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Possible collusion between individuals alleged to have sexually abused boys at four Christian Brothers' institutions in Western Australia, 1947-1965: a secondary analysis of material collated by historical abuse inquiries and other records¹

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Executive Summary

- Previous Inquiries into post-war child migration to Australia have raised concerns about the extent of alleged abuse at four residential institutions run by the Christian Brothers in Western Australia: St Joseph's Farm and Trade School, Bindoon; Castledare Junior Orphanage; Clontarf Boys' Town; and St Mary's Agricultural School, Tardun. One Inquiry has suggested that this went beyond isolated acts by individual perpetrators, describing it as 'systemic criminal sexual abuse'.
- This document seeks to provide a more detailed discussion of the extent of sexual abuse at these institutions, as well as indicators of possible collusion between alleged abusers, through a secondary analysis of forty-nine written and oral witness statements received by the Royal Commission into Institutional Responses to Child Sexual Abuse, the Historical Institutional Abuse Inquiry, the Independent Inquiry into Child Sexual Abuse and the Scottish Child Abuse Inquiry, supplemented by other source material including a sample of documents from the Bruce Blyth archives held at the National Library of Australia.
- Material considered by the Royal Commission into Institutional Responses to Child Sexual Abuse, has indicated that the Christian Brothers in Australia appear more generally to have adopted a policy of removing known or suspected sexual offenders from institutions rather than bringing such cases to the awareness of external authorities. In a number of cases, this appears to have involved the transfer of individual offenders to other institutions run by the Brothers which, by virtue of the Brothers' work as primarily a teaching order, often gave them further access to boys. Five specific cases are noted in which Brothers were the subject of allegations of abuse at other institutions before or after working at these four institutions in Western Australia, including cases of Brothers prosecuted for sexual offences at these other institutions. In the case of Br Murphy,

¹ An initial version of this paper was first published online on 12th December 2019 based on analysis of material from the Royal Commission into Institutional Responses to Child Sexual Abuse, the Historical Institutional Abuse Inquiry and the Independent Inquiry into Child Sexual Abuse, as well as related source material. A revised version of this paper was then re-published online on 24th February 2020, incorporating an analysis of material from the Bruce Blyth archives held in the National Library of Australia. This final version of the paper was published online on 22nd January 2021 to incorporate analysis of material from the Scottish Child Abuse Inquiry as well as the court judgment on the civil case brought against the Christian Brothers by John Lawrence in Western Australia.

complaints about his offending behaviour at different institutions were made over three decades.

- These forty-nine witness statements and other source materials allege incidents of sexual abuse in the period 1947-65 and name thirty-four Brothers working at these four institutions in this period as perpetrators. With 100 Brothers working at these institutions in this period, this represents allegations of sexual abuse against 34% of Brothers on their staff. It is understood that the Christian Brothers have held archival material relating to known or suspected sexual abuse of boys by nine of these Brothers, with a tenth convicted after pleading guilty to sexual offences to boys at Castledare. Six of these thirty-four Brothers were Superiors in charge of institutions and are alleged to have sexually abused boys in their care whilst in these roles.
- In addition to this, allegations of sexual abuse have also been made against three priests working at these institutions, as well as a local stage manager in Perth and a lay teacher working at Clontarf. Two of these priests were from the Benedictine Community of New Norcia which was identified by the Royal Commission into Institutional Responses to Child Sexual Abuse as the religious institute in Australia with the highest proportion of claims of sexual abuse made against its members and which had a close institutional relationship with Bindoon.
- Brothers against whom allegations of sexual abuse have been made in this material constituted a significant proportion of staff at Bindoon for the entire period 1947-65 (including all three Superiors in charge of the institution in that period), at Clontarf for the period 1949-1960 and Castledare from the mid-1950s until the early 1960s. This analysis is consistent with the claim made independently in a private report by Barry Coldrey that 'sex rings' operated at these three institutions in these periods.
- Analysis of staff registers for these institutions suggests that Brothers against whom allegations of sexual abuse have been made in this source material were significantly more likely to be transferred between these four institutions than Brothers against whom no allegations of sexual abuse have been made. 50% of the thirty-four Brothers against whom allegations of sexual abuse have been made were transferred between these four institutions, compared to 18% of the Brothers working at these institutions in this period against whom no allegations of sexual abuse have been made.
- Although there were different ways in which Brothers across these four institutions would know each other, the circulation of Brothers against whom allegations of sexual abuse have been made meant that contacts would have developed between many of them through working at some point in the same institution. Br Angus, who is one of the alleged abusers most frequently named by witnesses in this sample would, for example, have known twenty-eight of these other alleged abusers simply through his repeated transfer between three of these institutions.
- Whilst allegations of sexual abuse presented to previous Inquiries by former child migrants from the United Kingdom placed with other organisations have tended to suggest perpetrators acting in isolation, a number of alleged incidents in witness statements relating to these four Christian Brothers' institutions suggest various degrees of knowledge or collusion between abusers. This includes the sexual abuse of boys in dormitories (or removal of boys from dormitories for abuse, not necessarily by the dormitory supervisor), the sexual abuse of boys in other communal areas, Brothers

mocking a boy who was subject to sustained abuse from another Brother as being his 'pet' and 'little girl', the involvement of the local stage manager, Leo McCarron, in unusual social arrangements with boys (including him being allowed to remove boys from some of these institutions to sleep overnight in his van) and two allegations of group rapes involving Brothers.

- Within this witness statements analysed, twenty-five occasions are reported by victims in which they sought to make disclosures about being sexually abused to Brothers, priests or other people in the local community, thirteen of which are reported to have taken place whilst boys were resident at Bindoon. In a number of cases, these disclosures were made to individual Brothers and priests against whom other witnesses have separately made allegations of sexual abuse. In some instances, such disclosures were followed by a boy being abused by the individual to whom they had made the disclosure or by another member of staff. Rather than helping to protect boys in these institutions, it appears possible that such disclosures may have contributed to knowledge of abuse amongst alleged perpetrators at Bindoon. It also raises the possibility that in such a context, a boy's disclosure of abuse could have exposed him to being targeted by other perpetrators.
- Another possible indicator of collusion between abusers are witness statements alleging abuse by more than one perpetrator. Twenty-nine of the forty-nine witness statements contain such allegations, with seven of these containing allegations of abuse by four or more perpetrators. Individuals against whom a significant number of allegations of abuse have been made in this sample – Br Angus, Br Murphy and Fr William – have been frequently named in a number of witness statements alleging abuse by multiple perpetrators.
- Allegations of sexual abuse have also been made in relation to rehearsals and performances of musical productions by boys at Clontarf and Castledare. Individuals associated with these productions have also had allegations of sexual abuse separately made against them, namely Leo McCarron, Mr Jackson, Br Smith and Br Murray. During the period in which these productions took place, five other Brothers against whom allegations of abuse have separately been made were working at these institutions, namely Brs Angus, Doyle, Marques, Murphy and Campbell.
- There are important limitations with this analysis. Lack of direct access to archival material held by the Christian Brothers makes it difficult to corroborate this analysis with any material held there. However, if Superiors of institutions were colluding with other perpetrators to any degree, this reduces the likelihood of comprehensive records of suspected or known abuse being created in the first place. Points of connection between alleged abusers do not necessarily demonstrate collusion and it is not always possible to reconstruct from witness statements more precise chronologies of when abuse is alleged to have taken place. Establishing points of connection between alleged abusers may also mask more complex inter-personal dynamics between staff in these institutions that may have had a bearing on how suspicions or knowledge of abuse were managed.
- However, this analysis has indicated that the number of individuals associated with these institutions against whom allegations of sexual abuse has been made is substantial, that the nature of alleged abuse (including abuse of boys by multiple perpetrators) suggests collusion between abusers and that the working lives of these institutions (including the circulation of alleged abusers between them) created conditions in which such collusion could take place.

- The possible indications of collusion between abusers at these institutions noted in this analysis supports the view of the Australian Senate Community Affairs Committee that the degree of systemic sexual abuse was significantly greater in these four institutions than in any other institutions in Australia to which child migrants from the United Kingdom were sent.
- The fact that numerous contemporaneous disclosures of sexual abuse were reportedly made by boys resident at these institutions also suggests that more robust monitoring of their post-migration welfare by the United Kingdom Government and Catholic sending organisations could have been an important safeguard against this abuse. Questions also arise about what knowledge Br Conlon and Fr Stinson, who were both involved in the direct recruitment of child migrants from Catholic residential institutions in the United Kingdom, might have had regarding the physical and sexual abuse of boys at these institutions before undertaking their recruitment activities.

1. Introduction

1.1 Since the mid-1990s, a number of investigations into the experiences of British child migrants sent to Australia in the post-war period have expressed particular concerns about accounts of physical and sexual abuse at four institutions run by the Christian Brothers in Western Australia (St Joseph's Farm and Trade School, Bindoon; Castledare Junior Orphanage; Clontarf Boys' Town; and St Mary's Agricultural School, Tardun). In its report, *The Welfare of Former British Child Migrants*, the House of Commons Health Committee, for example, commented that 'It is hard to convey the sheer weight of testimony we have received [about these institutions]. It is impossible to resist the conclusion that some of what was done there was of a quite exceptional depravity, so that terms like 'sexual abuse' are too weak to convey it'.²

1.2 In addition to noting the scale of alleged abuse at these institutions, concern has also been raised that this occurred as a result of collusion between abusers. In its 2001 report *Lost Innocents*, the Australian Senate Community Affairs Committee stated that 'the stories from the ex-residents of Bindoon, Castledare, Clontarf and Tardun provide an account of systemic criminal sexual assault and predatory behaviour by a large number of the Brothers over a considerable period of time'.³ In an earlier private report, completed in 1994, Barry Coldrey also argued that it was likely that Brothers were involved in 'sex rings' in at least three of these institutions, and noted that the fact that some boys were repeatedly abused by different Brothers and other boys not at all, suggested some degree of communication between Brothers in terms of the targeting of particular boys.⁴

1.3 More recently, since 2014, four subsequent Inquiries – the Royal Commission into Institutional Responses to Child Sexual Abuse, the Historical Institutional Abuse Inquiry, the Independent Inquiry into Child Sexual Abuse and the Scottish Child Abuse Inquiry - have published forty-nine witness statements alleging sexual abuse at these four institutions. These include allegations of witnesses being forced to touch perpetrators sexually or to masturbate them, witnesses being sexually touched or forcibly masturbated, being forced to give or receive oral sex and being anally raped. Forty-six of these witness statements were submitted by former child migrants from the United Kingdom, two from former child migrants from Malta and one from an Australian-born boy placed in residential care at one of these institutions.⁵

1.4 In the process of producing this report, it has also been possible to analyse documents from the Bruce Blyth archives held by the National Library of Australia (see Appendix 2 for further details) which appear to have been originally produced in the period 1992-96 during the course of successive

² House of Commons Health Select Committee, Third Report, 1997/98, *The Welfare of Former British Child Migrants*, London: HMSO, para 51.

