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## Chapter 6:

### Module 2 – Child Migrant Programme (Australia)

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## Introduction

- 1 This portion of the Inquiry’s Report is concerned with its investigations into why and how a number of children from institutions in Northern Ireland were sent to Australia, almost all of whom went in the years after the Second World War. When the Inquiry publicised its existence in Australia in 2013 we received a very large number of applications from people resident in Australia, mostly in Western Australia, and it became obvious that there were two main aspects of their experiences that required investigation: firstly, the allegations of abuse which they say they suffered in residential institutions in Northern Ireland before they went to Australia; and secondly, how and why these children were selected to go to Australia, because many allege that the process was itself abusive. Many are bitterly critical of the institutions for sending them to Australia, and of the Northern Ireland and United Kingdom Governments for permitting and facilitating their being sent to Australia.
- 2 They also complain of the effect that being sent has had on their lives, not least because they allege they were subjected to serious forms of abuse in the institutions to which they were sent in Australia. In their evidence many described how they lost all contact with their parents and siblings. Although, after many years and much effort, some were able to re-establish some contact with their relatives, for others it was too late, because their parent had died, or, when they were able to trace their parent or family members, the reunions were not successful. Their complaints also extend to other matters, such as not being able to obtain birth certificates, or discovering that their names or dates of birth had been altered, things which created major difficulties for them in later life when they had to prove their identity for official purposes.
- 3 Many of those who spoke to us in person, or who described their experiences in their written statements, spoke movingly of the profound effect that being sent to Australia as children had upon them. Those who wish to study their accounts in greater detail will find them on the Inquiry website, together with the relevant documents and transcripts, at Days 42 to 50. The words of HIA 324<sup>1</sup> in his statement provide a striking example of the effect upon him of being sent to Australia as a child, views which are representative of the views of many applicants:

“My life in institutions has had a profound impact on me. I have always wondered what it would be like to have had a family - a mother

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1 AUS 10743.

and father and brothers and sisters. I never got the chance to find out because I was sent to Australia. We were exported to Australia like little baby convicts. It is hard to understand why they did it. I know the theory – to populate Australia. I still cannot get over the fact that I was taken away from a family I never got the chance to know. I was treated like an object, taken from one place to another. I found it very hard to show affection to my children when they were young. I have improved as the years have gone on. I have a nightmare every night of my life. I relive my past and am happy when daylight comes.”

HIA 324, who was born in 1938, was 75 when he spoke these words to the Inquiry legal team in Perth in 2013. Sadly he died before he was able to sign his statement and see the Inquiry consider his account, and the accounts of the other child migrants who have contacted us.

It became clear that many questions have been raised by what we have been told:

- Why were child migrants sent to Australia?
- How many were sent?
- Who sent them?
- Who decided that they would go?
- How were they chosen?
- Were their parents consulted?
- What happened before they were sent?
- How did they get to Australia?
- What happened to them when they got there?
- Were they able to contact their parents or families afterwards?

4 In this part of our Report we examine each of these questions except for “What happened to them when they got there?” We take the view that the institutions remained responsible for any child they sent until the child disembarked in Australia, and so we examined the arrangements that were made for the children travelling to Australia, and the conditions during the voyages to Australia. We made clear at the beginning of the public hearings of the module relating to Australia that our powers do not permit us to investigate the experiences of the applicants in the institutions to which they were sent once they arrived

in Australia.<sup>2</sup> However, in order to examine whether the institutions in Northern Ireland took any steps to keep contact with the children, or to inform themselves of the progress of the children, it was necessary for the Inquiry to know what the applicants themselves had to say about these matters. As we explain in the next paragraph, almost every applicant was very concerned about the difficulties they experienced in later life because of the inadequate information available to them about their origins and families in Northern Ireland. In addition, the applicants themselves had much to say about their experiences in Australia. In order to obtain a complete picture of all these matters, when the Inquiry recorded statements from these applicants we therefore included their accounts of the experiences to which they say they were subjected in various Institutions in Australia. After this module we sent their statements to the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) which was carrying on its work in Australia at the same time as our Inquiry carried out our work in Northern Ireland. We did this to ensure that all of these matters were drawn to its attention, because if these allegations are within the Terms of Reference of the Royal Commission it is for the Royal Commission to investigate them.

