance over all Catholic schools in his diocese, even those established or directed by religious [1917 Code c.1382; 1983 Code c.806§1].

In the event of canonical crimes being committed, the Bishop has the power to coerce religious with canonical penalties [1917 Code c.619; 1983 Code c.1320].

*when a Religious Institute is leaving a Diocese*

Only the internal authorities of the religious institute (or sometimes the Holy See) can decide to close a religious house. The Bishop must be consulted (or in some circumstances, under the 1917 Code must have consented) but he has no power to insist that an institute close a house or leave his diocese [1917 Code c.498; 1983 Code c.616].

*moving individual Religious*

Individual religious are appointed to live in specific houses according to the internal rules of the different institutes. The Bishop ordinarily has no power over these appointments, although he may of course ask for religious with particular skills to be appointed to some apostolate in his diocese. Since 1963, and still under
In the 1983 Code, the Bishop has also had the extraordinary power to order an individual religious to leave his diocese if there is a most grave cause and if the superiors have failed to act, and if the Bishop immediately thereafter informs the Holy See [1983 Code c.679]39.

If a clerical member of the religious institute (i.e. a priest or deacon) wishes to temporarily leave an institute (a process known as exclaustration) the Bishop of the place where he wishes to live must consent [1983 Code c.686§1. This was not the case under the 1917 Code]. A clerical member cannot definitively leave the institute unless a Bishop agrees to accept him into his diocese (whether experimentally or permanently, known as incardination) [1917 Code c.641; 1983 Code c.693], unless he is leaving the priesthood completely and seeking to return to the lay state.

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39 This power was first given to bishops by Blessed Paul VI in 1963 in his letter Pastorale Munus, §39.
3. The Hierarchy BCS/Diocesan involvement in the creation, oversight, governance and management of any children’s residential care establishments run by religious Orders.

- The response here should cover the position from the beginning of the 20th century to date
- Specifically set out the Church’s responsibility for Catholic residential schools within the context of the provision of Catholic education
- Set out the nature and extent of the pastoral care provided to residential establishments run by religious Orders
- The junior seminaries should be covered here
Children’s residential care establishments run by religious orders.

The Bishops’ Conference of Scotland had no involvement with the creation, oversight, governance or management of any children’s residential care establishment, with the exception of a short period when they were responsible for the Good Shepherd Centre, Bishopton while a new Board of Managers was created.

However, mention should be made of the National Committee for Catholic Child Care which the bishops brought into being in September 1962. The Committee had no direct governance of any establishments but sought to assist and support the work being done. They facilitated training courses for those involved in child care run by experts in their field, not specifically from the Catholic background. They expressed interest in private arrangements for children to be in care and established links with local authorities to regularise the arrangements for such children. Likewise, in the late 1970s, they were instrumental in facilitating and encouraging the changes from having most children residing in large units to creating smaller, more homely, units for smaller groups of children.

All of this committee’s work related to guiding and supporting child care; at no point did they have any governance or management responsibility. The committee was composed of clergy, religious and lay people and employed a social worker to assist them in their work. They did visit establishments and encourage good practice, though they seem never to have had an inspectorate role in such establishments. This Committee’s work is further expanded at question 6.

Diocesan involvement is difficult to accurately assess as far as these different aspects are concerned.

As already noted, the creation of e.g., St Mary’s predates the restoration of the Hierarchy in Scotland and predates the existence of the post-Reformation Archdiocese of Glasgow. There is a scarcity of records regarding the creation of the residential care establishments. Currently an investigation into finding any records that may exist is underway and any discoveries or further information will be promptly submitted to the Inquiry. In the meantime a particularly relevant document from 1916 (Appendix 2) shows the nature of the agreement for the De La Salle Brothers to become involved in Saint Mary’s Kenmure. The diocese enters into an agreement with the De La Salle community and the agreement includes the provision that the governance of the school is the responsibility of the Board. This demonstrates that principal of the diocese granting permission for a religious order to work in a diocese but also demonstrates that the diocese does not govern their work.
The oversight of these establishments was clearly in the hands of religious institutes at various times and the oversight, governance and management would have been in the hands of the religious institute, with a Board of Managers responsible for governance. Diocesan involvement generally was centred around allowing the establishment to use land owned by the diocese and the agreement with the religious order to work in the diocese.

As individual orders began to withdraw, they generally informed the local bishop of their intention to depart. As many of the establishments were staffed by qualified lay persons, there was often no need for the establishment to be closed and so a Board of Managers was established as the legal governing body of the establishment. As these were Catholic establishments, the Diocesan Bishop was frequently asked to appoint members to these Boards. Such appointments were made not to act on behalf of the bishop but to personally assume membership of the Board and responsibility for the establishment. Diocesan bishops would frequently be copied in on the minutes of Board Meetings, but they did not exercise personally any direct governance as the Diocesan Bishop. On occasion a diocesan bishop may have made a personal choice to be a member of a particular Board for a time, though pressure of work frequently made this difficult to maintain. None of the living bishops of Scotland were ever members of such Boards.

Once again, the extent of now deceased bishops being members of Boards of establishments is being investigated and such discoveries as are made will be given to the Inquiry.

Over time many of these Boards became charities and also companies limited by guarantee, the current position for the Catholic Residential Schools including Secure Units.

**Responsibility for Catholic residential schools**

The Church’s responsibility for Catholic residential schools must be set in the context of its responsibility for schools which do not have a residential quality to them, namely local State Schools. The Education (Scotland) Act 1918 transferred the responsibility for education provision in Catholic schools from the Catholic Church in Scotland to the State – via Local Education Authorities and Central Government.

As far as is known, all residential schools (in whatever name they were called over the years) were all registered with the Registrar of Independent Schools. They were registered as schools and for the provision of social work etc., and were regularly inspected by the appropriate inspectors/departments.
It is the local education authority that governs the schools and employs the staff. The diocesan bishop has to approve “the religious belief and character” of teachers, but neither interviews them nor employs them. The Religious Education syllabus is given to the schools and the local parish exercises pastoral care for the school(s) within their territory. Sometimes the diocesan bishop may formalise that pastoral care by naming a chaplain to the school, but the chaplain has no role in discipline or governance within the school; his task is to provide pastoral care for the pupils.

Likewise for Catholic Residential Schools: the Boards of Managers were responsible for the schools, governed them and employed all staff. The diocese was not directly involved in any way. On occasion a chaplain may have been appointed, but more often the local parish provided pastoral care though the nature and extent of such pastoral care varied significantly. There were no official standards for the level of pastoral care which was to be provided; often the size of the parish itself and the workload there against the size of the school and the workload there would define the level of pastoral involvement that was possible. Even the naming of a chaplain did not define the input given, since the chaplain too would have parish responsibilities outside of the school. The main elements of such pastoral care were the celebration of Mass and the other sacraments, especially on the occasions of feast days etc.

There are some examples of Chaplains being appointed full time to a school and even given a separate residence on the grounds of the school, but even then no specific duties are prescribed; they were to be worked out over time. An example is to be found in the De La Salle agreement, para. 10 (Appendix 2).

The nature and extent of pastoral care provided to residential establishments run by religious orders

Please refer to the preceding section of this answer. The nature of pastoral care varied from diocese to diocese and from establishment to establishment. Most commonly, a local parish would be responsible for pastoral care of the establishment, either as the parish or with one particular priest being named as a chaplain or confessor. Once again, the role of the chaplain or confessor, or the involvement of the local parish, varied greatly and there were no general or national policies or guidelines on this. Each establishment had different needs and those needs were responded to in different ways. Likewise, chaplains varied in their enthusiasm for such a task, some only entering the establishment when they were required, perhaps weekly for Mass, or even just a few times in the year.
Junior seminaries established by religious orders

The Bishops’ Conference of Scotland had no formal involvement in the creation, oversight governance or management of these establishments that were under the authority of the religious orders specified.

A number of junior seminaries were established by religious orders, namely:

- St Joseph’s Missionary College, Lochwinnoch - St Joseph’s Missionary Society (Mill Hill Fathers)
- St Francis Xavier College, Coatbridge - Xaverian Fathers
- St Columba’s Junior Seminary, Newton St Boswells – Missionaries of Africa (White Fathers)
- Smithstone House, Kilwinning - Sacred Heart Fathers
- Marist Brothers Juniorate, Hetland, Dumfries – Marist Brothers
4. Consider a number of Catholic establishments and disclose the Church’s involvement over the time frame of the Inquiry

(a) Christian Brothers
   - St Ninian’s, Falkland, Fife

(b) De La Salle Brothers
   - St Joseph’s, Tranent
   - St Ninian’s, Gartmore, Stirlingshire
   - Kenmure St Mary’s School, Bishopbriggs
   - St John’s Boys School, Shettleston
   - St Mungo’s School, Mauchline, Ayrshire

(c) Benedictines
   - Carlekemp, North Berwick
   - Fort Augustus

(d) Marist Brothers
   - St Joseph’s, Dumfries
   - St Columba’s, Largs

(e) Daughters of Charity of St Vincent de Paul
   - Smyllum, Lanark
   - Bellvue House, Rutherglen
   - St Joseph’s Hospital, Rosewell
   - St Vincent’s School for the deaf/blind, Tollcross
   - Roseangle Orphange (St Vincent’s), Dundee

(f) Sisters of Nazareth-The Nazareth Houses
   - Aberdeen
   - Cardonald, Glasgow
   - Lasswade
   - Kilmarnock

(g) Sisters of Our Lady of Charity of the Good Shepherd
   - Colinton establishments-to include Woodfield Children’s Home and Ladymary School
   - St Euphrasia’s and its predecessors
   - The Good Shepherd Centre, Bishopton

(h) Congregation of the Poor Servants of the Mother of God
   - St Mary’s, Balnakiel House, Galashiels
Mgr Hugh Bradley, the General Secretary of the Bishops’ Conference of Scotland, wrote to all eight Scottish Dioceses to seek responses to this and other questions received from the Inquiry. This letter is included as Appendix 3.

For a response to this question, please refer to the information supplied by individual Dioceses (Appendices 4 - 11).
5. The Church’s role in connection with Kenmure St Mary’s after the De La Salle Brothers left in 1966
In so far as St Mary’s Kenmure (SMK) was concerned, the role of the “Church” continued as it had done prior to the De La Salle Order or Congregation leaving the school.

The De La Salle Brothers were employees. They were not volunteers and were appointed to the staff on merit. They provided key employees and, with the other staff of the school, ran the establishment on a day-to-day basis until it was decided by the De La Salle community that they were no longer able to provide brothers as staff and they decided to remove the brothers from the employment of the school. The Board governed the school as it had before, continuing to employ staff as was required. This included recruiting a Head Teacher. The Board appointed Charles Forde (now deceased) who was Head Teacher for a significant number of years.

The Church’s role continued as it had done before: it simply nominated Board members. The Board members were not responsible to the diocese but rather acted in a personal role as Managers of the establishment. The Board employed the staff. The Board governed the establishment.

The site on which SMK is built was, at that time, owned by the Archdiocese of Glasgow who subsequently sold the site to the Cora Foundation to enable the re-development of the then existing buildings.

The civil status of the Board of Managers of the school was changed to a company limited by guarantee which was incorporated on 17th December 2010 and known as St Mary’s Kenmure. The first meeting of the Board of Directors under the new company was held on 12th April 2011.

The company, St Mary’s Kenmure, is the registered provider of services to young people and is registered with the Care Inspectorate, and the Registrar of Independent Schools and is approved by Scottish Ministers to provide secure accommodation services.

The current facilities opened in June 2000. All redundant buildings on the campus known as Kenmure St Mary’s Boys School Bishopbriggs and/or St Mary’s Kenmure or derivatives thereof have been demolished.
6. **Involvement of local priests in placing children into care whether residential care or some form of foster care**

- Look at this over the time frame of the Inquiry’s remit
- Why did such a practice exist
- How was the establishment selected—was there an emphasis in finding a Catholic run institution
- What checks/ follow up, if any, were undertaken to assess the standard of care provided
There was no policy in any Scottish diocese with regard to the placing of children into care. There are no records of any such policy. It is possible that in the course of ordinary pastoral care by priests in parishes, particularly prior to the Social Work (Scotland) Act 1968, individuals may have been put in touch with particular care homes as seemed appropriate to the needs of that individual or family. If a person approached a priest for such pastoral support, the presupposition would probably have been that they wished any care to be provided in a Catholic context. As this was not following any structured policy but would have been on an ad hoc basis, there was no knowledge by the dioceses of such activity nor any follow up.

National Committee for Catholic Child Care
As mentioned in response to Q3, the Scottish Hierarchy established the National Committee for Catholic Child Care in 1962 to monitor the provision of residential care for Catholic children and to establish some co-ordination of the work of various institutions offering this provision to Catholic children. Reports of the work of this committee indicate that its tasks included:

- promoting training opportunities for staff in care homes
- offering advisory services to Catholic institutions
- liaising with local authority Children’s Departments
- liaising with the Child Care Inspectorate
- liaising with the Scottish Office.

The work of this committee continued until 1984 after which time responsibility for Child Welfare matters was taken over within the wider remit of the Church’s National Office for Pastoral and Social Care.

Please also refer to the information supplied by individual Dioceses in answer to this question (Appendices 4 - 11).
7. The Church’s knowledge of the existence of abuse (whether physical, emotional or sexual) of children in the care of religious Orders

- When was there an awareness of the existence of any abuse
- Identify the location(s) and the nature of that abuse
- At local levels ought priests have been aware of abuse within residential establishments where they provided pastoral care
- What duties, if any, rested on a priest to whom a child reported abuse at confession
The Churches knowledge of the existence of abuse (whether physical, emotional or sexual) of children in the care of religious Orders

In line with the principles of Canon Law, as described above, such matters would be dealt with by the Religious Orders and would not involve diocesan bishops. Where dioceses were advised of such incidents, these cases are detailed in Diocesan reports (Appendices 4 - 11).

“What duties, if any, rested on a priest to whom a child reported abuse at confession?”

The primary duty that rests on any priest hearing anyone’s confessions is to be the “sign and the instrument of God’s merciful love for the sinner”\textsuperscript{40}. This means that the confessor must “have a proven knowledge of Christian behaviour, experience of human affairs, respect and sensitivity toward the one who has fallen; he must love the truth, be faithful to the Magisterium of the Church, and lead the penitent with patience toward healing and full maturity”\textsuperscript{41}.

Giving people the confidence to come to confession and “confess in kind and number all grave sins [not yet confessed]...of which the person has knowledge after diligent examination of conscience”\textsuperscript{42} requires the absolute inviolability\textsuperscript{43} of the seal of the confessional. As the Catechism says: “Given the delicacy and greatness of this ministry and the respect due to persons ... [the Confessor] can make no use of knowledge that confession gives him about penitents' lives”\textsuperscript{44}. The priest is strictly forbidden to reveal anything that has been disclosed to him in confession by anyone, for otherwise those in grave sin of any kind would not be willing to make an integral confession. This would deprive those most in need of help of an essential spiritual means of conversion, of changing their lives for the better with the help of God.

To this end, the priest also has the obligation to instruct his penitents in confession: the confessor “offers practical advice for beginning a new life, and, where necessary, gives instruction on the duties of the Christian life”\textsuperscript{45}, which should include telling the child that in being abused it was the abuser who had done wrong, not the child, and that the child should report the abuse to the appropriate authorities. The priest could also encourage the child to come and speak to him outside of confession and offer to help the child to report the abuse then, but can never raise the issue outside confession himself.

\textsuperscript{40} The Catechism of the Catholic Church, paragraph 1465
\textsuperscript{41} The Catechism of the Catholic Church, paragraph 1466
\textsuperscript{42} Canon 983§1 of the 1983 Code of Canon Law, the current fundamental legal norms for the Latin-Rite Catholic Church. The previous norms, the 1917 Code of Canon Law, contained a similar rule in cc.901 & 906.
\textsuperscript{43} Canon 983§1 of the 1983 Code of Canon Law. The 1917 Code of Canon Law contained an identical statement in canon 889§1. Identical provisions are to be found in the current and former Rituals, the liturgical books containing the Rites of Penance.
\textsuperscript{44} The Catechism of the Catholic Church, paragraph 1467.
\textsuperscript{45} Introduction to the (post-Vatican II) Rite of Penance, paragraph 18; see also the General Rules for the Sacrament of Penance in the (pre-Vatican II) Roman Ritual, especially paragraphs 14 and 18.
8. **The Church’s knowledge of and involvement in the migration of children in care from Scotland**

- At a local level, were priests/Bishops aware of children in the care of religious Orders being migrated from Scotland. Did the Church have any policy on child migration?
- Were priests/Bishops involved in recommending children for migration?
- If so, provide full details of that involvement including the places from which they were sent, the places to which they were sent, and, if possible, the names/gender and ages of any children who were sent. Provide details on whether the consent of the child and/or parents was sought and obtained or of any other person with a legal duty of care towards the child.
- If priests/Bishops were involved in this practice, why were they involved?
- What is the Church’s position now on the migration policy that was pursued?
- Has the Church had any involvement in responding to requests from former child migrants whether or not the Church had any involvement when the child left Scotland, and if so, provide details of any such involvement including the names of all those involved.
Knowledge of Child Migration

There are no papers held by the Bishops’ Conference of Scotland on the subject of child migration. As the question seeks information regarding the awareness of Bishops/priests about child migration at “a local level”, the dioceses were asked to respond to this question. The report from the Archdiocese of St. Andrews & Edinburgh (Appendix 4) has revealed that the Hierarchy had been involved with a migrations scheme to Australia in the post second world war period. During 1948, at three of the meetings of the Hierarchy (May, June, and October 1948), there was discussion of the scheme that seems to have involved both adult immigrants and also children in care.

In research we have discovered some of the detail of what the Bishops’ involvement was in this scheme. The Australian Government were keen to see an increase in migration by people of ‘British stock’ to post-war Australia. In 1946 The Catholic Bishops in Australia became involved in promoting Catholic migration by relating firstly to Cardinal Griffin, Archbishop of Westminster, and subsequently through the Catholic Council for British Overseas Settlement for Scotland and Northern Ireland of the Catholic Enquiry Office in Edinburgh, which was established in December 1946, involving Scotland and Northern Ireland. As can be seen from the Parliamentary Enquiry Report, the scheme seems to have continued until December 1956 with a few exceptional migrations in 1962 and 1963.

The 1948 minutes of the Hierarchy reveal that the scheme had stalled somewhat, that people were unhappy that their successful applications had not led to their emigration to Australia. This, of course, refers to adults. The papers held at the Scottish Catholic Archives reveal that, of 102 children waiting to emigrate under the Catholic Child Scheme, “about 51” were from Scotland and Northern Ireland. There are no names or any other identifying details in the papers. Mention is made that the number of children interviewed by Brother Conlon from Australia had fallen to 30, “due to the parents’ consent not being forthcoming”. The papers list a number of “contacts in connection with Adult & Child migration”. The Scottish Catholic contacts detailed are: Nazareth House (Lasswade, Aberdeen and Kilmarnock); the Good Shepherd Convent Edinburgh; the Saint Vincent de Paul Society (Glasgow and Edinburgh); ‘Clergy (unnamed) in Edinburgh, Glasgow, Aberdeen, Dundee, Fife, etc., etc.’. In addition, other Scottish contacts listed are: Home Department Edinburgh; City Social Services Edinburgh, Glasgow Corporation Welfare Department; and the Church of Scotland Emigration Department.

46 https://www.publications.parliament.uk/pa/cm199798/cmselect/cmhealth/755/8061106.htm
Detail is given of how the various age groups of young people would be looked after in Australia. For 6-14 year olds: “...some will be in Catholic Children’s Homes, others in Convent Boarding schools, and some suitable boys will be placed in farm and trade schools, all of which will be controlled by religious teachers”.

For 14-19 year olds: the papers detail concern by the Australian bishops that no definite plan is in place, save “co-operating with the Governments to cater for the training and placement of these young people when they reach Australia. It is the intention of the Governments to place Youth groups in training centres throughout the states, where they will receive training for six months or more, at the expense of the Governments, to prepare them for their future careers such as, trades and various types of farming carried on in Australia”.

Whilst mention is made of advertising the scheme through parishes and priests, there is no evidence of how, or even if, this was carried out. Apart from the contacts list above, there is no other mention of Scottish clergy in the papers. Their involvement was sought by those administering the scheme on behalf of the Catholic Church in Australia and ultimately by the Australian Government.

It is likely that the impoverished state of post-war Scotland probably gave rise to hopes for a new start and a better life for those who chose to migrate. Similarly the Bishops, in co-operating with the Australian authorities (civil and ecclesiastical), must have seen the chances of a better life for those considering emigration. The 1998 Parliamentary Report into Child Migration details the social-economic situation of Great Britain as always having been a motivation for such migration. The Report also mentions the ‘social imperial motivation of populating the Empire with British stock’, this can be seen in one of the Reports held at the Scottish Catholic Archives which states: “The Catholic Church, other Churches and recognised organisations in Australia are co-operating with the Australian and British Governments in their Migration Scheme which has for its main object the population of Australia with people of British stock and the creation of a greater England in the Southern Hemisphere”. Of course, such language would be intolerable today but seems to have been accepted then.

Some dioceses have indicated below (Appendices 4-11) how they have responded to any contact from former child migrants.
9. With specific reference to the junior seminaries and any other residential establishments for which the Church had direct responsibility set out what allegations of abuse have been made over the time frame of the Inquiry

- Details of any abuse
- Identity of the alleged abuser(s) and complainer(s)
- Location(s)
- Time frame
- Awareness of, for example, management/Bishops by any abusers
- Admissions
Please refer to any relevant information disclosed in Diocesan reports (Appendices 4 – 11)
10. **Provide details of the staffing and management arrangements of any residential establishments for which the Church whether at diocesan or Hierarchy/BCS level has or had direct responsibility**

- This should cover discrete periods of time to cover the timeframe of the Inquiry
- The persons in charge over that time frame should be identified, if possible
- The numbers accommodated should be identified over that time frame as should staffing numbers and arrangements
- The experience and qualifications of staff and to what extent, if at all, that changed over the Inquiry’s time frame
- What external oversight existed, if any, at discrete periods in time
- Any documentation relevant to the management, procedures and practices should be identified
National Junior Seminaries

The Catholic Bishops of Scotland were responsible for the establishment of two junior seminaries that educated boys who aspired to become priests in the Catholic Church. St Mary’s College, Blairs in Aberdeen, was founded in 1829 to educate boys of secondary school age, commonly from age 12 to 18. It closed in 1986. St Vincent’s College in Langbank opened in 1961 to teach boys for the first two years of secondary education before they transferred to Blairs College for the next four years of schooling. St Vincent’s College closed in 1978.

Blairs and Langbank Rolls 1949 – 1985

Appendix 12 details the annual rolls of each establishment from 1949 to 1985. NB: Students attended Blairs between 1944 and 1985 and St Vincent’s between 1960 and 1976. To determine the total number of distinct pupils at the two seminaries over the period 1949-1985 this period has been treated as a single unit.

Appendix 12 also provides details of the statistical method for calculating the total number of pupils enrolled in both colleges throughout these years, taking account of variables such as differing leaving dates. From these figures, we believe that the number of distinct pupils who attended the schools is somewhere between 1590 and 1670. We can, with some degree of confidence, conclude that the number of distinct pupils was no more than 1700.

Management of Junior Seminaries

St Mary’s Blairs and St Vincent’s Langbank operated as boarding schools and were registered with the Scottish Education Department as independent schools. As such they were subject to annual Inspection visits by Her Majesty’s Inspectorate of Education, until the frequency of such visits was altered in the 1970s. Copies of the reports of these visits are available in the Scottish Catholic Archives. The curriculum of both colleges was fairly typical of what would have been found in most Scottish “senior secondary” schools of those times. There were, of course, additional emphases on Classical languages, on religious & spiritual formation as well as experience of liturgical celebrations.
Staffing of Junior Seminaries

Each college was managed by a (priest) Rector and staffed mainly by priests as teachers and religious sisters as domestic staff. Both colleges also employed (mainly part-time) laypeople as cleaners, handymen etc. A number of qualified laypeople were also employed as teachers in Blairs College. The priests who taught in both colleges possessed various qualifications, ranging from ‘licences’ that verified advanced academic study in theology, scripture, catechetics etc., to university degrees. Some also possessed teaching qualifications. The names of teachers who are recorded as having been assigned to either college for particular years can be found in Appendices 13 – 14.

The Rector of each college submitted short written reports to the Scottish Hierarchy once or twice a year. These reports usually referred in general terms to the academic progress of students, their spiritual and physical welfare, the college staffing needs, and the financial upkeep of college premises. Members of the Scottish Hierarchy visited both colleges at least annually, usually to participate in a College Feast day celebrations.
11. Procedures over time for dealing with persons for whom the Church was responsible against whom allegations of abuse were made or established by children in care

- Priests/suspension/movement
- Reporting to the Vatican
- The reaction to allegations/established abuse by Lay workers and volunteers
- Written policies and procedures and if so when they were introduced
- The adequacy of any action taken at the time of any such allegation
The main information known is produced in the individual diocesan responses (Appendices 4-11). It is important to note that the autonomy of the religious order which actually governed an establishment would not be able to be over-ruled by the local bishop, as has already been described in the response to question 2. In such situations, any allegation would be directed to the religious order itself. Likewise, it may be noted from diocesan responses that dioceses refer cases back to religious orders as the appropriate body with which to raise the matter. In many cases, therefore, any information that may exist lies with the religious order concerned and the Inquiry has, it is understood, sought out information from these communities.

In addition there were establishments governed by a Board and allegations would most likely be referred to the Board either by the accuser themselves or by a bishop, should the allegation be made to him. All school staff (including religious) were employed by the Board which ran the school. Therefore any allegation of abuse would be directed to that Board. Hence a bishop may not actually be informed of any such allegation. In any case which involved a priest, the religious order or the Board would, without doubt, inform the local bishop of the facts. This is why this question was referred to the dioceses for an individual response as in the appendices.

**Priests/suspension/movement**

As the appendices show, there was no specific policy in regard to this matter, and so each case was different and responded to in a different way, depending on a number of different factors. Discussion of this is also found in the response to Q1 above which describes the autonomy of the diocese and of the bishop and helps clarify that no policy existed, since each bishop acted with guidance from professionals and advisors in the way he believed to be appropriate at the time.

Much is made of the question of moving priests who were accused of sexual abuse to a new assignment. Whilst this did happen on occasion, it was not a policy of any bishop or diocese to move a priest to a new assignment. Clearly this has happened on occasion: sometimes after spending time in therapy a priest might have been appointed again in the belief (now known to be mistaken) that such a person could be cured or work under supervision. But this does not amount to a policy. Reference was earlier in the Q1 response to words of Mgr Bob Oliver, Secretary of the Pontifical Commission for the Protection of Children, quoted in the McLellan Commission report:

> We did not listen to victims and underestimated the extent of the problem: we missed red flags and warning signs; we were conned by many offenders; and believed, often with professional advice, that some offenders could be returned to ministry.
The Church’s current safeguarding guidelines make it clear that such considerations are irrelevant and no reassignment is permitted. Likewise, the requirement that cases involving a cleric be reported to the Holy See (whose instructions must be followed) means that the final disposition of an offender is subject to scrutiny by both the civil and the ecclesiastical authorities.

Reporting to the Vatican

As was indicated in the response to Q1, since the canon law was changed in 2001, any credible allegation of the sexual abuse of a minor by a cleric must be reported to the Holy See. There was no such requirement before that date. There is still no requirement to report to the Holy See a case of abuse by someone who is not a cleric. Such an accusation is subject to the local guidelines, in this case those issued by the Bishops of Scotland. Safeguarding guidelines also now require that the civil authorities be informed, no matter who may have been accused. Hence, an accusation against a cleric will be reported to both the civil and the ecclesiastical authorities and the process to examine the case will be conducted by the civil authorities. Then, after the civil case is completed, the Holy See will issue instructions for the disposition of the case under ecclesiastical law.

The reaction to allegations/established abuse by Lay workers and volunteers

It should be noted that such allegations would generally be dealt with by Boards of Managers of the individual establishments or to the religious community concerned and frequently not even reported to the local bishop.

In the case of the Managers, like many other establishments in the past, such behaviour was frequently treated as a disciplinary matter and the offender dismissed or somehow “disciplined”. In terms of today’s standards, the reaction was clearly unsatisfactory; nonetheless, even though it is clearly an unsatisfactory response, it was at the time considered sufficient. There were no mandatory reporting requirements in earlier days.

In regards to the Residential schools in their various forms of existence, records of allegations and or actions taken are not easily identifiable. In some cases a move from one building to a new one or similar change caused records to be lost or destroyed. Having said that, an immense amount of paperwork does exist in varying boxes and in varying degrees of order. To be confident in responding to the questions of this Inquiry, this paperwork is currently being examined in detail, page by page. It is being scanned into electronic form
so that it may be fully and accurately searched. Any information about allegations of abuse, or records referring to such abuse, which are discovered in this detailed search involving tens of thousands of pages will be made available to this Inquiry as soon as it is discovered.

**Written policies and procedures**

In 1999 The Bishops’ Conference published ‘Keeping Children Safe: Guidelines for good practice for priests and religious, for paid staff and voluntary workers who deal with children and young people in a Church context’. The guidelines were designed to reflect best practice in protecting children from harm, in line with other child protection agencies, both statutory and voluntary. They were updated in subsequent years.

As far as places where children remain in residential establishments, only three establishments - Saint Mary’s Kenmure, Saint Philip’s Plains and the Good Shepherd Centre, Bishopton - are still in existence. During the years when these units were funded by Central Government, Social Work Services Group (SWSG) and the Scottish Education Department (SED) regularly issued circulars to the Boards of Managers to provide guidance on all aspects of operating the units.

While these circulars are not available any longer, it is assumed that they would have covered these points. Similarly, when Strathclyde Regional Council was the funding authority for these schools, it issued circulars and advice on how the units should operate. Nowadays, for registration purposes, the unit’s own policies and procedures must be lodged with the service regulator. The current examples are provided in Appendix 15. These policies are revised and updated regularly and are subject to inspection.

**The adequacy of any action taken at the time of any such allegation**

Throughout this report there have been references to the adequacy of actions taken at the time of an allegation. What may have been considered as an adequate response in the past may now be looked upon as inadequate. What was seen as a helpful solution to an allegation, and approved by a Procurator Fiscal, may now appear not to be a transparent way to deal with an accusation.

Changes in the understanding of what was, and what was not, an adequate response partly came as a result of a more academic and rigorous knowledge of the psychology of harmful sexual behaviours from grooming to the act of abusing a child/young person/vulnerable adult.
Early guidance focussed on Child Protection and the term Safeguarding was not used. Consideration of how the vulnerable might be at risk of being harmed only became focussed on over a number of years of increasing awareness and knowledge. This is true not only of the Church and of Catholic establishments, but it is true of society, academia, law enforcement and health care, to name but some.

Today, the Church seeks not only to respond appropriately to allegations and situations where things go wrong but also strives to protect everyone and create safe environments which seek to prevent abuse.

Please refer for details of the approaches of specifics dioceses to the Diocesan Response (Appendices 4 – 11).
12. Details of all convictions of persons for whom the Church had responsibility for the abuse of children in care (residential care and foster care)

- Identify the convicted person(s) and complainer(s)
- Provide details of the location(s) dates and type of abuse
- When was the Church first aware of the abuse
- Any action, if any, taken by the Church in response
Please refer for details of any such convictions to the Diocesan Responses (Appendices 4 - 11).
13. Provide details of civil claims or actions against the Hierarchy/BCS/Bishops or Priests in relation to the alleged abuse of children in care

- If there have been such claims identify the nature of the alleged abuse, the alleged abuser(s), the complainer(s), the location(s) the date(s) of the alleged abuse
- Provide details of the outcome(s)
- Were any claims settled on a conditional basis of confidentiality
Please refer for details to the Diocesan Responses (Appendices 4-11).
14. **Acknowledgement by the Church of the abuse of children in care by persons for whom the Church had responsibility**

- Does the Church accept that children in care were abused by persons for whom the Church bears responsibility including members of the clergy?
- If so, can the specific instances where this is admitted be identified and identify the abuser(s) and victim(s)?
- What action, if any, was taken against the abuser(s) and was any such action adequate?
- What failures led to any such abuse?
- Are there any explanations for any such failures?
- What action, if any, has been taken in connection with the victim(s)?
As has been recorded in the Diocesan responses, the Church acknowledges and accepts that members of the clergy have been convicted of the abuse of children in care.

In relation to the direct responsibility of the Bishops’ Conference, there have been two criminal convictions in relation to Blairs College and other allegations that did not lead to a criminal trial. The details of victims, actions taken against the abusers and for the victims etc., are found in the Diocesan Responses (Appendices 4-11).

There have also been other convictions and allegations relating to institutions linked to the Church, such as residential schools and orphanages. Some of these establishments were managed by religious congregations; others by Boards of Management (some or all of whose members may have been appointed by local bishops). We are not aware of any members of the clergy being convicted of abuse in these institutions, although some Diocesan responses do include allegations of abuse by clergy in these institutions.

The principal systemic failure was a lack of understanding of abuse. At the time when abuse occurred in Blairs College, there was a failure to understand the nature of abuse and how abusers operated. Such lack of understanding was sadly widespread in many parts of society at the time. Since awareness of these issues has grown, the Bishops’ Conference of Scotland has developed and implemented comprehensive safeguarding policies and procedures to protect children and has also established a counselling service for victims/survivors.
15. Archbishop Tartaglia’s apology to abuse victims in August 2015 following the McLellan Commission Report

- Should an apology have been made sooner, and if so, why had that not happened
Public Apologies issued by Presidents of the Bishops’ Conference of Scotland 2001 - 2015

In December 2001, the then President of the Bishops’ Conference, Archbishop O’Brien, issued a full apology to those who had "suffered any form of abuse at the hands of those representing the Catholic Church.” This was released as a press statement and posted on the Catholic Media Office website.

In November 2013, in a letter read out at all of Scotland’s 500 Catholic parishes, the President of the Bishops’ Conference, Archbishop Tartaglia said: “We recognise the trauma and pain that survivors of abuse have suffered and we are committed to providing for them both justice and healing.” The Archbishop added that the Church was “committed to consolidation of our safeguarding practices, the renewal of trust in our unshakeable commitment to atoning for abuse in the past, guarding against abuse in the present and eliminating abuse in the future, and supporting those who have been harmed.” This was released as a press statement and posted on the Catholic Media Office website.

In August 2015, responding to the publication of the McLellan Commission report and accepting its recommendations in full, Archbishop Tartaglia said:

“As the President of the Bishops’ Conference, and on behalf of all the Bishops of Scotland, I want to offer a profound apology to all those who have been harmed and who have suffered in any way as a result of actions by anyone within the Catholic Church. Child abuse is a horrific crime. That this abuse should have been carried out within the Church, and by priests and religious, takes that abuse to another level. Such actions are inexcusable and intolerable. The harm the perpetrators of abuse have caused is first and foremost to their victims, but it extends far beyond them, to their families and friends, as well as to the Church and wider society. I would like to assure the survivors of abuse that the Catholic Bishops of Scotland are shamed and pained by what you have suffered. We say sorry. We ask forgiveness. We apologise to those who have found the Church’s response slow, unsympathetic or uncaring and reach out to them as we take up the recommendations of the McLellan Commission.”
This was released as a press statement and posted on the Catholic Media Office website.