³ Australian Senate Community Affairs Committee, *Lost Innocents: Righting the Wrongs*, Canberra: Commonwealth Government, 2001, 4:20.

⁴ Barry Coldrey, *Reaping the Whirlwind: The Christian Brothers and the Sexual Abuse of Boys*, (private report, 1994), pp.93-98. On the lack of more detailed investigation of the systemic nature of this abuse by previous inquiries, see Jodi Death, *Governing Child Abuse Voices and Victimisation: The Use of Public Inquiry into Child Sexual Abuse in Christian Institutions* (London: Taylor and Francis, 2017), pp.88-111.

⁵ A small number of witnesses gave statements to more than one of these Inquiries, but after confirming that their later submissions did not significantly change or add to their original statements, use has only been made of their original submission for the purposes of this analysis. There is therefore no double-counting of witnesses within this sample of thirty-five witness statements.

campaigns by the VOICES organisation. These consist of one archive box (Bruce Blyth archives, Box 8) which contains letters and short case summaries relating to 61 individuals who alleged sexual abuse whilst being resident at these four Western Australian institutions, as well as a further individual alleging abuse by a Brother named below in Table 1 whilst visiting Clontarf. A second archive box (Box 12) contains composite lists of victims and alleged abusers, with the main list naming 121 individuals who are identified as having been sexually abused by specific Brothers or priests who were working at these four institutions in the period 1947-65. The range of sexual offences described in Box 8 correspond to those listed in 1.3 above though also include one case involving multiple incidents of forced bestiality. It is not possible from this material to be entirely clear what proportion of those alleging abuse were child migrants or Australian-born residents at these institutions, but given that the focus of this report is on the extent and possible contacts between alleged perpetrators in these institutions, such clarity is not essential for the analysis presented below. Because the Bruce Blyth papers are not fully public documents, information relating to specific individuals in the Blyth papers that does not appear in the witness statements or other public documents has been anonymised in the following analysis. This report also makes use of information from the published court decision in the case of *Lawrence v Province Leader of the Oceania Province of the Congregation of the Christian Brothers*, published on 21st May 2020.⁶

1.5 On the basis of this material, this document presents a more detailed analysis of any indications of collusion between individuals who are alleged to have committed acts of sexual abuse at these four institutions in the period 1947-1965⁷. This analysis has involved: i) collating the names of all alleged perpetrators in these witness statements; ii) mapping Brothers who were alleged to have committed sexual abuse against staff registers indicating when individual Brothers were on the staff of these institutions in this period; iii) comparing what proportion of Brothers against whom allegations of sexual abuse have been made were transferred between these institutions compared to the proportion of Brothers against whom no allegations were made in this sample; iv) establishing the proportion of staff at each of these institutions, by year, against whom allegations of sexual abuse have been made; v) identifying possible indicators of collusion between alleged perpetrators in accounts given by witnesses; vi) collating the number of contemporaneous disclosures of sexual abuse which these witnesses reportedly made whilst they were resident at one of these institutions and the reported outcome of these disclosures; vii) identifying the number of witness statements in which witnesses allege having been abused by two or more individuals; viii) identifying possible points of connection between individual alleged perpetrators on the basis of this information.

1.6 To set this analysis in context, this document begins by discussing material which suggests wider organisational approaches to known or suspected cases of sexual abuse within the Christian Brothers in Australia that are relevant to this early post-war period (section 2). Having done this, a summary will be given of the Christian Brothers and other individuals against whom allegations of sexual abuse have been made at these four institutions in this period (section 3), the significance of patterns of transfers of Brothers between these four institutions will be discussed (section 4), possible indications and networks of collusion between alleged abusers are considered (section 5), and finally issues raised by this analysis in the wider context of systems for post-war child migration to these institutions are noted (section 6).

⁶ This court decision is available at <http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/wa/WADC/2020/27.html?context=1;query=lawrence%20AND%20Christian%20AND%20Brothers>

⁷ The period in which child migrants from the United Kingdom would have been accommodated at these institutions.

2. Organisational knowledge and responses within the Christian Brothers to the sexual abuse of boys by members of their order in Australia

2.1 Evidence collated by the Australian Royal Commission indicated that in each decade from 1919 into the 1960s, Provincial Councils of the Christian Brothers in Australia were aware of allegations of sexual abuse against specific Christian Brothers.⁸ A number of these cases were also a matter of correspondence between the relevant Provincial Council in Australia and the order's over-arching General Council in Dublin. A common response within the order was either to transfer Brothers from the institution at which they had offended to other institutions or, in some cases, to seek to persuade a Brother to leave the order by requesting a dispensation from their vows.⁹ Although the order had the power to dismiss Brothers who were judged to be liable to cause grave external scandal or a serious imminent injury to the community, in practice such dismissals generally appear to have taken place for Brothers who had not completed their final vows. The dismissal of Brothers who had completed their final vows may have been avoided as this risked attracting publicity to such cases, with such dismissals (and appeals against these) having to be referred on to the Apostolic See for confirmation and with details of their case no longer being under the order's control.¹⁰ No instances have been identified during the period in which British child migrants were resident in Western Australia in which the Christian Brothers in Australia proactively contacted the police or child welfare authorities about sexual abuse by one of their Brothers.¹¹ This was equally true in cases where physical punishment by Brothers would have constituted criminal assault in which, again, such issues were dealt with as matters of internal management and not referred to external authorities.¹² There is little doubt, however, that the order would have understood that sexual abuse and severe physical punishments constituted criminal acts.

2.2 Because the Christian Brothers functioned primarily as a teaching order, transfer of a Brother to another institution run by the order typically meant either transfer to a boarding or day school or to some other form of institution for boys. The policy of transferring Brothers suspected or known to have sexually abused children appears to have continued within the Brothers from the 1960s into the 1990s.¹³ As will be noted below, this practice appears to have been adopted in relation to a

⁸ See Royal Commission into Institutional Responses to Child Sexual Abuse, Report on Findings for Case Study 11, p.5. A separate analysis undertaken in 1994/95, refers to 48 cases of alleged sexual abuse appearing in minutes of the Provincial Council between 1922 and 1964, with the Provincial Council making rulings on 36 of these (see Royal Commission into Institutional Responses to Child Sexual Abuse, Exhibit, *The Trustees of the Christian Brothers, Memorandum of Advice*, 1995, CTJH.056.11094.0179_R).

⁹ Two cases are reported by Barry Coldrey, *Reaping the Whirlwind*, pp.74-78 of Brothers who committed repeated offences over periods of 20 years or more before they were eventually pressured into accepting dispensations.

¹⁰ On this, see *The Trustees of the Christian Brothers, Memorandum of Advice*, CTJH.056.11094.0191_R-0194_R.

¹¹ See, e.g., *Reaping the Whirlwind*, p.65, in which Coldrey notes that there were ten known cases of sexual offences by Brothers known to the order in 1953 alone, with none being referred to the police.

¹² See, e.g., *The Trustees of the Christian Brothers, Memorandum of Advice*, CTJH.056.11094.0204_R, which documents the case of Br Hanretty's complaint against Br McDonnell for beatings of young children at Castledare which left children with black and blue bruising all over their bodies, welts, swollen lips, and bleeding noses through being knocked over by being slapped in the face and then beaten on the ground, as well as taking boys to the shower and slapping them whilst they were completely naked. Although McDonnell was transferred from this position, no contact with external authorities was made about him by the order.

¹³ See cases discussed in Royal Commission into Institutional Responses to Child Sexual Abuse, Report on Findings for Case Study 28, pp.23-42.

number of Brothers against whom allegations of sexual abuse have been made at these four residential institutions in Western Australia.

2.3 In his private report, *Reaping the Whirlwind*, Barry Coldrey has claimed that problems of sexual abuse within the Christian Brothers, and their approach to transferring offending Brothers, was also known to some senior Australian clergy. The influential Archbishop of Melbourne, Daniel Mannix, was reportedly very concerned about cases of sexual abuse involving Christian Brothers during the Second World War, considering them 'alarming to danger of publicity'.¹⁴ Mannix was also aware of a case in 1953 when a Brother who taught at a school run by the order in Melbourne, was accused of molestation by a group of boys at the school. This case was particularly sensitive as this Brother was, at that time, being nominated for a place on the order's Provincial Council which covered Western Australia. This Brother was reportedly transferred to a new appointment in Sydney and the case did not attract external publicity. Although the Provincial Council took the view that he was innocent, Mannix did not share that view. Whilst Mannix was reportedly unhappy with the Brothers' management of this case, it appears that he did nothing to bring it to the attention of external authorities.¹⁵ Redmond Prendiville, Archbishop of Perth from 1935-68, who co-sponsored the proposal for Brothers' institutions in Western Australia to begin to receive British child migrants in 1938 and who took a leading role in ensuring that Catholic child migration to Western Australia resumed in 1947, was also aware of a similar case involving the Brothers. In 1936, another Brother was transferred from a post in Victoria to a senior role in one of the order's schools in Western Australia. This individual then reportedly committed sexual offences against three boys at the school's annual retreat within the first year of his appointment. His case became known to Prendiville (as well as to Mannix and to Br Conlon, who was to play a leading role in British child migration to Western Australia). Prendiville was reportedly furious when he learned that this individual had been transferred to Western Australia because of previous incidents of sexual abuse in Victoria and at the order's slow response to the fresh incidents in Western Australia. After threatening to withdraw permission for the school in Western Australia to continue to operate in his Archdiocese unless prompt action was taken, this Brother was reportedly sent back to Dublin and persuaded by the General Council to apply for a dispensation from his vows.¹⁶ Whilst Prendiville could be seen to have taken prompt action in this case, this was only to ensure the removal of this Brother from his Archdiocese and no external authorities were involved in this case. Despite this case arising at the same time when he and Conlon were developing proposals for child migration to Western Australia, Prendiville continued to give strong support to the Brothers' role in receiving child migrants and there is no indication that he raised any wider systemic questions about the order's policy of using transfers to deal with sexual offenders.