- 5 Many applicants who gave evidence to us in this module were unable to remember anything, or if they did they often remembered very little of their time in institutions in Northern Ireland. Where they can recall such matters, their evidence is referred to, where necessary, in those parts of our Report which deal with the particular institutions in Northern Ireland. This portion of our Report is solely concerned with the experiences of those who spoke to the Inquiry in relation to how they came to be selected to be sent to Australia, their experiences on the way to Australia, their experiences after they arrived to maintain contact with their relatives in Ireland during their childhood, or in later years, the success or otherwise of these efforts, and the effects on them of being sent to a different country many thousands of miles away as young children.
- 6 As part of our investigations we sent members of the Inquiry to Australia for approximately a month at a time in September to October 2013, and June to July 2014. On each occasion the team was made up of two members of the Acknowledgement Forum panel, two members of

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2 Chairman's opening remarks. Day 42, 1 September 2014.

our legal team and two witness support officers. They went to Australia for two reasons. Firstly, to enable those applicants now living in Australia to have the same opportunity to describe their experiences to the Acknowledgement Forum as applicants who live in Northern Ireland and elsewhere. Some of the Australian applicants chose only to describe their experiences to the Acknowledgement Forum and did not wish to engage with the Statutory Inquiry element of the Inquiry's proceedings. The second reason was to enable our legal team to record witness statements from applicants in Australia, as well as to gather a considerable amount of documentary material and other information in relation to the matters which the Inquiry will consider later in this part of the Report.

- 7 Although the majority of the applicants who had been sent to Australia as children landed in, and still live in, Western Australia, some now live in other parts of Australia. In order to enable as many applicants as possible to speak to the Inquiry team at convenient locations, the Inquiry team saw applicants in Perth in Western Australia, in Brisbane in Queensland, and in Melbourne in New South Wales. Many of the applicants travelled considerable distances to speak to the Inquiry team and we are very grateful for them doing so.
- 8 The Inquiry then devoted nine days of public hearings<sup>3</sup> to examining the experiences of those who were sent to Australia. During that time the Inquiry received oral evidence from eleven applicants. Three who were in Northern Ireland at the time were able to give evidence in person at Banbridge Courthouse, and the other eight did so by live TV-link from Australia. A further 38 witnesses gave their evidence in the form of the written statements which they had provided to the Inquiry; these were read out by Counsel to the Inquiry in public. Altogether we received evidence from 52 of the 65 applicants from Australia, because three further witnesses were not called during the Australian module but gave evidence in a later module in respect of their experiences in institutions in Belfast. Their evidence in relation to those institutions is considered in that part of the report that deals with those Institutions, but their accounts of experiences relating to their migration to Australia are included in this portion of the Inquiry Report. The remainder of the 65 chose not to speak to the Statutory Inquiry, and those who wished to do so spoke only to the Acknowledgment Forum. Sixty-five applicants

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3 Days 42 to 50, from Monday 1 September 2014 until Monday 15 September 2014.

represents almost half of all those who we believe were sent to Australia from Northern Ireland as child migrants, and their evidence enabled us to piece together a detailed picture of many of the procedures involved.