NB: These statements all received media and public attention. It is important to note that they comprise comments by the President of the Bishops’ Conference only. Numerous public statements and comments have been made by individual Bishops in their Dioceses offering apology and support to those who have been harmed.
16. **Identify situations where there is likely to be contact now with children in care by persons for whom the Church bears responsibility and protective measures**

- Provide a chronology on the introduction and updating of policies on child protection, including safeguarding
- Describe the safeguarding systems presently in place
- Set out the procedures and policies for the recruitment, vetting and the appraisal of lay staff and the use of volunteers again on a chronological basis to identify changes overtime
Contact now with children in care

As stated above in response to Q3, the Bishops’ Conference of Scotland has no involvement in the governance or management of residential care establishments. No employees of BCS are delegated with responsibility for children in care. The only situation in which there might be contact by priests with children in care is where a residential school invites a local priest/deacon to provide any Chaplaincy services within the establishment. In such a situation the usual Child Protection procedures of the school would govern the actions of all personnel.

The introduction of policies on child protection

The following paragraphs outline the development of the Church’s Safeguarding and Child Protection policies which were designed to be followed within a parish context.

In 1999, the Bishops’ Conference published "Keeping Children Safe", which laid down national guidelines on child protection. In 2002, the second edition of “Keeping Children Safe" was published and made available online. In November 2003, the church appointed its first National Director of Child Protection. The following year a new post holder was appointed with the designation of National Safeguarding Coordinator. The Scottish Catholic Safeguarding Service (SCSS) was established in 2004 and was initially named as the National Office for the Protection of Children and Vulnerable Adults. A new manual is due to be written in 2017.

In 2006 the Bishops Conference established a Reference Group to work with Diocesan Safeguarding Advisers and members of Diocesan Safeguarding Advisory Groups, bringing together expertise in a number of relevant fields, including child protection, policing, care for adults at risk, civil and canon law, human resources and personnel management. The national Safeguarding Manual ‘Awareness and Safety in Our Catholic Communities’ was first published in 2007 and revised in 2012 and 2014.

These policies govern the work of volunteers, clergy and those preparing for ministry. There are a small number of paid employees within the Catholic Church who work for example with young people but this is primarily in day-to-day faith activities and does not involve residential care. The policies and procedures of the Scottish Catholic Safeguarding Service do not apply to care homes, residential care for children or schools.
The safeguarding systems presently in place

The Scottish Catholic Safeguarding Service (SCSS) is based in Glasgow. The National Safeguarding Coordinator (NSC) is a full-time paid post. The NSC is supported by a Personal Assistant (PA) who works five days a week 8-4, primarily to arrange meetings, take minutes, create allegations logs and do general office admin. In addition, an Admin. secretary works 16 hours per week primarily to process PVGs.

The structure of the Scottish Catholic Safeguarding Service both nationally and locally has been specifically addressed in the McLellan Report. The principles of accountability, transparency, quality assurance and external scrutiny have been identified in the Report.

SCSS is the central office for the provision of Safeguarding Services and the National Safeguarding Coordinator (NSC) is the lead collator for PVGs for the Catholic Church in Scotland. 6 of the 8 Dioceses process their clergy PVGs through SCSS. All applications for volunteers and members of Religious Orders are processed by SCSS.

Apart from processing PVGs, SCSS is responsible for the resourcing, development and implementation of Safeguarding policies.

Training is also a key element of the work of the NSC who creates the training modules for volunteers and also provides specialist training for seminarians, clergy and for those studying for the Permanent Diaconate.

Currently there are 46 volunteer Safeguarding Trainers working across Scotland primarily to deliver training to volunteers in parishes. 16 of the trainers qualified within the last year after completing a two-day training course. The Parish Safeguarding Coordinator Training was rewritten last year and this is also being presented across Scotland. Every Parish has at least one Parish Safeguarding Coordinator (PSC).

The PSC is a parish volunteer often with a background in safeguarding. He/she is trained and expected to attend the annual National Safeguarding Conference. Each Diocese also offers support and update sessions to PSCs. Their main function is to ensure safe recruitment of volunteers through the completion of Registration forms, Self Declarations, PVG applications and attendance at safeguarding training.

Current Diocesan structures

Each of the 8 Dioceses in Scotland has agreed full compliance with the national Safeguarding Manual issued by SCSS (following appropriate consultation etc.).
Each Diocese has a Diocesan Safeguarding Advisory Group (DSAG), which is expected to meet four times a year. The Diocesan Safeguarding Adviser attends this meeting with representatives from the various volunteer groups working with children young people and vulnerable adults. The purpose is primarily to share information, to ensure consistent good practice and to have an up-to-date awareness of current policies. The NSC attends the meetings and provides a report on national issues.

Each Diocese also has a Diocesan Risk Assessment Management Team (DRAMT) which meets as required and is a smaller team with a main focus on assessing risk. Any PVG certificates with convictions are referred to the DRAMT. If a volunteer, paid worker or member of the clergy is out of ministry and subject to a criminal investigation, then this would be referred to the DRAMT and they would offer recommendations to the respective Bishop.

Each Diocesan Safeguarding Advisory Group will vary in membership and function, depending on local need. Of the 8 Diocesan Safeguarding Advisers, 3 are in paid posts and 5 are volunteers. They come from a variety of backgrounds, including Law and Social Work. Most of them are in employment elsewhere. The largest Dioceses employ a ‘Safeguarding Officer’ who has responsibility for ensuring that PVG checks are completed timeously and that training is systematically delivered across each Diocese.

A further important element is the relationship with the Conference of Religious Scotland (CRS) which works closely with the NSC. The Conference of Religious Safeguarding Commission (CRSSC) meets in SCSS offices. It has a similar function to a DRAMT. All paperwork is completed for the CRSSC by SCSS. Safeguarding concerns and queries from any of the Religious Congregations are referred directly to the NSC for advice and support.

A key element of Training provision is the annual Safeguarding conference for the Safeguarding Link Coordinators for each Religious Congregation. The Link Coordinators hold a similar function to the Diocesan Safeguarding Advisers.

Although each Religious Congregation agrees to comply fully with the national policies of SCSS, they often also have a Safeguarding policy specific to their Congregation and in keeping with their charisms and ministry. Many of the Religious Congregations based in Scotland will also have houses in England, Wales and Ireland. Thus, they will also have agreed compliance with the particular relevant Safeguarding polices of those countries.
17. Set out in chronological order and under reference to the individual eight recommendations all steps taken to implement in full the McLellan Commission recommendations.
Implementing the McLellan Commission Recommendations

The Bishops’ Conference undertook to accept the recommendations of Dr Andrew McLellan when they invited him to review the safeguarding protocols and procedures of the Catholic Church in Scotland in August 2013. Monsignor Bob Oliver, Secretary of the Pontifical Commission for the Protection of Children, addressed the Scottish Bishops during their annual in-service at the Royal Scots College Salamanca in January 2015. The Bishops decided to focus on the issue of Safeguarding with a particular emphasis on survivors of abuse. Over two days of presentations and discussion - in addition to Monsignor Oliver - the Bishops were joined by Father Hugh Lagan, a psychotherapist, who has worked with survivors, and Mrs Tina Campbell, National Co-ordinator of the Scottish Catholic Safeguarding Service. The Bishops chose a focus on survivors of abuse in preparation for Dr Andrew McLellan’s report on Safeguarding within the Catholic Church which they expected to receive in the Spring of that year, although, in the event, it was published in August 2015.

At present, the Church is in the second year of the implementation process and work continues. On the day of publication, Archbishop Tartaglia, President of the Bishops’ Conference of Scotland, made a public apology on behalf of the Catholic Church in Scotland (Principal Recommendation 1). A leaflet containing the apology and reiterating the Bishops’ commitment to the McLellan recommendations was circulated to all Catholic parishes in Scotland. From the day of the publication of the Report and the issuing of the apology, individual bishops were contacted by Survivors of Abuse, some who had been in touch with McLellan and others who had not. Bishops continue this dialogue with numerous survivors. Leaders of Religious Congregations and Orders have also been meeting with survivors, as have the Safeguarding professionals and personnel of the Church in Scotland. In 2016, dioceses began to make available to survivors a counselling service provided by an outside agency, the full cost of which is met by the relevant diocese or religious order/congregation.

An Implementation Plan for McLellan was adopted by the Bishops’ Conference at their January 2016 meeting. It was decided that, before the implementation of revised procedures could progress, it was necessary to have an understanding of why the Church requires policies and procedures on safeguarding. As well as this, decisions on the safeguarding structures which exist within the various elements of the Church in Scotland (Bishops’ Conference, Dioceses, Religious Orders and Congregations etc.) had to be made in the light of the recommendations.

At the January 2016 meeting of the Bishops’ Conference, there was a discussion among the bishops about what ‘a Theology of Safeguarding’ could include, as there were no examples of such a theology from

47 https://www.bcos.org.uk/Portals/0/McLellan/363924_WEB.pdf
anywhere in the world. It was agreed that one bishop would write a draft and this was circulated among the Bishops. After discussion and reflection at subsequent meetings, some texts were agreed upon at the meeting of the Bishops’ Conference. This Theology of Safeguarding will appear at the beginning of any revised Manual, and relevant parts of it will be used as chapter headings in the revised Manual. (Principal Recommendation 8).

The main discussions on the McLellan recommendations in the remainder of the 2016 meetings of the Bishops’ Conference centred around the safeguarding structures (Principal Recommendation 5). There was also discussion about how to implement the Gabriel counselling service which was to be launched. These discussions began at the May 2016 meeting and were finalised at the November 2016 meeting. The main points under consideration were:

1. Relationships
   - The relationship between the Scottish Catholic Safeguarding Service (SCSS) and the individual Dioceses
   - The relationship between the SCSS and the various Religious Congregations
   - The relationship between the individual Dioceses and those Religious Congregations which have a locus in them

2. The Role of the National Co-ordinator (NC) of the SCSS and the role of that person vis-à-vis the individual Diocesan Safeguarding Services

3. Diocesan structures and uniformity of quality and practice.

In the light of the May 2016 discussion, each Bishop took the questions back to his own diocese and each consulted with his own Safeguarding personnel. There were further discussions at the September 2016 and November 2016 meetings of the BCOS, and a number of decisions were taken, viz:

- A suitably qualified depute to the National Coordinator would be appointed. A principal part of this person’s role would be to liaise with Religious Congregations and Orders and support them in Safeguarding. Religious will be invited to ‘buy-in’ to this service, and, if they choose not to do so, they must demonstrate to the diocesan bishop that their own protocols and procedures match the standard of those of the Catholic Church in Scotland. Any Religious Congregation or Order which does not satisfy this requirement will be reported to the appropriate Vatican authority.

- The Diocesan Advisors need to demonstrate a working knowledge of safeguarding, and would ideally hold a similar qualification in safeguarding or a related field. In the absence of a qualification, experience will be considered. Initial training in post and continuous professional development will be offered. Those currently in post should be supported in achieving an appropriate qualification.
The revised Safeguarding Manual will contain the policy agreed by all the Bishops, to be followed by each in his own diocese. It will contain a description of the relationship between the National Safeguarding Service, the National Co-ordinator and any other staff with each Diocesan Bishop, his Safeguarding team and any diocesan structures. A procedure for the handling of allegations will be set out in the manual and will be followed by each diocese. The manual will contain the standards to be achieved in qualifications for safeguarding employees, and describe the training to be achieved for national, diocesan and parish safeguarding workers. The procedures for the monitoring of the implementation of the policies, procedures and practices will also be set out in the manual, along with quality assurance procedures to be followed.

- An Independent Review Group (IRG) will be established which will make comment and recommendation to the Bishops Conference, firstly on the process of implementation of the recommendations of the McLellan Report and subsequently on the work of safeguarding in the Catholic Church in Scotland.

The latter decision dovetails into a parallel discussion that was going on at the Bishops’ Conference as to how external and independent scrutiny could be introduced (Principal Recommendation 3). As well as this, it is clear that the measuring of effectiveness and improvement (Principal Recommendation 4) can be a task that the IRG can undertake, making recommendations to the Bishops. Discussion had begun about the role and nature of the independent element at the June 2016 meeting of the Bishops’ Conference. Proposals were discussed at the September meeting and a Chairperson for IRG was proposed. At the November meeting the Bishops recorded their appreciation that Baroness Liddell of Coatdyke had accepted their invitation to be the first Chair of the IRG. The work is ongoing in establishing the membership and the remit of the IRG.

Training and continuous professional development (Principal Recommendation 7) is an area which will begin to be considered later this year. Level 1 training has already been rewritten by the National Co-ordinator and the writing of Level 2 training is almost complete. As with measuring effectiveness and improvement, it is envisaged that the IRG will have a role in commenting on training and continuous professional development.

At present the main work being undertaken is in relation to how allegations are handled: who deals with allegations, how they are dealt with and all the associated issues which have been raised by the McLellan recommendations and by recent experience, including matters raised by survivors (Principal Recommendation 6). Discussions have been held on the matter of Redress, in the light of what has
followed from the Irish Inquiry and the Royal Commission in Australia. This year the Archdiocese of Glasgow has begun a pilot scheme of Restorative Justice with survivors. With contributions from some survivors, the Diocese of Paisley has circulated a poster to all parishes encouraging survivors to come forward and speak to the Diocese. It has also taken advice from survivors on how to design a similar invitation for its website.

At their March 2017 Meeting the Bishops authorised the formation of a liaison group with Survivors to allow communication and consultation. This group will be headed by Roisin McGoldrick, a member of the McLellan Commission.

All the work of implementation will feed into a revised Manual (Principal Recommendation 2). Discussions were held in January 2017 about what other matters in the current “Awareness and Safety” manual were not covered by the McLellan recommendations and need to be further considered.
18. Disclose what diocesan and national audits have taken place in connection with child abuse

- Describe the history and working of the audit systems for the reporting of child abuse
- With reference to the annual diocesan audits and the 1945-2006 historical audits what core material is used to provide the statistics used in these audits
- Can the identities of the complainers and the alleged abusers be ascertained from the material available from the historical audits
- How many complainers who were in care have made allegations of abuse in care up to 17 December 2014
- How many alleged abusers are mentioned in the 1945-2006 historical audits in connection with the abuse of children in care
History and working of the audit systems for the reporting of child abuse

The Safeguarding Auditing system started in 2005. It was initiated by the Scottish Catholic Safeguarding Service (then known as the National Office for the Protection of Children and Vulnerable Adults) as a step towards monitoring and accountability. The Roman Catholic Church in Scotland is unique in the UK in implementing the annual safeguarding audits of every Parish, Diocese, Religious Congregation, Retreat House, Lourdes Pilgrimage and the various Catholic organisations responsible for activities involving vulnerable groups.

Alongside the Audits is the Allegations Audit which requires all the participants to complete an Allegation Recording Form for every allegation of abuse (regardless of type). The completed forms are then sent to the SCSS Office together with completed Audits at the start of the following calendar year.

The Dioceses and Diocesan organisations started using the Allegation Recording Forms in 2006 and the Religious Congregations started completing Allegations Recording Forms in 2008.

When an allegation is received, it is always reported to the police, even if the alleged perpetrator is deceased. The person making the allegation is informed of this mandatory reporting practice within the Catholic Church in Scotland. If there is any reluctance to engage with the police then, at the time of reporting, the police are made aware of this. The person making the allegation has the right to refuse to engage with the police.

Most Dioceses/Religious Orders choose to inform the National Safeguarding Coordinator of any allegation and often seek advice. However, this is dependent upon each Diocese and Religious Order. So it might be some time (until the Allegations Recording Forms are returned) for the NSC to be made aware of some allegations, although this number would be small. In some cases, of course, the allegation is made directly to the SCSS Office because the individual might not know how or might decide not to make contact directly with a Diocese or Religious Congregation. The structures in relation to reporting and information sharing will be addressed during the implementation of the McLellan Report.
Core material used to provide the statistics used in these audits.

The 1947-2005 Historical Review of all Case Files of Clergy and Religious Congregations stands alone. Within the core material the following information is provided for the statistical analysis:

- Name of Diocese/Religious Congregation
- Name of reported perpetrator and year(s) when allegation(s) took place.
- The role of the accused (e.g. Religious Brother/Sister/Priest etc.)
- Type of allegation
- Brief details of allegation
- Year in which abuse is reported to have occurred
- Year when it was reported to the Church
- When reported to the statutory authorities
- Place where allegation occurred (Church, Junior Seminary, Residential School etc.)
- Details of the prosecution (if any)
- Current status of the accused
- Has the accused reoffended or caused concern? (if known)
- Has this case been appropriately dealt with?

**NB** an agreed coding system for the identity of the accused was used.

The Annual Diocesan (and Religious Congregations) Audits date from 2006 and are used every year. Within the core material the following information is provided for the statistical analysis which is included in the Annual Safeguarding Audit which is published on the Bishops Conference website:

- Name of Diocese/Religious Congregation
- Date reported to the Insurance company
- The role of the accused (e.g. Religious Brother/Sister/Priest etc)
- Type of allegation
- Brief details of allegation
- Year in which abuse is reported to have occurred
- Year when it was reported to the Church
- When reported to the statutory authorities
- Was the allegation reported to the Diocesan Risk Assessment Team
- Place where allegation occurred (Church, Junior Seminary, Residential School etc)
- Details of the prosecution (if any)
- Current status of the accused
• Has the accused reoffended
• How many survivors have come forward in relation to the allegation(s)
• What response was offered to survivors

Can the identities of the complainers and the alleged abusers be ascertained from the material available from the historical audits?

Some individuals can be identified, but not all, from the forms submitted under the Historical Review. For example, a complainer might not be able to be identified because the note in the file is so vague and might not provide a full name or address. Further, there have been examples of allegations against an ‘unknown priest’ who was one of several in the parish relating to non-recent childhood abuse.

How many complainers who were in care have made allegations of abuse in care up to December 2014?

The main source of this information would be within the Historical Review but some might be in the Allegations Reporting Forms submitted by the Religious Orders since 2008. However, most are now in the Archives.

How many alleged abusers are mentioned in the 1947-2005 historical audits in connection with the abuse of children in care?

The 1947-2005 historical audits have disclosed the following numbers of alleged abusers:

• a total of 5 reported by Dioceses
• a total of 120 reported by Religious Congregations (of which 24 did not name the alleged abusers).
19. Records

- The Church should identify all records it has in relation to children in care, including records relating to staff caring for such children.
- Records of any complaints made of abuse in care and of any investigations made into the abuse of children in care should be identified.
- Relevant policies on the retention/destruction of records should also be identified.
Please see Diocesan reports (Appendices 4 - 11) for details of records.
20. Witnesses should be identified who can speak to the matters set out in this note
The three witnesses who will be able to speak to the issues addressed above are:

- Rt. Rev. Mgr. Peter Canon Smith
- Rev. Thomas Canon Boyle
- Rev. Frank Dougan
**ORDERS OF WOMEN**

1. Ursulines of Jesus (France, 1802)
   - Edinburgh, St Margaret's 1834 - 1839
   - Edinburgh, Lochria Buildings 1835 - 1844
   - Perth 1865 - 1910
   - Edinburgh, Albany St 1877 - 190
   - Edinburgh, Portobello 1896 - 1975
   - Fort Glasgow 1975

2. Franciscans of the Immaculate Conception (Glasgow) (France, 1816)
   - Glasgow, Charlotte St 1847 - 1930
   - Glasgow, Merrylese 1923 - 1930
   - Inverness 1854 - 1920
   - Carstairs, Lanarkshire 1853 (some months)
   - Aberdeen 1856 - 1901
   - Glasgow, Abercornby St 1861 - 1930
   - Bishopbriggs, Glasgow 1930 - 1933
   - Inverness, Dunoon 1872 - 1934
   - Greenock 1874 - 1880
   - Bothwell, Lanarkshire 1878 - 1917
   - Edinburgh 1880 - 1917

3. Sisters of Mercy (Ireland, 1831)
   - Glasgow 1869 - 1887
   - Wemyss Bay, Renfrewshire 1887 - 1938
   - Baillieston, Glasgow 1938 - 1958
   - Dalkeith, Midlothian 1875 - 1972
   - Linlithgow 1893 - 1958
   - Drygrange, Melrose 1953 - 1958
   - Dundee 1859 - 1910
   - Perth 1910 - 1915
   - Dunblane 1970 - 1975
   - Dornie, Kintail 1870 - 1999
   - Elgin 1871 - 1872
   - Keith 1872 - 1999
   - Tomintoul 1880 - 1977
   - Fort Augustus 1888 - 1977
   - Buckie 1968 - 1974

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12. At Reid's Court, Milton House (High Street) and George's Square before Lochria Buildings. In the vicinity of St Margaret's were also St Ann's Servicery in Strathblane Road (1853-96) and St Margaret's Tower (an edifice for the province) (1837-99).

13. The indentation here signifies that until 1978 houses were grouped according to diocese.
4. Good Shepherd (France, 1829)
Glasgow, Dalbeth 1850 - 194714
Bishopdon, Renfrewshire 1947 -
Edinburgh, Colliston 1921 -
Aberdour, Fife 1946 - 48
Glasgow, Pollokshields 1950 - 55
Fort William 1974 -
Edinburgh, Gilmoreton 1977 -

5. Daughters of Charity (of St Vincent de Paul) (France, 1633)
Lanark, St Mary’s 1866 -
Lanark, St Catherine’s 1949 -
Lanark, Snyllum Park 1864 -
Glasgow, Tollcross 1911 -
Glasgow, Pollokshields 1972 -
Coatbridge, Lanarkshire 1857 - 74
Glasgow, Whiteville St 1887 - 1912
Ruitherglen, Glasgow 1912 - 61
Dumfries 1892 -
Edinburgh, George Square 1894 - 197113
Edinburgh, Murihouse 1971 -
Dunfermline 1896 -
Edinburgh, Minto St 1903 - 3116
Dundee 1903 - 74
Edinburgh, Falcon Gardens 1910 - 66
Edinburgh, Restalrig 1913 - 34
Glasgow, Wilton St 1913 -
Glasgow, Whiteville St 1922 - 30
Tren, Ayrshire 1915 - 62
Glasgow, Whiteinch 1916 - 26
Carstairs, Lanarkshire 1926 - 36
Langbank, Renfrewshire 1920 - 37
Roswell, Midlothian 1923 -
Perth 1925 -
Fort William 1926 - 42
Kingussie, Inverness-shire 1934 -

6. Little Sisters of the Poor (France, 1839)
Glasgow 1862 -
Edinburgh 1863 -
Dundee 1863 -
Greenock 1884 -

7. Poor Sisters of Nazareth (England, 1834)
Aberdeen 1862 -
Kilmarnock 1891 -
Glasgow, Carbondon 1902 -
Lasswade, Midlothian 1931 -

8. Institute of the Blessed Virgin
Mary (Loreto) (Ireland, 1822)
Leith 1863 - 69
(See also 52a)

9. Apostolines of the Immaculate
Conception (Belgium?)
Aberdeen 1866 - 76

10. Holy Family (of Bordeaux)
(Sisters of the Immaculate
Conception) (France, 1829)
Leith 1869 -
Livingston, West Lothian 1956 -

11. St Joseph of Cluny (France, 1807)
Girvan, St Joseph’s 1879 -
Auchinleck, Ayrshire 1885 - 89
Stranraer 1897 -
Irvine 1906 - 21
Glasgow, Dowanhill 1945 -
Girvan, Kildonan 1948 - 76
Girvan, Trochrigue 1938 -
Glasgow, Regina Mundi 1961 -

12. Charity (of St Paul) (England, 1847)
Auchinleck, Ayrshire 1880 - 82
(See also 29a)

13. Servants of the Sacred Heart
(ongoing) (Sisters of the
Sacred Hearts of Jesus and
Mary (France, 1866)
Rothesay 1892 - 93
Cumnock, Ayrshire 1883 - 1976
Nairn 1885 - 91
Oban 1887 - 1910
Ayr 1894 - 1904
Edinburgh, High St 1895 - 96
Edinburgh, Mount Vernon 1895 -
1921
Daliburgh, South Uist 1899 -
Glasgow 1903 - 11
Barlad, Renfrew 1911 -
Aberdour, Fife 1936 - 46

14. Benedictines of the Blessed
Sacrament (France, 1653)
Dumfries 1884 -

15. Poor Clares Colettes (thirteenth century;

See ROC News no. 15 (Spring, 1974) p. 31-32.
16. In Albany Street, Windmill Lane and St John Street before George Square.
17. Other addresses were Upper Grey Street and Birket Avenue.
18. Originally a holiday house and presumed during wartime.
19. They came to Aberdeen from their mother-house in Belgium (CD, p. 110). No other information has been found about the order.
20. The list was compiled in the 1885 issue only and calls them properly Poor Clares. They are called Colettes in The Religious Houses of the United Kingdom (Edith Vernon Blackburn, London, 1897). Since the list went in the New year announcement that the Dunblane house was regular way.
APPENDIX 1 – LIST OF RELIGIOUS HOUSES

16. Faithful Companions of Jesus
   (France, 1830)
   Paisley 1889 -

17. Franciscans (Third Order, of Mill
   Hill) (England, 1871)
   Auchinleck, Ayrshire 1889 - 92

18. Dominicans (Third Order)\(^{20}\)
    (thirteenth century; nineteenth
    century)
   Crief 1890 - 1901

19. Benedictines (sixth century)
   Fort Augustus 1892 - 1920\(^{24}\)

20. Notre Dame de Namur (France/
    Belgium, 1804)
   Glasgow, Dowanhill 1894 -
   Dumbarton 1912 -\(^{22}\)
   Milngavie, Glasgow 1914 - 70
   Inverness 1935 - 53
   Fort William 1942 - 58
   Rutherglen, Glasgow 1953 - 73
   Cumbernauld, Glasgow 1970 -
   Glasgow, Bearsden 1970 -
   Greenothen, Fife 1972 -
   Glasgow, Drumchapel 1975 -

   Auchinleck, Ayrshire 1894 - 1965
   Ayr 1898 - 1949
   Waterdale, Ayrshire 1906 - 67
   Lochgelly, Fife 1907 -
   Irvine, Ayrshire 1921 -
   Kirkcaldy 1976 -

21a. Poor Clares Colettes (see 15)
   Edinburgh, Liberton 1895 -\(^{22}\)
   Blantyre, Hamilton 1951 - 73
   Bothwell, Hamilton 1973 -

22. Society of the Sacred Heart
   (France, 1800)
   Aberdeen 1895 -
   Edinburgh, Craigiehall 1918 -
   Bridge of Earn, Perth 1930 -
   Ballingry, Fife 1972 - 74
   Edinburgh, Gilmerton 1973 -
   Dalkeith, Midlothian 1975 -

23. Carmelites (fifteenth century)
   Oakley, Fife 1896 - 190224
   Edinburgh 1902 - 04

24. Franciscan Missionaries of Our
    Lady of Calais (France, 1854)
    Newton Stewart 1896 - 1904
    Craigievar, Kircowen 1901 - 04
    (See also 48a)

25. Providence of the Immaculate
    Conception (Belgium, 1822)
    Coatbridge, Lanarkshire 1898 -
    1902

26. Poor Servants of the Mother of
    God (England, 1869)
    Selkirk 1898 - 99
    (See also 43a)

27. Helpers of the Holy Souls
    (France, 1856)
    Edinburgh 1903 -
    Glasgow 1914 -
    Newnams, Lanarkshire 1949 -

28. Marie Reparatrice (France, 1855)
    Edinburgh 1904 - 54
    Ells, Fife 1954 -

29. St Joseph of Amosy (France, 1680)
    Blair, Aberdeen 1906 -
    Bellshill, Motherwell 1969 -

20. The first priory was from the community at Stone, Staffordshire but had a refectory from Stone to establish a new community ‘on a separate foundation’ (CD 1801, p. 191), which seems to mean that it was an independent house. Certainly it was not founded from Stone (Letter from Mother General, Stone). It is therefore not listed with the Stone foundation at Hawick (see 30).

21. The convent was founded by the abbot of Fort Augustus and so had no antecedents. It entered the English Congregations in 1909 and in 1920 moved to Home Eden, near Carlisle, where it still is.

22. In 1975 three sisters from this convent moved into a top flat in the same town, as part of a community involvement scheme (ROC News no. 22 (Winter, 1975) p. 37). Though never affiliated as such, it is an additional house according to the principles regulating this list.

23. The Liberton house was founded from England, the Blantyre house from Ireland, and the successors of the Drumchapel house are unknown. Although Poor Clare houses are autonomous, they are apparently not divided into independent groups and so are given only one entry here.

24. It was an enclosed community, founded from Louviers, France (CD 1897, p. 244: 1903, 1988-90) and not connected with the later Carmelites in Scotland (see 25). Carmelites are listed in CD 1910-1914 as being in Oakley, which is puzzling, as apparently there were no Wise arrangements (e.g., CD 1910, p. 83, 261).
29a. Charity (of St Paul) (See 12)
Galashiels 1807 -
Musselburgh, Midlothian 1907 -

30. Dominicans (Third Order, English Congregation) (thirteenth century; 1844)
Hawick 1909 -

31. Carmelites (of Notting Hill) (fifteenth century)
Glasgow, Langside 1918 -
Kirkintilloch, Glasgow 1953 -
Oban 1924 -
Edinburgh 1925 -
 Falkirk 1931 -
Dundee, Kirkcaldy 1931 -
Dunfermline 1933 -
Dumbarton 1954 -

32. Little Company of Mary (England, 1877)
Edinburgh 1919 -

33. St Joseph of Peace (of Newark) (England, 1884)
Glasgow, Bearsden 1924 -
Cairns, Dumbarton 1946 -
Carstairs, Lanarkshire 1956 -
Rothesay 1956 -

34. Augustinians (of the Mercy of Jesus, of Bruges) (Belgium/England, 1866)
Hawick 1926 -

35. Sisters of Social Service (Hungary, 1923)
Dundee 1934 -

36. Franciscan Missionaries of St Joseph (England, 1883)
Lochwinnoch, Renfrew 1936 -

37. Franciscan Missionaries of Mary (France/India, 1877)
Glasgow, St Helen's 1945 -
Dunoon 1969 -
Glasgow, Blackhall 1975 -

38. Little Sisters of the Assumption (France, 1865)
Edinburgh 1946 -
Paisley 1968 -
Glasgow 1977 -

39. Franciscan Nuns (England, 1888)
Glasgow 1946 -

40. Misericorde (of Sees) (France, 1823)
Ardrone 1947 -
Irvine 1973 -

41. Bon Secours (Paris) (France, 1824)
Glasgow 1948 -

42. Dominicans (Second Order, of the Rosary) (thirteenth century)
Glasgow 1948 -

43. Irish Sisters of Charity (Ireland, 1815)
Clydebank 1948 -
Airdrie 1958 -

43a. Poor Servants of the Mother of God (See 29) (England, 1869)
Aberdour, Fife 1945 -
Galashiels 1949 -

44. Missionary Sisters of Verona (Italy, 1872)
Jeddah 1950 -
Auldberg, Dumfries 1964 -
Glasgow 1972 -

45. Daughters of Wisdom (La Sagesse) (France, 1703)
Inverness 1953 -
North Berwick 1960 -
Edinburgh 1970 -
Glasgow 1969 -

Paisley 1954 -

47. Our Lady of the Missions (France, 1861)
Glasgow, Cashcart 1958 -
Fort Glasgow 1972 -

48. Irish Poor Clares (of Newry) (Ireland, 1807)
St Andrews 1959 -

48a. Franciscan Missionaries of Our Lady (See 24)
Langholm 1960 -

49. Dominicans (Third Order, of Salsbury, Rhodesia) (thirteenth century; 1889)
Bothwell, Hamilton 1961 -
Glasgow 1964 -

25. All convents except Kirkintilloch, a daughter-house of Glasgow, were founded from Notting Hill by the celebrated Mother Mary of Jesus.
26. While the seminary was in two establishments at Cairnoss, the sisters were in both places.
27. The sisters have not been continuously in Scotland since 1958 but the gaps seemed too small to justify separate entries.
50. St Mary of Namur (Belgium, 1817)
   Cupar, Fife 1964 -
   Monifeith, Angus 1971 -

51. Carmelite Sisters for the Aged and
    Infirm (USA, 1929)
   Dunoon 1964 - 74

52. Schonstatt (Germany, 1926)
   Glasgow 1965 -

52a. Institute of the Blessed Virgin
     Mary (Loreto) (See 8)
   Port Glasgow 1969 -
   Jedburgh 1974 -

53. Daughters of St Paul (Italy, 1915)
   Glasgow 1969 -

54. Salesians (Italy, 1872)
   Paisley 1969 -

55. Blessed Sacrament (France, 1715)
   Patna, Ayrshire 1969 - 77

56. Servites (Third Order) (fourteenth
    century)
   North Berwick 1970 -
   Livingston, West Lothian 1972 -

57. Sacred Heart of Mary (France, 1849)
   Greenock 1971 -

58. Assumption (France, 1839)
   St Andrews 1971 -
   Fort William 1973 -
   Fife 1976 -

59. La Sainte Union (France, 1826)
   Wick 1972 -
   Achnas, Easter Ross 1977 -

60. St Martha (Perigueux) (France, 1643)
   Falkirk 1972 -
   Bennybridge, Falkirk 1976 -

61. Presentation (Ireland, 1776)
   Selkirk 1972 -

62. Sisters of St Lucy Filippini (Italy,
    1692)
   Linlithgow, 1973 -

63. Holy Rosary (Missionaries)
    (Ireland, 1924)
   Bathgate, West Lothian 1973 -

64. White Sisters (France/Algeria,
    1869)
   Motherwell 1971 - 77
   Glasgow 1977 -

65. Franciscan Missionaries of the
    Divine Motherhood (England,
    1935)
   Dundee 1974 -

66. Little Sisters of Jesus (France/
    Africa, 1939)
   Glasgow, Garthamlock 1974 -

67. Marist (France, 1824)
   Stirling 1974 -

68. Jesus and Mary (France, 1818)
   Dunbar, East Lothian 1974 - 76

69. Missionary Sisters of St Columban
    (Ireland, 1922)
   East Kilbride, Glasgow 1977 -

21. This house never appeared in CJD and was therefore presumably closed before the end of

1973. For it see ROC News n. 11 (Spring, 1973) p. 45-56.
APPENDIX 1 – LIST OF RELIGIOUS HOUSES

ORDERS OF MEN

1. Marist Brothers (France, 1817)
   Glasgow, St. Mungo's 1858 -
   Dundee 1860 -
   Dumfries 1873 -
   Edinburgh 1877 - 88
   Glasgow, St. Kenneth's 1907 -
   Glasgow, St. Joseph's 1919 -
   Largs 1920 -
   Carrutherstown, Dumfries-shire 1940 -
   Glasgow, St. Benet's 1949 -
   New Abbey, Dumfries 1952 -
   Glasgow, Shettleston Road 1969 -

2. Jesuits (SJ) (sixteenth century)
   Glasgow, St. Aloysius' 1859 -
   Glasgow, St. Joseph’s 1859 - 1931
   Edinburgh, Sacred Heart 1860 -
   Dalkeith, Midlothian 1861 - 1944
   Galashiels 1863 - 1902
   Airdrie 1916 - 17
   Bothwell 1917 -
   Glasgow, university chaplaincy 1946 -
   Lerwick 1956 - 61
   Edinburgh, Juniper Green 1964 -
   71
   Glasgow, Acre House 1966 - 77
   Aberdeen 1977 -

3. Vincentians (CM) (France, 1625)
   Lanark 1859 -
   Glasgow 1969 -

4. Oblates of Mary Immaculate (OMI) (France, 1816)
   Leith 1859 -

5. Passionists (CP) (Italy, 1728)
   Glasgow 1865 -
   Musselburgh, Midlothian 1932 - 72
   Prestonpans, East Lothian 1943 -
   Dankeith, Kilmarnock 1846 - 68
   Coedham, Kilmarnock 1949 -

6. Redemptorists (CSR) (Italy, 1735)
   Perth 1867 -
   Benderloch, Argyll 1952 - 54
   Glasgow 1977 -

7. Franciscans (OFM) (thirteenth century)
   Glasgow 1868 -
   Edinburgh, St. Francis' 1926 -
   Dundee 1933 -
   Edinburgh, Craigmiller 1938 -

8. Benedictines (OSB) — English Congregation (sixth century; 1697)
   Fort Augustus 1876 -
   Dornie, Kintail 1899 - 1900
   Letterfourie, Buckie 1904 - 20,
   1922 - 25
   Nairn 1920 - 22
   Edinburgh 1930 - 39
   North Berwick 1945 - 77

9. Premonstratensians (CRP; O'Præm) (twelfth century)
   Wigtown 1889 - 96
   Whithorn, Wigtownshire 1891 - 95
   (See also 24d)

10. De La Salle Brothers (Brothers of the Christian Schools) (France, 1680)
    Trarnt, East Lothian 1914 -
    Bishopbriggs, Glasgow 1915 - 65
    Edinburgh 1918 - 2131
    Glasgow, Slatefield 1919 - 46
    Kirkconnel, Dumfries 1946 - 53
    Garvare, Aberfoyle 1953 -
    Glasgow, Springboig 1936 - 69
    Mauchline, Ayrshire 1942 - 56

11. Dominicans (OF) (thirteenth century)
    Edinburgh 1931 -
    Glasgow 1965 -

12. White Fathers (WF) (France/ Africa, 1866)
    Melrose 1933 - 34
    Newtown St Boswells, St Helen's 1934 - 48
    Newtown St Boswells, St. Columba's 1936 - 70
    Monteviot, Jedburgh 1948 - 59
    Ratho, Edinburgh 1966 -
    Glasgow 1941 - 42
    St Andrews, Fife 1947 - 58
    Rutherglen, Glasgow 1953 -

29. Teaching and novitiate both started in Dumfries in 1871. Since then the brothers have
    had a 'multiple presence' in the town, with the various buildings changing their use, e.g.
    college, novitiate, juniorate.