2.4 The order's policy of transferring Brothers who were understood or believed to have committed sexual offences could be interpreted, in part, as an attempt to remove Brothers from the environment and relationships in which they had 'sinned' and, in part, as a means of managing such cases in a way that might minimise external publicity. Another factor which may have encouraged this policy was the increasing demand on the Brothers' teaching services during the Second World War and into the post-war period, caused in part by a significant growth in Catholic immigration from Southern Europe and increasing demand for private Catholic schools (which the Church at the time considered an important priority in ensuring the maintenance of distinctive Catholic faith and identity). The retention and re-circulation of offending Brothers might therefore be understood in

¹⁴ *Reaping the Whirlwind*, p.62.

¹⁵ *Reaping the Whirlwind*, pp.67-8.

¹⁶ *Reaping the Whirlwind*, pp.70-74.

terms of an attempt by the order to prevent its membership declining. As a memorandum prepared for the Trustees of the Christian Brothers in relation to alleged cases of abuse put it, 'the Order was primarily concerned with the need to provide Catholic education for boys and there was a preoccupation with the problem of ensuring that there was sufficient Brothers available to staff schools'.¹⁷

2.5 One implication of the practice of transferring Brothers known or suspected of sexual abuse between institutions run by this religious order is that individual perpetrators appear to have been allowed to continue to commit sexual offences against children over long periods of time at more than one institution. A large number of allegations of sexual abuse have been made, for example, against Br Murphy relating to incidents from Tardun in the early 1940s, then at Castledare and Clontarf in the late 1940s and 1950s up to another complaint against him reportedly made during his time working at Christian Brothers College, Adelaide in 1970, at which point he was transferred to another Christian Brothers community attached to a boys' school at Whyalla, South Australia. Br Wise, who has been alleged in witness statements to have sexually abused boys at Bindoon, was later prosecuted for sexual offences against two boys at Christian Brothers College, Adelaide, reportedly committed in the mid-1960s after he had been transferred there from Western Australia. The Bruce Blyth papers also contain allegations of sexual abuse against Br Murray at the Brothers' institution in Kargoorlie, Western Australia, before he was transferred to Castledare (where further allegations of abuse have also been made against him), and against another Brother alleged to have committed sexual abuse at a Brothers' institution after his transfer from Bindoon (where, again, he is also alleged to have abused boys). The Blyth papers also refer to Br Jordan being prosecuted for sexual offences against four boys during the period in which he was working at St Augustine's Orphanage at Geelong in Victoria, in 1954 and 1960-63, before and after the period when he worked at Tardun (where allegations of sexual abuse have also been made against him). Inquiry witness statements also include allegations of sexual abuse perpetrated at different institutions by Brs Angus, Dick, Marques and Smith. The policy of transferring Brothers, suspected or known to have committed sexual abuse between institutions therefore appears in a number of cases to have put significant numbers of children at risk over extended periods of time.

¹⁷ *The Trustees of the Christian Brothers, Memorandum of Advice*, CTJH.056.11094.0205_R.

3. Individual Brothers against whom allegations of sexual abuse have been made at the four Western Australian institutions, 1947-1965

3.1 The forty-nine published witness statements identify twenty-one individual Brothers who were on the staff of one or more of these institutions and who are alleged by witnesses to have sexually abused them in the period 1947-1965 (seventeen of whom have been named and four who have been anonymised in public documents). A further Brother, Br McLaughlin, was identified in a Memorandum produced for the Trustees of the Christian Brothers in 1995, in anticipation of pending civil litigation against the order.¹⁸ Two other Brothers, Br Thyer and Br Dawe, were also named as having multiple allegations of sexual abuse made against them by the Australian Senate Community Affairs Committee.¹⁹ Another, Brother Foley was named as an alleged abuser in Barry Coldrey's report *Reaping the Whirlwind* and the written verdict of the civil case brought by John Lawrence.²⁰ Br O'Doherty was also named as an alleged perpetrator in the Lawrence verdict. All twenty-six of these individual Brothers are also named as having allegations of sexual abuse made against them in the Bruce Blyth papers. A further eight Brothers (B27-34) are named as alleged perpetrators in the Bruce Blyth papers but not in this other source material,²¹ making a total of thirty-four Brothers working at these institutions in this period against whom allegations of sexual abuse have been made. As it appears that there were 100 Brothers on the staff of these four institutions in this period, 34% of this total staff group have had allegations of sexual abuse made against them.

3.2 The twenty-two individuals publicly named in this source material, and the years in which they are understood to have been resident at any of these institutions, are indicated below in Table 1.²² Although the Table only includes individual Brothers against whom allegations of sexual abuse have been recorded in this source material relating to the period 1947-65, the date range for institutional affiliation for these individuals has been extended back to 1933 to identify any pre-existing relationships between these Brothers before the post-war period. Six of those listed in Table 1 (Keaney, Quilligan, Doyle, O'Doherty, Foley and B23) acted as Superiors in charge of one of more of these institutions in this period, and are alleged to have sexually abused boys in their care whilst in this role.²³ This includes all three Superiors in charge at Bindoon – Br Keaney, Br Quilligan and Br Doyle – in this period.

¹⁸ This material about Br McLaughlin is discussed in *The Trustees of the Christian Brothers, Memorandum of Advice*, CTJH.056.11094.0187_R.

¹⁹ *Lost Innocents*, 4.26; Moore and Dawe are also referred to as having multiple allegations having been made against them in *The Trustees of the Christian Brothers, Memorandum of Advice*, CTJH.056.11094.0205_R.

²⁰ *Reaping the Whirlwind*, p.97.

²¹ It may be that some of these eight Brothers are amongst the twelve against whom witnesses made allegations to the Historical Institutional Abuse Inquiry whose identities are still anonymised, although it is clearly impossible to establish this either way.

²² Note the information about staff residency at each institution in this table and throughout this paper is based on staff registers for each of these institutions which were reproduced as an appendix in Barry Coldrey, *The Scheme: The Christian Brothers and Childcare in Western Australia* (O'Connor, WA: Argyle-Pacific, 1993), pp.461-4. Although this book was produced in collaboration with the order, with the Christian Brothers holding the copyright to this work, and so could reasonably be treated as an authoritative source, it has not been possible to gain access to the order's archives to cross-check this information against the original registers.

²³ Note that B25 went on to become a Superior in charge of one of these institutions after this period. The Broken Rites organisation have also claimed that the Christian Brothers have made out-of-court settlements accepting sexual abuse was committed by a number of Brothers at two of its orphanages in South Melbourne, with Br McGee (the former Superior in charge at Castledare between 1948-50) one of the alleged perpetrators.

3.4 As noted above, documents analysed in the Bruce Blyth papers relating to 121 victims of alleged abuse appear to have originally been produced in the period 1992-1996, and the thirty-five witness statements to national child abuse Inquiries have been produced since 2014. There is considerable continuity over a long period of time between these two sources in terms of individual Brothers (and other men associated with these four institutions) who are alleged to have committed sexual abuse.

3.5 The material contained in Table 1 is not intended to imply that all individuals listed in that table are alleged to have sexually abused boys at these institutions for the entire period 1947-1965. The witness statements provide allegations against some Brothers, such as Br Angus and Br Murphy, who are alleged to have sexually abused numerous boys in incidents ranging over much of this period, but this is not the case for all of the Brothers named in this Table. However, information about the periods in which these alleged abusers were on the staff of one or more of these institutions is used below in the analysis of patterns of staff transfers between these institutions.

3.6 It is understood that archival material held by the Christian Brothers' makes reference to cases of sexual abuse, or contemporaneous concerns about such abuse, by Brs Murphy, Marques, Wise, Boulter, Parker, Angus, Smith, McLaughlin and Jordan.²⁵ Br Dick was also subsequently convicted in the early 1990s after pleading guilty to the sexual abuse of boys at Castledare between 1960 and 1965.²⁶ As noted above in 2.5, both Br Wise and Br Jordan were also later prosecuted for sexual offences against boys at other Christian Brothers' institutions outside Western Australia. Br Murphy was also eventually prosecuted in Western Australia for sexual offences against boys, but was judged unfit to stand trial.

3.7 Those Brothers named in Table 1 constituted a significant proportion of Brothers working at some of these institutions during this period. Tables 2-5 indicate the numbers and proportion of staff working at each of these institutions in each year from 1947 to 1965 inclusive, against whom allegations of sexual abuse have been made. Data summarised in Tables 2-5 is consistent with Barry Coldrey's independent claim in *Reaping the Whirlwind*, that 'sex rings' operated amongst Brothers working at Bindoon for the whole of the post-war child migration era, at Clontarf in the late 1950s and at Castledare in the early 1960s.²⁷

²⁵ Findings from Case Study 11, pp.31-4 and Memorandum for Trustees of the Christian Brothers.