- 9 The Inquiry received many helpful documents from applicants in Australia that greatly assisted us in our work. The Inquiry also carried out exhaustive searches in the Public Record Office of Northern Ireland (PRONI), as well as receiving evidence from the Sisters of Nazareth and the Health and Social Care Board. We also received helpful information from the Child Migrants Trust (CMT) and from Tuart Place in Australia. Documents we obtained from the National Archives of Australia at the end of the module threw considerable light on the arrangements for child migration to Australia between 1938 and 1950, and this file was subsequently added to the evidence bundle.
- 10 We wish to place on record our thanks to the Royal Commission, which provided staff to accompany applicants at the locations in Australia from which they were speaking to the Inquiry by live link, thereby enabling us to provide the same level and type of support to witnesses giving evidence as we did for witnesses in Northern Ireland. We are also most grateful to the Chief Justice of the Family Court of Western Australia, and to his staff, and to the staff of the Family Court of Australia at Melbourne, for their invaluable help in making available their premises and staff to allow applicants to give evidence by live link.
- 11 The Inquiry was fortunate in securing evidence from Dr Ann Mary McVeigh, PhD, of the Public Records Office of Northern Ireland (PRONI), and from Dr Margaret Humphreys OBE, OAM. Dr McVeigh made available to us her thesis on the topic '*History of the Child and Juvenile Migration Schemes to Australia*', for which she was awarded a doctorate by The Queens University Belfast in 1995. The greater part of the information contained in this portion of the Report relating to the historical background to child migration to Australia is drawn from Dr McVeigh's work, supplemented by her oral evidence.
- 12 The topic of child migration to Australia is one that has generated a considerable amount of controversy in both the United Kingdom and in Australia for more than 20 years. It was brought to the attention of the wider public by the work of Dr Margaret Humphreys in particular, and by her book *Empty Cradles: One Woman's Fight to Uncover Britain's Most Shameful Secret*, published in 1994. Not only did this provide



much important background material for the Inquiry, but Dr Humphreys also prepared a detailed witness statement to which we refer later in this Report. In that statement, and in her oral evidence, she described many of the problems faced by former child migrants in re-establishing contact with their families in Northern Ireland and elsewhere, and of the impact of their experiences upon them. These were matters which were also dealt with by applicants in their witness statements. In addition, the Inquiry received a document entitled ‘Report on the Impacts and Outcomes of Child Migration Experienced by Former Child Migrants in Northern Ireland’, prepared by Dr Philippa White, Director of Tuart Place<sup>4</sup>. The accounts given by many of the witnesses and Dr White’s report, taken together with the evidence of Dr Humphreys, provided a great deal of information which we shall consider later. We also received helpful information from Prof. Gordon Lynch, Michael Ramsay Professor of Modern Theology at the University of Kent. Prof. Lynch has made a special study of child migration, and his 2016 book *Remembering Child Migration Faith, Nation-Building and the wounds of Charity*<sup>5</sup> deserves to be read by everyone interested in the history of child migration.

## Historical Background

- 13 The practice of child migration, that is sending young, unaccompanied, minors from the United Kingdom to other countries, is one that has a long history, and antedated the period with which this Inquiry is concerned by over three centuries. In her evidence, Dr McVeigh<sup>6</sup> drew a valuable distinction between what she termed the child and juvenile migration schemes, distinguishing between those who were under fourteen when they were sent, and those over fourteen. At that time, fourteen was an acceptable age to leave school and get work, whereas those who were under fourteen were in the care of an institution or a parent. She found that those over fourteen were mainly people who chose of their own volition to emigrate. Such individuals approached the various organisations and sometimes paid their own fare, or had it paid for them, and went to Australia or elsewhere with the option of going to work. Children under fourteen would have been too young to work and so someone would have made the decision for them to emigrate.

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4 AUS 6056-6057.