30. Jesuits have served in many parishes, notably in Aberdeen diocese in recent years, but
    these are not counted as religious houses if only one priest is listed there.

<table>
<thead>
<tr>
<th>No.</th>
<th>Religious House</th>
<th>Location</th>
<th>Years</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>Mill Hill Missionaries (MHM) (England, 1866)</td>
<td>Lochwinnoch, Renfrew</td>
<td>1936 - 1948</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Brothers of Charity (CF/C) (Belgium, 1807)</td>
<td>Gorebridge, Midlothian</td>
<td>1944 - 1954</td>
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<td></td>
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<td>Moffat, Dumfries-shire</td>
<td>1945 - 1953</td>
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<td>Kirkconnel, Dumfries</td>
<td>1933 - 1958</td>
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<td>15</td>
<td>Cistercians (OCR) (eleventh - twelfth century)</td>
<td>Nunraw, Haddington</td>
<td>1946 -</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Benedictines (OSB) — Subiaco Congregation (sixth century; 1851)</td>
<td>Pluscarden, Elgin</td>
<td>1948 -</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Augustinian Friars (OSA) (fourth century; 1256)</td>
<td>Dundee</td>
<td>1948 -</td>
<td></td>
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<tr>
<td>18</td>
<td>Xaverian Missionaries (SX) (Italy, 1898)</td>
<td>Glasgow</td>
<td>1948</td>
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<td></td>
<td></td>
<td>Biggar, Lanarkshire</td>
<td>1950 - 1958</td>
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<td></td>
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<td>Cardross, Dumbarton</td>
<td>1966 - 1971</td>
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<td>19</td>
<td>Capuchins (OFMCap) (1209; 1525)</td>
<td>Uddingston, Lanarkshire</td>
<td>1949 -</td>
<td></td>
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<tr>
<td>20</td>
<td>Servites (OSM) (thirteenth century)</td>
<td>Dundee, St Vincent's</td>
<td>1950 - 1971</td>
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<td></td>
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<td>Dundee, Fintry</td>
<td>1971 - 1973</td>
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<td>Glasgow</td>
<td>1974 -</td>
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<td>21</td>
<td>Salesians (SDB) (Italy, 1869)</td>
<td>Auchencairn, Fife</td>
<td>1950 - 1972</td>
<td></td>
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<tr>
<td>22</td>
<td>Christian Brothers (of Ireland) (Ireland, 1802)</td>
<td>Falkland, Fife</td>
<td>1951 - 1957</td>
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<tr>
<td></td>
<td></td>
<td>Edinburgh</td>
<td>1953 - 1978</td>
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<td>23</td>
<td>Holy Ghost Fathers (CSSp) (France, 1703, 1848)</td>
<td>Uddingston, Lanarkshire</td>
<td>1936 - 1973</td>
<td>Carfin, Motherwell</td>
</tr>
<tr>
<td>24</td>
<td>Holy Cross Fathers (CSC) (France, 1837)</td>
<td>Gorebridge, Midlothian</td>
<td>1956 - 1961</td>
<td></td>
</tr>
<tr>
<td>24a</td>
<td>Provençal Cistercians (France, 9)</td>
<td>Annan, Dumfries-shire</td>
<td>1957 - 1971</td>
<td>Kilmarnock</td>
</tr>
<tr>
<td>25</td>
<td>Brothers of Christian Instruction (France, 1817)</td>
<td>St Andrews</td>
<td>1958 - 1964</td>
<td></td>
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<td>26</td>
<td>Monfort Fathers (SMM) (France, 1736)</td>
<td>Barrhead, Renfrew</td>
<td>1961 -</td>
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<tr>
<td>27</td>
<td>Verona Fathers (FSCI) (Italy, 1867)</td>
<td>Auldquhirt, Durnfries</td>
<td>1963 - 1973</td>
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<td></td>
<td></td>
<td>Ardrossan, Ayrshire</td>
<td>1973 -</td>
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<td>28</td>
<td>St Patrick's Missionary Society Kiltegan (Ireland, 1932)</td>
<td>Buchlyvie, Stirling</td>
<td>1964 -</td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>Sacred Heart Fathers (SCJ) (France, 1878)</td>
<td>Kilwinning, Ayrshire</td>
<td>1970 -</td>
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<td></td>
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<td>Irvine, Ayrshire</td>
<td>1970 - 1976</td>
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<tr>
<td>31</td>
<td>Jericho Society (Scotland, 1971)</td>
<td>Paisley</td>
<td>1971 -</td>
<td></td>
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<tr>
<td>32</td>
<td>Columban Fathers (Ireland, 1919)</td>
<td>Glasgow</td>
<td>1974 -</td>
<td></td>
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<tr>
<td>33</td>
<td>Society of African Missions (SMA) (France, 1856)</td>
<td>Dunblane</td>
<td>1976 -</td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>Carmelites (O'Carm) (thirteenth century)</td>
<td>Glasgow</td>
<td>1978 - 1972</td>
<td></td>
</tr>
</tbody>
</table>

32. The friars arrived in February 1973 and hence qualify for inclusion in the list.
MINUTES OF AGREEMENT

Between

The Very Reverend CANON JOHN JOSEPH
DIEU, Eightynine Abercornby Street,
glasgow, Chairman of the Directors of
The Catholic Industrial Schools of
Glasgow, for and on behalf of the said
Directors, of the one part,

and

The Most Reverend CANON MALINES, de.S.JUS,
Superior General of the Institute of
the Brothers of the Christian School,
commonly called the De La Salle Brothers
(Sorority termed "the Superior
General") of the other part.

WHEREAS the parties have arranged that Saint
Mary’s Boys’ Industrial School, Lenzie, Bishop:
Striggs, Glasgow, be placed under the superin-
tendence of the aforesaid Brothers, and it is
right that the terms of parties’ agreement should
be reduced in writing, THEREFORE THIS AGREEMENT

WITNESSETH:

First.
The property as heretofore shall continue to belong to
the Archdiocese.

Second.
The School shall continue under the Industrial School
Directors, hereafter called "the Directors", as at
present constituted and as members thereof may be
appointed by the Roman Catholic Archbishop of Glasgow
from time to time, and also of such members as may be
elected/
Third. Legacies shall be treated as capital income and shall be retained by the Directors.

Fourth. All grants from Government, payments from local authorities in respect of boys committed at their instance, grants from the Juvenile Delinquency Board and other municipalities in respect of endowment and subscriptions and donations, and other like payments received by the Treasurer, shall be paid into the school bank account.

All payments in respect of the sale of garden produce, proceeds of workshops, and the like, shall be collected by the Brother Superintendent and deposited in the school bank account. The bank account shall be in the name of the Directors of Saint Mary’s Boys’ Industrial School, Ruchmore, Bishopbriggs, Glasgow, and shall be operated on by the Superintendent and one of the Directors.

Fifth. The Brother Superintendent shall be responsible so far as the funds allow for all payments such as the maintenance of the boys, salaries, rents, rates and taxes, improvements and repairs to the property.

Sixth. The Brother Superintendent shall be responsible as far as funds will allow for interest on borrowed money expended by the Committee on the property, and also for interest on bank drafts and other moneys lent to the school.

Seventh. The Superior General shall have the liberty of appointing and changing any Brother, including the Brother Superintendant, when he may deem it necessary and useful.
Rt. The superior general shall be responsible for keeping the staff of men efficient and for charging them as he may deem necessary for the efficient working of the Institution. The salaries to be received by the Brothers shall be fixed by the Directors in consultation with the Brother Superintendent, due regard being had to the salaries received by teachers doing similar work in the district of Glasgow or elsewhere in Scotland.

Rt. The Brother Superintendent shall have the liberty of appointing and discharging other officials and employees in connection with the Institution and school, except the chaplain, who shall be appointed and changed at the discretion of the Archbishop.

Tenth. The Brothers shall have facilities for having Mass each morning and Benediction on certain days. The whole question of the Chaplain’s duties, salary and residence to be arranged between the Archbishop and the superior general. The Chaplain shall not be one of the Directors. A separate residence shall be found for the Chaplain as soon as that can be conveniently arranged.

Eleventh. The Directors shall have facilities for holding meetings and visiting the school and premises. Those local authorities having boys committed shall be entitled to visit the school during ordinary school hours.

Twelfth. The accounts shall be audited once a year by a Chartered Accountant, and the Financial Report as well as the General Report of the School shall be submitted to the Directors once a year.

Thirteenth. The Brother Superintendent shall conduct the Institution.
In the event of the Brothers withdrawing, the Brother Superintendent shall be bound to hand over the property to the Archbishop in the same condition in which he received it, with the additions, improvements, etc., carried out during the period of its management by the Brothers, due regard being had to ordinary tear and wear. Should there be any accumulation of money to the credit of the Institution, that accumulation shall also be paid over to the Archbishop.

 Fifteenth. This agreement shall be terminable by either party at any time on giving six months' previous notice in writing.

 Lastly. Should any question or difference arise between the parties, the same shall be referred to the Roman Catholic Archbishop of Glasgow for the time being, whose decision shall be final and binding on all concerned.

 IN WITNESS WHEREOF this minute of agreement is executed by the parties hereunto in duplicate as follows, videlicet: it is subscribed by the said Very Reverend Canon John Joseph Dyer at Glasgow on the twenty-seventh day of October, nineteen hundred and fifteen, before these witnesses, the Reverend Thomas McHwan, D.D., and the Reverend Angus MacInnes, both of Eighty nine Abercornshy Street, Glasgow; and by the Superior General at Athias-Monse, France, on the Thirteenth day of December in the year last mentioned, before/
before these witness the Reverend Benegot Thomas and
The Reverend Allair-Charles, both Christian Brothers,
Allair-Mons aforesaid.

Approved. "John A. Maguire,"
Archbishop of Glasgow.
31st December, 1913.

"Thomas Hoffman," Witness
"Angus McKenna," Witness
"Benegot Thomas," Witness
"Allair-Charles," Witness

"John Joseph Byer"
"Inier de Jesus"
Supr. Jr.
22 February 2017

Reverend Father,

Recently I sent you by email a copy of the letter, dated 25 January 2017, I received from the Scottish Child Abuse Inquiry. Attached to the letter was a notice issued by Lady Smith requiring the Bishops’ Conference to provide certain information included in an appendix to the letter. I am attaching again for your information the letter and notice received from Lady Smith.

In the Appendix the Inquiry defines what it sees as constituting “the Catholic Church in Scotland”: “that means the eight dioceses and their Bishops and the Hierarchy/Bishops’ Conference for Scotland”.

After consulting the Council for the Public Inquiry I am writing to seek your assistance in producing the report requested by Lady Smith. Much of the information that she requests needs to be provided by the individual dioceses. For some of these questions a good place to begin would be the report that each diocese provided for the “Statistical Review of all Historic Cases of Abuse from 1947-2005”. If there is no information, no records about a question, please answer by stating that there are no records to provide the information requested. While carrying out your search of records, if you find information relating to an institution outside of your diocese, please include this information in your response.

I realise that we are asking the dioceses to provide a lot of information in a relatively short time frame. Much of it will be available in your response to the Historical Review. The members of the Council will work at responding to the other questions that Lady Smith has asked. We hope to have a draft report ready to present to the Bishops’ Conference meeting on 13 March next. If at all possible it would be helpful to receive your reply to my request by Monday 6 March 2017 to allow us to collate the responses and show the report to the Bishops.

The time frame for the Inquiry is from 1914 to December 2014.

The questions we would like each diocese to answer can be found overleaf. I thank you in advance for your cooperation in this regard. If you have need of any clarification please contact me.

Regards,

Mgr Hugh Bradley (General Secretary)
Question 4 in the Appendix asks about the Church’s involvement over the time frame of the Inquiry with certain Catholic Establishments.

Would you please check your records and comment on your diocese’s involvement in the following establishments (such involvement might be in providing chaplaincy services, celebrating Mass by diocesan clergy, etc.) Obviously you would only need to comment on institutions within your diocesan boundary. In this regard, please note that over the time frame of the Inquiry some of the schools mentioned changed diocese:

(a) Christian Brothers
- St Ninian’s, Falkland, Fife

(b) De La Salle Brothers
- St Joseph’s, Tranent
- St Ninian’s, Gartmore, Stirlingshire
- Kenmure St Mary’s School, Bishopbriggs
- St John’s Boys School, Shettleston
- St Mungo’s School, Mauchline, Aryshire

(c) Benedictines
- Carlekemp, North Berwick
- Fort Augustus

(d) Marist Brothers
- St Joseph’s, Dumfries
- St Columba’s, Largs

(e) Daughters of Charity of St Vincent de Paul
- Smyllum, Lanark
- Bellvue House, Rutherglen
- St Joseph’s Hospital, Rosewell
- St Vincent’s School for the deaf/blind, Tollcross
- Roseangle Orphange (St Vincent’s), Dundee
(f) Sisters of Nazareth-The Nazareth Houses
- Aberdeen
- Cardonald, Glasgow
- Lasswade
- Kilmarnock

(g) Sisters of Our Lady of Charity of the Good Shepherd
- Colinton establishments-to include Woodfield Children’s Home and Ladymary School, Saint Andrews and Edinburgh
- St Euphrasia’s and its predecessors, Paisley and Glasgow
- The Good Shepherd Centre, Bishopton

(h) Congregation of the Poor Servants of the Mother of God
- St Mary’s, Balnakiel House, Galashiels

Question 7 asks about the Church’s knowledge of the existence of abuse (whether physical, emotional or sexual) of children in the care of religious Orders.

Would you please answer the following questions in regard to children in the care of Religious in your diocese. NB bullet point 4 will be answered by a canonist:

- When was there an awareness of the existence of any abuse?
- Identify the location(s) and the nature of that abuse.
- At local levels ought priests have been aware of abuse within residential establishments where they provided pastoral care?
- What duties, if any, rested on a priest to whom a child reported abuse at confession?
APPENDIX 3 – LETTER REQUESTING DIOCESAN RESPONSES

Question 8 concerns the Church’s knowledge of and involvement in the migration of children in care from Scotland.

Please comment on the specific questions asked as they relate to your diocese:

- At a local level, were priests/Bishops aware of children in the care of religious Orders being migrated from Scotland? Did the Church have any policy on child migration?
- Were priests/Bishops involved in recommending children for migration?
- If so, provide full details of that involvement including the places from which they were sent, the places to which they were sent, and, if possible, the names/gender and ages of any children who were sent. Provide details on whether the consent of the child and/or parents was sought and obtained or of any other person with a legal duty of care towards the child.
- If priests/Bishops were involved in this practice, why were they involved?
- What is the Church’s position now on the migration policy that was pursued?
- Has the Church had any involvement in responding to requests from former child migrants whether or not the Church had any involvement when the child left Scotland, and if so, provide details of any such involvement including the names of all those involved?

Question 9 refers specifically to the junior seminaries and other residential establishments for which the Church had direct responsibility.

It asks us to set out what allegations of abuse have been made over the time frame of the Inquiry. Would you please provide the information requested below for any allegations of which you are aware from Langbank or Blairs and any allegations made by senior seminarians under the age of eighteen.

- Details of any abuse
- Identity of the alleged abuser(s) and complainer(s)
- Location(s)
- Time frame
- Awareness of, for example, management/Bishops by any abusers
- Admissions
Question 11 asks about procedures over time for dealing with persons for which the Church was responsible against whom allegations of abuse were made or established by children in care.

Please note that this refers only to children in care who had made allegations of abuse.

- Priests/suspension/movement
- Reporting to the Vatican
- The reaction to allegations/established abuse by Lay workers and volunteers
- Written policies and procedures and if so when they were introduced
- The adequacy of any action taken at the time of any such allegation

Question 12 asks for details of all convictions of persons for whom the Church had responsibility for the abuse of children in care (residential care and foster care).

Please provide any knowledge you may have of such people for who the Church had responsibility who have been convicted. Be assured that any such sensitive information provided will be held confidential to my office before being handed over to the Inquiry:

- Identify the convicted person(s) and complainer(s).
- Provide details of the location(s) dates and type of abuse.
- When was the Church first aware of the abuse?
- Any action, if any, taken by the Church in response.
Appendix 4 - Archdiocese of St Andrews & Edinburgh Response

Question 4 in the Appendix asks about the Church’s involvement over the time frame of the Inquiry with certain Catholic Establishments.

(a) Christian Brothers
- St Ninian’s, Falkland, Fife

5 May 1952: Proposal for Major Crichton-Stuart to convey Falkland House to the Archdiocese of St Andrews and Edinburgh who in turn would lease it to the Christian Brothers.

(b) De La Salle Brothers
- St Joseph’s, Tranent

The land and buildings at St Joseph’s, Tranent were owned by the Archdiocese of St Andrews and Edinburgh from 1888 to 2015. Management of the School was entrusted to the De La Salle Brothers in terms of a 1914 Agreement.

The Agreement between The Most Reverend James Augustine Smith, Archbishop of St Andrews and Edinburgh, and The Most Honourable Brother Imier De Jesus, Superior General of the Institute of the Brothers of the Christian Schools, dated 8 and 13 March 1914, set out the basis upon which the Archdiocese placed St Joseph’s Industrial School and Orphanage, Tranent under the care of the religious community known as the De La Salle Brothers. The property was to continue to belong to the Archdiocese. The school was to continue under the Committee of Management as then constituted, with members of the Committee to be appointed by the Archbishop from time to time and also comprising such members as might be elected by the Town Council of Edinburgh. The religious community was to provide the Superintendent. The Superior General was to have the power of appointing and changing any Brother, including the Brother Superintendent, when he might deem such to be necessary or useful. The Superior General was also to be responsible for keeping the staff of Brothers efficient and for providing Brothers as he might deem necessary for the efficient working of the institution. The Brother Superintendent had the power to appoint and discharge other officials and employees in connection with the school, with the exception of the chaplain who would be appointed and changed at the discretion of the Archbishop. The chaplain was not to be a member of the Committee. The Committee was to meet quarterly and any visitation of the school was to happen on due notice being given to the Brother Superintendent. The local authorities with pupils in the school were entitled to visit it during ordinary school hours.
Under that Agreement the powers of the Archbishop of St Andrews and Edinburgh were limited to committee and chaplaincy appointments, although there is no record of the latter being exercised. There is reference in 1955 to the chaplain being one of the Passionist Fathers from Drum-Mohr and the same fathers supplying a priest for the annual three day retreat. The Archbishop of St Andrews and Edinburgh was involved in the appointment of the Managers of the School, who oversaw the business side of the enterprise. The teaching and care of pupils was the responsibility of the De La Salle Order until the School was taken over in 1989 by Lothian Regional Council. An exchange of correspondence between the Archbishop Gray and the senior member of the Committee of Managers, Major Crichton-Stuart, in December 1965 reviews the role of the Archbishop with reference to the School, recognising that, by then, it had become a nominal role. The Archbishop’s reply indicates he always felt it to be an anomaly that he should be the chair of the Committee of Managers and yet have no real knowledge of the day to day working of the school; it had been a purely honorary position; he would be glad to hand over the chair to someone actively engaged in the supervision of St Joseph’s, such as Major Crichton-Stuart; but he would like future Archbishops to maintain some interest, perhaps via attendance at AGMs.

The records of the Archdiocese focus on issues concerning ownership and the fabric of the land and buildings, some high level correspondence with the Chair of the Managers and correspondence regarding the negotiations with the authorities regarding the takeover of the School. By 1936 the School was experiencing financial difficulties which resulted in the Committee becoming more active, particularly through the formation of a finance sub-committee. The Archdiocese records also include papers from the following decades such as headmaster’s reports; reports from the School’s medical officer, an independent doctor (Dr Joseph Stark, circa 1954), who explains the system of health examinations conducted on the arrival and departure of each pupil and ad hoc visits and quarterly inspections; the interest of psychologists from the Royal Hospital of Sick Children in Edinburgh (circa 1961); the matron and her staff; the role of the headmaster circa 1961 making himself available every evening to hear the boys’ worries, which largely related to home and family; the boys’ education, training and hobbies; the communications with parents, encouragement to write and to visit; copy correspondence with the Scottish Education Department; the changing regime in relation to these types of school, child care and the welfare/education of children placed there; the development of the School as a state resource, work with the Scottish Education Department, local authorities etc. The records include information from time to time regarding the identity of the Managers and the composition of their Committee, their mix and skills. They included variously accountants, solicitors, ladies, retired headmasters/teachers and priests. They numbered between five and eight at any one time. In 1986 the Managers were incorporated into a company limited by guarantee in preparation for the transfer of undertakings to Lothian Regional Council from 30 January 1989. The Managers were given
power by the articles of association to appoint principals, headmasters and teachers. The appointed
principal and headmaster was to have under his direct control the day to day organisation and discipline of
the school and responsibility for the scope, character and content of the education and training to be
provided.

Over the 1970s and 1980s greater numbers of lay staff, including those with social work training, were
appointed. In February 1992, Brother Livinus retired as headmaster, to be succeeded by a headmaster,
James Taig, who was the first, since 1914, not to be a member of the De La Salle Order. On 28 May 1992,
the De La Salle Brothers left the teaching staff at St Joseph’s altogether but remained resident in Tranent
although without continuing involvement in the School.

The Archdiocese of St Andrews and Edinburgh leased the School to Lothian Regional Council, thereafter East
Lothian Council, from January 1989 until the sale of the property to the latter in July 2015.

A Minute of Agreement among Lothian Regional Council, St Joseph’s School Limited and the Archdiocese
Trustees dated 18 and 26 January and 2 February 1989 dealt with the transfer of all staff, contracts,
pensions, liabilities etc to Lothian Regional Council by St Joseph’s School Limited (“the managers”). The
Archdiocese Trustees were parties to the agreement in view of their status as owners of the school. The
company was a party to the agreement given its role as manager undertaking the education and care of
children and young persons at the school. It had been agreed in principle that the Council would take over
the management of the school from 30 January 1989.

The Council took on all rights, liabilities, responsibilities and duties relating to the management of the school
from the managers as at the transfer date. The managers transferred all assets including cash, employees,
all contracts and pension obligations. Three of the teachers at the school were to have responsibility for
providing guidance to pupils, particularly those of the Roman Catholic faith, and were to be teachers
approved as regards their religious belief and character by a representative appointed by the Trustees.
Religious education was to be provided for pupils of the Roman Catholic faith on the same statutory basis as
would be required for pupils of a denominational school.

As soon as possible after the transfer date, the Council were to set up an Advisory Board. Its objects were to
provide a forum for discussion among members of Lothian Regional Council, members of staff of the school
and representatives of the Roman Catholic Church and community interests regarding matters concerning
the school, and to advise the Council on such matters. The Board was to consist of eight elected members of
the Council (including the chairpersons of the Education Committee and the Social Work Committee and the local elected member ex officio). Four members were to be appointed by the Archdiocese Trustees, two to represent community interests and two to represent the Roman Catholic Church. Two members were to be appointed by the staff of the school. The Board was to meet at least once every 8 weeks. The Directors of Social Work and Education or their representatives, the headmaster of the school and other Board appointees were to be advisers to the Board. The Board had power to discuss and advise on staff appointments, budgets/expenditure, matters concerning school policy, relationships with the wider community, change of use and other important matters. The Council were obliged to consult the Board before any decision directly concerning the school was taken by the Council. The Board was to be allowed to comment on budgets, major items of expenditure and applications for posts at the school. The appointment of senior staff was to be made by a committee chaired by the Assistant Director of Social Work responsible for residential and day care provision and including the head teacher. There is, however, some subsequent evidence to the effect that the Board was not given much to do.

In 1993 there is a brief exchange of correspondence between the Provincial of the De La Salle Order and the Archdiocese of St Andrews and Edinburgh regarding an allegation of abuse made to the Provincial, suffered by an unnamed man some twenty years before. In the years 2000 and onwards the Archdiocese of St Andrews and Edinburgh was involved in responding to applications for legal aid and civil claims for damages against the De La Salle Order and multiple defenders in relation to alleged abuse at the School, which were not successful. See also the response to Question 7.

- **St Ninian’s, Gartmore, Stirlingshire**

Although not within the jurisdiction of the Archdiocese of St Andrews and Edinburgh, correspondence regarding some civil claims for damages against the De La Salle Order and multiple defenders appears in the Archdiocese records. See the response to Question 7.

- Kenmure St Mary’s School, Bishopbriggs
- St John’s Boys School, Shettleston
- St Mungo’s School, Mauchline, Aryshire

(c) **Benedictines**

- Carlekemp, North Berwick
- Fort Augustus
(d) Marist Brothers

- St Joseph’s, Dumfries
- St Columba’s, Largs

(e) Daughters of Charity of St Vincent de Paul

- Smyllum, Lanark
- Bellvue House, Rutherglen
- St Joseph’s Hospital, Rosewell

Archdiocese of St Andrews & Edinburgh – Local parish priests provided chaplaincy services.

- St Vincent’s School for the deaf/blind, Tollcross
- Roseangle Orphange (St Vincent’s), Dundee

Archdiocese of St Andrews & Edinburgh – Local parish priests provided chaplaincy services.

(f) Sisters of Nazareth-The Nazareth Houses

- Aberdeen
- Cardonald, Glasgow
- Lasswade

Records evidence documents addressed to the Archivist in respect of criminal proceedings against Sister Maria Theresa Docherty (also known as Sister Alphonso) although this was not dealt with as a claim against the Archdiocese of St Andrews and Edinburgh.

xxxxx got in touch with the Archdiocese in July 2003 through his MP Iain Coleman regarding abuse he suffered in Nazareth House, Lasswade, 1951-62. The correspondence was referred to the solicitors for the Poor Sisters of Nazareth. They advised that xxxxx had raised proceedings in the Court of Session against xxxxx, the Congregation of the Poor Sisters of Nazareth and Midlothian Council. The Archdiocese solicitors wrote to the MP to advise that the religious order was an autonomous body not under the control of the Archdiocese. See also the response to Question 7.

Archdiocese of St Andrews & Edinburgh – Local parish priests provided chaplaincy services.
• Kilmarnock

(g) Sisters of Our Lady of Charity of the Good Shepherd

• Colinton establishments - to include Woodfield Children’s Home and Ladymary School, Saint Andrews and Edinburgh

Archdiocese of St Andrews & Edinburgh – Local parish priests provided chaplaincy services.

• St Euphrasia’s and its predecessors, Paisley and Glasgow
• The Good Shepherd Centre, Bishopton

(h) Congregation of the Poor Servants of the Mother of God

• St Mary’s, Balnakiel House, Galashiels

Archdiocese of St Andrews & Edinburgh – Local parish priests provided chaplaincy services.
Question 7 asks about the Church’s “knowledge of the existence of abuse (whether physical, emotional or sexual) of children in the care of religious Orders.

The records of the Archdiocese of St Andrews and Edinburgh held at the Scottish Catholic Archives contain the following items relative to St Joseph’s School, Tranent:-

(1) Letter from Brother Thomas Campbell, Provincial, De La Salle Brothers, to the Archdiocese dated 7 January 1993 reporting on a case of abuse at the school more than twenty years previously by a lay person; noting correspondence with the man’s wife, the man having suffered abuse and being in need of support; enquiring whether the Archdiocese would contribute to funding the family’s return to Scotland from Wales in an attempt to help; noting that the offer of counselling and a retreat had been declined; and  

(2) Letter from the Archdiocese to Brother Thomas Campbell, Provincial dated 25 January 1993 following a meeting of the Vicars General of the Archdiocese urging the Provincial to make any arrangements through lawyers to ensure matters were handled properly; noting that injustices must be put right but legally and with the parties separately represented.

The local priests at Tranent were not involved with the pupils at St Joseph’s School, Tranent. Some priests of the Archdiocese of St Andrews and Edinburgh were involved from time to time as Managers of the School, along with others, but their responsibilities did not include the provision of pastoral care.

Applications for Legal Aid or Claims Raised in relation to St Joseph’s, Tranent or St Ninian’s, Gartmore

Numerous applications for legal aid were submitted by former pupils of St Joseph’s School, Tranent or St Ninian’s, Gartmore in 2000 and subsequent years. Apart from the said correspondence from January 1993, this seems to be the first indication, according to the archives, of any allegations of abuse having happened at St Joseph’s School and come to the attention of the Archdiocese of St Andrews and Edinburgh. The Archdiocese of St Andrews and Edinburgh had no involvement with St Ninian’s (although some of the litigation documents were received by their personnel) and limited involvement with St Joseph’s. Some of the cases resulted in summons but many were lacking in specification and all were raised against multiple defenders including (in the cases relating to St Joseph’s School) all or some of the De La Salle Brothers, individual members of that religious order, the “Managers of St Joseph’s School”, individuals who were described as being managers but not necessarily so, the Archdiocese of St Andrews and Edinburgh, the Archbishop of the Archdiocese of St Andrews and Edinburgh, East Lothian Council and the Lord Advocate. A test case was run in relation to St Ninian’s. The pursuer failed on all counts bar an award of damages of £50,000 made against one of the Brothers in an individual capacity. Said individual had been the subject of a successful criminal prosecution. The other claims had been sisted, or legal aid had been granted for the
limited purpose of raising and sustaining actions, pending the outcome of the test case and, following the
decision of the Inner House, were dismissed or abandoned. The information in the table below about the
various claims derives from files of the solicitors for the Archdiocese of St Andrews and Edinburgh.

<table>
<thead>
<tr>
<th>St Joseph’s</th>
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<tbody>
<tr>
<td>xxxxx</td>
<td>1947-48 - Constant physical abuse in the form of bullying and beatings; struck by xxxxx.</td>
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<tr>
<td>xxxxx</td>
<td>1970-71 - Subject to a variety of physical and sexual abuses and extreme and unusual punishments (xxxxx xxxxx xxxxx xxxxx xxxxx).</td>
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<tr>
<td>xxxxx</td>
<td>1952-55 - Subject to a variety of physical abuses and extreme and unusual punishments.</td>
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<td>xxxxx</td>
<td>Subject to a variety of physical and sexual abuses and extreme and unusual punishments.</td>
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<tr>
<td>xxxxx</td>
<td>1962-64 - Subject to a variety of physical abuses and extreme and unusual punishments (xxxxx and xxxxx).</td>
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<tr>
<td>xxxxx</td>
<td>St Ninian’s &amp; St Joseph’s 1965-66 &amp; 1966-67 - Subject to a variety of physical abuses and extreme and unusual punishments.</td>
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<td>xxxxx</td>
<td>Subject to a variety of physical and sexual abuses and extreme and unusual punishments.</td>
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<tr>
<td>xxxxx</td>
<td>1965-67 - Subject to a variety of physical abuses and extreme and unusual punishments.</td>
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<tr>
<td>xxxxx</td>
<td>1959-60 - Subject to a variety of physical abuses and extreme and unusual punishments (xxxxx xxxxx and xxxxx)</td>
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<td>xxxxx</td>
<td>Subject to a variety of physical abuses and extreme and unusual punishments.</td>
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<tr>
<td>xxxxx</td>
<td>Mistreatment by teachers including xxxxx and xxxxx; systematic and repeated abuse, beyond reasonable chastisement.</td>
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<tr>
<td>xxxxx</td>
<td>1965-67 - Subject to a variety of physical abuses and extreme and unusual punishments.</td>
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<td>xxxxx</td>
<td>1967-69 - Subject to a variety of physical and sexual abuses (xxxxx).</td>
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<td>xxxxx</td>
<td>1968-70 - Subject to a variety of physical and sexual abuses and extreme and unusual punishments (xxxxx and xxxxx).</td>
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<td>xxxxx</td>
<td>Subject to a variety of physical abuses and extreme and unusual punishments.</td>
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</table>
| xxxxx | 1961-64 - Subject to a variety of physical abuses and extreme and unusual and actions, pending the outcome of the test case and, following the decision of the Inner House, were dismissed or abandoned. The information in the table below about the various claims derives from files of the solicitors for the Archdiocese of St Andrews and Edinburgh.
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<thead>
<tr>
<th>St Joseph’s</th>
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<tbody>
<tr>
<td>xxxxx</td>
<td>1972 – Subject to systematic and repeated physical abuse by the teachers; assaulted on many occasions, this treatment going beyond reasonable chastisement.</td>
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<td>xxxxx</td>
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<td>Subject to a variety of physical abuses and extreme and unusual punishments.</td>
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<td>Subject to a variety of physical abuses and extreme and unusual punishments.</td>
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<td>xxxxx</td>
<td>1971-72 - Subject to a variety of physical abuses and extreme and unusual punishments (xxxxx and xxxxx and xxxxx).</td>
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<td>Subject to a variety of physical and sexual abuses and extreme and unusual punishments.</td>
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<td>St Ninian’s &amp; St Joseph’s 1965-66 &amp; 1966-67 - Subject to a variety of physical abuses and extreme and unusual punishments</td>
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<td>Subject to a variety of physical abuses and extreme and unusual punishments.</td>
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<td>xxxxx</td>
<td>Systematic and repeated abuse, beyond reasonable chastisement; subject to a variety of physical abuses and extreme and unusual punishments.</td>
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<td>Subject to a variety of physical abuses and extreme and unusual punishments.</td>
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<td>Test case</td>
<td>Decision of Extra Division, Inner House, Court of Session in Reclaiming Motion in the cause xxxxx, against xxxxx and others – relates to St Ninian’s, Gartmore – case dismissed against seventeen of the eighteen defenders; award of £50,000 made against xxxxx</td>
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## APPENDIX 4 - ARCHDIOCESE OF ST ANDREWS & EDINBURGH RESPONSE

### St Ninian’s

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### School not identifiable from records

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*Notes taken from a review of diocesan records for the Archdiocese of St Andrews and Edinburgh*

**A. De La Salle Order - St Joseph’s, Tranent**
In a letter to the Archdiocese dated 27 July 2010, xxxxx alleges that he was brutally beaten on many occasions in St Joseph’s by xxxxx, a metalwork teacher, xxxxx, xxxxx, xxxxx and xxxxx, the gardener. He also states that a Marist Brother, whose name he cannot recall, wore steel toecap boots and used to kick him and other children black and blue. He goes on to say “As children, I and others were beaten with implements that include belts, sticks, fists and anything that came to hand.” In a further letter he clarifies that the home he was abused in was St Joseph’s, Tranent. He states that he was placed there in 1976 and remained until 1979. The Archdiocese passed his correspondence to the District Safeguarding Officer of the De La Salle Order.