²⁶ Royal Commission into Institutional Responses to Child Sexual Abuse, *Case Study 11 Final Report*, p.27.

²⁷ *Reaping the Whirlwind*, pp.93-98.

Table 2: Proportion of Brothers working at Bindoon against whom allegations of sexual abuse have been made, by year of residence

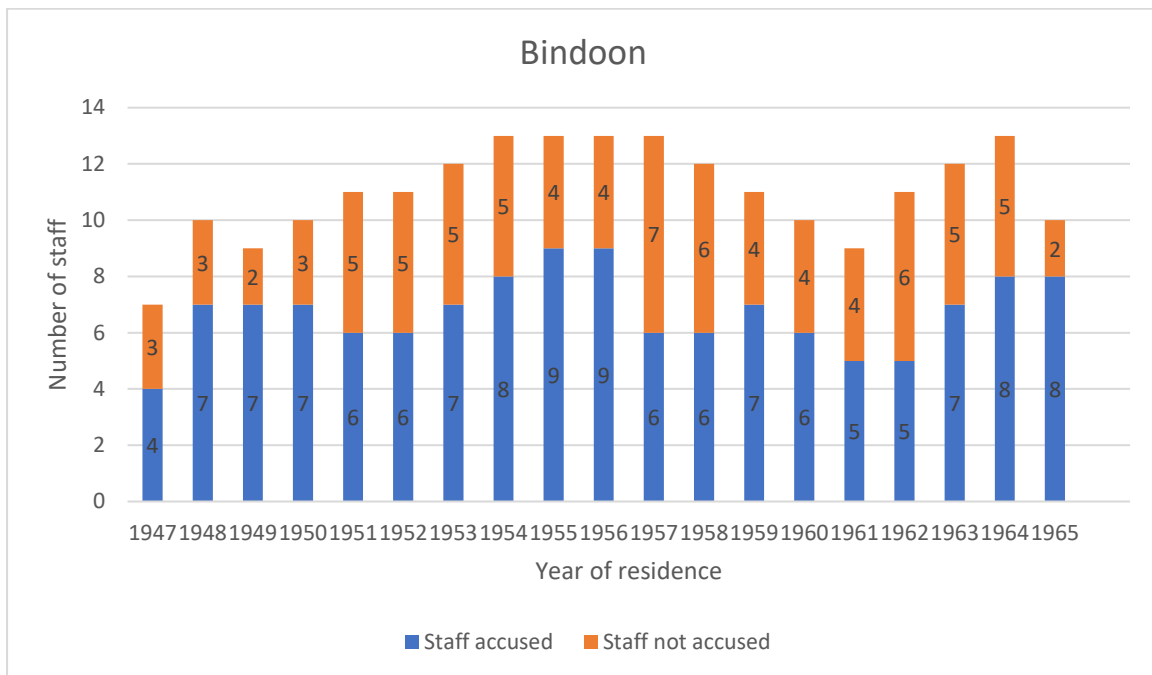


Table 3: Proportion of Brothers working at Castledare against whom allegations of sexual abuse have been made, by year of residence

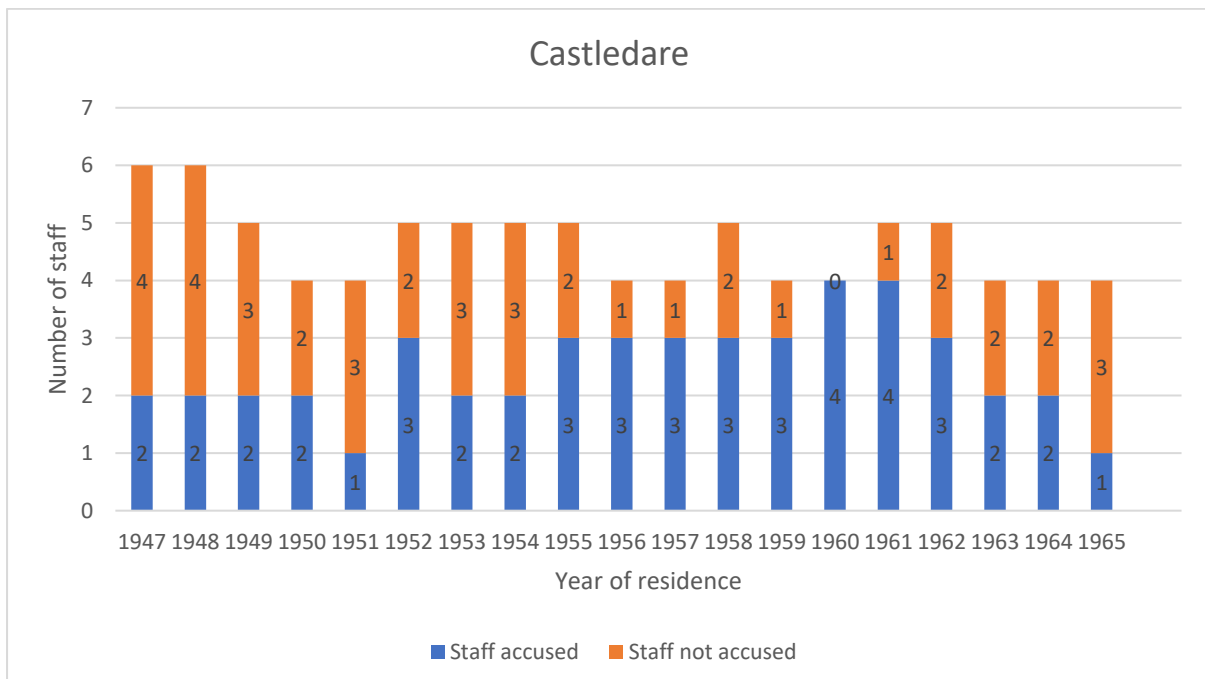


Table 4: Proportion of Brothers working at Clontarf against whom allegations of sexual abuse have been made, by year of residence

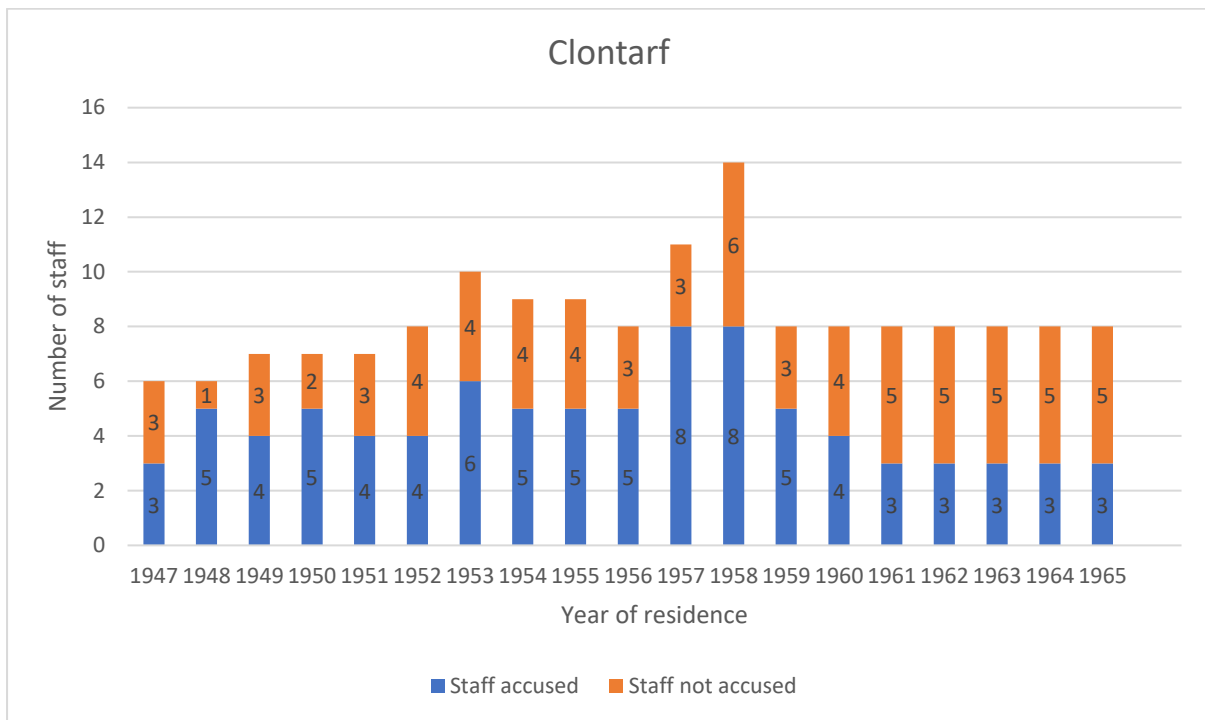
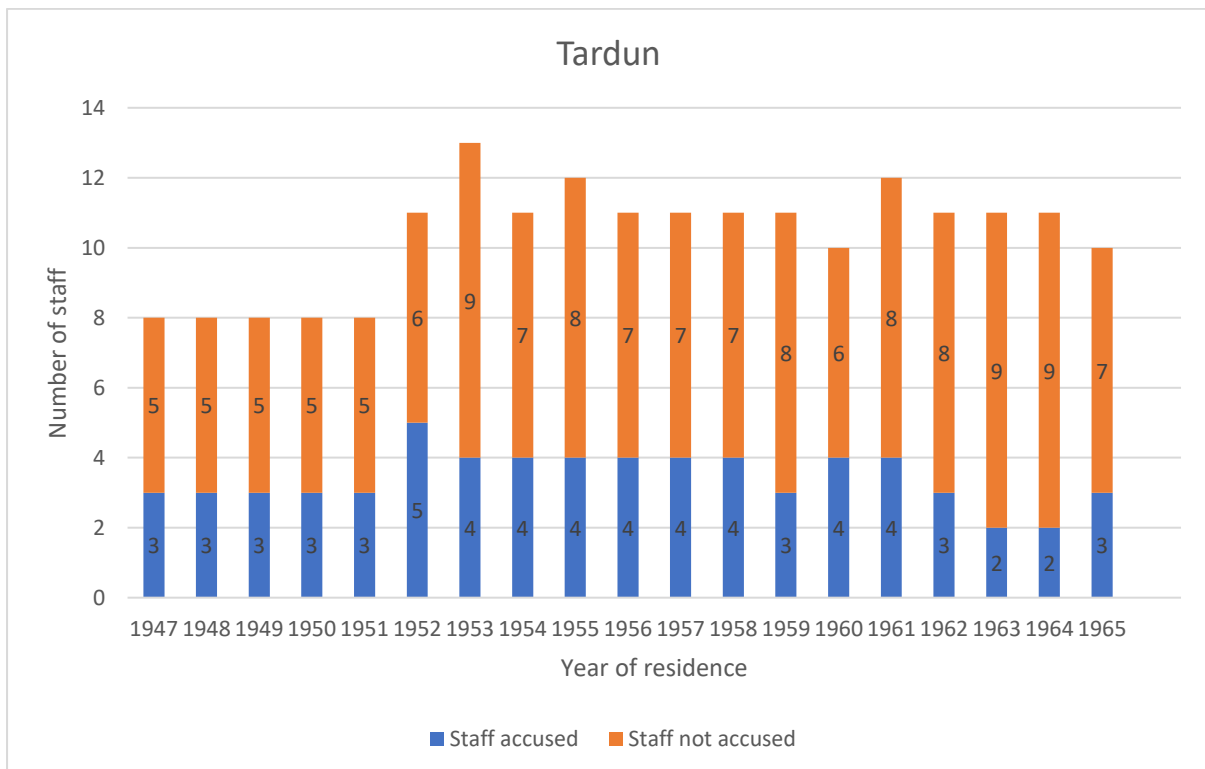