5 Bloomsbury, 2016.

6 Day 42, page 88.

- 14 In May 1947 the Australian Assistant Under-Secretary for Lands noted that the “Catholic Episcopal Migration and Welfare Association [in Australia] has asked for 60 boys under 14 years”, and that would suggest that a distinction was made at that time between children under and those over fourteen<sup>7</sup> (although some older children did emigrate to Australia under the child migrant schemes). We consider that Dr McVeigh’s distinction is a valid one and we have applied it in our consideration to the evidence before us. The overwhelming majority of those who applied to us were fourteen or under when they were sent, and whilst a small number of children were over fourteen at the time they emigrated, in many of those instances we are not concerned with their experiences because they were of a sufficient age to make an informed decision for themselves as to their future, and in almost all cases have not applied to the Inquiry.
- 15 It is now well recognised that the practice of sending young, unaccompanied, minors abroad has a long and varied history, indeed the first contingent of young migrants was sent to Virginia in 1619. Throughout the remainder of the 17th century, and during the 18th and 19th centuries, child migration to various colonies and dominions within the British Empire and Commonwealth was widespread. Although various acts of the United Kingdom Parliament were passed which permitted this policy, the actual migration was arranged by statutory, voluntary or religious organisations, which made all the necessary arrangements. In later years subsidies of various sorts were paid to these organisations both by the British Government and by the authorities in the countries to which the children were sent.
- 16 Throughout the 19th century large numbers of young children were assisted to emigrate, mostly to Canada. Canada remained the favourite destination for child migrants for many years, although critical reports of the experiences of children sent to Canada led to the practice being brought to an end by the Canadian Government in the 1920s.<sup>8</sup> Despite many contemporary reports which revealed serious shortcomings and abuses in the practice of child migration to Canada,<sup>9</sup> there still remained a considerable body of opinion in the United Kingdom that

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7 NAA A445, 133/2/9, dated 23 May, 1947.

8 See Roy Parker, *Uprooted: the shipment of poor children to Canada, 1867-1917* (Bristol, 2010), for a history of child migration to Canada.

9 Such as a report by Andrew Boyle to the Local Government Board in 1874 described in Parker, *Uprooted*, pp 49-55.

was strongly supportive of the principle of child migration. Therefore, despite child migration to Canada becoming less popular, in the 20th century Australia became a more popular destination for child migrants, although some children did go to other countries such as New Zealand, South Africa and Southern Rhodesia (now Zimbabwe). It is noteworthy that whilst in general the Canadian authorities wanted older children who could work, the Australian authorities, as we shall see, and the Roman Catholic Church in Australia, wanted younger children who could then be moulded into Australian citizens.

- 17 In the early part of the 20th century a number of schemes for child migration were created by voluntary societies which flourished at the time. The Big Brother Movement was launched in London in July 1925, and the first consignment of 'Little Brothers' arrived in Australia in 1927. The Big Brother Movement was essentially an assisted passage scheme for boys aged sixteen to seventeen and a half. It guaranteed to find employment and accommodation for each young man, and to be his legal guardian until the age of 21. It provided a surrogate 'Big Brother' who would keep a fraternal eye on the youngster. Between 1925 and 1931, it introduced 1,926 boys into Australia, until its activities were halted by the Depression. It re-established itself in the late 1930s but its efforts were interrupted by the onset of the Second World War. It again re-established itself after the war and sent an average of 200 boys a year from 1947 until the 1970s.
- 18 The Fairbridge Society was named in honour of its founder Kingsley Fairbridge. It sent children to be brought up in farm schools where they would be taught to be farmers and farmers' wives. Kingsley Fairbridge bought a small farm near Perth, Western Australia, and the first party of boys arrived in January 1913. Throughout the 1920s and 1930s the farm school continued to grow and a second farm school was opened in New South Wales. By the outbreak of the Second World War, the Society had sent 1,202 children to Australia. When migration resumed in 1947, approximately 600 more unaccompanied child migrants passed through Fairbridge. The Society was a non-denominational organisation, and such was its reputation that many other organisations, including local authorities, church-based associations, and various children's societies sent children in their care to be brought up on Fairbridge farms in Australia.

- 19 One of these societies was Dr Barnardo's. In due course it opened several more homes and training schools in Australia, and by 1960 there were nine Barnardo's centres in Australia, all in New South Wales. From 1921 approximately 3,000 children emigrated to Australia under Dr Barnardo's auspices, 500 of whom left Britain after 1947. Barnardo's sent the last group of migrant children to be sent to Australia, a party of nine, in 1967. Seven children who were born in Northern Ireland emigrated to Australia from Barnardo's homes.
- 20 As we describe later, the Roman Catholic Church was also closely involved in arranging for child migrants to go to Australia, mostly after the Second World War.