A letter dated 13 September 2010 from xxxxx was passed to the Archdiocese from the Diocese of Motherwell. xxxxx alleges that when he was 15 years old in St Joseph’s, Tranent, “xxxxx pulled me against him sexually”. He also claims that when he was in St Andrews, xxxxx seriously assaulted him by hitting him on his right side. The correspondence was passed to the De La Salle Order.

De La Salle Order – St Ninian’s, Gartmore

In August 2001, the Archdiocese was provided with a copy of a letter (dated 10 August 2001) by McSparran McCormick to Monsignor Smith of Glasgow Archdiocese providing information on the police investigation in relation to St Ninian’s School, Gartmore. The letter makes reference to two lay employees having been charged by the police – xxxxx and xxxxx – there are no details of the nature of the charges. The letter also refers to the police seeking to pursue xxxxx, a member of the De La Salle Order known as xxxxx, aged 87, who was charged by the police – again no details of the charges in the letter. McSparran McCormick confirm that they have arranged for the Procurator Fiscal to withdraw the warrant in the light of xxxxx ill health.

The letter also refers to another brother of the De La Salle Order, xxxxx, known as xxxxx. The letter states that the Police wish to charge xxxxx with twelve offences, on various occasions between 1960 and 1977. There is a reference to xxxxx appearing in private at Stirling Sheriff Court the following Tuesday morning. Again there are no details of the nature of the charges. The Archdiocese forwarded a copy of this letter to Anderson Strathern, the diocesan solicitors, on 14 August 2001.

On 13 November 2010, xxxxx emailed the Archdiocese (also the First Minister and the Sunday Mail), alleging abuse in the 1970’s at the hands of the brothers from De La Salle Order and civilian staff at the List D school, St Ninian’s, Gartmore. He was sent there when he was 8 years old and claims that during his two to
three years there, he was subjected to systematic sexual abuse from three of the brothers and two of the
civilian staff. He names them as xxxxx, xxxxx and xxxxx (and xxxxx.

C. Nazareth House

Records evidence documents addressed to the Archivist in respect of criminal proceedings against xxxxx
although this was not dealt with as a claim against the Archdiocese of St Andrews and Edinburgh.

xxxxx got in touch with the Archdiocese in July 2003 through his MP Iain Coleman regarding abuse he
suffered in Nazareth House, Lasswade, 1951-62. The correspondence was referred to the solicitors for the
Poor Sisters of Nazareth. They advised that xxxxx had raised proceedings in the Court of Session against
xxxxx, the Congregation of the Poor Sisters of Nazareth and Midlothian Council. The Archdiocese solicitors
wrote to the MP to advise that the religious order was an autonomous body not under the control of the
Archdiocese.
Question 8 concerns the Church’s knowledge of and involvement in the migration of children in care from Scotland.

This was a government sponsored scheme. It is not clear from the records in the Scottish Catholic Archives what information was received by the priests/Bishops within the Archdiocese of St Andrews and Edinburgh or how the Church engaged with the scheme at diocesan or parish level. A summary of the archive records is given below.

Migration from Scotland of Children in Care
Records held by the Scottish Catholic Archives reviewed on behalf of the Archdiocese of St Andrews & Edinburgh

(1) Letter from P A Conlon of St Aquin’s, Twickenham dated 23 June 1946 advising on the Government sponsored migration scheme and the work of the Catholic Council for Overseas Settlement; support for child and adult migration schemes; likelihood of shipping accommodation and the Bishop’s Migration Scheme in 1947; the need for suitable accommodation for children; intention to visit Northern Ireland and Scotland to select suitable children.

(2) Letter from P A Conlon of St Aquin’s to Father P F Quille, 6 India Buildings, Edinburgh dated 22 April 1947 regarding the Bishop’s willingness to employ a permanent secretary in Scotland for a year; seeking the collation of information about the number of children likely to be obtained from the various homes or other sources in Scotland; upcoming visit to Edinburgh.

(3) Letter from the Diocesan Office, 6 India Buildings, Victoria Street, Edinburgh, to Brother Conlon of St Acquin’s dated 23 April 1947 referring to Catholic children in non-denominational institutions under public assistance authorities; good idea to provide them with details of the immigration scheme; if the children in these homes were suitable and free to go, it would help with the problem of homeless children; enclosing a draft circular to be sent to all of the public assistance authorities in Scotland; noting that the Glasgow officials had been concerned about the cream of children leaving the country and the fear that local authorities would ultimately have to shoulder the burden of the weekly contribution; noting that the financial side would be met direct by the Treasury; intending to write to the Chief Migration Officer, Australia House, The Strand, London (public assistance officer doing so today); upon obtaining a response, the public assistance officer will take the matter up with St Andrew’s House (seat of the Scottish Government) so that the position regarding Scotland may be clarified.

(5) Letter from P A Conlon to Father Quille dated 25 April 1947 approving the proposed circular and suggesting adjustments to the wording; text of draft letter explaining the scheme.

(6) Two letters from P A Conlon to Father Quille dated 28 April 1947, arrangements regarding meeting.

(7) DE132/9/8 – copy of the circular letter to all public assistance officers from the Catholic Enquiry Office, 6 India Buildings, Victoria Street, Edinburgh per Reverend P F Quille dated 29 April 1947 and list of authorities (burgh and county) to whom the immigration circular was sent on 30 April 1947.

(8) Letter from P A Conlon to Father Quille dated 2 May 1947 concerning steps to promote the scheme through press features.

(9) Agreement between the Hierarchy of Australia represented by their Secretary, His Grace The Most Reverence J D Simonds, Coadjutor Archbishop of Melbourne and The Reverend P F Quille, Secretary, Catholic Council for British Overseas Settlement for Scotland and Northern Ireland of the Catholic Enquiry Office, 6 India Buildings, Edinburgh signed 8 May 1947, setting out details of the payment for the costs of and the duties of a secretary to deal with the Australian Catholic Migration Scheme for Scotland and Northern Ireland for a period of 12 months commencing 1 June 1947. Duties include:- with the permission of the bishops and priests concerned, to keep in touch with the various Catholic centres in Scotland and Northern Ireland in which prospective Catholic children and adult migrants are likely to exist and to supply those interested in migration to Australia with the necessary information concerning the Australian Catholic Migration Scheme; forward details of the prospective migrants to the Catholic migration secretaries in the various states in Australia to enable nomination by the Catholic Migration Committees.

(10) Letter to Brother Conlon dated 14 May 1947 enclosing an application form in respect of a war widow and her children; asking questions regarding administrative arrangements concerning the forms for adults, children’s forms; two further applications; noting that a full report on emigration, including recent developments, had been sent to the Bishops’ Meeting held yesterday; also asking for permission to give the scheme publicity in the press, in youth organisation and circulating a letter to the Bishops in Scotland and Northern Ireland.
(11) Undated report on the progress of the Australian Catholic Migration Scheme (Scotland and Northern Ireland), giving figures for the period June 1947 to March 1948; decreasing number of applicants; waiting periods, shortage of ships; scarcity of housing accommodation in Australia; nominations coming through from various nominating societies in Australia; administrative process in Australia. The time not being yet suitable to send married men and women with large families out to the Commonwealth because of the acute housing position. Noting child migration has diminished in regard to Scotland and Northern Ireland. The number of applications from non-British nationals has increased. It hoped that a large number of Catholics from this country will be able to emigrate to Australia this year but not promise given as to the duration of the period of waiting. The Australian Government expect to be able to cope with an intake of not less than 70,000 people this year, so the chances of Scots and Irish Catholic migrants appear brighter.

(12) Up to date list of children required immediately as at 26 November 1948 – details the number and ages of girls and boys (not named) for various places in Australia.

(13) Report on Australian immigration (Australian Catholic Immigration Committee Scotland and Northern Ireland – report on adult and child migration) dated October 1949. Gives details of the types of application and the types of nomination plus numbers of applications since May 1949 and in total since June 1947 split according to families, single men, single women and non-British nationals; information required in connection with prospective migrants [misplaced page?]; noting fewer adults are now applying through the Edinburgh office probably due to the difficulty obtaining family accommodation in Australia and it is mostly families who are applying. Nominations are coming in, but only in very small numbers compared with the number of people waiting to emigrate. The position with regard to children remains uncertain; lack of clarity regarding the effect of the Children Act 1948, in particular Section 17 dealing with emigrating. The Secretary of State for Scotland is now prepared to give consent to the emigration of children maintained by a local authority providing that the provisions of the Act are complied with in regard to guardianship and that the child is over 10 years of age and therefore capable of an opinion. Where a child is under 10 and has no personal guardian or relative in Australia, permission will not be given. Under the Migration Agreements between the British and Australian Governments, the Minister for Immigration is regarded as the guardian for all children emigrated from this country until they reach the age of 21 years but this really was not accepted by the Scottish authorities. Ongoing discussions. There are approximately 102 children waiting to emigrate under the Catholic Child Scheme.

(14) List of contacts in connection with adult and child emigration.
(15) Memorandum prepared by the Reverend W Nicol on the working arrangements of the national office etc.

(16) Note on the Migration Scheme from the United Kingdom to Australia including children from 5 – 14 years, youths from 14 – 19 and adult and family groups (undated). Brother Conlon, the representative of the Australian Hierarchy, anxious that the secretarial work connected with the above schemes which began on 6 December 1946 should be extended to include Northern Ireland as well as Scotland; salary arrangements: not yet possible to publicise the scheme owing to the lack of shipping accommodation. Some publicity had resulted in about 30 children ready to avail themselves of the scheme; the falling numbers were due to the parents’ consent not being forthcoming; sailing arrangements for 1947; notification to all county and burgh councils in Scotland, with replies being received from 12 authorities; in the instances where Catholic children were being maintained from Public Assistance the officers concerned stated that the matter would be discussed at their respective committee meetings.

(17) Separate Note (?) undated – describing the Immigration Scheme sponsors and finance by the British and Australian Governments – covers three classes of migrants – children from 6 to 14 years, youth groups from 14 to 19 years and adults from 19 onwards. The Australian bishops have had a definite and effective scheme to deal with Catholic migrant children – placings in Catholic children’s homes, convent boarding schools, farm and trade schools in Australia. British and Australian Governments responsible for expenses connected with the travel, maintenance, education and training until the children reach the age of 16. The 14 to 19 groups – the Australian Bishops have no definite plan for dealing with this group beyond cooperating with the Governments to cater for the training and placement of these young people when they reach Australia; Government intentions.

The objectives of the Scheme – the population of Australian with people of British stock; the Catholic Church in the United Kingdom and Australia being interested in the welfare of Catholic migrants; Catholic organisations set up to assist these people; the Catholic migration scheme having the approval of Cardinal Griffin and the Hierarchies of England and Wales, Scotland and Northern Ireland.

Explanation of the nomination arrangements, designed to guarantee migrants’ accommodation in Australia on their arrival.

Various categories of eligible migrant children – those who are destitute and without parents, resident in children’s homes; those with living parents unable or unwilling to provide for them; those with parents able
to provide for them but who consider it would be in the future interests of the children to emigrate whilst still young to Australia; and those who will accompany their parents or whose parents intend to follow them in the near future.

Children under 14 – financial costs to be borne by the British and Australian Governments until the age of 16; Catholic children to be placed in schools or homes conducted by religious brothers and sisters and all migrant children to receive a full course of primary education and be subject to inspection by the state or Commonwealth officials. The Commonwealth Minister for Immigration is the legal guardian of all migrants until they reach the age of 21. After completing a full course of primary education, the children to be trained to fit them for future careers; separate arrangements for boys and girls; arrangements for the holders of secondary school scholarships in the United Kingdom to continue that education in Catholic secondary schools in Australia.

Catholic escorts to accompany the children on the voyage including a doctor, dentist, trained nurses, experienced teachers and a Catholic chaplain. Travel arrangements for youths from 14 to 18 and those over 18 (assisted passages). Lengthy waiting times because of the difficulty of securing shipping accommodation and the large number of applications. Nomination by a responsible person or recognised organisation in Australia is an essential in securing an assisted passage under the migration scheme. Prospective Catholic migrants from England and Wales can achieve this through the Catholic Migration Committees in Australia; applications with reference to pupils from Scotland are to be sent to the Scottish Catholic Migration Secretary for Australia, Catholic Enquiry Office, 6 India Buildings, Edinburgh.
Question 9 refers specifically to the junior seminaries and other residential establishments for which the Church had direct responsibility.

1. Blairs College – Abuse by Desmond Lynagh, former priest of the Archdiocese of St Andrews and Edinburgh

The Archdiocese is aware of three cases of abuse or alleged abuse by Desmond Lynagh while he was a teacher at Blairs College in the 1970s. Two of those cases resulted in a successful prosecution for shamelessly indecent conduct; one of those cases resulted in a civil claim for damages; the third case was referred to in an application for laicisation from the priesthood. The outcomes in each of the three cases were driven by the different approaches of the three complainers.

Desmond Lynagh was convicted in July 1996 of shamelessly indecent conduct towards Xxxxx (address given as care of Grampian Police), aged between 15 and 17 at the time of the offences and towards xxxx (address given as care of Grampian Police), aged 17 at the time of the offence. The offences occurred while Desmond Lynagh was a teacher at Blairs. Both boys were students there. Desmond Lynagh pled guilty to the offences and was sentenced to 3 years’ imprisonment. The details of the offences were given in the indictment.

Xxxxx’s complaint involved a regular course of conduct by Lynagh between June 1974 and December 1975. xxxx complaint involved a single occasion during the period August 1975 to July 1976.

The view was taken that such actings on Lynagh’s part potentially gave rise to both criminal action and a civil claim for damages. If xxxx did not want to raise the position with the police (which was believed to be the case at the time) the Archdiocese was advised to invite xxxx to pursue a civil claim and present it through his solicitors in the usual way. The solicitors for xxxx and the Archdiocese solicitors discussed the basis upon which a court would approach a damages claim of this nature, focusing on the guidance available as to quantification of such a claim. A negotiated settlement was achieved and towards the end of August 1990 xxxx signed a discharge of his claims in exchange for the agreed sum of damages. The discharge deliberately did not include any confidentiality undertakings.

In addition to dealing with xxxx’s claim for remedy under the civil law, the Archdiocese dealt with Desmond Lynagh. After his departure from Blairs in 1977, Lynagh had spells at St Kentigern’s, Edinburgh (1977-78), St Margaret’s, Dunfermline (1983-84), St Joseph’s, Bonnybridge (1984-88) and St Alexander’s, Denny (1988-90) with other priests. Between 1978 and 1983 he was chaplain at Stirling University.

After xxxx’s approach to the Archdiocese in April 1990, Lynagh was sent for assessment. By August 1990 the Archdiocese had secured Lynagh’s resignation as parish priest of St Alexander’s, Denny. He was then sent
to a residential institution for therapy. The treatment concluded in December 1990 and Lynagh was released, having signed a treatment contract with the Archdiocese, the Administrator of St Mary’s Cathedral and the director of the treatment centre, setting out the conditions for Lynagh’s release including abstinence from alcohol, ongoing therapy and counselling, no ministry involving children or teenagers, restrictions on his wider interaction with children and teenagers and acceptance that the priests with whom he would be stationed would be aware of his history, with failure in any undertaking likely to result in other measures including termination of his appointment and his suspension. In January 1991 Lynagh was appointed as assistant to the Moderator, restricted to administrative/property duties at the diocesan offices and residing at Cathedral House with other priests. At the same time, the Archdiocese reported on these outcomes to a priest at the Garnethill Centre for onward reporting to xxxx as appropriate. The latter expressed himself as satisfied.

In May 1994, xxxx wrote to the Archdiocese seeking reassurance regarding Lynagh’s role; expressing concern for others; alleging abuse of others; worrying about Lynagh’s proposed appointment as administrator at a pastoral centre and seeking his removal. The Archdiocese replied reporting on Lynagh’s treatments; his role dealing with property not people, that he was not appointed as administrator of the proposed pastoral centre; that he would contact the director of the clinic and other advisers but noting xxxx’s own comment that he was realistic enough to accept no-one can be monitored 24 hours a day; and finally noting it was the Archdiocese’ intention that there be no risk to young people in appointing Lynagh to this administrative role.

In July 1994 xxxx telephoned Lynagh, who immediately reported the position to the Archdiocese. By the end of August 1994, xxxx had made a complaint to the police, who instituted investigations. By 5 September 1994, Lynagh had decided to resign from all current responsibilities and had returned to the treatment centre in Gloucestershire. This information was intimated to xxxx through his solicitors as it would have been inappropriate for there to be direct contact between the Archdiocese and xxxx, the Archdiocese having no wish to interfere with the police process.

Lynagh resigned from the priesthood prior to his prosecution and guilty plea. His case was heard in the High Court on 24 July 1996. Lord Prosser’s decision was 3 years’ imprisonment on charge 1 and 1 year’s imprisonment on charge 2, the sentences to run concurrently. It was not until the solicitors for the Archdiocese were shown the indictment by Lynagh’s solicitor that day that they became aware that there was a second charge in relation to Edward Campbell concerning a single incident between 1 August 1975 and 31 July 1976. That fact was reported to the Archdiocese the following day. The Archdiocese solicitors
were led to believe that the second charge had arisen from the enquiries made by the police into the first charge. The second complainant in the criminal case against Lynagh did not pursue a claim for damages.

There is also reference in the diocesan records to allegations of a similar nature against Lynagh from a third student, who neither took his case to the police nor made a claim for damages. While undertaking research as part of the Archdiocese preparations for this Inquiry, the Safeguarding Adviser for the Archdiocese of St Andrews and Edinburgh found further information concerning Lynagh in correspondence relating to an application for laicisation by xxxx. In this correspondence xxxx made reference to having been abused by Lynagh when xxxx was a student at Blairs (1974 to 1978).

The diocesan file includes a letter to the Archdiocese in May 1990 from the solicitors acting for xxxx stating that he did not draw this course of action to the attention of Church authorities until he was 17 or 18 years of age. They stated that at that time it was reported to the Archdiocese. By 1990 when the Archdiocese was handling xxxx’s complaint, the Archdiocese had reached the conclusion that matters had not been handled as they should have been earlier, which was one of the reasons why he wished to resolve matters appropriately and promptly when the case came to his direct attention in 1990. The Archdiocese of St Andrews and Edinburgh notes that matters would be handled differently now as a result of the development over the years of safeguarding procedures.

2. **Blairs College – Alleged Abuse by xxxx**

According to a file held by the solicitors for the Archdiocese of St Andrews and Edinburgh for the period February to April 2007, abuse allegations were made by xxxx against xxxx when xxxx was a student at Blairs College and afterwards at Glasgow University. xxxx’s complaint had been directed to the Archdiocese of Glasgow. xxxx then complained to the Archdiocese and provided copy correspondence, as he was dissatisfied with how the Trustees for the Archdiocese of Glasgow and their solicitors were handling the matter. The Archdiocese responded to xxxx by expressing regret but stating that he had no jurisdiction over the matter.
Question 11 asks about procedures over time for dealing with persons for which the Church was responsible against whom allegations of abuse were made or established by children in care.

For the Archdiocese of St Andrews and Edinburgh, reference is made to the response given to Question 9.

Question 12 asks for details of all convictions of persons for whom the Church had responsibility for the abuse of children in care (residential care and foster care).

For the Archdiocese of St Andrews and Edinburgh, reference is made to the response given to Question 9.
Appendix 5 - Diocese of Aberdeen Response

R.C. DIOCESE OF ABERDEEN
DIOCESAN OFFICE
Bishop’s House, 3 Queen’s Cross, ABERDEEN, AB15 4XU
Fax: 01224 325570; E-mail: joyce@red-abdn.org
Tel: 01224 319154

10th April 2017

Dear Mgr. Bradley,

Response to SCAI

In consultation with Mr. Thomas Cairns, Chairman of the Diocesan Safeguarding Committee, and Fr.
Mark Impson, Vicar Episcopal for Safeguarding, please note our responses to the questions which
were posed.

Question 4 (C): referring to Fort Augustus Abbey School, and (F): referring to Nazareth House,
Aberdeen.

We have checked our records, (both those which we held in-house, and those held in the Edinburgh
Archive), and we can confirm that we found no records which relate to abuse allegations for Fort
Augustus Abbey School, and Nazareth House, Aberdeen.

Question 7

We became aware of allegations of abuse in Fort Augustus Abbey School, Nazareth House, and
Blairs, Aberdeen, only when they were brought to our attention through police investigations or press
coverage. In the case of Blairs we would have known about the allegations in 1995/6. In the case of
Nazareth House we would have known about the allegations in 1999/2000. In the case of Fort
Augustus Abbey School we would have known about the allegations in 2013.

Ought priests have been aware of abuse within residential establishments where they provided
pastoral care?

It is our opinion that victims of physical, emotional or sexual abuse sometimes feel isolated and
shamed, therefore it should be of no surprise that visiting clergy would not pick up any issue. It is
clear that in all abuse cases power and control is at play, and so the perpetrator maintains an upper
hand.

Question 8

There are no records to evidence that the Diocese of Aberdeen were aware of any cases of, or had a
policy, on child migration.

Question 9 referring to Fort Augustus Abbey School.

As mentioned in ‘Question 4’, we found no records which relate to abuse allegations in Fort
Augustus Abbey School, and only became aware of allegations when they came into the public
forum through press coverage in 2013.

Question 11

The Diocese of Aberdeen had no policies or procedures in place for dealing with persons against
whom allegations of abuse were made or established by children in care.
Question 12
We understand through press coverage that an individual was jailed for abuse which took place in Blairs, Aberdeen, and that a sister was convicted for physical abuse at Nazareth House, Aberdeen. We do not have records of the cases however, since the establishments were not under the control of the RC Diocese of Aberdeen.

Please let me know if you require any further information.

Yours sincerely,

Hugh Gilbert OSB
Appendix 6 - Diocese of Argyll & The Isles

Dear Mgr. Hugh,

**Historical Review – Diocese of Argyll and the Isles**

I visited the Scottish Catholic Archives earlier this week and so can now give the extra information, required since the Scottish Child Abuse Inquiry issued a Notice on the 25th January 2017.

If there is anything further that I can do to help in this matter, then please do let me know.

Yours sincerely,

Fr. Roddy Johnston
Vicar General, Argyll and the Isles

10th March 2017

Rev Roddy Johnston V.G.
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Having made enquiries throughout the Diocese and read files held in the Scottish Catholic Archives I can confirm that, to the best of my knowledge;

a) There are no further references to allegations of abusive behaviour, that I can find, from 1914 – 1945.
b) The following were places of residential care:

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<th>Religious Order Control</th>
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<td>1 Fort William. St Marys Primary School. This was opened in 1872 and run by the Sisters of Charity of St Vincent de Paul. During this period it was not residential. It was taken over by the Sisters of Notre Dame in 1942 and became residential. It catered for young girls from the Islands. It closed in 1958. Any records for the time when there were girls staying in the convent are held by the Sisters of Notre Dame.</td>
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<td>Sisters of Charity of St Vincent de Paul. and Sisters of Notre Dame</td>
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<td>2 Kingussie. There was a Sanatorium run by the Sisters of Charity of St Vincent de Paul. The Sisters left in 1969 or 1970 and the hospital was taken over by Highland Council. It is not clear, to me, whether the Sisters of Charity or the Highland Council had overall responsibility for the hospital prior to 1969/1970.</td>
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<td>Sister of Charity of St Vincent de Paul.</td>
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<td>3 Island of Bute. Mount Carmel Rehabilitation Home run by the Sisters of St Joseph of Peace – closed in the 1970s. Orphanage and school run by the Sisters of the Sacred Heart of Jesus which closed in the 1930s.</td>
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<td>Sisters of St Joseph of Peace and Sisters of the Sacred Heart of Jesus</td>
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c) Emigration Policy – There are no references to any Emigration Policy in our records. The only mention of emigration has to do with priests’ letters noting the number of Island families who were emigrating to Canada.
d) Previous Historical Review.

As I outlined in my letter to you of the 25th August 2016, there were four files handed to you.

1. XXXX
2. XXXX
3. XXXX
4. XXXX

Other than these, I don’t think that there is any more to add from Argyll and the Isles.

Rev. R Johnston
10th March 2017
Appendix 7 - Diocese of Dunkeld

Question 4 in the Appendix asks about the Church’s involvement over the time frame of the Inquiry with certain Catholic Establishments.

(a) Christian Brothers
   - St Ninian’s, Falkland, Fife

(b) De La Salle Brothers
   - St Joseph’s, Tranent
   - St Ninian’s, Gartmore, Stirlingshire
   - Kenmure St Mary’s School, Bishopbriggs
   - St John’s Boys School, Shettleston
   - St Mungo’s School, Mauchline, Aryshire

(c) Benedictines
   - Carlekemp, North Berwick
   - Fort Augustus

(d) Marist Brothers
   - St Joseph’s, Dumfries
   - St Columba’s, Largs

(e) Daughters of Charity of St Vincent de Paul
   - Smyllum, Lanark
   - Bellvue House, Rutherglen
   - St Joseph’s Hospital, Rosewell
   - St Vincent’s School for the deaf/blind, Tollcross
   - Roseangle Orphange (St Vincent’s), Dundee

We have the Register of Children admitted to St. Vincent’s Children’s Refuge, Dundee from the first admission on 11th December 1917 to the final one on 22nd July 1974. We have a second register covering the period from admission on 30th July until the final discharge on 28th December 1983. However we also have a letter dated 1st March 1910 from the City Chamberlain of Dundee Town Council to a lady in New York appealing for money to help buy a larger premises for the Sisters who were at that time running a Hostel, Day Nursery and Boys Home at 26 Magdalen Yard Road, Dundee.
(f) Sisters of Nazareth-The Nazareth Houses
- Aberdeen
- Cardonald, Glasgow
- Lasswade
- Kilmarnock

(g) Sisters of Our Lady of Charity of the Good Shepherd
- Colinton establishments-to include Woodfield Children’s Home and Ladymary School, Saint Andrews and Edinburgh
- St Euphrias’s and its predecessors, Paisley and Glasgow
- The Good Shepherd Centre, Bishopton

(h) Congregation of the Poor Servants of the Mother of God
- St Mary’s, Balmakiel House, Galashiels

Question 7 asks about the Church’s knowledge of the existence of abuse (whether physical, emotional or sexual) of children in the care of religious Orders.

- When was there an awareness of the existence of any abuse?
- Never heard of anyone who has mentioned abuse in relation to Roseangle Orphanage. Looking at the records the majority of children who were placed there were in temporary care whilst a particular family crisis was resolved.
- Identify the location(s) and the nature of that abuse.
- At local levels ought priests have been aware of abuse within residential establishments where they provided pastoral care?
- What duties, if any, rested on a priest to whom a child reported abuse at confession?

Question 8 concerns the Church’s knowledge of and involvement in the migration of children in care from Scotland.

Please comment on the specific questions asked as they relate to your diocese:

- At a local level, were priests/Bishops aware of children in the care of religious Orders being migrated from Scotland? Did the Church have any policy on child migration?
- Not aware of any policy in existence.
- Were priests/Bishops involved in recommending children for migration? No
- If so, provide full details of that involvement including the places from which they were sent, the places to which they were sent, and, if possible, the names/gender and ages of any children
who were sent. Provide details on whether the consent of the child and/or parents was sought and obtained or of any other person with a legal duty of care towards the child.

- If priests/Bishops were involved in this practice, why were they involved?
- What is the Church’s position now on the migration policy that was pursued?
- Has the Church had any involvement in responding to requests from former child migrants whether or not the Church had any involvement when the child left Scotland, and if so, provide details of any such involvement including the names of all those involved? Have had no requests.

Question 9 refers specifically to the junior seminaries and other residential establishments for which the Church had direct responsibility.

- Details of any abuse XXXXX
- Identity of the alleged abuser(s) and complainer(s)
- Location(s) Blairs
- Time frame up to 1974
- Awareness of, for example, management/Bishops by any abusers
- Admissions

Question 11 asks about procedures over time for dealing with persons for which the Church was responsible against whom allegations of abuse were made or established by children in care.

- Priests/suspension/movement None
- Reporting to the Vatican None
- The reaction to allegations/established abuse by Lay workers and volunteers
- Written policies and procedures and if so when they were introduced
- The adequacy of any action taken at the time of any such allegation

Question 12 asks for details of all convictions of persons for whom the Church had responsibility for the abuse of children in care (residential care and foster care).

- Identify the convicted person(s) and complainer(s). None
- Provide details of the location(s) dates and type of abuse.
- When was the Church first aware of the abuse?
- Any action, if any, taken by the Church in response.
Appendix 8 - Diocese of Galloway

National Safeguarding Recording Form Reference No. 11021501/REL01/PROJECT XXXXX (H)
Alleged Victim – XXXXX
Sexual Abuse by Marist Brother : XXXXX :
location: Dumfries
Not in Residential Care
Reported to diocese by parish priest February 2011

National Safeguarding Recording Form Ref. No. 12112003/REL03/ XXXXX (H
Alleged Victim – XXXXX
Sexual Abuse by Marist Brother : XXXXX
location : St Joseph’s College, Dumfries
Not known if a Boarding or Day Pupil
Reported to diocese by National Safeguarding Office, November 2012

National Safeguarding Recording Form Reference No. 13032701/REL01/ XXXXX (H)
Alleged Victim – XXXXX
Sexual Abuse by Marist Brother : XXXXX
location : St Joseph’s College, Dumfries
Not known if a Boarding or Day Pupil
Reported to diocese by National Safeguarding Office, March 2013

National Safeguarding Recording Form Reference No. 15073103/REL01/ XXXXX (H)
Alleged Victim – XXXXX
Physical and Sexual Abuse by Marist Brother – XXXXX
location : St Joseph’s College, Dumfries
Not known if a Boarding or Day Pupil
Reported to diocese by National Safeguarding Office, July 2015
also
National Safeguarding Recording Form Reference No. 15091801/REL01/ XXXXX (H)
Alleged Victim – XXXXX
Physical and Sexual Abuse by Marist Brothers (4):-
XXXXX
XXXXX
XXXXX
XXXXX
location : St Joseph’s College, Dumfries
Not known if a Boarding or Day Pupil
Reported to diocese by National Safeguarding Office, September 2015

*The above two recording forms relate to allegations made by XXXXX*
APPENDIX 8—DIOCESE OF GALLOWAY RESPONSE

National Safeguarding Recording Form Reference No. 12112002/REL02/ XXXXX (H)
Alleged Victim – XXXXX
Sexual, Physical and Emotional Abuse by Marist Brothers (2)
XXXX
XXXX
location : St Columba’s Preparatory School, Largs
Not known if Boarding or Day Pupil
Reported to diocese by National Safeguarding Office November 2012 (2) April 2015

National Safeguarding Recording Form Reference No. 15040801/REL01/ XXXXX (H)
Alleged Victim – XXXXX
Physical and Emotional Abuse by Sisters of St Joseph of Cluny
(name(s) of alleged perpetrator(s) unknown
location : Sacred Heart School, Girvan
Not known if Boarding or Day Pupil
Reported to diocese by National Safeguarding Office April 2015
The above two recording forms relate to allegations made by XXXXX

National Safeguarding Recording Form Reference No. 12062501/REL01/ XXXXX (H)
Alleged Victim : Unknown
Abuse : Unknown
Alleged Perpetrator Unknown - Sisters of Nazareth
location Kilmarnock
In Residential Care
Reported to diocese by National Safeguarding Office, June 2012

Diocese of Galloway File No. DOG...1998 MARIST
Alleged Victim – XXXXX
Sexual Abuse by Marist Brother – XXXXX
location St Joseph’s College, Dumfries
Not known if Boarding or Day Pupil
Reported to the diocese, February 1998 (XXXXX wrote to Cardinal Winning who forwarded the correspondence to Galloway Diocese)
Referred to Marist Brothers, 10 March 1998

Diocese of Galloway File No. DOG... 2007 MARIST
Alleged Victim – XXXXX
Sexual Abuse by Marist Brother : XXXXX
location: St Joseph’s College, Dumfries
Not known if Boarding or Day Pupil
Reported to the diocese, March (by e-mail 21/03/2007) by XXXXX
Referred to Marist Brothers 23 March 2007
Appendix 9 - Archdiocese of Glasgow

31st March 2017

Archbishop Tartaglia directed the officials of his Curia to make available all information held on file which might assist with the compilation of this submission.

The following document is submitted with the authority of the Archbishop.
1. These are responses to the questions passed to us by Monsignor High Bradley, General Secretary.

2. It is important to note that the Archdiocese of Glasgow does not have a consistent and coherent historical record of files on the institutions and issues relevant to the Inquiry. What we have are snapshots that arise from particular incidents or records that happen to have been kept, while others have not. We also obviously have no record of things that were never written down.