Table 5: Proportion of Brothers working at Tardun against whom allegations of sexual abuse have been made, by year of residence



4. Patterns of staff transfers between these four institutions

4.1 The staff registers reproduced in Barry Coldrey's *The Scheme* indicate that 100 Brothers were resident members of staff at these four institutions in Western Australia between 1947-1965.

4.2 Using Coldrey's reproduction of these staff registers, it is possible to analyse the extent of staff transfers between these four institutions in Western Australia, both for the thirty-four Brothers against whom allegations of sexual abuse have been made and the remaining sixty-six Brothers working at these institutions in this period against whom no allegations of sexual abuse have been made. From this analysis, it is clear that Brothers against whom allegations of sexual abuse have been made were significantly more likely to be transferred between these institutions than Brothers against whom allegations have not been made. Of the total population of 100 Brothers working at these institutions in this period, twenty-nine were moved between two or more of them in the period between 1947-65. Of these twenty-nine Brothers, seventeen were Brothers against whom allegations of sexual abuse have been made and twelve were Brothers against whom no allegations of sexual abuse at these institutions have been made. Of the thirty-four Brothers against whom allegations of sexual abuse, seventeen (i.e. 50%) were therefore transferred between these institutions in this period, compared to twelve (i.e. 18%) of the sixty-six Brothers working at these institutions who are not named in Table 1.

4.3 Of the remaining seventeen Brothers against whom allegations of sexual abuse have been made, but who were not transferred between these institutions in this period, eight worked at Bindoon for periods ranging from two to twenty-one years under successive Superiors against whom allegations of sexual abuse have also been made. Contacts between Brothers listed in Table 1 through working at the same institution did not end in 1965. Brothers Campbell, Angus and Boulter all worked together at Clontarf in 1969 and 1970, and when Campbell left in 1970, Br Marques joined Angus and Boulter at Clontarf. The three of them continued to work at Clontarf until 1972 when Boulter left, and Angus and Marques continued to work together there until Marques' departure in 1977. Angus is recorded as having continued to work at Clontarf until at least 1983, with Boulter returning to the staff at Clontarf again that year.

4.4 It is not clear whether in all cases, the seventeen Brothers against whom allegations of sexual abuse have been made and who moved between these four institutions were transferred because of known or suspected incidents of sexual abuse. However, one of the effects of their transfer would have been that they would have built up contacts with Brothers in other institutions against whom allegations of sexual abuse have been made. Table 2 lists the number of contacts that individual Brothers would have had with other alleged abusers simply through the circulation of staff between these institutions. From this, it is clear, for example, that Br Angus, against whom a number of allegations of sexual abuse have been made would have known twenty-eight other alleged abusers listed on Table 1 simply through the timing of his transfers between Tardun, Bindoon and Clontarf over a thirty-year period between 1936 and 1966. The apparent 'critical mass' of perpetrators at Bindoon during this period would also have potentially meant that any Brother transferred there would have known a significant number of alleged abusers simply through their time working at that institution.

Table 6:

Brother	Number of contacts with other Brothers listed in Table 1 as a result of institutional transfers, 1933-65
Angus	28
Dawe	19
Doyle	19
O'Neill	16
Marques	15
Tuppin	15
Parker	14
Dick	14
B29	14
Moore	13
Foley	13
B30	13
Wise	12
Keaney	11
B34	11
Quilligan	10
Synan	10
B27	10
Murphy	10
Campbell	9
B31	9
O'Doherty	8
McLaughlin	7
B23	7
B33	7
Boulter	6
Thyer	6
B28	6
B25	6
Murray	5
B32	4
B24	4
Jordan	3
B26	3

4.5 It is possible that other factors may have been relevant to any decision to circulate Brothers known or suspected of sexually abusing boys between these four institutions. The Australian Royal Commission noted the case, in 1944, of Br Foy who was transferred to a retirement home run by the Brothers after the parent of an Australian-born boy placed at Castledare complained to the police that Foy had molested his son whilst working there.²⁸ Foy's case illustrated the risks to the order's reputation of sexual abuse of boys able to complain to local parents. Transfer of known or suspected

²⁸ See Royal Commission into Institutional Responses into Child Sexual Abuse, *Report of Findings for Case Study 11*, p.31. The retirement home at Leura was also reportedly an institution in which Brothers under investigation for sexual abuse were sent.

abusers to institutions in which the majority of boys were British child migrants (often with no active family contacts) may have constituted a lesser risk of any future allegations of sexual abuse becoming known outside the order. A related question arises as to whether any perpetrator of sexual abuse may have been more likely to target British child migrants at these institutions because they were more isolated from other family contacts.

4.6 It appears that some Brothers were transferred from these four institutions to other institutions either in Western Australia or other States as a consequence of allegations of sexual abuse.²⁹ Four Brothers listed in Table 1 were transferred to institutions in Adelaide run by the Christian Brothers (Rostrevor College and Christian Brothers College, Adelaide), including Br Murphy and Br Wise who both worked at Christian Brothers College, Adelaide in the 1960s. Br Wise was later prosecuted for rape and indecent assault of two boys at this College,³⁰ with allegations also reportedly made about sexual abuse by Br Murphy during his time working there as well.³¹

4.7 It is important to recognise that contacts between alleged abusers would not have developed simply through residing at the same institution, or through transfers between these institutions. Three witnesses, for example, have made allegations about sexual abuse committed by Br Murphy at Bindoon, but Murphy was never formally a resident member of staff at that institution. A similar allegation has been made about sexual abuse by Br Smith at Bindoon, who again was not formally resident there. It appears that other informal contacts were maintained between Brothers at Bindoon and Castledare and Clontarf through social visits, and that Brothers from these institutions may also have visited other institutions for religious services or on retreat. Two witnesses to the Scottish Child Abuse Inquiry reported Brothers sexual abusing boys whilst visiting from other institutions – one referring to sexual abuse at Bindoon by Brothers from Christian Brothers College, Kalgoorlie,³² the other to having been sexually abused by Brothers visiting Tardun on retreat from Clontarf.³³ In this context, it is worth observing that given there were only eight other institutions run by the Christian Brothers in Western Australia in this period in addition to Bindoon, Castledare, Clontarf and Tardun,³⁴ and so the size of the order in that State was such that many Brothers were likely to know each other. Across Bindoon, Castledare, Clontarf and Tardun, the total number of Brothers working at these institutions each year between 1947-65 ranged between 27 to 41 Brothers.

4.8 In addition to contacts between Brothers across these four institutions against whom allegations of sexual abuse have been made, it is also important to note allegations of sexual abuse against two Benedictine monks, Fr Eugene and Fr William from the monastery at New Norcia who were resident at Bindoon for long periods of time. In seeking as much independence as possible from the Archdiocese of Perth, the monastery at New Norcia had reportedly built close collaborative relationships with Bindoon which involved sharing both supplies and tradesmen as well as joint social activities.³⁵ The Australian Royal Commission found that the Benedictine Monastery of New

²⁹ See, e.g., *Reaping the Whirlwind*, pp.49-50,55-57.

³⁰ 'Former Christian Brother and teacher raped boy, 11, court told', *The Advertiser*, 17th February 2009, <https://www.adelaidenow.com.au/news/south-australia/christian-brother-raped-boy-court-told/news-story/d6f9c2148c38e2dcdf05113befe0456d>

³¹ *Reaping the Whirlwind*, pp.49-50.

³² Scottish Child Abuse Inquiry (henceforth SCAI), Day 176 transcript, p.73.

³³ SCAI, Day 173 transcript, p.41.

³⁴ Aquinas College, Perth; Aranmore Catholic College; St Mark's College, Bedford, Perth; Christian Brothers College, Albany; Christian Brothers College, Fremantle; Christian Brothers College, Kalgoorlie; Christian Brothers College, Highgate; St Patrick's College, Geraldton.

³⁵ Barry Coldrey, *The Scheme*, pp.325-28.