3. This Response is based on documentary evidence. We have not attempted to use “oral history” to supplement the paper record.

**Question 4: The Church’s involvement in certain Catholic Establishments**

4. The Archdiocese contributed to the Scottish Catholic Hierarchy’s Catholic Child Care Office, and then, in the 1970’s, Archbishop Winning seems to have coordinated the work of supporting and managing all the List-D schools.

**Christian Brothers: St Ninian’s, Falkland**

5. We have found no records to indicate that this Archdiocese had any involvement in the management or ownership of this institution.

**The De La Salle Brothers: St Joseph’s, Tranent**

6. We have found no records to indicate that this Archdiocese had any involvement in the management or ownership of this institution.

**The De La Salle Brothers: St Ninian’s, Gartmore**

7. Although the school was not geographically in our Archdiocese, the Archdiocese owned the school buildings and appointed the Board of Management. The Board was autonomous and employed the staff (including the De La Salle Brothers), entered into contracts, etc. The Brothers operated the school on a day to day basis and one of them served as headmaster. The Archdiocese also provided resident chaplains to this institution from 1946 to 1968. There is no record of chaplains after this date, although it is likely that some chaplaincy service was provided.
The De La Salle Brothers: Kenmure St Mary’s, Bishopbriggs
8. The Archdiocese handed the school over to the De La Salle Brothers in 1916. The property remained in the ownership of the Archdiocese, which continued to appoint some members of the Board of Management (the others being appointed by the Town Council of Glasgow). The Brother Superintendent (headmaster) was appointed by the Superior General of the Brothers, as were the other Brothers. The lay staff was appointed by the Superintendent, but the chaplain was appointed by the Archbishop. The Archbishop had the power to interpret the contract with the Brothers. Later the Board of Management also included representatives from other local authorities, and, at some point, the Board took on the employment of the staff and the Brothers.

The De La Salle Brothers: St John’s Springboig
9. The Archdiocese of Glasgow appointed the Board of Management and it was the Board which employed the staff (including the De La Salle brothers), entered into contracts etc. At least some of the time, some local authorities also nominated members of the Board of Managers.

The De La Salle Brothers: St Mungo’s, Mauchline
10. There are records of two Archdiocese of Glasgow priests serving as chaplains to this school from 1942 to 1956 but otherwise we have found no records to indicate that we had any involvement in the management or ownership of this institution.

The Benedictines: Carlekemp / Fort Augustus
11. We have found no records to indicate that this Archdiocese had any involvement in the management or ownership of these institutions.

Marist Brothers: St Joseph’s, Dumfries, and St Columba’s Largs
12. We have found no records to indicate that this Archdiocese had any involvement in the management or ownership of this institution. Monsignor Gerry Fitzpatrick, however, a priest of our Archdiocese, served as chaplain to St Joseph’s, Dumfries, from 1979 to 1985.

Daughters of Charity: Smyllum
13. We have found no records to indicate that this Archdiocese had any involvement in the management or ownership of this institution.
Daughters of Charity: Bellvue
14. The situation about this institution is unclear. The Archdiocese of Glasgow has a letter on file (October 1998) from Ross Harper solicitors saying that the Daughters of Charity had told them that the Archdiocese was responsible for the management of this home. There is no record of a response or any further correspondence. John McCormick (our solicitor at the time), however, said in correspondence in 2000 that the Daughters of Charity managed it and that the Archdiocese had no documentation relative to the identity of the ownership or management. There is also a 1959 certificate which says that the refuge’s trustees were three priests (one each from Glasgow, Paisley, and Motherwell) and, similarly, in 1976 there were two priest-trustees (both from this Archdiocese).

Daughters of Charity: St Joseph’s Hospital
15. We have found no records to indicate that this Archdiocese had any involvement in the management or ownership of this institution.

Daughters of Charity: St Vincent’s School, Tollcross
16. We have found no records to indicate that this Archdiocese had any involvement in the management or ownership of this institution. It is likely that local Archdiocese of Glasgow priests provided chaplaincy services, but there are no formal records of this. It is likely that the Vincentian priests (formally the Congregation of the Mission – the male counterparts to the Daughters of Charity) provided the chaplaincy once they arrived in Glasgow.

Daughters of Charity: Roseangle Orphanage
17. We have found no records to indicate that this Archdiocese had any involvement in the management or ownership of this institution.

Sisters of Nazareth: Aberdeen, Lasswade, and Kilmarnock
18. We have found no records to indicate that this Archdiocese had any involvement in the management or ownership of these institutions.

Sisters of Nazareth: Cardonald
19. It is likely that local Archdiocese of Glasgow priests provided chaplaincy services, but there are no records of formal appointments. Otherwise we have found no records to indicate that this Archdiocese had any involvement in the management or ownership of this institution.

**Sisters of Our Lady of Charity of the Good Shepherd: Colinton**

20. We have found no records to indicate that this Archdiocese had any involvement in the management or ownership of this institution.

**Sisters of Our Lady of Charity of the Good Shepherd: St Euphrasia’s / Good Shepherd**

21. The Sisters were invited to Glasgow by Bishop Murdoch, Vicar Apostolic of the Western District (a predecessor of the Archdiocese of Glasgow) in 1851 to open a home for women and girls at Dalbeth. This became an Industrial School and then an Approved School. In 1947 the Sisters additionally opened St Euphrasia’s Training Centre at Bishopton, which in 1972 merged on the Bishopton site with Good Shepherd, Dalbeth, Other than inviting the Sisters to come to Glasgow, we have found no records to indicate that this Archdiocese had any involvement in the management or ownership of these institutions. Local priests served as chaplains.

**Congregation of the Poor Servants of the Mother of God: Galashiels**

22. We have found no records to indicate that this Archdiocese had any involvement in the management or ownership of this institution.

**Question 7 Knowledge of the Existence of Abuse of Children in the Care of Religious Orders**

23. The Archdiocese has no records that show an awareness of abuse committed against children in the care of religious orders prior to the 1990s. The table below shows all incidents of such abuse about which we have some record.

<table>
<thead>
<tr>
<th>No.</th>
<th>Year that the Archdiocese became aware of abuse</th>
<th>When Abuse Took Place</th>
<th>Religious Order</th>
<th>Victim/Survivor</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>May 1997 via personal letter</td>
<td>unclear</td>
<td>Poor Sisters of Nazareth</td>
<td>XXXXX</td>
</tr>
<tr>
<td>2</td>
<td>May 1997 via Catholic Media Office</td>
<td>Unclear</td>
<td>Poor Sisters of Nazareth</td>
<td>XXXXX</td>
</tr>
<tr>
<td>3</td>
<td>June 1997 via personal letter</td>
<td>Possibly 1960s</td>
<td>Poor Sisters of Nazareth</td>
<td>XXXXX</td>
</tr>
<tr>
<td>4</td>
<td>June 1997 via personal letter shared with survivor</td>
<td>1952-1955</td>
<td>Poor Sisters of Nazareth</td>
<td>XXXXX</td>
</tr>
<tr>
<td>No.</td>
<td>Year that the Archdiocese became aware of abuse</td>
<td>When Abuse Took Place</td>
<td>Religious Order</td>
<td>Victim/Survivor</td>
</tr>
<tr>
<td>-----</td>
<td>-----------------------------------------------</td>
<td>-----------------------</td>
<td>----------------</td>
<td>----------------</td>
</tr>
<tr>
<td>5</td>
<td>June 1997 via personal letter</td>
<td>1960s</td>
<td>Poor Sisters of Nazareth</td>
<td>XXXXX</td>
</tr>
<tr>
<td>6</td>
<td>June 1997 via personal letter</td>
<td>No dates provided</td>
<td>Poor Sisters of Nazareth</td>
<td>XXXXX</td>
</tr>
<tr>
<td>7</td>
<td>June 1997 via personal letter</td>
<td>1964 – 1976/7</td>
<td>Poor Sisters of Nazareth</td>
<td>XXXXX</td>
</tr>
<tr>
<td>8</td>
<td>July 1997 via personal letter</td>
<td>1920s</td>
<td>Poor Sisters of Nazareth</td>
<td>XXXXX</td>
</tr>
<tr>
<td>9</td>
<td>July 1997 via visit to office</td>
<td>1936 – 1942</td>
<td>Poor Sisters of Nazareth</td>
<td>XXXXX</td>
</tr>
<tr>
<td>10</td>
<td>July 1997 via personal telephone call</td>
<td>unclear</td>
<td>Poor Sisters of Nazareth</td>
<td>XXXXX</td>
</tr>
<tr>
<td>11</td>
<td>October 1997 via letter from claimant’s solicitor</td>
<td>1938 - unknown</td>
<td>Poor Sisters of Nazareth</td>
<td>XXXXX</td>
</tr>
<tr>
<td>12</td>
<td>October 1997 letter from claimant’s solicitor</td>
<td>1950s (7 year period)</td>
<td>Daughters of Charity</td>
<td>4 XXXXX</td>
</tr>
<tr>
<td>13</td>
<td>February 1998 via letter from claimants’ solicitor</td>
<td>Unknown</td>
<td>Poor Sisters of Nazareth</td>
<td>XXXXX         XXXXX XXXXX XXXXX</td>
</tr>
<tr>
<td>15</td>
<td>August 1998 via personal letter</td>
<td>1936 - 1944</td>
<td>Daughters of Charity</td>
<td>XXXXX</td>
</tr>
<tr>
<td>16</td>
<td>June 1999 via personal letter</td>
<td>1963 - 1964</td>
<td>De La Salle Brothers</td>
<td>XXXXX</td>
</tr>
<tr>
<td>17</td>
<td>July 1999 Request for records from HM Advocate for information for criminal court case</td>
<td>1962 - 1980</td>
<td>Poor Sisters of Nazareth</td>
<td>XXXXX         XXXXX XXXXX XXXXX XXXXX XXXXX</td>
</tr>
<tr>
<td>18</td>
<td>January 2001</td>
<td>1936</td>
<td>Poor Sisters of Nazareth</td>
<td>XXXXX</td>
</tr>
<tr>
<td>20</td>
<td>June 2001 via letter from MP</td>
<td>1951 -1962</td>
<td>Poor Sisters of Nazareth</td>
<td>XXXXX</td>
</tr>
<tr>
<td>21</td>
<td>September 2002 via personal letter</td>
<td>1971 - 1977</td>
<td>Marist Brothers</td>
<td>XXXXX</td>
</tr>
<tr>
<td>22</td>
<td>September 2002 via personal letter</td>
<td>1972-1976</td>
<td>Poor Sisters of Nazareth</td>
<td>XXXXX</td>
</tr>
<tr>
<td>23</td>
<td>November 2012 via National Safeguarding Recording Form</td>
<td>Unclear</td>
<td>Poor Sisters of Nazareth</td>
<td>XXXXX         XXXXX</td>
</tr>
<tr>
<td>24</td>
<td>August 2013 via personal telephone call</td>
<td>1932 – 1932</td>
<td>Sisters of Charity</td>
<td>XXXXX</td>
</tr>
<tr>
<td>25</td>
<td>November 2013 via personal telephone call</td>
<td>Unclear</td>
<td>Marist Brothers</td>
<td>XXXXX</td>
</tr>
</tbody>
</table>
### The table below shows the location and nature of each allegation of abuse of a child in the care of a religious order, about which this Archdiocese has records (please note that the identification number of an accusation in the table above matches the identification number in the table below):

<table>
<thead>
<tr>
<th>No.</th>
<th>Location</th>
<th>Nature</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Nazareth House Cardonald</td>
<td>XXXXX physical assault, failure in duty of care</td>
</tr>
<tr>
<td>2</td>
<td>Nazareth House Cardonald</td>
<td>XXXXX nature of abuse unclear</td>
</tr>
<tr>
<td>3</td>
<td>Nazareth House Cardonald</td>
<td>XXXXX physical &amp; emotional abuse</td>
</tr>
<tr>
<td>4</td>
<td>Nazareth House Cardonald</td>
<td>XXXXX physical &amp; emotional abuse</td>
</tr>
<tr>
<td>5</td>
<td>Nazareth House Cardonald</td>
<td>XXXXX physical &amp; emotional abuse</td>
</tr>
<tr>
<td>6</td>
<td>Nazareth House Aberdeen (Aberdeen Diocese)</td>
<td>XXXXX noted abuse in home – not clear if she was abused</td>
</tr>
<tr>
<td>7</td>
<td>Nazareth House Cardonald</td>
<td>XXXXX physical assault, failure in duty of care</td>
</tr>
<tr>
<td>8</td>
<td>Nazareth House Cardonald</td>
<td>XXXXX physical assault, failure in duty of care</td>
</tr>
<tr>
<td>9</td>
<td>Nazareth House Lasswade (St A &amp; E Diocese)</td>
<td>XXXXX abuse (unspecified)</td>
</tr>
<tr>
<td>10</td>
<td>Nazareth House Cardonald</td>
<td>XXXXX failure in duty of care</td>
</tr>
<tr>
<td>11</td>
<td>Nazareth House Cardonald (possible miss-recollection: girls of this age would have been placed in Lasswade (St A &amp; E Diocese)</td>
<td>XXXXX physical assault, failure in duty of care</td>
</tr>
<tr>
<td>12</td>
<td>Bellvue Children’s Home Rutherglen (Motherwell Diocese)</td>
<td>4 XXXXX physical assault, failure in duty of care</td>
</tr>
<tr>
<td>13</td>
<td>Nazareth House Cardonald</td>
<td>XXXXX physical &amp; emotional abuse</td>
</tr>
</tbody>
</table>

X XXXX
<table>
<thead>
<tr>
<th>No.</th>
<th>Location</th>
<th>Nature</th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td>St Joseph’s List D School Tranent (St A &amp; E Diocese)</td>
<td>XXXXX physical, emotional &amp; sexual abuse</td>
</tr>
<tr>
<td>15</td>
<td>Smyllum Park</td>
<td>XXXXX abuse (unspecified), failure in duty of care</td>
</tr>
<tr>
<td>16</td>
<td>St Mary’s Approved School</td>
<td>XXXXX physical &amp; mental abuse</td>
</tr>
<tr>
<td>17</td>
<td>Nazareth House Aberdeen, Lasswade &amp; Glasgow (Diocese of Aberdeen &amp; St A&amp;E)</td>
<td>7 XXXXX physical assault, failure in duty of care</td>
</tr>
<tr>
<td>18</td>
<td>Nazareth House Cardonald</td>
<td>XXXXX physical assault, failure in duty of care</td>
</tr>
<tr>
<td>19</td>
<td>Nazareth House Cardonald &amp; Smyllum Park</td>
<td>XXXXX physical assault, failure in duty of care</td>
</tr>
<tr>
<td></td>
<td></td>
<td>XXXXX physical assault, failure in duty of care</td>
</tr>
<tr>
<td></td>
<td></td>
<td>XXXXX physical assault, failure in duty of care</td>
</tr>
<tr>
<td>20</td>
<td>Nazereth House Cardonal</td>
<td>XXXXX abuse (unspecified)</td>
</tr>
<tr>
<td>21</td>
<td>St Joseph’s College Dumfries (Galloway Diocese)</td>
<td>XXXXX witnessed masturbation</td>
</tr>
<tr>
<td>22</td>
<td>Nazereth House Aberdeen (Aberdeen Diocese)</td>
<td>XXXXX physical &amp; mental abuse</td>
</tr>
<tr>
<td>23</td>
<td>Nazereth House Belfast (Diocese of Down &amp; Connor)</td>
<td>XXXXX &amp; XXXXX care concerns (unspecified)</td>
</tr>
<tr>
<td>24</td>
<td>Smyllum Lanark (Motherwell Diocese)</td>
<td>XXXXX abuse (unspecified)</td>
</tr>
<tr>
<td>25</td>
<td>St Joseph’s College Dumfries (Galloway Diocese)</td>
<td>XXXXX abuse (unspecified)</td>
</tr>
<tr>
<td>26</td>
<td>Bellvue Children’s Home Rutherglen (Motherwell Diocese)</td>
<td>XXXXX physical &amp; emotional abuse</td>
</tr>
<tr>
<td>27</td>
<td>Nazareth House Cardonald</td>
<td>XXXXX abuse (unclear)</td>
</tr>
<tr>
<td>28</td>
<td>Nazareth House Cardonald</td>
<td>XXXXX rape by priest `</td>
</tr>
<tr>
<td>29</td>
<td>St Ninians (St A &amp; E Diocese?)</td>
<td>XXXXX sexual, physical and emotional abuse</td>
</tr>
<tr>
<td>30</td>
<td>Nazareth House Cardonald</td>
<td>XXXXX physical assault</td>
</tr>
<tr>
<td>31</td>
<td>St Ninians (St A &amp; E Diocese?)</td>
<td>XXXXX physical, sexual &amp; emotional abuse</td>
</tr>
</tbody>
</table>
25. Priests visiting the homes would have as much, or as little, opportunity to become aware of abuse as other visitors, such as doctors, social workers, school inspectors, etc., many of whom should have had specialised training in such matters.

**Question 8 Migration**

26. It is likely that priests/bishops were aware of child migration since it was featured in reports by organisations like the Saint Vincent de Paul Society. The Archdiocese is however not aware of any contemporaneous official Church policies.

27. It is possible that priests in parishes would have had a role in migration but the Archdiocese has no records on this subject. It is likely that if priests did recommend children that they would have done so in an informal way that would not have been recorded centrally.

28. We have no records.

29. If priests/bishops were involved, it is likely that it was considered as a good thing that gave children opportunities to grow up in the new world and the chance to live a life better than the one they would have had in Scotland, and so their involvement was probably considered an assistance to their parishioners in need.

30. This is a matter for the Bishops’ Conference.

31. The only former child migrant who has been in touch with the Archdiocese is XXXXX from Australia. This correspondence had nothing directly to do with the fact of migration. It was solely about understanding his personal history.
### Question 9 Junior Seminaries

32. The table below records the allegations of abuse in junior seminaries about which we have records:

<table>
<thead>
<tr>
<th>Abuse</th>
<th>Abuser</th>
<th>Complainer</th>
<th>Location</th>
<th>Timeframe</th>
<th>Awareness</th>
<th>Admission</th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical assault – sexual overtones</td>
<td>XXXXX</td>
<td>XXXXX</td>
<td>Blairs</td>
<td>1965 - 1967</td>
<td>First record of it being reported is December 1994. No record of this being known by management or Curia earlier</td>
<td>No record</td>
</tr>
<tr>
<td>Sexual assault</td>
<td>XXXXX</td>
<td>XXXXX</td>
<td>Langbank</td>
<td>1967</td>
<td>First record of it being reported is March 2014. No record of this being known by management or Curia earlier</td>
<td>No record</td>
</tr>
<tr>
<td>Physical assault – sexual overtones</td>
<td>XXXXX</td>
<td>XXXXX</td>
<td>Blairs</td>
<td>1971 – 1974/5</td>
<td>First record of it being reported is January 2006. No record of this being known by management or Curia earlier</td>
<td>No record</td>
</tr>
<tr>
<td>Physical assault – sexual overtones</td>
<td>XXXXX</td>
<td>XXXXX</td>
<td>Blairs</td>
<td>Unclear</td>
<td>First record of it being reported is December 2013. No record of this being known by management or Curia earlier</td>
<td>Admitted during criminal trial</td>
</tr>
<tr>
<td>Physical assault – sexual overtones</td>
<td>XXXXX</td>
<td>XXXXX</td>
<td>Blairs</td>
<td>Unclear</td>
<td>First record of it being reported is April 2016. No record of this being known by</td>
<td>No record</td>
</tr>
<tr>
<td>Abuse</td>
<td>Abuser</td>
<td>Complainer</td>
<td>Location</td>
<td>Timeframe</td>
<td>Awareness</td>
<td>Admission</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>--------</td>
<td>------------</td>
<td>----------</td>
<td>-----------</td>
<td>---------------------------------------------------------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>Sexual assault</td>
<td>XXXXX</td>
<td>XXXXX</td>
<td>Blairs</td>
<td>1975</td>
<td>First record of it being reported is April 2016. No record of this being known by management or Curia earlier</td>
<td>No record</td>
</tr>
<tr>
<td>Physical assault – sexual overtones</td>
<td>XXXXX</td>
<td>XXXXX</td>
<td>Blairs</td>
<td>1975-1979</td>
<td>First record of it being reported is August 2015. No record of this being known by management or Curia earlier</td>
<td>No record</td>
</tr>
<tr>
<td>Inappropriate sexual behaviour</td>
<td>XXXXX</td>
<td>XXXXX</td>
<td>Langbank</td>
<td>1962-1964</td>
<td>First record of it being reported is December 1994. No record of this being known by management or Curia earlier, but reference made to parents speaking with Fr Renfrew in 1966</td>
<td>No record</td>
</tr>
<tr>
<td>Not disclosed</td>
<td>Not disclosed</td>
<td>XXXXX</td>
<td>Not disclosed</td>
<td>1981-1983</td>
<td>First record of it being reported is January 2001. No record of this being known by management or Curia earlier.</td>
<td>No record</td>
</tr>
<tr>
<td>Rape/sexual abuse</td>
<td>XXXXX</td>
<td>XXXXX</td>
<td>Langbank</td>
<td>1965-1966</td>
<td>First record of it being reported is August 2013. No record of this being known by management or Curia earlier.</td>
<td>Deceased prior to allegation being known</td>
</tr>
</tbody>
</table>
**Question 12 Convictions**

33. The Archdiocese is aware of only one Archdiocese of Glasgow priest who has been convicted of abuse. The details are below. We are aware from news reports and correspondence that there have been convictions in schools linked to the Archdiocese – such as Gartmore – but we have no records about these convictions. We presume that any files would be held by Police Scotland/COPFS, or the De La Salle congregation (or their legal representatives). We are aware, however, that the Gartmore files were mostly destroyed after the closure of the school.

<table>
<thead>
<tr>
<th>Convicted person</th>
<th>Complainant</th>
<th>Location</th>
<th>Dates</th>
<th>Type of Abuse</th>
<th>When church first aware</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>XXXXX</td>
<td>XXXXX</td>
<td>Langbank</td>
<td>1972 – 1982 (unclear exact dates for this complainant – range of dates covers all 3 complaints)</td>
<td>Indecent assault against minors</td>
<td>First record that church was aware of any issues was through earlier allegation made by different complainant 1994</td>
<td>Following earlier complaint (different complainant) Reported to police Removed from ministry, subject to specialist risk assessment</td>
</tr>
</tbody>
</table>
Appendix 10 - Diocese of Motherwell

Question 4 – Church’s involvement with Catholic Establishments

The Appendix asks about the Church’s involvement over the time frame of the Inquiry with certain Catholic Establishments.

Within the boundaries of the Diocese of Motherwell there were two establishments identified Smyllum Park Lanark and Bellevue house Rutherglen, both served by the Daughters of Charity of St Vincent De Paul.

Further research has identified a third site, St Charles’ Institute, later referred to as a Private Hospital. This site moved location from within the Arch-Diocese of Glasgow boundaries when it relocated to Carstairs from Broomhill in 1925. It is unclear whether St Charles’ Institute remained the responsibility of the Arch –Diocese when the Diocese of Motherwell was formed in 1947.

Daughters of Charity of St Vincent de Paul
The Daughters of Charity looked after Smyllum Park, Bellevue Refuge and St Charles’ Institute (until 1936).

Smyllum, Lanark (1864-1981)
Within the historical record summary there is no reference to Smyllum Park. Although Smyllum is in Lanark, the Parish was in the care of the Vincentian Fathers from 1859 until 2006. For the 150 year period it is likely that any chaplaincy/ interaction would have been from the Vincentians.

An email was sent (1.3.2017) requesting further information on any Chaplaincy/ support provided by them (if any). Email confirmation received 3/3/2017 from Vincentian Fathers stating that any Chaplaincy would have been from the community at St Mary’s Lanark - care of the Vincentians.

Contact details for Vincentian Fathers:
• Vincentian provincial Office St Paul’s, Sybil Hill, Raheny, Dublin 5,
• Email: cmdublin@vincentians.ie

Current Parish Priest, Fr Thomson, confirmed that all files relating to Vincentian’s were transferred to Provincial House, The Ridgeway, Mill Hill, London, NW7 1RE.
From our current Safeguarding files retained at the Dioceses, there are two separate files containing reference to Smyllum Park.

(1) A person made contact via helpline September 2013. From the records he doesn’t appear to disclose the nature of his allegation other than wishing to pursue compensation for his time at Smyllum. Births, Death and Marriages online suggest the gentleman died in 2014. All communication ceased in 2014.

(2) The Diocese holds a copy of the paperwork from National Safeguarding Office recording allegation made in November 2015 of assault prior to the death of a 6-year-old boy. Within the document it alleges the young boy died as a result of injuries sustained whilst in care at Smyllum. It names the suspected perpetrator and also gives reference to a Police warrant to seize documents relating to the case – at the London Religious House for the Daughters of Charity. Copies of these documents are kept at the Diocese of Motherwell because the location of Smyllum falls within the Diocesan boundary.

Bellevue House, Rutherglen
Bellevue Refuge was founded by Archbishop Eyre in 1887 to provide a “temporary shelter to children whose destitute circumstances endanger their faith or morals.”

Research has identified one named Chaplain. Fr Philip Boyce from 1950-59

Fr Philip Boyce:

<table>
<thead>
<tr>
<th>Diocesan roles:</th>
<th>Parish Priest St Mary’s, Hamilton</th>
<th>1937-48</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of birth: 1905</td>
<td>Parish Priest St Columba’s, Viewpark</td>
<td>1948-50</td>
</tr>
<tr>
<td>Ordained: 1931</td>
<td>Chaplain – Bellvue House</td>
<td>1950-59</td>
</tr>
<tr>
<td>Died: 1983</td>
<td>Parish Priest Harthill</td>
<td>1959-61</td>
</tr>
<tr>
<td></td>
<td>PP – Bargeddie</td>
<td>1961-65</td>
</tr>
<tr>
<td></td>
<td>PP – St John the Baptist, Uddingston</td>
<td>1965-81</td>
</tr>
<tr>
<td></td>
<td>PP- Bargeddie</td>
<td>1961-65</td>
</tr>
<tr>
<td></td>
<td>PP- St Monica’s Coatbridge</td>
<td>1981-1983</td>
</tr>
</tbody>
</table>
File DM/51/8/1 – Stored within the Scottish Catholic Archives There is a letter from the then Chancellor of the Archdiocese of Glasgow stating Fr. John McGrory was the Chaplain of Bellevue house in 1949. Letter dated 7/11/1949.

Fr. John McCrory:

<table>
<thead>
<tr>
<th>Born: 1899</th>
<th>Ordained: 1924</th>
<th>Died: 1972 (Brighton)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Glasgow Cathedral</td>
<td>1924-31</td>
</tr>
<tr>
<td></td>
<td>Whiterigg</td>
<td>1931-32</td>
</tr>
<tr>
<td></td>
<td>Kenmure Industrial School</td>
<td>1932-34</td>
</tr>
<tr>
<td></td>
<td>Shettleston &amp; Carntyne</td>
<td>1934-35</td>
</tr>
<tr>
<td></td>
<td>Professor, Blair’s College</td>
<td>1935-41</td>
</tr>
<tr>
<td></td>
<td>Sick leave</td>
<td>1942-45</td>
</tr>
<tr>
<td></td>
<td>Bothwell</td>
<td>1945-47</td>
</tr>
<tr>
<td></td>
<td>Brighton</td>
<td>1947-49</td>
</tr>
<tr>
<td></td>
<td>Bellevue House, Chaplain (Moved to Motherwell Diocese)</td>
<td>1949-50</td>
</tr>
<tr>
<td></td>
<td>Longriggend</td>
<td>1950-51</td>
</tr>
<tr>
<td></td>
<td>All Saints, Airdrie</td>
<td>1951-52</td>
</tr>
<tr>
<td></td>
<td>Chapelhall</td>
<td>1952-62</td>
</tr>
</tbody>
</table>
St Charles’ Private Hospital
The institute was for “Mentally Defective Catholic Children”. “Charles’ Certified Institute” was originally opened in 1916, Broomhill Glasgow then moved to Monteith House in 1925 and remained open until 1983, and the historical files are retained at Archdiocese of Glasgow.

The Daughters of Charity of St Vincent De Paul ran St Charles’ from 1916 until 1937. There was a dispute with Fr Samuel McIsaac in 1937. This dispute resulted in the Sisters of St Joseph’s of Peace taking over from the Daughters of Charity. The Sisters of St Joseph continued to run St Charles’ until it closed in 1983.

List of Chaplains associated with St Charles’:
- Fr William Bradley 1926-28:
  
<table>
<thead>
<tr>
<th>Born: 1885</th>
<th>Died: 1963 (Ireland)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Govan</td>
<td>1911-14</td>
</tr>
<tr>
<td>St John the Baptist, Uddingston</td>
<td>1914-15</td>
</tr>
<tr>
<td>Mossend</td>
<td>1915-18</td>
</tr>
<tr>
<td>St Patrick’s, Sheildmuir</td>
<td>1918-19</td>
</tr>
<tr>
<td>Ireland</td>
<td>1919-21</td>
</tr>
<tr>
<td>Chaplain Kenmure Industrial School, Glasgow,</td>
<td>1921-26</td>
</tr>
<tr>
<td>St Charles’s Institute Carstairs</td>
<td>1926-28</td>
</tr>
<tr>
<td>Longriggend</td>
<td>1928-30</td>
</tr>
<tr>
<td>Renfrew in addresses but not under Parishes</td>
<td>1930-31</td>
</tr>
<tr>
<td>Retired</td>
<td>1931</td>
</tr>
</tbody>
</table>

- Fr Daniel Collins 1928-29:
  
<table>
<thead>
<tr>
<th>Born: 1893</th>
<th>Died: 1934 (Baillieston)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motherwell</td>
<td>1893-1902</td>
</tr>
<tr>
<td>Coatdyke</td>
<td>1902-07</td>
</tr>
<tr>
<td>St Roch’s, Glasgow</td>
<td>1907-08</td>
</tr>
<tr>
<td>Govan</td>
<td>1918-28</td>
</tr>
<tr>
<td>Chaplain, St Charles’ Institute, Carstairs</td>
<td>1928-29</td>
</tr>
<tr>
<td>Baillieston</td>
<td>1929-34</td>
</tr>
</tbody>
</table>

- Fr Samuel McIsaac 1938-56 (Moved to Motherwell Diocese):
  
<table>
<thead>
<tr>
<th>Born: 1888</th>
<th>Died: 1960 (Rothesay)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transferred to Arch Diocese of Glasgow</td>
<td>1929</td>
</tr>
<tr>
<td>Mossend</td>
<td>1929-34</td>
</tr>
<tr>
<td>Tarbrax</td>
<td>1934-38</td>
</tr>
</tbody>
</table>
### APPENDIX 10 – DIOCESE OF MOTHERWELL RESPONSE

<table>
<thead>
<tr>
<th></th>
<th>St Charles’ Institute, chaplain Moved to Motherwell Diocese</th>
<th>1938-56</th>
</tr>
</thead>
</table>

- **Fr Neil McKnight assistant at St Charles’ 1942-43:**
  - Born: 1899
  - Ordained: 1929
  - Died: 1950
  - St Columba’s, Glasgow 1929-32
  - Carfin 1932-33
  - St Joseph’s Tollcross 1943-50

- **Fr David McRoberts 1963-72 (Moved to Motherwell Diocese):**
  - Born: 1912- Wishaw
  - Ordained: 1937
  - Died: 1978
  - Arch Diocese of Glasgow 1938-1943
  - Moved to Motherwell Diocese. St Charles’ Institute - Chaplain 1963-72
  - Keeper of Scottish Catholic Archives, Edinburgh 1972-78

- **Fr John MacKay 1972-80:**
  - Born: 1915
  - Ordained: 1942
  - Retired: 1980
  - Johnstone 1945-45
  - Professor, St Peter’s College 1945-72
  - St Charles’ Hospital- Chaplain 1972-80

- **Fr Hugh Kearns 1980-83:**
  - Born: 1922-26
  - James Montgomery 1926-28
  - Joseph Kennedy 1928-32
  - Simon Kane 1932-34
  - Samuel McIsaac (Argyll) 1934-38

It is noted in the Scottish Catholic Secular Clergy 1879-1989 reference book that Tarbrax parish Priests often resided within St Charles’ Chaplain Accommodation on site.

Listed Parish Priests from 1922 until 1938 when it was served from Biggar.

- George Galbraith 1922-26
- James Montgomery 1926-28
- Joseph Kennedy 1928-32
- Simon Kane 1932-34
- Samuel McIsaac (Argyll) 1934-38

Files on St Charles’ are held by the Mental Health Commission, St Andrews House Edinburgh.
Question 7 asks about the Church’s knowledge of the existence of abuse (whether physical, emotional or sexual) of children in the care of religious Orders.

(7.1) When was there an awareness of the existence of any abuse?

In 2013.

A non-recent allegation was received via the hotline by the National Safeguarding Office. A copy of the paperwork and correspondence was forwarded to the Diocese of Motherwell.

In 2015 the Diocese learned of another allegation. Copies of paperwork were received at the Diocese regarding an allegation claiming assault to a 6 year old boy whilst in the care of Smyllum Park. The documents referred to a Police Warrant received by the Daughters of Charity of St Vincent De Paul.

(7.2) Identify the location(s) and the nature of that abuse.

The alleged abuse was at Smyllum Park, Lanark. The two residents would have been under 16. Only one had a confirmed age of 6 the other was unknown. The young boy was allegedly struck on the head several times.

(7.3) At local levels ought priests to have been aware of abuse within residential establishments where they provided pastoral care?

There are no records to provide information requested.
Question 8 concerns the Church’s knowledge of and involvement in the migration of children in care from Scotland.

There are files in archive that are linked to St Margaret of Scotland Adoption Society 1956-1978. The summary notes mention Clergy representative to society, 1957-61 & 1962-66, but there are no further details disclosing the nature of the interaction with clergy and Society.

Visit to Scottish Catholic Archives on 8th March 2017 confirms the files held at Columba House for the Diocese of Motherwell make no reference to any migration of children in care. The files contain the creation of a process for baptismal records for adopted children; requests from mixed marriage couples seeking Bishop’s approval to adopt children and correspondence relating to a vacancy for Senior Social Worker within the Society.

Document DM/53/2 (Adoption 1962-68) refers to Father Winning as Chaplain of St Margaret’s Society.

There is nothing contained within the Diocesan files to suggest any link to migration of children in care.

(8.1) At a local level, were priests/Bishops aware of children in the care of religious Orders being migrated from Scotland? Did the Church have any policy on child migration?

There are no records to provide information requested.

(8.2) Were priests/Bishops involved in recommending children for migration?

While we have no historic records which refer to this issue, in April 2017 one case was brought to the attention of the parish priest of Holy Family Church, Mossend. It related to six orphaned children who were assisted by Holy Family parish and by a Catholic church in Corby to emigrate to Australia.

(8.3) If priests/Bishops were involved in this practice, why were they involved?

There are no records to provide information requested.

(8.4) What is the Church’s position now on the migration policy that was pursued?

There are no records to provide information requested.
(8.5) Has the Church had any involvement in responding to requests from former child migrants whether or not the Church had any involvement when the child left Scotland, and if so, provide details of any such involvement including the names of all those involved?

There are no records to provide information requested.

<table>
<thead>
<tr>
<th>Question 9 refers specifically to the junior seminaries and other residential establishments for which the Church had direct responsibility.</th>
</tr>
</thead>
</table>

**St Mary’s College, Blairs, Aberdeen**

There is knowledge of one allegation although no file is held within the Diocese. The survivor was a XXXXX priest, XXXXX (no longer a priest). The alleged abuser, XXXXX, was a XXXXX at St Mary’s College, Blair’s. The Alleged abuse took place at St Mary’s College, Blairs Aberdeen between the years 1974-1978. The alleged abuser worked at St Mary’s College between XXXXX.

This case had been reported to the police and sits at Police Scotland – Falkirk. In July XXXXX was sentenced to 3 years at the High Court in Edinburgh.

Unfortunately there is no more information held at the Diocese on this allegation so we are unable to provide any more details at this time.

**Important** It should be noted that XXXXX is not aware that his name is mentioned in this report. No contact has been made with him to inform him. All media coverage of this case did not reveal the survivors.

<table>
<thead>
<tr>
<th>Question 11 asks about procedures over time for dealing with persons for which the Church was responsible against whom allegations of abuse were made or established by children in care.</th>
</tr>
</thead>
</table>

There are no records to provide information requested.
Question 12 asks for details of all convictions of persons for whom the Church had responsibility for the abuse of children in care (residential care and foster care).

St Ninian’s School, Fife

Although the timeframe of the case happened out with the diocese and prior to XXXXX becoming a priest we feel it best to include the details.

In 2000-2002 there was an initial Police inquiry relating to non-recent allegations of abuse by a priest of the Diocese (XXXXX), however no charges were raised. These incidents did not occur whilst he was a Catholic Priest. At aged 18 he became a Christian Brother working in South Africa and Zimbabwe before becoming a teacher and later xxxx St Ninian’s School, Falkland House, Fife.

In July 2013 an allegation was raised against XXXXX by a former school child of St Ninian’s School, Fife, by this time he had retired (2012). Following a meeting with XXXXX to discuss the allegations he was placed on a Covenant of Care with restricted ministry.

On 20th June 2014 received an indictment letter stating 28 individual charges against him. The indictment letter names survivors who reported physical violence against them whilst a minor at XXXXX. The remaining 22 were anonymous. The names listed are;

- XXXXX, XXXXX (Aged 14-15 at time of abuse) Assault to injury on various occasions between January 1979-December 1980, repeatedly punching him on the head and body.
- XXXXX, XXXXX (Aged 12-14 years) Assault to injury on occasions between April 1980- April 1982, repeatedly punching him on the head.
- XXXXX, – XXXXX (Aged 13-16 years) Assault to injury on various occasions between August 1980 – December 1982. Seized him by the neck and lifted him off the ground, thereby restricting breathing.
- XXXXX, XXXXX (Aged 11-13 years) repeatedly striking him with a belt on his body.

XXXXX faced a 13 week trial ending in XXXXX when he was found guilty of 4 charges of abuse of minors. The physical abuse of one boy and the sexual abuse of 3 others (Awaiting written confirmation of the 28 actual charges and the actual charges against XXXXX). One month later, in XXXX he was sentenced 5 years in prison. He was also placed on the Sex Offender register.
Due to the nature of the offences and the outcome of the criminal trial, Bishop Toal has forwarded the case to the Congregation for the Doctrine of the Faith in line with the requirements of the Document "Sacramentorum Sanctitatis Tutela" (No.18).
Appendix 11 - Diocese of Paisley

Question 4 in the Appendix asks about the Church’s involvement over the time frame of the Inquiry with certain Catholic Establishments. [Questions 2 and 3 request diocesan information which is also supplied here.]

A4. Diocesan relationship with and involvement in establishments run by religious orders.

Paisley diocese was founded in 1947, coming into existence in 1948 and therefore only started as a legal and canonical entity at that time. Our records begin in 1948 when the parishes now in Paisley diocese were split away from the Archdiocese of Glasgow. We have checked with the Archdiocese of Glasgow and they have confirmed that they will respond in respect of anything held before that date.

Since 1948 all parishes in the diocese have been manned by diocesan priests and not by members of any religious order. So far as we can discern from our records, none of the orders set out in paragraphs (a) to (f) above were active in this diocese.

The male religious orders operating within the confines of the diocese of Paisley since 1948 are:

The Montford Fathers who opened and ran a retreat house in Barrhead from 1961 until 2006. This did include occasional overnight retreats for people aged 17 and under. We do not hold any records in relation to this.

The Saint Joseph Foreign Mission Society, known commonly as the Mill Hill Fathers, operated a junior seminary within the diocese, from 1938 until 1985 in Lochwinnoch. We do not hold any records in relation to this.

Diocesan Relationship with them
Other than granting permission to live and work within the diocese, the relationship with these Orders was limited. As priests, there was no need for the diocese to provide chaplains to say Mass, hear Confessions, etc. as they could do this themselves and due to their canonical status as Religious Orders there was no direct supervision by the diocese. Instead, their supervision came from the local and provincial superiors of their respective Order. If the Bishop had any cause for concern, he would take this to the Superiors of the local province to deal with. (Canon 586, paragraphs 1 and 2)
The Jericho Community is sometimes thought to be a religious order but is not. It is an Association of the Lay Faithful headed by a Paisley diocesan priest. The community styles itself as a religious community but has no canonical status as such. They had begun to use the name ‘Jericho Benedictines’ because their spirituality was akin to that of the Benedictine Order but the diocese asked them to change this since they had no official connection with the Benedictine Order and it was felt this could lead to confusion. The community offers residential care for addicts (alcohol and drugs) and at no point has had anyone under the age of eighteen resided in their care.

Over the years there have been a number of Female Religious Orders operating within the diocese. These include: Daughters of Wisdom, Franciscan Missionaries of Mary, Franciscan Missionaries of Saint Joseph, Franciscan Missionary Sisters of the Immaculate Conception, Franciscan Missionary Sisters for Africa, Little Sisters of the Assumption, Little Sisters of the Poor, Loreto Sisters, Sisters of Mercy, Salesian Sisters, Sisters of the Sacred Heart of Mary, Sisters of the Christian Retreat, Sisters of Saint Joseph of Cluny, Sisters of Notre Dame, Sisters of Our Lady of the Missions, Ursuline Sisters of Jesus. None of these orders had anything to do with children in residential care. There were, however, three further female Orders who did work with children or adults with special needs in residential care:

Faithful Companions of Jesus were a teaching order and worked with children over the years in schools throughout the diocese. The only one with any residential element, so far as we can tell, was St Margaret’s Covent school in Paisley where, we believe, until circa the 1960s, some of the girls boarded but due to a lack of records, we cannot be sure of these dates. The Sisters were already present and working in the diocese before 1948 and continued to work within the diocese until 1994.

Sisters of the Sacred Hearts of Jesus and Mary established a part-residential school for adults with special needs in Barrhead in 1911. The Sisters continued their work in Barrhead after the institution of the Diocese of Paisley in 1948 and finally handed over control of their school and work to the local authority in 1996. This does not appear to be within the remit of the present Inquiry.

Good Shepherd Sisters moved from Glasgow to Bishopton in 1947 where they worked with girls. The site in Bishopton was divided into four separate sections covering the various aspects of their apostolate including, beginning in the 1950s, a section named Saint Euphrasia’s which housed unmarried mothers. The Sisters continued their work in the diocese until 1986 when they left the diocese. When the Good Shepherd Sisters left, the Bishops’ Conference took responsibility for a brief period during which a Board was established. This Board took responsibility for the governance of the school and this remains the case today. The structure of
the board has been changed to a company limited by guarantee, and remains a charity. With the exception of those referred to below, we do not hold any records in relation to the work of the Good Shepherd Sisters.

**Diocesan relationship with the Female Orders**

The diocesan connection with these three orders was very limited. As Religious Orders, they fell under the authority of their local and provincial superiors and not the diocesan Bishop. If the Bishop had had any issue with any of the Orders, he would have taken this to their respective superiors for them to deal with. However, we have no record of any issue having been raised in that way. The law of the Church is clear that authority over religious orders and their establishments falls not to the diocesan Bishop but to the local and provincial superiors of the Order (Canons 586, para. 1 and 2; 617-620 of the Code of Canon Law. The final decision as to whether or not an Order remains within a diocese rests with the Bishop who can revoke his permission for them to be present and working within his diocese (canons 609, 612).

Although no records exist, it can be assumed that the Bishop ensured that each Order had a priest or priests responsible for sacramental needs—Mass, Confession, etc. The priests appointed as Chaplains to these institutions would have been from the local parish and would have visited as and when necessary to fulfil chaplaincy duties.

**Records**

The diocese has never held any records for/on behalf of the Good Shepherd Sisters or their apostolate in Bishopton, nor does it hold any for the Cora Foundation. The only records it has relate to the matters disclosed in Answer 7 below and to any baptisms of children from the home. The latter records are held in the local parish in Bishopton where the baptisms took place. A search of our archives has shown no records of complaint concerning anyone involved at any of these institutions except those referred to under our response to Question 7 below.

**Question 7 asks about the Church’s knowledge of the existence of abuse (whether physical, emotional or sexual) of children in the care of religious Orders.**

A7. We have checked to see whether we hold any records which relate to abuse or alleged abuse of children in the residential care of religious orders in the diocese. We have found two records. The first concerns an allegation of non-recent abuse that was made in December 2011 against XXXXX. The allegation had been made to the police and related to the period 1974 – 76 when he was resident at XXXXX and Chaplain to the XXXXX for XXXXX. Having questioned XXXXX, who denied the allegation, the police took no further action.
The second record we have found concerns allegations of physical mistreatment in the 1970s made in or about 2010 by two former female residents of the Good Shepherd Centre, Bishopton though press reports indicate the abuse was not alleged to have taken place at the Centre. (Source: http://www.bbc.co.uk/news/uk-scotland-glasgow-west-22625363). We do not have in our records the names of the persons making the allegations but they were directed against XXXXX and XXXXX. We do not hold a record of the charges. Our records indicate that a trial took place on 15 April and/or 22 May 2013 at Paisley Sheriff Court and that both sisters were found not guilty on all counts. The Order notified the diocese on 25 February 2013 that it had carried out internal risk assessments on both sisters, who were living in XXXXX at the time. We have no other records pertaining to abuse of children in the care of religious orders. We have searched our diocesan records and priests of the diocese were asked to search any parish archives for material relating to this and nothing further was found.

**Question 8 concerns the Church’s knowledge of and involvement in the migration of children in care from Scotland.**

A8. A check of the diocesan archives by archivist Donna Maguire shows no record of any priest in Paisley diocese being involved in the migration of children in care from Scotland. Similarly a check through all priests’ files shows no record of this.

**Question 9 refers specifically to the junior seminaries and other residential establishments for which the Church had direct responsibility.**

A9. We are aware of one allegation only relating to St Vincent’s Junior Seminary at Langbank. The allegation of non recent abuse, which was received in September 2016, was passed promptly to the police under the Church’s mandatory reporting policy. In providing this information to the Inquiry as we are compelled to do, we respectfully request that it is treated sensitively and not passed to third parties or placed in the public domain. We also request that the victim is not contacted unless absolutely necessary. The reason for this request is that the allegation was made to us by the victim’s mother without his knowledge. For reasons to do with his health and also her relationship with him she did not want him to know she had reported it. The provenance of the allegation means that we do not have many of the details requested. The victim’s mother did not specify to us any details of the abuse alleged. She did not know the identity of the alleged abuser. She only knew that he was a priest at the seminary in XXXXX and that he was deceased at the time of reporting. The victim’s name is XXXXX. The location of the alleged abuse was St Vincent’s Junior Seminary, Langbank. The time frame was between XXXXX. The allegation was made for the first time to us in September 2016. There is no indication in our records that anyone in the diocese was aware of it before then. We are not aware of any admissions in relation to it.
We are not aware of, and have no records of, any other allegations of abuse in relation to junior seminaries in the diocese made over the time frame of the Inquiry.

Saint Vincent’s Junior Seminary at Langbank stopped admitting boys in 1978. Monsignor Thomas Monaghan was the Secretary of the then Bishop, Stephen McGill, from 1976 until 1988 and he states that there were never any records for Saint Vincent’s Junior Seminary kept in the diocese of Paisley. It was the remit of Monsignor Monaghan to upkeep records and files for the diocese.

**Question 11 asks about procedures over time for dealing with persons for which the Church was responsible against whom allegations of abuse were made or established by children in care.**

A11. The only allegations of which we are aware made by or on behalf of children in care are those we have mentioned above. In relation to the first allegation, against XXXXX, the police had been notified by the alleged victim and it was they who contacted the diocese. They then confirmed to the diocese that no action was to be taken in relation to it, whereupon the diocesan safeguarding officer initiated the risk assessment procedure. A risk assessment meeting took place on Tuesday 22 November 2011. The persons who formed the Risk Assessment Committee were the Diocesan Safeguarding Officer, Mrs Christine Riddoch; Mr Neil McGinlay, a serving Police Office; Ms Jackie McCaig, Director of the Bishops’ Conference National Office for the Protection of Children and Vulnerable Adults and Mgr Gerard Gallagher, Vicar General of the Diocese. The Risk Assessment Committee recommended no further action.

In relation to the second allegation, our records indicate that the order were contacted directly by the police. The order then made the diocese aware of this. The order carried out a risk assessment regarding the two elderly nuns, who were, at the time of receipt of the allegations, living at a convent in XXXXX.

With regard to the third allegation, (concerning the junior seminary and not, strictly speaking, pertaining to a child in care) it was passed promptly to the police. It was neither necessary nor possible to initiate the risk assessment procedure because we did not have the name of the alleged perpetrator and the only information we were given about him was that he was deceased.

**Question 12 asks for details of all convictions of persons for whom the Church had responsibility for the abuse of children in care (residential care and foster care).**

A12. No record of any for this diocese.
### Appendix 12 - Student Numbers Attending Blairs And Langbank Junior Seminaries

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Calculating total student numbers in Blairs College and St Vincent’s college from 1949 to 1985

- Consider first the period 1949-1985, comprising 37 (=6*6+1) years.

This would be given by the roll of the first year plus the new intakes of the succeeding years.

We don’t have new intakes. However the difference between the rolls of two successive years, say year2, year1, equals the new intake of year2 minus the leavers of year1.

Note that the sum of successive values of these differences is the difference between the rolls of the two endpoint years; for example

\[(\text{Year3Roll} - \text{Year2Roll}) + (\text{Year2Roll} - \text{Year1Roll}) = (\text{Year3Roll} - \text{Year1Roll})\]

= New intakes of Years 2+3 – Leavers of Years 2+1

Now assume that (most) pupils attend the schools for 6 years

Then the roll of one year (say, Year1) = sum of leavers of this and the next 5 years (Years 1-6).

So adding Year 1 roll to the six differences in rolls yields the total of new intakes over Years 2-7.

So new intakes = (Year7Roll – Year1Roll), which when added to Year1Roll = Year7Roll

So total intake over the 37 years 1949-1985 is the sum of the rolls of years


This would be the exact intake if all pupils stay for 6 years. However it would miss any who arrive then leave between any successive two of the above 7 years. For example one who enters 3rd year in 1962 and leaves after 6th year in 1965.

- Now consider years 1944-1946.

In order the rolls are 165,181,172

If we assume that one sixth of a roll of a given year would leave in each of the next six years, then one third (2/6) of 1944 roll leaves in 1944 and 1945

So number of distinct pupils over 1944-1946

\[= 1944\text{roll} + 1946\text{roll}-1944\text{roll} + [1944\text{roll}]*(2/6)\]

\[= 1946\text{roll} + (1944\text{roll})/3 = 172 + 165/3 = 172 + 55 = 227 \sim 230\]

This uses 1944 as a benchmark. We would realise the same figure working back from 1946 as benchmark, while taking 1945 as benchmark and working backwards and forwards we obtain 229.67.

So there were approximately 230 distinct pupils over these three years.

(c) Year 1944-1985

A total count for this period is then: 1376 + 230 = 1606
Appendix 12 - STUDENT NUMBERS ATTENDING BLAIRS AND LANGBANK JUNIOR SEMINARIES

(d) Years 1949-1985 revisited

An approach which would ‘capture’ pupils who might otherwise be missed would be to apply method (a) to yield intake counts for each of the five sets, each of 31 (=5*6+1) years, starting from 1950, 1951, 1952, 1953, 1954, while applying variations of (b) to yield counts for the early and later years excluded from the 31 year sequence. This would yield 5 more counts comparable to that of (a).

To all 6 add the 1944-1946 estimated intake (230) to yield 6 assessments of total intake.

These are: 1606.00, 1632.67, 1643.67, 1657.00, 1640.33, 1600.17.

One might then opt for the maximum of these (1657) or produce an interval of plausible values for total number of distinct pupils.

There are two options for the interval:

Calculate one from the 6 counts for 1949-1985 then add the 1944-1946 figure, 230, to the interval limits:

Or

Add 230 to the 6 counts for 1949-1985, then calculate an interval.

Both intervals are very similar:

(1599.42,1660.52) and (1597.01,1662.94)

A reasonable conclusion would then be that we believe that the number of distinct pupils who attended the schools is somewhere between 1590 and 1670. We can, with some degree of confidence, conclude that the number of distinct pupils was no more than 1700.
# Appendix 13 - Staff List St Mary's College, Blairs

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**KEY:** EM = Extra-mural lay teachers; PP = Parish Priest; R = Rector; S = Staff Clergy; SD = Spiritual Director

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## Blairs Seminary Staffing 1944 - 1986

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**KEY:** EM = Extra-mural lay teachers; PP = Parish Priest; R = Rector; S = Staff Clergy; SD = Spiritual Director
## APPENDIX 13 STAFF LIST BLAIRS

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**KEY:** EM = Extra-mural lay teachers; PP = Parish Priest; R = Rector; S = Staff Clergy; SD = Spiritual Director

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**KEY:** EM = Extra-mural lay teachers; PP = Parish Priest; R = Rector; S = Staff Clergy; SD = Spiritual Director
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### AUXILIARY STAFF

Daughters of Charity of St Vincent de Paul (various)
APPENDIX 15 CHILD PROTECTION POLICIES OF RESIDENTIAL SCHOOLS

Appendix 15 - Child Protection Policies of Residential Schools

CHILD PROTECTION POLICY

SAFE
INCLUDED

HEALTHY

ACTIVE

YOUNG PERSON

HOPE

RESPECTED & RESPONSIBLE

NURTURED

ACHIEVING

GSC Child Protection Policy
The Good Shepherd Centre Child Protection Policy

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Policy Statement:

“Procedures and guidance cannot in themselves protect children, a competent, skilled and confident workforce, together with a vigilant public, can...” (The National Guidance For Child Protection in Scotland, 2010)

All staff at The Good Shepherd Centre have the responsibility to ensure that young people accessing the service are living in a safe and nurturing environment that is free from harm. The Child Protection policy has been amended to reflect significant changes in how child protection issues are processed. The amended policy will also reflect the need to have a more robust and ‘fit for purpose’ policy that is aimed at improving awareness and confidence in those staff entrusted with the pivotal role of caring for our young people.

In 2010 the National Guidance for Child Protection in Scotland (later referred to as the guidance) was introduced that was to shape and inform how we approach the complex issue of child protection. The purpose of the guidance is stated as being “a practical reference point for practitioners and agencies, it should not be regarded as exhaustive or exclusive” (a). The guidance is aimed at providing a standardised approach to managing child protection issues/concerns but recognises that there exist policies and procedures specific to organisations such as third sector and private sector providers of residential child care. Therefore this policy will implement elements of the guidance that are considered appropriate as a provider of care for young people but will also reflect the organisation’s own approach to child protection.

This policy will also incorporate documents that have had a significant influence on the production of the guidance and subsequently influenced the national framework that is the guidance for managing child protection issues.

The Good Shepherd Centre is situated within the host authority of Renfrewshire and consultation with Child Protection Officers has informed the national guidance. The Good Shepherd accepts placements from all Local Authorities across Scotland and by implementing key areas and processes from the National Guidance it is envisaged that this will be suffice in meeting the requirements of managing child protection issues and/or concerns.

The organisation continues to be proactive in ensuring that all staff receives the required training that will equip them with the knowledge and confidence to implement child protection procedures in accordance with the legislative requirements.
Key Definitions and Concepts

“Services and agencies that may previously have seen their role as being to ‘pass on’ concerns are now expected to take a proactive approach to identifying and responding to potential risks. Irrespective of whether the child in question is their client, patient or ‘service user’.”

The Good Shepherd Centre’s Senior Management and Board of Managers recognise that as a provider of residential care there will be occasions when young people make allegations. Regardless of whether or not these are about the care they are receiving within the unit or allegations of something that has occurred at home, in the community or in another residential placement etc., the allegations must be managed in a robust and sensitive manner and working effectively in partnership with external agencies will be crucial in effectively managing the allegation.

Staff must have an understanding of what constitutes abuse and how it is defined along with a definition of Child Protection as this is fundamental in informing a course of action. This section will look at the key definitions and concepts of child protection as set out in the Guidance.

What is child protection?

Child protection means protecting a child from abuse or neglect. Abuse or neglect need not have taken place; it is sufficient for a risk assessment to have identified a likelihood or risk of significant harm from abuse or neglect. Equally, in instances where a child may have been abused or neglected but the risk of future abuse has not been identified, the child and their family may require support and recovery services but not a Child Protection Plan. In such cases, an investigation may still be necessary to determine whether a criminal investigation is needed and to inform an assessment that a Child Protection Plan is not required.

What is child abuse and child neglect?

Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting, or by failing to act to prevent, significant harm to the child. Children may be abused in a family or in an institutional setting, by those known to them or, more rarely, by a stranger. Assessments will need to consider whether abuse has occurred or is likely to occur.

The following definitions show some of the ways in which abuse may be experienced by a child but are not exhaustive, as the individual circumstances of abuse will vary from child to child.

Physical abuse

Physical abuse is the causing of physical harm to a child or young person. Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning or suffocating. Physical harm may also be caused when a parent or carer feigns the symptoms of or deliberately causes, ill health to a child they are looking after.
Emotional abuse

Emotional abuse is persistent emotional neglect or ill treatment that has severe and persistent adverse effects on a child’s emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate or valued only insofar as they meet the needs of another person. It may involve the imposition of age or developmentally inappropriate expectations on a child. It may involve causing children to feel frightened or in danger, or exploiting or corrupting children. Some level of emotional abuse is present in all types of ill treatment of a child; it can also occur independently of other forms of abuse.

Sexual abuse

Sexual abuse is any act that involves the child in any activity for the sexual gratification of another person, whether or not it is claimed that the child either consented or assented. Sexual abuse involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or in watching sexual activities, using sexual language towards a child or encouraging children to behave in sexually inappropriate ways.

Neglect

Neglect is the persistent failure to meet a child’s basic physical and/or psychological needs, likely to result in the serious impairment of the child’s health or development. It may involve a parent or carer failing to provide adequate food, shelter and clothing, to protect a child from physical harm or danger, or to ensure access to appropriate medical care or treatment. It may also include neglect of, or failure to respond to, a child’s basic emotional needs. Neglect may also result in the child being diagnosed as suffering from “non-organic failure to thrive”, where they have significantly failed to reach normal weight and growth or development milestones and where physical and genetic reasons have been medically eliminated. In its extreme form children can be at serious risk from the effects of malnutrition, lack of nurturing and stimulation. This can lead to serious long-term effects such as greater susceptibility to serious childhood illnesses and reduction in potential stature. With young children in particular, the consequences may be life-threatening within a relatively short period of time.
Providing a Safe Environment—Positive Factors that can provide Safety and Security

These include;

- A safe care environment that is consistent, predictable and transparent.
- A robust risk assessment framework.
- An Individual Crisis Management Plan that is reviewed and updated frequently.
- The continued involvement of parents, referring agencies and the community.
- Clarity about staff responsibilities. Clarity about staff expectations.
- Robust Child Protection procedures and Whistleblowing Policies.
- Clarity about young peoples’ expectations.
- A clear staff safe recruitment, selection and assessment policy.
- A Staff code of Practice (SSSC, GTCS and College of nursing and midwifery, BPS).
- A thorough and effective staff induction programme.
- An effective staff supervision framework and continuous staff development and training.
- The promotion of young peoples’ rights.
- Care/Sentience plans which promote growth and development.
- Regular opportunities to consult with young people, social workers and parents/carers.
- A participation strategy that outlines the level and method of participation in which young people and others will have direct involvement in issues relating to the service.
- Exit interviews with young people, social workers and parents/carers.
- Access to suggestions/complaints box for parents etc should they want to alert the unit of concerns.
- Access to independent advocacy service, Children’s rights, Who Cares and Care Inspectorate.
- At the point of admission young people and parents/carers will be issued with information on complaints procedures, contact numbers for advocacy services and information on Child Protection.
- Immediate notification to the Care Inspectorate of all allegations of staff misconduct and incidents of harm to young people.
- Thorough and robust disciplinary procedures to manage incidents of alleged harm by staff.

CCTV

CCTV is in use throughout the centre and lends itself to ensuring safe practices through interactions with staff and peers. In the event of an allegation being made the CCTV recording will be analysed if the alleged event has taken place within an area that is covered by CCTV. Only Senior Management has the authority to view the footage and to take it into consideration when investigating allegations of misconduct.

Use of Fobs.

Fobs are used to facilitate safe movement throughout the centre. Permission setting to allow access levels is set according to grade. Night shift fobs do NOT allow staff to access bedrooms. In the event that access is required an emergency sealed fob pack is used and the Night Shift
Co-ordinator will be present upon entering. There may be a slight deviation to this protocol in the event that there is a concern regarding an attempted suicide or serious self harm and there can be no time delay in accessing the bedroom therefore access without the co-ordinator may be required.

A number of areas can be identified which can reduce the risk of abuse.

These include:

- **All staff challenging secrecy and abuse and exclusiveness in relationships** – it is important to emphasise that a key factor for all staff to protect young people is in developing an environment which is open and honest and transparent in its approach. Where a member of staff knows of, or suspects, a colleague, manager, or member of the public, of being involved in the abuse against a young person in The Good Shepherd Centre, there can be no professional or ethical alternative but to report it immediately.

- **A clear policy on the use of physical intervention techniques** – The Good Shepherd Centre invests in Therapeutic Crisis Intervention (TCI) training for all staff. TCI provides a framework for the appropriate use of safe holding and the recording of incidents in which physical interventions techniques are used. The Holding Safety guidelines will also be used to inform practice when managing challenging and violent incidents.
Principles and Standards For Child Protection

The Good Shepherd Centre embraces all principles and values that protect and uphold the rights of children and young people. This policy as with the guidance has been built on a foundation of principles and standards that can be found in key documents and approaches such as GIRFEC, National Care Standards, UN Convention on the Rights of the Child, The Children’s Charter and Framework for Standards; Skinner (Another Kind of Home, 1993), Kent (Safeguarders Review, 1997) and SSSC code of conduct and GTCS code of conduct.

GIRFEC;

The Good Shepherd Centre has incorporated the principles of GIRFEC and the wellbeing domains of SHAHARRi are embedded into the on-line assessment and it provides the framework for all reports and intervention plans. The organisation introduced a further domain to be measured and that is HOPE. The introduction of this domain supports the guidance’s use of the resilience matrix and its relationship with risk as it is believed that having HOPE is not only an important characteristic of resilience but also a vital protective factor. “GIRFEC puts children’s needs first; ensures that children are listened to and understand decisions that affect them; and ensures that they get the appropriate co-ordinated support needed to promote their well-being, health and development.”

UN Convention on the Rights of the Child;

The Convention has undoubtedly influenced key legislation and social policies throughout the years. It has also found its principles being transferred into key working documents and frameworks for working with children and young people. The right to dignity, respect and to be treated as an individual are just some of the principles found in the Skinner Report (1993, Another Kind of Home) and The National Care standards are examples of the key documents that impact and inform practice with children and young people within a residential establishment. Some of the key principles stipulated in the convention are:

- Each child has a right to be treated as an individual;
- Each child has a right to protection from all forms of abuse, neglect or exploitation

As well as implementing key principles and legislation in our task of providing a safe and nurturing environment, the need to listen to views of young people receiving the care can never be underestimated. The organisation’s participation strategy outlines the commitment given to ensuring there are various methods and opportunities to seek the views of young people on key areas such as bullying and feeling safe. The Children’s Charter (2004) and subsequent Framework of Standards (2004) must be embraced by all staff working in the organisation and the demands of children as outlined in the charter should and must be at the very heart of providing a safe and protected environment.

- Help us be safe;
- Listen to us.

GSC Child Protection Policy

8
APPENDIX 15 CHILD PROTECTION POLICIES OF RESIDENTIAL SCHOOLS

Legislative Framework

Staff at the Good Shepherd Centre must have a sound knowledge of the legislative framework that underpins our approach to child protection. This section will cover legislation that as a provider we must adhere to and furthermore policies and procedures must reflect current legislation so as to remain fit for purpose. Staff must be aware of the duties placed on them in terms of protecting children and young people from harm as well as the duty to be proactive in reporting areas of concern.

For the purpose of this section, only key legislation relating to the provision of care within the organisation will be mentioned however additional legislation can be found in Appendix B.

Duty To Protect:-

- The Children (Scotland) Act 1995 – this is one of the primary pieces of legislation that informs of responsibilities and duties of Local Authority as corporate parents to care and protect children and young people. The Act’s overarching principle is that ‘the Welfare of the child is paramount’. This principle is embedded in all approaches used within the organisation.

Overarching legislation

The Equality Act 2010

Protecting children and young people and providing an environment where they can grow and develop must be free from discrimination. Discriminatory practice will not be tolerated within the organisation and practice will be accepting and inclusive.

Data Protection Act 1998

The basic principles of the Act remain relevant in terms of the conditions in which any data can be ‘processed’ and it is the responsibility of the data controller within any organisation to ensure that the key principles set out in the Act are adhered to by all staff. Of particular note in the child protection context are those sections of the Act that relate to confidentiality, sharing of information and disclosure of sensitive information.

Human Rights Act 1998

All legislation passed by either the UK or Scottish Parliament should adhere to the principles of the European Convention on Human Rights. In so far as it is possible, primary legislation and subordinate legislation must be read and given effect in a way which is compatible with the Convention. Sometimes there may be a potential conflict of interest between children and adults and a balancing of competing rights will be required.

GSC Child Protection Policy
UN Convention on the Rights of the Child

Ratified by the UK Government in 1991, this Convention serves to inform all subsequent child care legislation. The rights of the child to express their views freely in all matters affecting them and to have them taken into account and the right to have the best interests of the child as a primary consideration in making decisions affecting the child are important aspects of this Convention. Conformity with the standards established by competent authorities is another requirement of the convention.

UN Convention on the Rights of Persons with Disabilities

Ratified by the UK Government in 2009, the Convention stipulates that in order for disabled children to be able to realise the rights mentioned above, they need to be provided with disability and age-appropriate assistance.
Staff Recruitment and Training

In the 1990's critical inquiry reports exposed a wide range of failings which contributed to the abuse of many young people in residential child care settings. The reports although at the time related to residential units in England and Wales, the consequences were to reach beyond any border and the findings of the reports went on to influence and inform many changes in the provision of residential child care here in Scotland. Scotland was not to be without its shame and the exposure of abuse at Kerelaw Secure Unit was to once again send out a reminder to all providers of the need to have robust measures in place that aim to eradicate abuse within residential child care.

Key themes emerged throughout the critical reports and they focused on, among other things, staff recruitment, staff training and staff supervision. These areas were considered to be contributing factors in homes were abuse had taken place.

Safer Recruitment

In 2001, the then Scottish Executive (now Government) commissioned the Scottish Recruitment and Selection Consortium to develop a safer recruitment model that would be robust in its approach and would seek to ensure that only those most suitable would work with vulnerable client groups. In 2002, the Kete Skinner tool-kit was presented as a model for consideration and if accepted would be implemented by the organisations that work with vulnerable client groups. Although under no requirement to implement this model the Good Shepherd Centre embraced it and policies and procedures reflect the use of this robust and structured approach. In 2007 The Scottish Executive delivered the “Safer Recruitment Through Better Recruitment Guidance in relation to staff working in social care and social work settings” (m). This guidance, although some 5 years after the presentation of the safe recruitment model, did endorse a robust and structured approach to recruitment of staff and the Good Shepherd Centre works to the guidance in its staff recruitment.

PVG Scheme/Enhanced Disclosure

All new staff being employed at the Good Shepherd Centre will be expected to join the PVG scheme and applications will be completed at the point of offering the job and offers of employment will be conditional based on the employee being accepted on to the scheme. This includes external consultants such as psychologists and trauma counsellors. Existing staff will go through a process of joining the PVG scheme in accordance with the timescales stipulated by Disclosure Scotland.

Staff Supervision and Staff Training.

Safeguarding children and young people cannot simply be about how we recruit it must extend to how we as an organisation train and supervise our staff on an ongoing basis. Providing Safe Care is a core function of our service provision.
**Staff Supervision:**
- New staff will receive formal supervision every 4 weeks until they have successfully completed the probation period (min 6 months).
- Staff who have successfully completed their probation will receive supervision every 6-8 weeks.
- Unit Managers will receive formal supervision bi-annually to coincide with the outcomes of service questionnaires looking at areas for improvement.
- Safe Care will be a standing agenda item at all supervision sessions and weekly staff meetings.

**Staff Training:**
- Mandatory training on Child Protection will take place for new staff within the first 4 weeks of employment.
- Child Protection refreshers (as required)
- Staff with over 1 year experience will participate in a more robust Child Protection course aimed at experienced practitioners.
- Safe Care Training will take place within the first week of employment.
- Refresher training on Safe Care will take place as and when required.
- New staff will be trained in the 4/5 day TCI course (Therapeutic Crisis Intervention).
- Staff will receive TCI refreshers every 6 months.
- All staff will have access to copies of all policies relating to the safe care of young people.
Roles and Responsibilities:

Staff working in the centre will have their practice regulated by whichever discipline they are associated with i.e. social care staff=SSSC, teachers=GTC (Scotland). Regardless of the regulatory body, staff are governed by codes of practice and are required to uphold these codes in their day to day activities. Protecting children and young people from harm and providing a safe environment are expectations placed on employers and employees.