Norcia had the highest proportion of alleged perpetrators of abuse (21.5%) compared to any other Catholic institute in Australia with ordained members, and that 17.6% of the priests associated with this community had a claim of sexual abuse made against for them incidents reportedly taking place during the 1950s (again a far higher rate than any other religious institute or Catholic diocese).³⁶ The informal institutional contacts between Bindoon and the Benedictine Community at New Norcia therefore brought together two staff groups against whom a significant number of allegations of sexual abuse have been made.

³⁶ *Analysis of Claims of Child Sexual Abuse Made with Respect to Catholic Church Institutions in Australia*, June 2017, Canberra: Royal Commission into Institutional Responses to Child Sexual Abuse, pp.16-17.

Section 5: Indicators of collusion between alleged abusers at these four institutions

5.1 Both the Historical Institutional Abuse Inquiry and the Independent Inquiry into Child Sexual Abuse received witness statements alleging abuse at a range of institutions accommodating post-war child migrants from the United Kingdom. At institutions other than those run by the Christian Brothers, there are few indications in this material of any collusion between individuals in the commissioning or conduct of the abuse. To date, the only known cases of collusion in the sexual abuse of British child migrants at these other institutions relates to a case in 1958 in which boys were sexually abused in work placements after leaving the Picton Farm School run by Dr Barnardo's Homes in New South Wales,³⁷ and alleged collusion in sexual abuse at the Dhurringile Rural Training Farm in Victoria.³⁸

5.2 By contrast to abuse apparently conducted by isolated perpetrators, there are a number of alleged incidents in the witness statements analysed here which imply a degree of knowledge or direct collusion in the sexual abuse of boys at these four Christian Brothers' institutions in Western Australia. These include:

i) Although Brothers often reportedly took care to abuse boys in private settings, sexually abusive acts were also allegedly committed in front of other boys by Br Angus,³⁹ Br Murphy,⁴⁰ and Br Dick,⁴¹ either in classrooms or in other communal areas, and numerous allegations have been made in relation to abusive acts that were either committed by Brothers in boys' dormitories or involved removing boys from dormitories at night.⁴²

ii) The alleged sexual abuse of boys by Leo McCarron at picnics at Bindoon organised by Br Dick,⁴³ the unusual arrangement in which McCarron was allowed to take groups of boys from Castledare and Clontarf to his home, a theatre or to sleep overnight in his van where he would allegedly sexually abuse some of them,⁴⁴ and McCarron's presence at musical rehearsals and productions by boys from Clontarf and Castledare which witnesses have recalled being associated with sexual abuse.⁴⁵ McCarron is also understood to have taken a large number of photographs of boys from these institutions.

iii) Two alleged incidents in which two separate Brothers did not punish boys who had soiled themselves after being raped, although soiling bedclothes and underwear was normally treated as a punishable offence.⁴⁶ In at least one of these cases, the Brother withholding punishment is the subject of separate allegations of sexual abuse by another Inquiry witness.

³⁷ See, e.g., Independent Inquiry into Child Sexual Abuse, *Child Migration Programmes Investigation Report*, London: IICSA, 2017, pp.54-5.

³⁸ See oral evidence given by Michael Hawes to the Independent Inquiry into Child Sexual Abuse, *Child Migration Programmes Investigation*, Day 4 transcript, pp.106-107.

³⁹ ARC: Oliver Cosgrove; IICSA: A6.

⁴⁰ HIA: HIA302, HIA334.

⁴¹ ARC: W8.

⁴² ARC: John Hennessey, VG, VI, Gordon Grant; IICSA: A11, A4, A6, John Francis Hanley, Michael O'Donoghue, A17; SCAI, Day 173, 'Jack'.

⁴³ ARC: VV.

⁴⁴ IICSA: John Francis Hanley, Michael O'Donoghue; HIA: HIA306.

⁴⁵ See, e.g., HIA: HIA318.

⁴⁶ ARC: VG, VV.

- iv) A group of Brothers at Bindoon (including Dick and O'Neill) allegedly mocking a witness for being Brother Parker's 'little girl' and 'little pet' during a period in which Parker was reportedly subjecting that witness to sustained sexual abuse.⁴⁷
- v) Groups of Brothers reportedly looking at boys in sexualised ways whilst they were taking communal showers.⁴⁸
- vi) Br Marques and Br Smith reportedly taking it in turns to abuse a witness on different nights over a three year period at Castledare.⁴⁹
- vii) The issue of Br Murphy's widespread abuse of boys at Castledare being a subject of discussion at least amongst boys at Clontarf before Murphy was transferred there.⁵⁰
- viii) A group rape of boys allegedly orchestrated by Br Angus in conjunction with Angus' younger brother, three other men and a woman, which occurred over a twenty-four hour period when Angus was meant to be transporting these boys to their Christmas family placements.⁵¹ The delay to the delivery of these boys to these placements would have been likely to have led to questions being raised as to why this has happened and appears to have taken place during a period in which Angus' behaviour in having boys in his bedroom and alleged sexual abuse of a boy had already been raised in annual visitation reports for Clontarf.⁵² The Clontarf visitation report in 1957 had also criticised the apparent failure under Br Doyle as Superior to maintain appropriate separation of Brothers and boys, with single boys and groups of boys reportedly spending long periods of time in a Brother's bedroom.
- ix) A former resident alleging sexual abuse by Br Angus at Clontarf having regularly taken place in Br Marques' bedroom.⁵³
- x) A former resident making an allegation of an incident in which in which Mr Jackson had forced him to put on girls' clothing and lipstick before sexually abusing him, and sent him out of his room whilst the lipstick was still clearly visible around his mouth to other boys.⁵⁴
- xi) Alleged attempted sexual assaults by a farmer (or farmers) with whom the Brothers placed boys from Tardun, with one abusive farmer reported to have been friendly with Br Synan, against whom allegations of abuse have been made.⁵⁵
- xii) A witness alleging having been gang raped by five Brothers after arriving at Bindoon, with one of these Brothers, Br Murphy, not being on the official staff at Bindoon at that time.⁵⁶
- xiii) A letter, held in the Bruce Blyth archives, from a former resident at one of these institutions alleging multiple instances of simultaneous abuse including forced bestiality in

⁴⁷ ARC: VV.

⁴⁸ See, e.g., ARC: Gordon Grant.

⁴⁹ IICSA: John Francis Hanley.

⁵⁰ IICSA: Michael O'Donoghue; HIA: HIA305.

⁵¹ IICSA: Michael O'Donoghue.

⁵² Royal Commission into Institutional Responses to Child Sexual Abuse, *Case Study 11 Findings*, pp.32-3.

⁵³ *Lawrence v Province Leader*, p.60.

⁵⁴ *Lawrence v Province Leader*, p.61.

⁵⁵ ARC: VG; HIA: HIA338.

⁵⁶ HIA: HIA240. Allegations of sexual abuse by Murphy at Bindoon are also made in ARC: John Hennessey.

the early 1940s by two Brothers, one who listed in Table 1 and another who was no longer working at these institutions in the post-war period.

5.3 Allegations have also been made in these witness statements about disclosures of sexual abuse to staff at these institutions as well as to some people in the wider community. Across the forty-nine witness statements analysed here, twenty-one witnesses have reported twenty-five separate occasions on which they made such disclosures.⁵⁷ Thirteen of these reported disclosures were made whilst witnesses were resident at Bindoon, seven by witnesses whilst resident at Tardun and five by witnesses whilst they were resident at Clontarf. In cases where these reported disclosures were made to Superiors, responses by Superiors are alleged to have varied from beating the witness in private or in public, no clear response, or either the witness or the alleged perpetrator being moved to another institution. Two witnesses allege that they complained about their sexual abuse to the police but were punished or threatened by police officers for doing so,⁵⁸ with two other witnesses reporting that John Doyle, Commissioner of the Western Australian police, was a regular guest of Br Keaney at Bindoon.⁵⁹ This accords with the view of the Australian Senate Community Affairs Committee that a 'closed system' of social contacts was likely to have existed between the Brothers and the police which led to disclosures of sexual abuse at these institutions being not believed or not investigated.⁶⁰

5.4 With regard to possible collusion between alleged perpetrators, it is worth noting, however, that a number of these disclosures were made to Brothers or priests who themselves have been the subject of allegations of abuse by other witnesses. Examples of these are:

- i) An alleged disclosure of sexual abuse by Fr William to Br Quilligan, where Quilligan reportedly punished the boy making the complaint by sending him to work in the piggery where he was subsequently raped by another Brother.⁶¹
- ii) An alleged disclosure of sexual abuse by Br Parker to Fr Gerard, a priest at Bindoon, who passed on the disclosure to Br Quilligan, with Quilligan then arranging for the transfer of this boy to the Benedictine monastery at New Norcia on the pretext of him being prepared for training as a priest.⁶²
- iii) An alleged disclosure of sexual abuse by Br Angus to Fr William, leading to the boy making the complaint reportedly being sexually abused by Fr William himself.⁶³
- iv) An alleged disclosure of sexual abuse by Br Parker to Fr William, with Fr William reportedly telling the boy making the complaint to say penance and not to say anything more about it.⁶⁴

5.5 There also appear to be cases in which alleged perpetrators continued to sexually abuse other boys after disclosures of their offending behaviour had been made to other staff. Two witnesses, for

⁵⁷ ARC: John Hennessey; Clifford Walsh; VG; VV; Raphael Ellul; Edward Delaney; Gordon Grant. IICSA: A6; Michael O'Donoghue; A11. HIA: HIA302; HIA334; HIA319.

⁵⁸ ARC: Raphael Ellul; Edward Delaney.

⁵⁹ ARC: John Hennessey; Gordon Grant.

⁶⁰ *Lost Innocents*, 4.21.

⁶¹ HIA: HIA319.

⁶² ARC: Clifford Walsh.

⁶³ ARC: VV.

⁶⁴ ARC: Edward Delaney.

example, allege having been sexually abused by Fr William⁶⁵ apparently after another two boys had already complained to Br Quilligan about being sexually abused by him.⁶⁶ Similarly Br Parker is alleged to have committed sexual abuse for some years at Bindoon⁶⁷ despite disclosures about abuse by Parker having previously been made to Fr Gerard, Fr William and Br Quilligan.⁶⁸ Four boys who reportedly disclosed being sexually abused whilst at Bindoon were subjected to further sexual abuse by other members of staff,⁶⁹ in one case reportedly by five other members of staff.⁷⁰ This raises the question as to whether disclosures of sexual abuse in this context may have not led to greater protection for a child, but brought them to the awareness of other alleged perpetrators who then targeted them for abuse.

5.6 The pattern of alleged disclosures of abuse at Bindoon also suggests such disclosures could have added to a network of knowledge about abuse between alleged perpetrators. Br Parker reportedly knew of abuse by Fr Eugene. Fr William reportedly knew of abuse by Br Parker, as did Br Quilligan. Br Quilligan also reportedly received two separate accounts of abuse concerning Fr William. Fr William also reportedly received a disclosure of abuse concerning Br Angus. Br Keaney also reportedly received a disclosure of abuse about Br Dick.

5.7 Another possible indication of collusion in the sexual abuse of boys at these institutions are witness statements alleging sexual abuse by two or more individuals associated with these institutions. In the sample of forty-nine witness statements analysed here, twenty-nine include such allegations of abuse by multiple perpetrators.⁷¹ Five witnesses have alleged particularly long chains of abuse, involving four or more alleged perpetrators, namely:

i) one witness being reportedly abused by Brs Keaney, Angus, Wise and Fr William at Bindoon;⁷²

ii) one witness being reportedly abused by Brs Angus, Parker, Dick, Quilligan, Tuppin and Fr William at Bindoon;⁷³

iii) one witness being reportedly abused by Brs Marques, Angus, Boulter and O'Neill, and Fr Eugene at Bindoon;⁷⁴

iv) one witness being reportedly gang raped at Bindoon by five Brothers, including Brother Murphy;⁷⁵

v) one witness being reportedly abused by Brs Murphy, and three other anonymised Brothers at Castledare and Clontarf.⁷⁶

⁶⁵ IICSA: A11 and HIA: HIA319.

⁶⁶ HIA: HIA318 and HIA392.

⁶⁷ ARC: Edward Delaney.

⁶⁸ ARC: VV, Clifford Walsh.

⁶⁹ ARC: VV, Gordon Grant; IICSA: A6; HIA: HIA319.

⁷⁰ ARC: VV.

⁷¹ As it is not possible to establish the degree of overlap between information about individual victims and perpetrators in the Bruce Blyth papers and the anonymised witness statements to the Historical Institutional Abuse Inquiry, material from the Blyth papers has not been included in this particular analysis to avoid the risk of double-counting.

⁷² ARC: John Hennessey.

⁷³ ARC: VV.

⁷⁴ ARC: Gordon Grant.

⁷⁵ HIA: HIA240.

⁷⁶ HIA: HIA302.

5.8 Across this sample, the three individuals most commonly alleged to have committed sexual abuse are Br Murphy,⁷⁷ Br Angus,⁷⁸ and Fr William⁷⁹. Murphy had allegations of abuse made against him by fourteen separate witnesses (three of whom reported being abused by him at both Castledare and Clontarf), Angus has had allegations of abuse made against him by ten witnesses (one of whom reported being abused by him at both Bindoon and Clontarf) and Fr William has had allegations of abuse made against him by seven separate witnesses. In the witness statements alleging abuse by Br Angus, most of the witnesses allege being abused by more than one person. Whilst the assault described in one of these witness statements appears relatively random, this does not appear to be the case otherwise. Murphy is named as an alleged perpetrator in three witness statements reporting abuse by multiple perpetrators. Fr William is also named as an alleged perpetrator in three witness statements reporting abuse by multiple individuals.

5.9 Another site of possible collusion between perpetrators were rehearsals and performances of musical productions at Clontarf and Castledare which began in 1956, and where one witness has recalled both boys being fondled during dress rehearsals and a 'private performance' at which some Brothers and other people were drinking and at which he remembers becoming very distressed.⁸⁰ Leo McCarron, Br Murray and Br Smith were all involved in these productions, with another witness alleging that he was sexually abused both by McCarron and Smith.⁸¹ Other Brothers working at Castledare and Clontarf when these musical productions took place from 1956 included Brs Angus, Marques, Murphy, Campbell, and Doyle.

5.10 Whilst it might appear from these allegations that there could have been a group of perpetrators at Bindoon and a separate group of perpetrators associated with the musical productions at Castledare and Clontarf, witness statements also suggest potential links between these groups. As noted above, one witness has alleged that Leo McCarron sexually abused boys from Bindoon at picnics arranged by Br Dick. In addition to reportedly being abused by McCarron, this witness has also alleged being sexually abused by Brs Angus, Parker, Dick, Quilligan, Tuppin, and Fr William.⁸² Another witness has alleged being sexually abused both by Br Smith at Bindoon – although Br Smith does not appear to have had any formal role there – as well as by Fr William.⁸³ A further witness has also alleged being sexually abused by McCarron as well as Brs Angus and Murphy.⁸⁴

5.11 There are important limitations with this analysis. Lack of direct access to archival material held by the Christian Brothers makes it difficult to corroborate it with any material held there, and if Superiors of institutions were colluding with other perpetrators to any degree, then this reduces the likelihood of comprehensive records of suspected or known abuse being created in the first place. Points of connection between alleged abusers do not necessarily demonstrate collusion and it is not always possible to reconstruct from witness statements more precise chronologies of when abuse is alleged to have taken place. Establishing points of connection between alleged abusers may also mask more complex inter-personal dynamics between staff in these institutions that may have had a bearing on how suspicions or knowledge of abuse were managed. However, this analysis has indicated that the number of individuals associated with these institutions against whom allegations

⁷⁷ ARC: John Wells. IICSA: A4; A6; Michael O'Donoghue. HIA: HIA240; HIA302; HIA334.

⁷⁸ ARC: John Hennessey; Oliver Cosgrove; Clifford Walsh; VV; Gordon Grant. IICSA: A12; Michael O'Donoghue.

⁷⁹ ARC: John Hennessey; VV; Edward Delaney. IICSA: A11. HIA: HIA318; HIA319; HIA392.

⁸⁰ HIA: HIA318.

⁸¹ IICSA: John Hanley.

⁸² ARC: VV.

⁸³ IICSA: A11.

⁸⁴ IICSA: Michael O'Donoghue.

of sexual abuse has been made is substantial; that the nature of alleged abuse (including abuse of boys by multiple perpetrators) would, in a number of cases, suggest collusion between abusers; and that the working lives of these institutions (including the circulation of alleged abusers between them) created conditions in which such collusion could take place. The analysis undertaken in this document also broadly corroborates broad conclusions about the periods and sites of sexual abuse across these institutions independently reached by Barry Coldrey in his private report produced twenty-five years ago, suggesting continuity in the allegations made by former residents of these institutions.

Section 6: Wider implications for post-war child migration to Christian Brothers' institutions in Western Australia

6.1 Previous Inquiries have noted range of traumatic aspects of the experiences of former child migrants' including loss of identity, loss of contact with family members, exploitation of labour, institutionalisation and poor preparation for adult life in the community, poor education, as well as physical, sexual and emotional abuse. It is clear that former child migrants' experiences varied for a number of reasons, including conditions and staffing in the specific institutions to which they were sent in Australia. The analysis presented in this paper accords with the view of the Australian Senate Community Affairs Committee that the systemic nature of the sexual abuse in these Christian Brothers institutions appears significantly greater than in any other institution receiving post-war child migrants in Australia.

6.2 In *Reaping the Whirlwind*, Barry Coldrey noted that 'sex rings' in these institutions had greater potential scope for collusion if they included Superiors who ran the institutions concerned. As noted above, allegations have been made about six individuals who are claimed to have sexually abused children whilst serving as Superiors in three of these institutions in this period. Superiors would have had the power to choose to raise concerns about individual Brothers with their Provincial Council or how to deal with any disclosures of sexual abuse made to him within their institution. It would therefore have been possible for a Superior to have chosen not to take action against known or suspected perpetrators. Given allegations made against Br Keaney and Br Quilligan during their time as Superiors at Bindoon, it is notable that a significant proportion of staff working at Bindoon in that period have also had allegations of sexual abuse made against them. Superiors are also likely to have had greater power in arranging transfers of individual children, with some witnesses claiming that their disclosure of sexual abuse led the Superior of their institution (against whom claims of sexual abuse have separately been made) to transfer them elsewhere rather than the perpetrator.

6.3 The Independent Inquiry into Child Sexual Abuse established that, whilst post-migration monitoring of child migrants by sending organisations was understood to be good practice by the UK Home Office, such systems were never effectively implemented for boys sent to the Christian Brothers' institutions in Western Australia, or to most other Catholic receiving institutions in Australia.⁸⁵ This was despite the fact that the Archbishop of Westminster, Bernard Griffin, and the Catholic Child Welfare Council, knew that concerns about been raised about standards for child migrants at these Christian Brothers' institutions during the Second World War, and that they had accepted that they should undertake a direct inspection of them before agreeing to send any further children to them after the war. This inspection visit by representatives of the Catholic Child Welfare Council did not, however, take place. The Sisters of Nazareth, who provided the majority of British child migrants sent to these institutions, have accepted that they did not undertake any checks of boys sent to the Christian Brothers. The Catholic Child Welfare Council only began to set up a system of post-migration reporting six years after the first post-war Catholic child migrants had arrived in Western Australia and after this never received regular reports from the majority of receiving institutions in Western Australia. In evidence to the Independent Inquiry into Child Sexual Abuse, the lead witness for the Catholic Church in England and Wales suggested that whilst the failure to establish such monitoring systems were a 'significant missed opportunity', it was not clear that reports provided by receiving institutions would necessarily have identified significant problems. Given what appears to have been the case in terms of the Christian Brothers' reluctance to share

⁸⁵ On material relating to systemic failures in post-war Catholic child migration to Australia, see Independent Inquiry into Child Sexual Abuse, *Child Migration Programmes Investigation Report*, pp.122-48.

knowledge of cases of sexual abuse with external bodies, and the alleged involvement of some Superiors at these institutions in sexual abuse, it does indeed seem unlikely that such monitoring reports would have elicited any disclosures of abuse. However, the witness statements in this sample suggest that, far from being an entirely hidden problem, sexual abuse was talked about at these institutions and that a significant number of contemporaneous disclosures of abuse were made by child migrants, including to people outside the Christian Brothers. The failure by both the United Kingdom Government and Catholic sending organisations to establish any effective, direct checks on these Christian Brothers' institutions therefore contributed to a broader organisational system which failed to provide reasonable safeguards for child migrants.