The SSSC Code of Practice for Employers states:

"As a social service employer, you must put into place and implement written policies and procedures to deal with dangerous, discriminatory or exploitative behaviour and practice". (9)

"Establishing and promoting procedures for social service workers to report dangerous, discriminatory, abusive or exploitative behaviour and practice and dealing with these reports promptly, effectively and openly". (9)

The SSSC Code of Practice for Social Service Workers states:

"As a social service worker, you must promote the independence of service users while protecting them as far as possible from danger or harm". (11)

"Using established processes and procedures to challenge and report dangerous, abusive, discriminatory or exploitative behaviour and practice". (12)

"Bringing to the attention of your employer or the appropriate authority resource or operational difficulties that might get in the way of the delivery of safe care". (13)

The General Teaching Council For Scotland states in the mandatory requirements for registration the role of teachers in:

"Providing and ensuring a safe and secure environment for all learners within a caring and compassionate ethos and with an understanding of wellbeing". (14)

"Create a safe, caring and purposeful learning environment". (15)

At the Good Shepherd Centre we work from the understanding that the protection of children and young people in our care is the responsibility of all not the few, however it is recognised that when dealing with allegations and matters relating to Child Protection there needs to be a framework in place that is robust, clear and consistent, and crucial to this, is knowing who should deal with what.

As previously stated in the early part of the policy it is accepted that organisations such as the Good Shepherd Centre will have their specific framework for Child Protection which will include role and responsibilities appropriate to our service delivery. This section will look at roles and responsibilities applicable to our organisation.
Role of Child Protection Co-ordinator (CPC - Head of Service):

General Responsibilities

- Ensure that all staff in The Good Shepherd Secure/Close Support Unit are aware of the Unit’s Child Protection Procedures and any amendments to them.
- Supplying new members of staff with a written copy of the procedures.
- To promote awareness within the culture of The Good Shepherd Secure/Close Support Unit of the possibility of child abuse.
- To critically analyse areas and routines within The Good Shepherd Secure/Close Support Unit.
- Organise staff training on Child Protection.
- Liaise with other agencies.
- Listening and responding to general concerns raised by young people, staff and parents in relation to child abuse.

Specific Responsibilities

- Co-ordinating actions within the unit in relation to incidents where concerns have been raised regarding specific young people.
- Delegating responsibilities to the Child Protection Officer e.g. in situations where the CPC may not be the most appropriate person to support a particular young person or when that person is subject of the allegation.
- The Child Protection Co-ordinator will delegate to the HR Manager the task of initiating a fact finding investigation when there is a possibility that an incident MAY lead to Child Protection procedures being implemented. HR will also have a role if disciplinary proceedings are taken against staff whose practice may have contributed to an incident whether or not one of a child protection concern (see the policy on Disciplinary andDismissal Procedures).

The Child Protection Co-ordinator having received all relevant information will inform the referring agency and will make available to the referring agency all relevant information held.

In the event of the allegation of abuse being made in relation to an employee within The Good Shepherd Secure/Close Support Unit the Child Protection Co-ordinator will if required, assist the referring agency in a fact finding exercise in regards to any allegation of abuse.

Where an allegation of abuse gives rise to a criminal or child protection investigation, the Child Protection Co-ordinator will be responsible in engaging with all relevant agencies to work together as far as possible.

Each referring local authority has agency Child Protection guidelines which will set out the basis for collaborative work.

The role of the Child Protection Co-ordinator will include the monitoring and reviewing of all child abuse allegations both external and internal.

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Role of Child Protection Officer (CPO - Designated Unit Manager):

- The Child Protection Officer will be the operational contact person for young people and staff.
- The Child Protection Officer will inform the Child Protection Co-ordinator immediately when there has been an allegation of abuse.
- To progress with an investigation the Child Protection Officer will be given delegated tasks by the H.R. Manager i.e. undertaking a fact-finding investigation.
- The Child Protection Officer will provide the H.R Manager with a written account of any investigation carried out, which will subsequently be presented to the Child Protection Co-ordinator for consideration.
- The Child Protection Officer will attend relevant meetings with the Host Authority to ensure that the organisation’s practice and methods when managing child protection concerns is in line with their procedures.

Lead Professional:

The guidance refers to a Lead Professional. The Local Authority Social Worker will assume this role and will co-ordinate supports and if required will develop a Child Protection Plan. For the purpose of this policy it is important to point out that any allegation is immediately reported to the Lead Professional and he/she will instruct as to whether or not the organisation will have responsibility in managing the allegation (if allegation is relating to the care being received). If the Lead Professional states that they are happy for the organisation to manage it then the role of Child Protection Officer and Child Protection Co-ordinator take immediate effect, however if the Lead Professional instructs that he/she will investigate then they will implement their policy for managing the allegation.


The Good Shepherd Centre’s Practice Framework:

This section details the action that should be taken when an allegation has been made. This section is what makes the management of allegations specific to The Good Shepherd Centre.

**Concerns and Allegations**

Through day to day contact with young people within the unit, staff will build constructive and trusting relationships with young people which will be within the professional boundaries outlined in associated policies.

If a young person chooses to discuss with a worker current or historical events that would indicate that abuse or neglect may have occurred then it is important that staff should:

- Take the allegation or account of abuse seriously.
- Listen in a calm and sensitive manner.
- Reassure the young person he/she is not to blame.
- Not be judgemental about information given.

Where there is suspicion that abuse has occurred staff should not enter into any detailed investigation of the symptoms or causes of a young person’s distress or injury. Such an approach could prejudice a later formal investigation. The role of the staff is to **Observe**, **Record** and **Report**.

**Observe**: Observe carefully the young person’s behaviour, both verbal and non-verbal communicators.

**Record**: Record in detail what they have seen and heard and when they did so. Signs of physical injury should be described in detail or sketched and follow Standard Operational Procedures in respect of dealing with any injury the young person has sustained. Any comment by the young person about how the injury occurred should be recorded, preferably quoting words actually used, as soon as possible after the comment has been made.

**Report**: Report the suspicions to their line manager who will pass any details to the Child Protection Officer (CPO) and Child Protection Co-ordinator (CPC).

If the information disclosed indicates that the young person is still under threat of abuse or harm staff must act immediately to ensure the safety of the young person. Workers should inform their line manager or if he/she is not available then another senior manager should be informed.

When an allegation of abuse has been made or abuse has been disclosed the appropriate person will liaise with the placing authority. This will be the CPO, Head of Service(CPO) or Depute Heads of Service. A decision will be made in consultation with the local authority representative as to who would be the appropriate person to liaise with family carers. The guidance places this responsibility with the Lead Professional who is the young person’s Social Worker.
Where it has been identified that young people have experienced abuse or neglect appropriate supports will be offered in a way that will not impinge on any internal or legal process.

**Allegations of abuse by other residents**

The following must be borne in mind by the person in whom the young person confided:

- The allegation must be taken seriously. The allegation must be acknowledged with the young person and he/she must be advised that it will be investigated. The allegation must be recorded as soon as possible after the young person has spoken.
- Handwritten notes must be retained.
- In case of minor incidents or concerns the unit’s normal response should apply in that abusive behaviour is confronted immediately with the individuals involved.

Where concerns are of a more serious nature and abuse is suspected or witnessed then child protection procedures will be followed and a referral made to the CPO. The CPO will then inform the CPC.

Referring agencies will be informed as outlined in Standard Operations Procedures.

When staff are concerned about the safety of a young person, or are suspicious, or identify indicators of abuse, staff will pass this on to their Line Manager who will forward this to the Child Protection Officer.

**Allegations of abuse made against staff**

Any allegation against a member of staff will be treated seriously. Where an allegation or suspicion of abuse is made against members of staff, the following procedure should be implemented:

- The CPC or delegated person will immediately notify the area manager from the placing authority. The organisation will agree with the area manager the means by which any such concern will be investigated.
- The senior manager of the host authority should be advised of the outcome of all investigations of abuse of children in residential establishments.
- The young person’s Social Worker must be advised of the allegation as soon as possible.
- In normal circumstances the young person’s parents/carers should be advised as soon as possible by the Social Worker. Parents and the young person should be advised of their right to contact the police where this has not been done by the local authority.
- The Social Worker and/or residential key (Link) worker should offer support to the young person throughout this period.
- The young person’s views must be taken into account regarding the investigation process and outcome.

If after careful consideration there is a decision that the allegation is unfounded, the decision to take the matter no further will be recorded, together with the reason for it and kept on file.

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If further investigation is required, there is an added dimension in that the Head of Service (CPC) will have to consider the need to ensure that young people are protected while the allegation is under investigation.

The Head of Service or in the absence of the Head of Service, the Depute Heads of Service will consider whether there is a need to:

- Remove the member of staff to other duties to ensure the protection of the young person and the member of staff until the matter has been resolved.
- To suspend the member of staff, on a precautionary basis pending an investigation.

Where a member of staff has had contact with a number of children, consideration will be given to the possibility that others may have been abused. In the event of enquiries from other parents and referring agencies, they should be informed that an allegation has been made against a member of staff and that an investigation is under way. No other information will be given out.

**Allegation against the Head of Service/Senior Manager or Child Protection Officer**

In cases where the member of staff against whom the allegation has been made is Head of Service, a Senior Manager including the Child Protection Officer, a report will be provided to the External Line Manager (Chair of the Board of Managers) of The Good Shepherd Secure/Close Support Unit who will convene an extraordinary meeting within **seventy-two hours** in order to investigate the allegation. In the intervening period, the Chairperson may wish to make an interim decision to protect the interests of the young people and staff member involved.

In any allegation of abuse of staff the same procedures should be followed as for other allegations or suspicions of abuse.
The Role of Children’s Rights Officers, Advocacy Workers and Safeguards.

At the point of admission and throughout a young person’s stay they are given information on how to contact other relevant people who they may choose to confide in or report areas of concern to. Furthermore, when a young person is admitted to the unit, the Children’s Rights Officer/Advocacy worker in the young person’s placing authority are informed of the admission. This is not only considered to be good practice but is fundamental in upholding the rights of young people to have access to an independent service that can provide support. It should be pointed out however, that having access to children’s rights officers etc, is not only related to Child Protection as their role can serve many purposes in supporting young people.

New legislation such as The Children and Young Person’s Bill (Scotland) introduced to Parliament on 17th April 2013 (targeted for implementation 2014) and The Children’s Hearing Act (Scotland) 2011, implemented 24th June 2013 will further ensure that children/young people are protected by law.

The Children and Young Person’s Bill (Scotland) sees the introduction of what is referred to as “Named Person’s”. Part 4 of the Bill covers in detail this new role. When a child/young person is admitted to secure care the service provider will assume the role of Named Person. Part 4 Section 19 subsection 8(a)

“...........the named person considers it to be appropriate in order to promote, support or safeguard the wellbeing of the child or young person” 

There are many functions of the Named Person but for the purpose of Child Protection the element regarding safeguarding the wellbeing of the child or young person is particularly pertinent. The Act stipulates that the Named Person should discuss or raise a matter about the child/young person with the relevant authority. For the purposes of this policy reporting of concerns would be in accordance with our already stated procedure (observe, record and report to line manager).

The Children (Scotland) Act 1995 introduced the role and function of a safeguarder for the purpose of safeguarding the child’s interests in the decision making process.

Section 41(1)(a) Safeguarding child’s interests in proceedings

(a) shall consider if it is necessary to appoint a person to safeguard the interests of the child in the proceedings.

The Children Hearing (Scotland) Act 2011 sees the role of safeguarder remain unchanged however what the new Act does do is provide regulation of safeguarders which until now have never been regulated. The Act stipulates key areas such as training and recruitment into the commissioning of a safeguarder. The regulation of this service will hopefully lead to more professional and suitable person(s) being tasked with the role of safeguarding children/young people.
Conclusion

This policy should conclude with how it started. The message contained in the National Guidance is intended for all whether working with children and young people or not.

* Procedures and guidance cannot in themselves protect children; a competent, skilled and confident workforce, together with a vigilant public, can. (The National Guidance For Child Protection in Scotland, 2010)

The senior management fully appreciate that Child Protection issues can present as unclear and complex but one thing that should be and always will be straightforward is the need to raise the concern and allow for a process to be followed in accordance with best practice.
Appendix A


(8) Safer Recruitment Through Better Recruitment. Guidance in relation to staff working in social care and social work settings(Scottish Executive, 2007)
http://www.scotland.gov.uk/Publications

(9) Scottish Social Services Council. Codes of Practice for Employers of Social Service Workers. 2009. Code 4


(12) Scottish Social Services Council. Codes of Practice for Social Service Workers. 2009. Code 3(3.2)

(13) Scottish Social Services Council. Codes of Practice for Social Service Workers. 2009. Code 3(3.4)


(16) The Children and young Person’s Bill (Scotland)


(18) The Children’s Hearing (Scotland) Act 2011
Appendix B

Legislation Relating to Child Protection

Police (Scotland) Act 1967

The Police (Scotland) Act 1967 lays down the general functions and jurisdiction of the police in Scotland, in that it is the duty of constables of a police force to guard, patrol and watch so as to:

(i) prevent the commission of offences;
(ii) preserve order; and
(iii) protect life and property.

In addition, it is the duty of the constables of a police force, where an offence has been committed, whether within or outwith the police area for which the police force is maintained, to take all such lawful measures, and make such reports to the appropriate prosecutor, as may be necessary for the purposes of bringing the offender, with all due speed, to justice.

Social Work (Scotland) Act 1968

Although amended many times over the years, this legislation provides the primary mandate for social work intervention in Scotland. It is the legislation that creates the duty under section 12 to “promote social welfare”. While this has been added to by the Children (Scotland) Act 1995 to specify “children in need”, the overarching mandate remains that it is the duty of the local authority to ensure that such services are made available across their jurisdiction as could be considered consistent with this duty.
Appendix C

Further Reading

National Guidance, Under-age Sexual Activity: Meeting the Needs of Children and Young People and Identifying Child Protection Concerns, Scottish Government, 2010

The Children’s Hearing Act (Scotland) 2011

Children and Young Person’s Bill (Scotland)

Protecting Children and Young People: Framework for Standards, Scottish Executive, 2004
**Child Protection (incorporating Child Sexual Exploitation)**

The purpose of the policy and procedures is to ensure that all concerns about the care and protection of young people are effectively managed. It is the responsibility of all workers to understand the policy and procedures and to act accordingly.

St Mary’s Kenmure shall protect the child from all forms of physical or mental violence, injury or abuse, neglect, maltreatment or exploitation, including sexual abuse, (UN Convention on the Rights of the Child (1989), Article 19).


In addition, our policy takes into account the Protecting Children and Young People Charter and the Framework for Standards, Scottish Social Services Council (SSSC) Codes of Practice for Employers of Social Services Workers and Social Services Workers.

**Policy:**

St Mary’s Kenmure’s commitment to protect children:

Our values, principles and beliefs:

- All child abuse involves the abuse of children’s rights
- All children have equal rights to protection from abuse and exploitation
- The situation of all children must be improved through promotion of their rights as set out in the UN Convention on the Rights of the Child. This includes the right to freedom from abuse and exploitation
- Child abuse is never acceptable
- We have a commitment to protecting children with/for whom we work
- When we work through partners, they have a responsibility to meet minimum standards of protection for children in their programmes

St Mary’s Kenmure will meet our commitment to protect children from abuse through the following means:

- **Awareness:** We will ensure that all staff and others are aware of the problem of child abuse and the risk to children and young people.
- **Prevention:** We will ensure, through awareness and good practice, underpinned by professional training and development opportunities that staff, and others, are aware of and are, therefore, in a better position to minimise risks to children and young people.
- **Reporting:** We will ensure that staff and others are clear what steps to take where concerns arise regarding the safety of children.
- **Responding:** We will ensure that action is taken to support and protect children where concerns arise regarding possible abuse.

There are a number of positive factors that can promote safety and security.

St Mary’s Kenmure will therefore:

- Establish and maintain an environment where young people feel safe, are encouraged to speak out, and are listened to.
- Establish a secure environment in which young people can learn and develop.
• Ensure that young people know that there are adults in the unit whom they can approach if they are worried.
• Clearly identify the Depute Head of Service (Care) as the responsible officer for the effective operation of St Mary’s Kenmure Child Protection Procedure.
• Ensure that every member of staff (including temporary and ancillary staff) is aware of their roles and responsibilities for Child Protection.
• Ensure that all staff are appropriately trained and understand their responsibilities by being alert to the signs of abuse and responsibility for referring any concerns to the designated senior person responsible for Child Protection.
• Ensure that parents/carers at the time of admission have an understanding of the Organisation’s Child Protection Policy and maintain a partnership approach with parents/guardians, referring agencies and the community.
• Develop effective links with relevant agencies and co-operate, as required, with enquiries and procedures regarding Child Protection matters; including attendance at Case Conferences and Child Protection Conferences.
• Keep written records of all concerns about young people and ensure all records are kept securely stored.
• Ensure Safer Recruitment Policies and Process by checking and vetting the suitability of staff working with young people.
• Confirm that Policy and Procedures on the use of Physical Intervention and TCI are regularly reviewed and ensure the regular refresher training for all staff and the introduction to TCI during induction for new staff joining the service.
• Ensure that all new staff have an induction programme which will include Child Protection, Risk Assessment and Safe Movement etc.

This strategy underpins the positive Ethos/Culture and Safe Care Environment within St Mary’s Kenmure.

The Head of Service and Depute Head of Service (Care) are identified as St Mary’s Kenmure Child Protection Co-ordinators (CPC) and are responsible to the Board of Directors.

In the absence of either identified CPC, the Depute Head of Service (Education) will take on the role as the Child Protection Co-ordinator. The Child Protection Co-ordinators (CPC) will have both general and specific responsibilities with regard to child protection in St Mary’s Kenmure. They will take on the lead role in co-ordinating the setting up of Child Protection Case Conferences, liaison with Police, Social Work, and relevant persons including guardians and significant others in the sharing of information whilst maintaining appropriate confidentiality.

General Responsibilities of the St Mary’s Kenmure Child Protection Coordinator

• Ensure that all staff are aware of St Mary’s Kenmure Child Protection Procedures and any amendments to them.
• Maintain a positive partnership with Local Authority Child Protection Co-ordinators to access training opportunities, new legislation, policy and procedures, etc which will inform St Mary’s Kenmure Child Protection Policy.
• Ensure new members of staff have an induction to Child Protection.
• Ensure new members of staff are aware of the location of the SOPs within the unit computer desktop.
• To promote and raise awareness within the culture of St Mary’s Kenmure of the possibility of child abuse and ways to reduce risk.
• To critically analyse areas and routines within St Mary’s Kenmure.
• Organising update training on Child Protection.
APPENDIX 15 CHILD PROTECTION POLICIES OF RESIDENTIAL SCHOOLS

- Liaison with other agencies, including the Care Inspectorate and SSSC.
- Listening and responding to general concerns raised by young people, staff and parents in relation to child abuse.
- Particular responsibilities include co-ordinating action within the organisation in relation to specific young people about whom concerns have been raised.
- Delegating responsibilities to the most appropriate person e.g. in situations where the CPC may not be the most appropriate person to support a particular young person when an allegation has been made.
- The CPC will monitor the application of the Safer Recruitment Policy.

Procedure:

If any member of staff suspects that abuse has happened, or is happening, or is likely to happen, contact should be made with their Unit Manager, Assistant Unit Manager, Senior Practitioner, Depute Head of Service (Care), Head of Service or Depute Head of Service (Education). The CPC team will discuss and allocate an investigating officer, who will undertake the role of following up on the concerns raised.

Staff members may be alerted by signs of something not being quite “right”, (a feeling based on knowledge of the young person that all is not well), or by the young person disclosing that he/she has been abused, or by the withdrawal from the group by the young person.

All staff in St Mary’s Kenmure have an obligation to explore any unexplained change in routine, social associations or injury that has been noticed.

Where there is any suspicion that abuse has occurred, staff should not enter into any detailed investigation of the symptoms or causes of a young person’s distress or injury. Such an approach could prejudice a later formal investigation.

The role of staff is to Support, Observe, Record and Report.

Staff should:
- Support - making sure the young people are safe from further risk or harm.
- Observe – carefully noticing the changes to a young person’s behaviour and movements.
- Record - detail what they have seen and heard, and at what time. Signs of physical injury should be described in detail or sketched. Any comment by the young person about how the injury occurred should be recorded, preferably quoting words actually used, as soon as possible after the comment has been made.
- Report – pass on the suspicions to their Unit Manager who will pass any details to the CPC.

It may be that a young person seeks a promise of confidentiality either before or after telling of abuse. No absolute guarantee of confidentiality can be given. It should be explained to the young person that whilst the member of staff understands his/her concerns and will do what is possible to respect the young person’s wishes; he or she will have to pass on the information if they think it is necessary to protect the young person.

If a young person makes a disclosure, staff should:
- Listen with care.
- Reassure the young person that he/she is not to blame.
- Not show disbelief.
- Not give a guarantee of confidentiality.
- Take the allegation seriously.
- Affirm the young person’s feelings as expressed.
- Avoid being judgmental about the information given by the young people.
• Avoid a “whodunit” approach.
• Refer the matter to the CPC.
• Staff should be mindful that abuse might in some cases be being perpetrated by another child or young person rather than an adult.

Procedure by the Child Protection Co-ordinator:

Details of concerns, suspicions or indications of abuse will be passed to the CPC.

• If the CPC has reason to believe, from the information received from whatever source, that a young person has been abused, the referring agency (Purchaser) will be informed. The CPC will arrange for the young person’s family/guardian/carer or significant other to be informed.
• The CPC will collate all relevant information held by the house unit on the young person. As an aid to this, a co-ordination meeting may be held involving relevant members of staff. This information will be made available to the referring agency.
• The CPC will, if requested, assist the referring agency in an initial investigation of any allegations of abuse.
• The CPC will, if requested, assist the referring agency in any fact finding regarding an allegation of abuse.
• The CPC will liaise with the referring agency and provide the Head of Service (if they are not the CPC) and the Board with relevant information relating to any allegation of abuse.

Allegations of abuse by other residents.

This may involve any or all of the following:
• Physical abuse
• Emotional abuse, e.g. bullying, racial harassment
• Sexual abuse

In all cases of physical or emotional abuse, the staff’s response should be that abusive behaviour is confronted immediately with individuals or with the group if required. On-going observations will be carried out to ensure the safety of the young person alleged to have been harmed and immediate support provided, as required. This will be regularly monitored and reviewed to confirm no further harm has occurred and the measures in place safeguard the resident(s).

Allegations of abuse by staff:

Any allegation against staff will be taken seriously, and there will be a preliminary consideration of it by the Head of Service, Depute Head of Service (Care), Depute Head of Service (Education). If the conclusion after such consideration is that the allegation is unfounded, the decision to take the matter no further will be recorded, along with any other relevant parties being advised of the decisions together with the reasons for it and thereafter kept in a confidential file.

If further investigation is required, the Head of Service will have to ensure that young people are protected while the allegation is under investigation.

The Head of Service will consider whether there is a need:-

• To redeploy the member of staff to undertake other appropriate duties and restrict access to young people; to protect both the young people and the staff member(s) throughout the process.
• To suspend the member of staff without prejudice; pending an outcome of the investigation process.
Where the member of staff has had contact with a number of children, consideration will be given to the possibility that others may have been abused. In the event of enquiries from other parents and referring agencies, they should be informed that an allegation has been made against a member of staff and that an investigation is underway. No other information will be given. Confidentiality will be maintained.

In the event that a member of staff is suspended; while investigations are taking place relevant parties, such as Care Inspectorate, SSSC (or other registerable bodies) and parents/significant others will be informed, where appropriate. Registerable bodies can, on request, be provided with information regarding staff suspension related to child protection concerns.

**Allegations against the Head of Service/Head of Social Care/ Head of Education.**

In cases where the member of staff against whom the allegation is made is the Head of Service, Depute Head of Service (Care) or the Depute Head of Service (Education), a report will be provided to the Chairman of the Board of Directors of St Mary’s Kenmure who will convene an extraordinary meeting within seventy-two hours in order to investigate the allegation. In the intervening period, the Chairman may wish to make an interim decision to protect the interests of the young people and staff member involved.

In any allegation of abuse by any member of staff, the same procedures should be followed as for any other allegations or suspicions of abuse. Support, Observe, Record, Report.

Anyone who wishes to report a matter of concern to the Chairman of the Board or another member of the Board of Directors should follow the protocol outlined in “Information on how to contact Board of Directors” under the Purpose Statement heading of the SOPs.

**Child Sexual Exploitation (CSE)**

Child Sexual Exploitation is child sexual abuse. This form of sexual abuse has emerged due to the advances in technology. CSE can be defined as the following:

‘Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive ‘something’ (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child’s immediate recognition; for example being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common. Involvement in exploitative relationships being characterised in the main by the child or young person’s limited availability of choice resulting from their social/economic and/or emotional vulnerability.” (Barnardos, 2010)

**The nature of sexual exploitation**

Any child or young person may be at risk of sexual exploitation, regardless of their family background or other circumstances. This includes boys and young men as well as girls and young women.

Sexual exploitation can take many forms from the seemingly ‘consensual’ relationship where sex is exchanged for attention, affection, accommodation or gifts, to serious organised crime and child trafficking. What marks out exploitation is an imbalance of power within the relationship. The perpetrator always holds power over the victim, increasing the dependence of the victim as the exploitative relationship develops.

Sexual exploitation involves varying degrees of coercion, intimidation or enticement, including unwanted pressure from their peers to have sex, sexual bullying (including cyber bullying), and grooming for sexual activity. Technology can also play a part in sexual abuse, for example, through its use to record abuse...
and share it with other like-minded individuals or as a medium to access children and young people in order to groom them.

**Policy:**

St Mary’s Kenmure will work with other agencies and professionals to prevent sexual exploitation occurring and will intervene effectively when it does happen.

All efforts to tackle sexual exploitation should be grounded in the following principles which inform effective practice in this are:

- The approach must be child centred. Action to safeguard and promote the welfare of children and young people who are sexually exploited should be child-centred and focus on the child’s needs.
- Those working with children and young people should engage with them and their families throughout the process. However, staff also need to be aware that, in some cases, parents and carers may be complicit in the exploitation of their children.
- Staff should be aware that children and young people do not always acknowledge what may be an exploitative and abusive situation. This may mean that the approach, which should be sensitive and aimed at empowerment, needs to be sustained over a long period of time.
- It takes time to get alongside the young person and if intervention is too intrusive at an early stage it may alienate the young person and inhibit their chances of a successful exit from an exploitative situation.
- Through their PHSE programmes schools will promote models of healthy and consensual sexual relationships. Empowering young people to make positive choices in their relationships is fundamental to them making informed decisions that protect them from sexual exploitation.
- The School nurse, CAMHS staff, sexual health services and other Health staff will be mindful of the circumstances/risk taking behaviour outlined above. They will be aware of their duty to confidentiality and to share information in order to protect children and young people.

Young people may be in denial about their involvement in sexually exploitative relationships.

Effective safeguarding depends on effective joint working between different agencies and professionals that work with children and young people, including education services, health services including sexual health services and therapeutic mental health services, youth services, together with criminal justice agencies and other voluntary sector services supporting children and families.

**Procedure:**

Where there are concerns regarding a young person’s involvement in CSE assessment can be carried out using the St Mary’s Kenmure’s Child Sexual Exploitation Toolkit/Risk Assessment.

This may be evident upon admission or be disclosed by the young person or a third party during the young person’s placement. In any event the response of staff should be the same.

Child sexual exploitation is a form of sexual abuse therefore the response of staff would be to follow the child protection procedure; support, observe, record, report.

- **Support** – first and foremost the staff’s role is to safeguard the child and ensure they are not in danger of further harm or abuse. In the event of injuries they are provided with immediate attention; whilst ensuring the protection of any evidence is maintained. This may mean ensuring the young person doesn’t wash until examined, clothing is changed and contaminated clothing bagged.

  The young person should be informed of the action you are required to take. This may mean the young person will deny harm or retract any disclosure. Staff still have a duty to advise the young person of their responsibility to report concerns.
- **Observe** – staff should be vigilant to the possible signs of potential CSE. Care should be taken to note accurately information which may contribute to establishing CSE. This may include noting car registration numbers, names of associates, venues or addresses the young person frequents or was located in, changes in the young person’s behaviour; including substance misuse, absconding and missing for long periods, smoking, violence, self-harming behaviours, attempted suicide, unaccounted gifts and money etc.

In view of this, staff should be aware of the need not to ask leading questions to young people who make disclosures of exploitation. Questions should be open and not suggestive, as this may compromise a Police investigation.

- **Record** – ensure information is clear, accurate and factual. If opinion being expressed this should be clear; explaining rationale for this. Staff should also be mindful that their recording may need to be used in a subsequent criminal investigation. It is therefore strongly advised that staff keep any rough (i.e. handwritten) notes that have been made, these maybe required in any subsequent court hearings.

- **Report** – concerns or disclosures of CSE should be report immediately to your line manager or duty officer. This information will then be passed onto the Head of Service or Depute Head of Service (Care or Education) in line with the Child Protection procedure. You may then be asked to carry out an assessment to establish actual CSE, using St Mary’s Kenmure’s Child Sexual Exploitation Checklist Toolkit.

It is the sharing of accurate information, at the earliest possible stage, which enables professionals to consider jointly how to proceed in the best interests of the young person during the safeguarding process.
St Philip's Residential and Day Services

Policy & Procedures

Policy Title: Child Protection

Purpose Statement: This policy and procedure clearly outlines the Child Protection procedures and Code of Practice for all staff and must be read in conjunction with North Lanarkshire Council’s Policy and Procedures and Protocols.

Policy Number 1

Date Of Next Review: 1st February 2018

1. Statement

All staff within St. Philip’s have the responsibility of providing a physically and emotionally safe environment which is free from abuse.

Investigating allegations of abuse will correlate with those of North Lanarkshire Child Protection procedures.

Reference will be made to the Host Authority’s procedures and included as an appendix and point of reference (Appendix 1).

It should be noted that the Host Authority’s procedures provides a definition of a placing authority and the host authority.

The Senior Management Team accepts the definitions as provided by North Lanarkshire council.

Referral of Child protection concerns to the placing authority should be made on the approved paper work and guidance notes followed. (Appendix 2)

Host Authority – The authority in which the school is located. (Appendix 1)

Placing Authority – The authority that placed the child in the school and which usually funds the Placement.

Child Protection Co-ordinator – Ms Elaine McMurray, Care Manager.
Child Protection Co-ordinator Deputy, Mr Brian McGinnes, Care Manager.

2. Policy

Within our document “The Essence of St Philips” we highlight the importance of protecting our young people from abuse and of providing an environment which safeguards their well-being.

Abuse means the harming of one individual by another, usually by someone in a position of power, trust, or authority involving either:

- A significant and one off serious incident.
- A series of repeated incidents

For any child or young person, all forms of abuse mean an abuse of power and a betrayal of trust.

CHILD

For the purpose of child protection procedures a child is defined as a young person under the age of 16 years or between the ages of 16 – 18 if he is the subject of a supervision requirement imposed by the children’s hearing.

CHILD ABUSE

This is defined where a child’s basic needs are not being met in a manner appropriate to his stage of development and he will be at risk of avoidable acts of omission or commission on the part of his parents/siblings other relative or a carer.

Abuse can take many different forms:

SEXUAL

Is the exploitation of a young person which leads to the sexual gratification of the perpetrator. This definition holds whether or not there has been genital contact and whether or not the child is said to have initiated or consented to the behaviour.

PHYSICAL NEGLECT

Is persistent or severe failure to meet a child’s basic physical needs to the extent that his/her health and development are adversely affected? Such needs include food, clothing, cleanliness, shelter and warmth. A lack of appropriate care,
including deprivation of access to health care may result in persistent or severe exposure, through negligence, to circumstances that endanger the child.

EMOTIONAL

This may involve consistently failing to show love or affection to a child or young person. It can include severe and persistent rejection or neglect, criticising, bullying, harassment, taunting, ridiculing, belittling, frightening, threatening, scapegoating, racial abuse and sexism.

PHYSICAL

Deliberate harm or injury to a child or young person, including the administration of toxic substances, where there is knowledge or reasonable suspicion, that the injury was inflicted or knowingly not prevented.

3. Procedures

What To Do If You Are Concerned About A Child

Sometimes it can be difficult to know if a child is being abused or at risk of abuse. You may have general concerns about a child but be unsure whether the child is being abused. If you are worried about a child you should report your concerns/suspicions to your line manager who will pass any details to the child protection co-ordinator who will in turn contact the placing authority.

Guidelines When Dealing With A Disclosure,

- Disclosures of possible abuse should be responded to promptly and calmly.
- The young person should be offered support and reassurance appropriate to the situation.
- Encourage communication at the young person’s own pace. Do not exercise pressure, prompting or ask leading questions.
- Do not offer guarantees of confidentiality.
- The date, time and information revealed about possible abuse should be legibly recorded. (Verbatim where possible.) (Appendix 2) Hand written notes should be retained.
- Information about suspected or disclosed abuse should immediately be presented to the relevant individual in line with the procedures of this document.
Tell the young person what you are going to do next.

DO NOT

- Ask Too Many Questions
- Make Any False Promises
- Express Shock Or Anger At What Is Being Said To You
- Delay Listening To The Child And Passing On Your Concerns
- Carry Out An ‘Investigation’ Into The Allegation

1. Any worker who is made aware by a young person of abuse, or who discovers substantiating evidence of abuse should contact the appropriate senior. For most staff this will be their line manager. If unable to do this then a senior manager should be informed immediately.

2. In a situation where a staff member witnesses the abuse of a young person, the behaviour of the perpetrator should be challenged immediately and an appropriate manager informed.

3. In situations where the staff member believes a middle/senior manager is implicated in an abusive situation, the Head of Service or, if necessary the Board of Directors should be contacted.

4. If a young person requires medical attention this should be sought immediately in consultation with colleagues and management staff.

5. If there is physical evidence of abuse to either substantiate the cause of any injury, or to confirm that serious abuse has taken place, then a medical examination must take place as soon as possible. Include a description or sketch of visible injuries on the pro-forma (appendix 2).

6. Wherever possible, young people should be examined by their own GP and should not normally be subjected to requests for more than one examination.

7. All young people have the right to make a complaint to the police. This should be facilitated by a staff member, who should also provide appropriate and relevant advice and guidance.

8. When the young person exercises their right not to involve the police, and it is felt that such action is necessary, a decision should be made on a senior level to contact the police.

9. When immediate action is necessary in terms of medical or police involvement, consideration should be given to the need to inform the significant people in the
young person’s life. (social worker, parents/carers.) The investigating officer will make this decision based on the relevant information.

4. Process

1. At the earliest opportunity, all information available should be submitted to the unit manager and child protection co-ordinator. They must jointly consider the information and decide whether to initiate an investigation.

2. If there is to be no investigation, the reasons for this should be reported to the social work department and (board of managers). The young person should be made aware of this decision.

3. If there is to be no investigation, but the young person and their family/carers demonstrate concern then they should be advised of their right to make a formal complaint.

4. If there is sufficient and substantive information a Child protection investigation will be initiated. Prior to the investigation, the young person, family, social workers, should be informed that this investigation is taking place.