6.4 The allegations of sexual abuse made in this sample of witness statements also have a bearing on the processes through which child migrants were recruited from Catholic residential institutions in the United Kingdom. Despite a clear requirement from the Catholic Child Welfare Council that diocesan child rescue administrators (who made up the Council's membership) should authorise the emigration of any children from Catholic residential institutions in England and Wales, it is evident that three Australian Catholic administrators, Br Conlon, Fr Nicol and Fr Stinson, ignored this requirement and recruited children directly from residential institutions run by religious orders without this diocesan authorisation.⁸⁶ Whilst that process raises wider questions about the probity, and possibly the legality, of the emigration of those children, there are also connections between this and the more specific issue of sexual abuse.

6.5 There are no indications in this source material of any allegations of sexual abuse against Br Conlon. However, Br Conlon was Superior at Tardun for the period 1933-1938. In that period, Brothers on the staff at Tardun included Brs Dawe, O'Neill and Angus as well as two other Brothers named as alleged perpetrators by the Australian Senate Community Affairs Committee report but who did not continue to work in these institutions when they received child migrants in the post-war period.⁸⁷ In addition to Brothers working under Conlon at Tardun against whom allegations of sexual abuse have been made after that period, allegations of serious physical abuse have also been made against Brs O'Neill, Kelly and Dawe. Whilst Conlon appears to have been based primarily at other institutions outside Western Australia in succeeding years, he was subsequently resident at Bindoon for the period 1951-58. As has been noted above, this was a period in which allegations of sexual abuse have been made in relation to incidents involving a significant proportion of Brothers working there. At Tardun, Conlon would have worked with a number of Brothers against whom allegations of sexual or physical abuse have since been made, before he undertook the recruitment of British child migrants for these institutions. When Conlon was resident at Bindoon in the 1950s, he also continued to advocate for children to be sent to these institutions from the United Kingdom and appears to have been in Britain in 1956 in the hope of stimulating further recruitment.⁸⁸ A witness to the Scottish Child Abuse Inquiry also described how, during his part of the period of his residence at Bindoon, Conlon's bedroom was on a corridor with bedrooms of five Brothers accused of repeated sexual abuse of boys, often in their rooms at night.⁸⁹

⁸⁶ Independent Inquiry into Child Sexual Abuse, *Child Migration Programmes Investigation Report*, p.133.

⁸⁷ Br Dawe appears on the staff registers at Tardun from 1933-36, subsequently had an unusually fast rate of transfers between these Western Australian institutions over the next ten years which included transfers to Bindoon, Castledare and Clontarf (see Table 1).

⁸⁸ See Conlon to Eden, undated; note by Taylor, 4th October 1956; and Costley-White to Conlon, 5th October 1956, UK National Archives: DO35/6383.

⁸⁹ SCAI, Day 176 transcript,

6.6 Given time spent by Conlon at Tardun and Bindoon, the question arises as to how detailed a knowledge he had of the risks of British child migrants being subjected to physical and sexual abuse at Christian Brothers' institutions. *Reaping the Whirlwind* summarises correspondence which indicates that Conlon was aware of incidents of sexual abuse in other institutions run by the Brothers before and during the war years (including at Clontarf), and that he favoured the policy of the Brothers' managing these incidents through 'sending Brothers away' so as to avoid public scandal.⁹⁰ In this context, Conlon appears to have been both an advocate of swift action in moving offending Brothers – which he felt the Provincial Council did not always do – whilst avoiding wider publicity. Although a number of Brothers who worked with Conlon at Tardun before the war have since had allegations of sexual abuse raised against them, it is possible that Conlon may not have been aware of any incidents at the time – although the pattern of rapid transfers for Br Dawe around that time might raise questions about that. It seems unlikely, however, particularly given Br Angus' presence at Tardun from 1936, that no incidents of sexual abuse took place at that time. Witnesses' recollections of violent behaviour from Br Kelly, Br Dawe and Br O'Neill in the post-war period⁹¹ also make it unlikely that Conlon would not have become aware of their violence against boys whilst he was Superior at Tardun. Given the critical mass of alleged abusers at Bindoon in the 1950s, the number of allegations of physical and sexual abuse from former residents relating to this period, and the evident focus on using boys' labour for the construction of the site over their education, it seems difficult to believe that Conlon would not have become aware of threats to child migrants' welfare at Bindoon at that time. Despite this, Conlon was still prepared, as late as 1956, to write to the UK Government arguing for the continuation of this work.

6.7 Fr Stinson also had close associations with the Christian Brothers. In 1950/51, Stinson was the resident chaplain at Clontarf, before later travelling to the United Kingdom to undertake the recruitment of children from Catholic institutions that has been described in other parts of this report. During Stinson's tenure as resident chaplain at Clontarf, Brs Doyle, Angus, O'Doherty and Thyer were all on the staff. Br Doyle's violent behaviour has been referred to by a number of witnesses⁹². The 1951 visitation report for Clontarf made reference to the particular need for Brothers to take special care with their behaviour in dormitories and in their touching of boys.⁹³ Given the concern raised in that visitation report, it may be relevant that Brother Angus was transferred from Clontarf to Tardun by sometime in 1952. As resident chaplain, it is likely that Stinson would have heard the confessions of Brothers on staff at the institution. In some witness statements, accounts are given of how sexual abuse was disclosed by victims and at least one perpetrator in the confessional.⁹⁴ Given his time spent at Clontarf and role in hearing confessions, it is open to question as to whether Stinson would have been unaware of any risks to boys at that institution before undertaking his recruitment trip to the United Kingdom for more boys to be sent to these Christian Brothers' institutions in 1952/53. Given Stinson's role as Director of the Catholic Episcopal Migration and Welfare Association, the custodian organisation for child migrants resident in these institutions, there is little evidence that he effectively discharged his responsibility for ensuring that the welfare of boys sent to these institutions was properly safeguarded.

⁹⁰ *Reaping the Whirlwind*, pp.58-59,62.

⁹¹ See ARC: VG; Raphael Ellul; Edward Delaney.

⁹² See ARC: Clifford Walsh; VV; Edward Delaney. IICSA: A4; Michael O'Donoghue. HIA: HIA334.

⁹³ *The Trustees of the Christian Brothers, Memorandum of Advice*, CTJH.056.11094.0192_R.

⁹⁴ See ARC: VG; VV; Edward Delaney.

Appendix 1: List of witness statements analysed

Royal Commission into Institutional Responses to Child Sexual Abuse (ARC), Case Study 11, Christian Brothers in Western Australia: John Hennessey, John Wells, Oliver Cosgrove, Clifford Walsh, VV, VG, Raphael Ellul, VI, Gordon Grant, Edward Delaney.

Historical Institutional Abuse Inquiry (HIA), Module 2, Child Migrant Programme (Australia): HIA240, HIA266, HIA284, HIA295, HIA296, HIA300, HIA301, HIA302, HIA305, HIA306, HIA308, HIA318, HIA319, HIA334, HIA338, HIA349, HIA392.

Independent Inquiry into Child Sexual Abuse (IICSA), Child Migration Programmes Investigation: A4, A6, A11, A13, A17, A20, John Francis Hanley, Michael O'Donoghue.

Scottish Child Abuse Inquiry: As an expert witness to the Inquiry, I was given access to 12 confidential witness statements submitted to the Inquiry which made allegations of sexual abuse at these four Christian Brothers' institutions. In cases where witnesses who submitted these statements also gave oral evidence to the Inquiry⁹⁵, I have also amended the analysis in the light of any additional material arising from this. The Inquiry has anonymised the names of individual Brothers referred to in transcripts of its public hearings, but given my knowledge of these Brothers' identities through my expert witness role, I have been given permission by the Inquiry to use this material in developing the analysis presented in this paper.

Appendix 2: Summary of Bruce Blyth Papers, National Library of Australia

As noted in 1.4 above, the material analysed for this report from the Bruce Blyth Papers held at the National Library of Australia consists of one box (Box 8) containing correspondence and short case studies relating to allegations of sexual abuse by 61 former residents at these four institutions (and one other individual), and another box (Box 12) containing composite lists of victims and alleged abusers, with the main list naming 121 victims listed against the specific Brothers and/or priests alleged to have abused them. With some very minor discrepancies, the victims whose correspondence or case studies are contained in Box 8 have these details accurately written up into the main composite list in Box 12. It is not clear what information the other sixty listed cases in Box 12 are based on and it is possible that material relating to this is held in other parts of the extensive Bruce Blyth papers which have not yet been analysed. The material contained in these boxes reflects successive attempts to collate information at different stages of the VOICES campaigns. Associated content in these boxes also document a series of disappointments in these campaigns, from the decision by the Director of Public Prosecutions in Western Australia not to bring prosecutions against a group of Christian Brothers against whom members of VOICES had made allegations of abuse, the failure to achieve an effective court settlement through civil litigation against the Christian Brothers in 1994-96, and the subsequent decision by the Western Australian Government not to establish a full Inquiry into allegations of abuse at the Brothers' institutions.

⁹⁵ See <https://childabuseinquiry.scot/hearings/transcripts>