ROLE OF THE CHILD PROTECTION CO-ORDINATOR / INVESTIGATION OFFICER

The Child Protection Co-ordinator will deal with all disclosures/complaints as quickly as possible. The role of the investigating officer involves:-

- Informing the relevant Social Work department that a complaint or disclosure has been received and ensuring all paperwork (appendix 2) is completed.
- Identify the level of risk the young person may be exposed to and taking necessary action to protect their welfare.
- Convene at the earliest opportunity an investigation in conjunction with the Social work department.
- To act in liaison with the investigation team
- To ensure parents/carers are informed as appropriate

The CPO/ investigating officer (senior manager or designated other manager) will ensure, in consultation with the unit management and (staff teams) that an appropriate named support is assigned to the young person who has disclosed possible abuse.
If a complaint or disclosure of abuse is levelled against one of our young people by another then support should be assigned to both young people.

**ROLE OF THE DESIGNATED SUPPORT PERSON**

- Provide Support To The Young Person
- Act In Close Liaison Between The School And The Young Person
- Advocate For The Young Person
- Be Actively Involved In The Debriefing/Outcome Process With The Young Person. (APPENDIX 2)
St. Philip’s Good Practice Guidelines For Working With Child Protection
(Managers)

All managers have a duty to ensure that every member of staff (including temporary and ancillary staff) is aware of their roles and responsibilities for child protection. Within this duty, managers have to ensure that all staff is appropriately trained and understand their responsibilities by being alert to the signs of abuse and responsibility for referring any concerns to the designated senior person responsible for child protection.

Managers must ensure that parents/carers at the time of admission have an understanding of the schools child protection policy and maintain a partnership approach with parents/guardians, referring agencies and the community.

Managers must ensure that they themselves and their staff group develop effective links with relevant agencies and cooperate, as required, with enquiries and procedures regarding child protection matters including attendance at case conferences.

Managers must ensure that they and their staff group keep written records of all concerns about young people and ensure all records are kept securely in line with school policy and Data Protection.

Managers have a duty to ensure that all new staff members have an induction program which will include child protection, risk assessment and TCI. This approach underpins the essence/culture and safe care environment within St. Philip’s.

Managers must apply safe recruitment policies and process by checking and vetting the suitability of staff working with young people. (See recruitment Policy and procedures).
St Philip's Residential and Day Services

Policy & Procedures

Policy Title: Child Sexual Exploitation

Policy Number: 59

Date of Next Review: 1st November 2017.

Purpose Statement:

Child sexual exploitation is a form of child sexual abuse in which a person(s), of any age takes advantage of a power imbalance to force or entice a child into engaging in sexual activity in return for something received by the child and/or those perpetrating or facilitating the abuse. As with other forms of child sexual abuse, the presence of perceived consent does not undermine the abusive nature of the act.

Applying the Definition

If someone takes advantage of an imbalance of power to get a child/young person to engage in sexual activity, it is CSE if:

1. The child/young person receives, or believes they will receive, something they need or want (tangible or intangible gain or the avoidance of harm) in exchange for the sexual activity.

    AND/OR

2. The perpetrator/facilitator gains financial advantage or enhanced status or power from the abuse. Where it is the victim who is offered, promised or given something they need or want, the exchange can include both tangible (money, drugs or alcohol, for example) and intangible rewards (status, protection or perceived receipt of love or affection, for example). It is critical to remember the unequal power dynamic within which this exchange occurs and to remember that the receipt of something by a child/young person does not make them any less of a victim. It is also important to note that the prevention of something negative can also fulfill the requirement for exchange, for example a child who engages in sexual activity to stop someone carrying out a threat to harm his/her family. Where the gain is solely on the part of the perpetrator/facilitator, it must be something more than sexual gratification to constitute CSE (as opposed to another form of sexual abuse). This could be money, other financial advantage (reduced cost drugs/alcohol or discharge of a debt for example), status or power.
1. **Statement**

- All staff within St Philip’s have a responsibility to provide a safe and nurturing environment for all young people which ensures an appropriate and proportionate response to their needs whilst meeting all statutory obligations.

- Many of the indicators of Child Sexual Exploitation are also part of normal teenage behaviours, however it is the presence of higher risk factors or multiple other factors which may indicate involvement in Child Sexual Exploitation (known as the grooming process).

- Staff will have a greater understanding that Child Sexual Exploitation is different from childhood sexual abuse (which often involves family members). Child Sexual Exploitation highlights the complexity of the issue in which young people become involved and includes all the different techniques that perpetrators use to avoid prosecution.

- In the event of a concern being identified by staff regarding Sexual Exploitation an immediate Child Protection concern should be made to the young person’s local authority. They will complete an initial assessment in collaboration with their multi agency partners, parents/carers and the young person to determine the most appropriate course of action.

- All local authorities have protocols in place as to how sexual exploitation should be dealt with outlining a co-ordinated approach when exploitation is identified.

- Violence, coercion and intimidation are common; involvement in explorative relationships being characterised in the main by the child’s limited availability of choice resulting from their social/economic/emotional vulnerability.

- Terminology needs to remain flexible to avoid the risk of excluding children or young people who are being sexually exploited.

- In St Philip’s we currently follow the traffic light system guidance which requires to be clear and concise when reporting to multi agency working, collaboration both local and national through the Child Exploitation Checklist Toolkit – Risk indicators, no risk, low risk, medium risk, high risk.

See appendix 1

**Principles**

The Child Sexual Exploitation is underpinned by a number of practice principles:

- A child centred approach
- Proactive approach
- Parenting
- The rights of the child and young person
- An integrated approach
- A shared responsibility
Information Sharing

Working with young people in areas of sexual behaviour requires great sensitivity to their wishes and needs. When a young person requests that information is not shared, this request must be respected unless:

- Disclosure is to protect the young person and is in their best interest re child welfare concerns either a child in need or a child in need of protection.
- Disclosure is in the public interest, including for the purpose of prevention or detection of a crime, apprehension or the prosecution of offenders.

Policy and Legislation Framework

- GIRFEC – Getting It Right For Every Child
- Organisations Policy & procedure (Child Protection)
- SSSC Codes of Practice – Professional Roles and Responsibilities
- National Care Standards
- Protection of Vulnerable Groups Act 2007
- Sexual Offences (Scotland) Act 2009
- Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005
- National Risk Framework to Support the Assessment of Children and Young People (2012)

Vulnerability

Using the National Guidance for Child Protection in Scotland 2014 staff will risk assess the vulnerability and potential victimisation of individuals exploited by Child Sexual Exploitation, outlining the measures required to manage and reduce risk.

In most instances one or more vulnerabilities will be present and by using the toolkit we will be able to determine the level of vulnerability exhibited. Care Workers should discuss their concerns with their management and professional judgement should be used at all times.

The screening tool will help you focus on the specific indicators and determine whether further investigation is needed.

- A history of abuse, neglect and/or disadvantage
- Being accommodated or formally looked after
- Disengaging from education and isolation from other support mechanisms
- Disruptive family life, including family breakdown, domestic violence and/or problematic parenting
- Homelessness or living in an unsafe situation
- Drug and Alcohol misuse/disability or learning needs
- Poor health and wellbeing, bullying, social isolation and low self esteem
- Absconding from care environment/education

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APPENDIX 15 CHILD PROTECTION POLICIES OF RESIDENTIAL SCHOOLS

**Indicators** – A list of indicators which could support victims of Child Sexual Exploitation

- Staying out late or episodes of being missing overnight or longer
- Multiple callers
- Evidence of sexual or physical assault/activity
- Peer involvement in sexual exploitation or criminality/gangs
- Disclosure of assault followed by withdrawal of allegation
- Drug/alcohol misuse, isolation from peers
- Relationships with controlling adults
- Unexplained amounts of money, gifts, expensive clothing, new mobile phones
- Frequenting areas of know prostitution, entering and leaving vehicles of unknown person
- Misuse of internet and mobile phone usage
- Requesting sexual/medical health advice

Roles and responding CSE - Good practice guideline for working with CSE

Using the child’s sexual exploitation checklist toolkit, when the young person meets one or more indicators and the level of risk is identified, alert senior staff/care managers. Information requires to be shared with Local Authority Social Workers in order to establish a safe plan and the way forward.

Staff working with young people must always adopt a person centred approach, using skills such as:

- Persistence
- Providing practical support
- Continuity and accessibility
- Building trust gradually
- Importance of patience and timing
- Asking the right question
- Informal/indirect approach, use of resources > healthy relationships

2. **Management Responsibility**

- All managers have a duty to ensure that every member of staff has an awareness of their roles and responsibility for child sexual exploitation. Within this duty, managers have to ensure all staff have appropriate training and understand their responsibilities for referring any concerns to a designated senior person.
- Managers must ensure that a multi-agency partnership approach is established and maintained and aftercare cooperation, as required, is developed with staff teams. Written records of any concerns about the young person are kept securely in line with St Philip’s policies and process by the checking and vetting of staff work within St Philip’s.
- Managers must ensure that parents/carers at time of admission have an understanding of the schools Child Sexual Exploitation Policy and maintain partnership approach with parent/carers, referring agencies and community links.
- Managers must ensure that all relevant information is shared with appropriate multi agencies and placing authorities.
3. **Multi Agency Approach**

**CPC (Child Protection Committee)**
Responsibility for the design, development, publication, distribution, dissemination, implementation and evaluation of child protection policy and practice across the public, private and wider third sectors.

**Police**
There is potential for the newly created single Police Service for Scotland to have a strong Scotland-wide strategy for ensuring victims are at the centre of dealing with CSE. This is not currently available.

**Education**
Staff in schools, further education colleges and other education establishments are uniquely placed to recognise and refer children who are abused through CSE: disengagement from education is a strong indicator of involvement in CSE.

**Health**
Health professionals are on the frontline when it comes to CSE. Health provision is universally provided so they may have more opportunities to spot indicators that a child or young person is being abused through CSE.

**Social Services**
Supporting families to maintain children within their own home and community where appropriate. Investigating allegations of child abuse. Where necessary, providing care placements for children.
4. **Appendix 1**

**Child Sexual Exploitation – Risk Indicators**

- Sexualised risk taking on or offline
- Clipping – offering to have sex for money or other payment then running before sex takes place
- Child under 13 involved or coerced into sexual activity
- Having a much older boyfriend/girlfriend believed to be a risk to young people
- Peer on peer abuse (children who pose a risk to others) or receiving rewards for recruiting
- Associating with other young people at risk of CSE or who are being sexually exploited
- Poor self-image or eating disorders
- Getting into cars with unknown adults
- Disclosure of physical sexual assault with no substantiating evidence to warrant a S47 enquiry, and then refusing to make or withdrawing complaint.
- Pattern of street homelessness and staying with an adult believed to be sexually exploiting them
- Inciting a child under 16 to engage in sexual activity
- Being taken to licensed premises i.e. clubs and hotels by adults, pubs by adults as part of grooming or sexual activity
- Non school attendance or excluded from school due to behaviour
- Being involved in CSE through being seen in hotspots (i.e. known houses, recruiting grounds or parties)
- Unaccounted for money or goods including mobile phone, drugs and alcohol
- Gang member or association
- Associating with unknown adults on or offline
- Staying out overnight with no explanation
- Repeat offending linked to risk of CSE or CSE activity
- Overtly sexually dress
- Being bought/Sold/Trafficked
- Superficial self-harm as a consequence of CSE
- Breakdown of residential placements due to behaviour
- Self-harming (symptomatic of CSE or related factors)
- Child under 16 meeting different adults and exchanging or selling activity for goods or a roof overnight (constrained choices)
- Disclosure of serious sexual assault (with statement or withdrawal of statement)
- Abduction and forced imprisonment
- Forced Marriage
- Peer on peer, issues including sexualised bullying and sexting with consent
- Multiple miscarriages or terminations
- Indicators of CSE alongside serious self-harming
- Multiple sexually transmitted infections (STIs)
- Regularly coming home late or going missing
- Reduced contact with family and friends and other support networks
- Disappearing from the ‘system’ with no contact or support
- Female Genital Mutilation FGM
- Sexually transmitted infections (indicating underage and unprotected sexual activity)
- Experimenting with drugs and/or alcohol
- Associating with known CSE adults
- Being groomed on or offline (perpetrators must be 18 and over)
Appendix 2

**Action to be taken by Residential Staff**

Please tick all boxes which apply to the individual child/young person and amend risk assessment accordingly. If a child meets any of the below indicators then a recorded discussion should be had with Senior Staff, AUM and/or UM and Social Worker to establish safety plan and risk assessment.

<table>
<thead>
<tr>
<th>Lower Level Indicators—one or more indicators identified</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Regularly coming home late or going missing</td>
<td></td>
</tr>
<tr>
<td>Overt sexualised behaviour</td>
<td></td>
</tr>
<tr>
<td>Sexualised risk taking including on internet</td>
<td></td>
</tr>
<tr>
<td>Unaccounted for monies or goods</td>
<td></td>
</tr>
<tr>
<td>Associating with unknown adults</td>
<td></td>
</tr>
<tr>
<td>Associating with other young people at risk of CSE who are being sexually exploited</td>
<td></td>
</tr>
<tr>
<td>Reduced contact with family and friends and other support networks</td>
<td></td>
</tr>
<tr>
<td>Sexually transmitted infections</td>
<td></td>
</tr>
<tr>
<td>Experimenting with drugs and/or alcohol</td>
<td></td>
</tr>
<tr>
<td>Poor self-image</td>
<td></td>
</tr>
<tr>
<td>Eating disorders</td>
<td></td>
</tr>
<tr>
<td>Superficial self-harm</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Medium Level Indicators—any of the above and ONE or more of the following</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Getting into cars with unknown adults</td>
<td></td>
</tr>
<tr>
<td>Associating with known CSE adults</td>
<td></td>
</tr>
<tr>
<td>Being groomed on the internet</td>
<td></td>
</tr>
<tr>
<td>Clipping i.e. offering to have sex for money or other payments and then running before sex takes place</td>
<td></td>
</tr>
<tr>
<td>Disclosure of a physical assault with no substantiating evidence to warrant a 547 enquiry, then refusing to make or withdrawing a complaint</td>
<td></td>
</tr>
<tr>
<td>Being involved in CSE through being in hotspots i.e. known houses or recruiting grounds</td>
<td></td>
</tr>
<tr>
<td>Having an older boyfriend/girlfriend</td>
<td></td>
</tr>
<tr>
<td>Non school attendance or excluded</td>
<td></td>
</tr>
<tr>
<td>Staying out overnight with no explanation</td>
<td></td>
</tr>
<tr>
<td>Breakdown of residential placements due to behaviour</td>
<td></td>
</tr>
<tr>
<td>Unaccounted for money or goods including mobile phones, drugs and alcohol</td>
<td></td>
</tr>
<tr>
<td>Multiple sexually transmitted infections</td>
<td></td>
</tr>
<tr>
<td>Self-harming that requires medical treatment</td>
<td></td>
</tr>
<tr>
<td>Repeat offending</td>
<td></td>
</tr>
<tr>
<td>Gang member or association with gangs</td>
<td></td>
</tr>
<tr>
<td>High Level Indicators—any of the above and ONE or more of these</td>
<td></td>
</tr>
<tr>
<td>-------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Child under 13 engaging in sexual activity</td>
<td></td>
</tr>
<tr>
<td>Pattern of street homelessness and staying with an adult believed to be sexually</td>
<td></td>
</tr>
<tr>
<td>exploiting them</td>
<td></td>
</tr>
<tr>
<td>Child under 16 meeting different adults and exchanging or selling sexual activity</td>
<td></td>
</tr>
<tr>
<td>Being taken to clubs and hotels by adults and engaging in sexual activity</td>
<td></td>
</tr>
<tr>
<td>Disclosure of serious sexual assault and then withdrawal of statement</td>
<td></td>
</tr>
<tr>
<td>Abduction and forced imprisonment</td>
<td></td>
</tr>
<tr>
<td>Being moved around for sexual activity</td>
<td></td>
</tr>
<tr>
<td>Disappearing from the ‘system’ with no contact or support</td>
<td></td>
</tr>
<tr>
<td>Being bought/sold/trafficked</td>
<td></td>
</tr>
<tr>
<td>Multiple miscarriages or terminations</td>
<td></td>
</tr>
<tr>
<td>Indicators of CSE in conjunction with chronic alcohol and drug use</td>
<td></td>
</tr>
<tr>
<td>Indicators of CSE alongside serious self-harming</td>
<td></td>
</tr>
<tr>
<td>Receiving rewards of money or goods for recruiting peers into CSE</td>
<td></td>
</tr>
</tbody>
</table>

**Other guidance and tools for working with children young people at risk or victim to CSE:**

- Getting it right for vulnerable children in North Ayrshire (April 2014)
- Child Sexual Exploitation: Sex, Secrets and Lies
- National guidance for protection in Scotland (May 2014)
Appendix 3

Child Sexual Exploitation Checklist Toolkit

What is this toolkit?

This is a checklist that you can use to help you decide whether a child or young person may be at risk of child sexual exploitation (CSE).

Who should you use this toolkit with?

This tool is to be used when working with Children and Young People up to their 18th birthday. You should be aware that:

Young people aged over 16 can still be at risk of or experience child sexual exploitation

Where a child is under the age of 13 years old, and/or has a learning disability and there are concerns regarding sexual exploitation, St Philip’s CPC should be informed in the first instance and a referral to Children’s Social Work Services will be discussed.

What is this toolkit for? Is it a referral form?

This tool is for your use to make an initial judgement about the level of risk of sexual exploitation for the child or young person and what actions are required. The tool is to assist you in assessing the risk of Sexual Exploitation; it is not intended to be a referral form.

However, when making a referral to the Local Authority team or sharing your concerns with the child’s allocated social worker, the tool should form the basis of those discussions.

Refer to the table at the end of the tool to help you decide how to proceed and discuss this with your manager and CPC.

Using the risk identification toolkit

In order to identify children at risk of sexual exploitation/or those experiencing sexual exploitation consider the following risk indicators on the table below and then score each as no, low, medium or high risk.

The table below is only a guide to inform your professional judgement; one tick against a high risk box may indicate a serious risk of harm /child sexual exploitation, alternatively this might be an indication of other concerns that require addressing.
Details about the child or young person

<table>
<thead>
<tr>
<th>Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of birth:</td>
</tr>
<tr>
<td>Address:</td>
</tr>
<tr>
<td>Contact number</td>
</tr>
</tbody>
</table>

Details about the person completing this checklist toolkit

<table>
<thead>
<tr>
<th>Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Job title:</td>
</tr>
<tr>
<td>House:</td>
</tr>
<tr>
<td>Contact telephone number (s)</td>
</tr>
<tr>
<td>Email:</td>
</tr>
</tbody>
</table>

Date the checklist toolkit completed

<table>
<thead>
<tr>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signed</td>
</tr>
</tbody>
</table>
## Child Sexual Exploitation- Checklist Toolkit

<table>
<thead>
<tr>
<th>Engagement with services</th>
<th>Risk Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>No risk identified</td>
<td>No concerns identified in this area which relate to sexual exploitation. Concerns relate to behaviours which relate to normal child/young person behaviours.</td>
</tr>
<tr>
<td>Low</td>
<td>Lack of engagement, some difficulty in contacting the child.</td>
</tr>
<tr>
<td>Medium</td>
<td>Some engagement but sporadic contact, often misses appointments.</td>
</tr>
<tr>
<td>High</td>
<td>Brief engagement, frequently fails to attend appointments.</td>
</tr>
<tr>
<td></td>
<td>No contact/engagement.</td>
</tr>
</tbody>
</table>

| Information gained and your assessment | |
|---------------------------------------| |


## Risk Indicators

<table>
<thead>
<tr>
<th>Education</th>
<th>Information gained and your assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>No risk identified</td>
<td>No concerns identified in this area which relate to sexual exploitation</td>
</tr>
<tr>
<td>Low</td>
<td>Mainly engaged in employment/school/training</td>
</tr>
<tr>
<td></td>
<td>Some truancy</td>
</tr>
<tr>
<td>Medium</td>
<td>Full time education/training or employment but irregular/poor attendance. Whereabouts during school hours often unknown.</td>
</tr>
<tr>
<td></td>
<td>Referred to educational support services.</td>
</tr>
<tr>
<td></td>
<td>Regular breakdown of school/training placements due to behavioural problems.</td>
</tr>
<tr>
<td>High</td>
<td>Regular breakdown of school/training placements due to behavioural problems.</td>
</tr>
<tr>
<td></td>
<td>Not engaged in education/employment or motivated to be.</td>
</tr>
<tr>
<td></td>
<td>Excluded. Whereabouts often unknown.</td>
</tr>
</tbody>
</table>
### Risk Indicators

<table>
<thead>
<tr>
<th>Risk Level</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>No risk identified</td>
<td>No concerns identified in this area which relate to sexual exploitation. Concerns relate to behaviours which fall within normal child/young person behaviour.</td>
</tr>
<tr>
<td>Low</td>
<td>Often comes home late. Incidents of absence without permission and returning late.</td>
</tr>
<tr>
<td>Medium</td>
<td>Frequently staying out late or overnight without permission/explanation. Whereabouts often unknown/Unauthorised absences Repeated episodes of running away/goinng missing. Looking well cared for despite having no known base Regular breakdown of placements due to behavioural problems.</td>
</tr>
<tr>
<td>High</td>
<td>Frequent periods of missing Missing with other young people assessed at risk of sexual exploitation Persistently running away/goinng missing from placement. Often reported missing Whereabouts often unknown Pattern of street homelessness.</td>
</tr>
</tbody>
</table>

### Consider
- Location of where young person was found, who they went missing with, What happened when they were missing, how often they have gone missing
## Risk Indicators

<table>
<thead>
<tr>
<th>Sexualised Risk Taking</th>
<th>No risk identified</th>
<th>Low</th>
<th>Medium</th>
<th>High</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No concerns identified in this area which relate to sexual exploitation.</td>
<td>Concerns about sexualised dress/attire.</td>
<td>Overt sexualised dress/attire.</td>
<td>Overt sexualised dress/attire.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Some reports of getting into cars with unknown adults/older peers</td>
<td>Reported to be getting into cars with unknown adults/peers</td>
<td>Use of internet to regularly meet unknown adults/older peers.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Meeting unknown adults/older peers through the internet</td>
<td>Having access to premises unknown to parents/carers</td>
<td>Use of internet to share/send inappropriate images.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Meeting adults/older peers through the internet</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Clipping (offering to have sex and then running upon payment)</td>
<td>The child is associating with other children known to be involved with</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>sexual exploitation.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Evidence of sexualised bullying via the internet/social media sites.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Older (5+ years) boyfriend(s)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Information gained and your assessment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Risk Indicators

<table>
<thead>
<tr>
<th>Rewards</th>
<th>Information gained and your assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>No risk identified</td>
<td>No concerns identified in this area which relate to sexual exploitation</td>
</tr>
<tr>
<td>Low</td>
<td>Unaccounted for monies and/or goods (new clothes, make-up, CDs, etc.)</td>
</tr>
<tr>
<td>Medium</td>
<td>Some unaccounted for monies and/or goods, (new clothes, make-up, CDs, etc.), especially jewellery and mobile phones. Funding misuse of drugs/alcohol/use of tobacco through unknown sources</td>
</tr>
<tr>
<td>High</td>
<td>Unaccounted for monies and/or goods, especially jewellery and mobile phones. Has unexplained use of more than one mobile phone Funding misuse of drugs/alcohol/use of tobacco, through unknown sources</td>
</tr>
<tr>
<td>Contact with abusive adults / young people and / or risky environments</td>
<td>Risk Indicators</td>
</tr>
<tr>
<td>---------------------------------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td><strong>No risk identified</strong></td>
<td>No concerns identified in this area which relate to sexual exploitation</td>
</tr>
<tr>
<td><strong>Low</strong></td>
<td>Associating with unknown adults / older peers and / or other sexually exploited children</td>
</tr>
<tr>
<td><strong>Medium</strong></td>
<td>Extensive use of phone, (incl. late at night, secret use), use of more than one mobile phone. Having access to premises not known to parent / carer. Reports from reliable sources, suggesting involvement in sexual exploitation. Reported to have been in areas where there are concerns related to sexual exploitation and / or street sex work is known to take place.</td>
</tr>
<tr>
<td><strong>High</strong></td>
<td>Evidence of association / relationships with adults / older peers believed / known to be involved in grooming / exploitation. Reported to be seen or picked up, in areas where street sex work is known to take place.</td>
</tr>
<tr>
<td><strong>Information gained and your assessment</strong></td>
<td>Consider: what you know about the abusive adults or young people and / or the risky environment.</td>
</tr>
<tr>
<td>Coercion / control</td>
<td>Risk Indicators</td>
</tr>
<tr>
<td>--------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td><strong>No risk identified</strong></td>
<td>No concerns identified in this area which relate to sexual exploitation</td>
</tr>
<tr>
<td><strong>Low</strong></td>
<td>Reduced contact with family/friends.</td>
</tr>
<tr>
<td><strong>Medium</strong></td>
<td>Limited contact with family/friends.</td>
</tr>
<tr>
<td></td>
<td>Appears to be ‘controlled’ negatively influenced by others</td>
</tr>
<tr>
<td></td>
<td>Disclosure of physical/sexual assault followed by withdrawal of allegation</td>
</tr>
<tr>
<td></td>
<td>Physical injuries – external/internal Concerns about significant relationships and domestic abuse/violence</td>
</tr>
<tr>
<td><strong>High</strong></td>
<td>No contact with family/friends. Concerns that relationship might involve abuse/violence/be controlling</td>
</tr>
</tbody>
</table>
| | Forced imprisonment (described by young people as ‘locked in’)
| | Abduction |
| | Disappears from system (no contact with support systems) |

**Information gained and your assessment**
<table>
<thead>
<tr>
<th>Sexual Health</th>
<th>Risk Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>No risk identified</td>
<td>No concerns identified in this area which relate to sexual exploitation</td>
</tr>
<tr>
<td>Low</td>
<td>Sexually transmitted diseases (STIs)</td>
</tr>
<tr>
<td>Medium</td>
<td>Recurring or multiple Sexually transmitted diseases Concerns about untreated STIs Miscarriage(s), Termination(s)</td>
</tr>
<tr>
<td>High</td>
<td>Recurring or multiple STIs. Concerns about untreated STs Miscarriage(s), Termination(s) Physical symptoms suggestive of sexual assault.</td>
</tr>
<tr>
<td>Information gained and your assessment</td>
<td></td>
</tr>
</tbody>
</table>
# Risk Indicators

<table>
<thead>
<tr>
<th>Substance misuse</th>
<th>No risk identified</th>
<th>Low</th>
<th>Medium</th>
<th>High</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No concerns identified in this area which relate to sexual exploitation.</td>
<td>Mild use of substances (including alcohol) Experimenting with drugs/ alcohol</td>
<td>Evidence of regular substance (including alcohol) use.</td>
<td>Evidence of heavy/dependant/worrying substance misuse (including alcohol). Chronic dependency of addictive substances. Concerns for use/dependency/increase of use, funding of usage.</td>
</tr>
</tbody>
</table>

**Information gained and your assessment**

Consider the type of substance misused/how the young person is funding their use/who is supplying them.
<table>
<thead>
<tr>
<th>Emotional Health</th>
<th>Risk Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>No risk identified</strong></td>
<td>No concerns identified in this area which may relate to sexual exploitation</td>
</tr>
<tr>
<td><strong>Low</strong></td>
<td>Fatigue, Poor self-image, Expressions of despair, low mood, Internal (Self-harm): • Cutting • Overdosing • Eating disorder Sexualised risk taking</td>
</tr>
<tr>
<td><strong>Medium</strong></td>
<td>Chronic low self-esteem/self confidence Expression of despair Internal (Self-harm): • Cutting • Overdosing • Eating disorder Sexualised risk taking External (intensive acting out): • Bullying/threatening behaviour • Violent outbursts • Offending behaviour</td>
</tr>
<tr>
<td><strong>High</strong></td>
<td>Chronic low self-esteem/self confidence Mental health problems Expression of despair Internal (Self-harm): • Cutting • Overdosing • Eating disorder Previous suicide attempts Sexualised risk taking External (intensive acting out): • Bullying/threatening behaviour • Violent outbursts • Offending behaviour</td>
</tr>
<tr>
<td><strong>Information gained and your assessment</strong></td>
<td></td>
</tr>
</tbody>
</table>
## APPENDIX 15 CHILD PROTECTION POLICIES OF RESIDENTIAL SCHOOLS

<table>
<thead>
<tr>
<th>Accommodation</th>
<th>Risk Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>No risk identified</td>
<td>No concerns identified in this area which relate to sexual exploitation</td>
</tr>
<tr>
<td>Low</td>
<td>Accommodation concerns, but overall accommodation meets the child/youth person's needs and the child is happy</td>
</tr>
<tr>
<td>Medium</td>
<td>Unsuitable, Unstable/Temporary (hostel, shared house) unsupported.</td>
</tr>
<tr>
<td></td>
<td>Overcrowded</td>
</tr>
<tr>
<td></td>
<td>The child is unhappy with the accommodation</td>
</tr>
<tr>
<td>High</td>
<td>Unsuitable, unstable/temporary/overcrowded (hostel, shared house) unsupported.</td>
</tr>
<tr>
<td></td>
<td>The child is unhappy with the accommodation &amp; often stays elsewhere</td>
</tr>
<tr>
<td></td>
<td>Homeless or Sofa surfing</td>
</tr>
<tr>
<td></td>
<td>Care leaver or Looked After Child</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Information gained and your assessment</th>
<th></th>
</tr>
</thead>
</table>
### APPENDIX 15 CHILD PROTECTION POLICIES OF RESIDENTIAL SCHOOLS

#### Risk Indicators

<table>
<thead>
<tr>
<th>Family Relationships</th>
<th>Information gained and your assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>No risk identified</td>
<td>No concerns identified in this area which relate to sexual exploitation.</td>
</tr>
<tr>
<td>Low</td>
<td>Carer(s) show warmth, support the child and have good /positive communication with the child.</td>
</tr>
<tr>
<td></td>
<td>The child has positive friendships.</td>
</tr>
<tr>
<td></td>
<td>Reported reduced contact with family /parental concern.</td>
</tr>
<tr>
<td>Medium</td>
<td>Carer(s) lack understanding, tolerance and warmth towards the child.</td>
</tr>
<tr>
<td></td>
<td>Family relationships are strained.</td>
</tr>
<tr>
<td></td>
<td>Friends/carers report a change in behaviour /reduced contact with the child/concerns. Parents fail to report missing episodes</td>
</tr>
<tr>
<td></td>
<td>Family/Friends/peers are known offenders.</td>
</tr>
<tr>
<td>High</td>
<td>There is little or no communication between the carer(s). There is a lack of warmth/understanding, /attachment and /or trust.</td>
</tr>
<tr>
<td></td>
<td>Breakdown in family relationships/no contact. Parents fail to report missing episodes</td>
</tr>
<tr>
<td></td>
<td>Family/Friends/peers are known offenders.</td>
</tr>
</tbody>
</table>
## Risk Indicators

<table>
<thead>
<tr>
<th>Risk to others</th>
<th>Information gained and your assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>No risk identified</td>
<td>No concerns identified in this area which relate to sexual exploitation</td>
</tr>
</tbody>
</table>
| Low | No identified risk to others  
Mild concerns about influence on other children & young people. |
| Medium | Concerns regarding negative influence on others.  
Concerns that the child might expose other children to risky situations.  
Bullying and threatening behaviour  
Offending behaviour |
| High | Places other children at risk of child sexual exploitation. Displays violence towards others, angry outbursts  
(including family members and carers)  
Bullying and threatening behaviour  
Offending behaviour |
## Risk Indicators

<table>
<thead>
<tr>
<th>Experience of Violence</th>
<th>Information gained and your assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>No risk identified</td>
<td>No concerns identified in this area which relate to sexual exploitation.</td>
</tr>
<tr>
<td>Low</td>
<td>No known incidents of the child being a victim of violence or witnessing domestic abuse.</td>
</tr>
<tr>
<td>Medium</td>
<td>Some concerns that the child has been/is being exposed to violence in the home and/or from others.</td>
</tr>
<tr>
<td></td>
<td>Disclosure of physical/sexual assault followed by withdrawal of allegation</td>
</tr>
<tr>
<td></td>
<td>Physical injuries – external/internal</td>
</tr>
<tr>
<td>High</td>
<td>Abuse towards the child from family members known.</td>
</tr>
<tr>
<td></td>
<td>Peers/older friends/partners are violent towards the child. Abusive significant relationship. Physical symptoms suggestive of physical/sexual assault.</td>
</tr>
<tr>
<td></td>
<td>Disclosure of physical/sexual assault</td>
</tr>
</tbody>
</table>
## Other factors to consider and information gained

| Other child & family factors to consider | **Family**: Abuse and/or neglect in family; parental substance misuse; adult prostitution  

Child: Learning disabilities; financially unsupported; migrant/refugee/asylum seeker; death, loss or illness of a significant person in the child’s life  

Information gained and your assessment | Other information, such as the name of adults about who there are concerns, and/or peers |
What Next

Keep a copy for this toolkit in your records and use.

If you are aware that the child/young person already has an allocated social worker, you must contact them (or their team manager) to discuss your concerns about sexual exploitation. If you are unable to speak with either, please ring the Children’s Services Duty and Advice team.

Please note that a discussion with the child’s social worker or Children’s Services Duty & Advice or must be undertaken if the assessed risk is medium or high.

When contacting the social worker or the Duty and Advice team, be ready to provide details of the child, such as name, age, date of birth, address and phone number if known. Where you obtained your information from should also be shared, (interview with child, 3rd party information, etc.)

Please make an overall assessment of the risk of or experience of CSE and indicate this in the box below.

<table>
<thead>
<tr>
<th>Risk Level</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>No risk</td>
<td>The assessment provides no current evidence that there is a risk of the child/young person currently being at risk of, or experiencing sexual exploitation.</td>
</tr>
</tbody>
</table>
| Lowest Risk     | The indicators raise some concerns that the child may be at risk of being targeted or groomed.  
                  Child may require a referral to specialist services such as ISIS (at Genesis) or BLAST or to the Integrated Processes Team for access to support from Targeted Services  
                  A discussion could be held with the Children’s Services Duty and Advice Team or the child’s allocated social worker.  
                  If the decision is no further action, or to offer advice, support, guidance, intervention within the home agency and not to contact Children’s Services Duty & advice or the child’s social worker, this must be recorded in child’s record/file. |
| Medium Risk     | The checklist assessment indicates that the Child is vulnerable to being sexually exploited.  
                  They may be at risk of opportunistic abuse.  
                  The practitioner must seek further advice from either the Children’s Services Duty and Advice Team or the child’s allocated social worker. |
Indicators /Assessment/Evidence/disclosure denote that the child is at immediate risk of, or is experiencing sexual exploitation. (They may not recognise this)

The practitioner must contact Children’s Services Duty and Advice Team or the child’s allocated social worker.

If it is felt that a child is at immediate risk of harm, the Police must be contacted on 999

Children’s Services Contacts:

Missing Person Operational Co-ordinator Contact: Sgt Lorraine Sharkey
Tel No: 01698 483 365

Crime Prevention Community Safety Officer: PC Kenny Blades
Tel No: 07837559740
Kenneth.blades@scotland.pnn.police.uk