## Legislation

- 21 In the 19th and early 20th centuries a number of acts were passed by the United Kingdom Parliament which made provision for the emigration of children. Section 70 of the Children Act, 1908<sup>10</sup> provided for the apprenticeship or disposal by emigration of any youthful offender, or child detained or out on licence from a certified school, by the managers of the school, as if they were the parents of the child (provided that the consent of the Secretary of State was given), where the disposal was to be by way of emigration. After a separate Government came into existence in Northern Ireland in 1921 this power was availed of on a number of occasions by the Ministry of Home Affairs in Northern Ireland.
- 22 The principal legislative provision with which the Inquiry has been concerned was the Empire Settlement Act of 1922, which was replaced by the Empire Settlement Act of 1937, which in turn was succeeded by the Commonwealth Settlement Acts of 1952, 1962, 1967, and these three acts are properly cited as the Commonwealth Settlement Acts 1922 to 1967. Section one (1) of the 1922 Act stated that:
- “It shall be lawful for the Secretary of State, in association with the government of His Majesty's Dominions, or with public authorities or public or private organisations either in the United Kingdom or in any part of such Dominions, to formulate and co-operate in carrying out agreed schemes for affording joint assistance to suitable persons in the United Kingdom who intend to settle in any part of His Majesty's Overseas Dominions.”

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10 document, HIA 118.

- 23 The Act and its successors did not specifically empower voluntary organisations, or anyone else, to send children in their care abroad. However, if the Secretary of State agreed that a child migration scheme, whether set up by a voluntary organisation or any other body, fell within the terms of the Act, public funding could be provided to subsidise the cost of the scheme. The 1922 Act was time-limited, and the scheme was therefore extended by the Acts of 1937, 1952, 1962 and 1967 until it lapsed on 31 May 1972.
- 24 Other statutes gave the Secretary of State, or other responsible Minister, power to consent to the emigration of an orphan or deserted child where certain formalities were complied with. In the rest of the United Kingdom the relevant legislation was section 84(5) of the Children and Young Persons Act 1933 which gave the Secretary of State power to authorise arrangements for the emigration of any child in the care of a fit person, if it appeared to him that it would be for the benefit of the child. The Secretary of State had to consent to the emigration, and was required to be satisfied that the child consented, and that his parents had been consulted, or that it was not practicable for the parents to be consulted. The Act also provided (paragraph 7, schedule 4) that managers of an approved school had the power to arrange for the emigration of a child in their care with the written consent of both the child and the Secretary of State.
- 25 Prior to the enactment of the Children and Young Persons Act (Northern Ireland) 1950 (the 1950 Act), the relevant statutory provisions that operated in Northern Ireland after 1921 were sections 21 (6) and 70 of the Children Act 1908. Section 111 (5) of the 1950 Act contained a similar provision to the 1933 statute for those children committed to the care of a fit person. A fit person could be either an individual or a voluntary home, as was the case in respect of those children from Barnardo's where consent was sought from the Ministry of Home Affairs in relation to children committed to its care before the children were sent abroad.
- 26 Schedule 4, paragraph 7, of the 1950 Act empowered the managers of a training school to arrange the emigration of a child in its care, with his written consent and that of the Ministry. In Northern Ireland it was the consent of the Minister of Home Affairs that was required, not that of the Secretary of State, although, as we shall see, little use was made of this provision in Northern Ireland.

## The rationale behind child migrant schemes

- 27 The arguments of those who supported such schemes embraced both concern for the child, and concern for country or community. A very important consideration for many societies of all religious denominations was the religious and moral welfare of the young person. There was a desire to safeguard the child's religious and moral well-being, by removing the child from the danger to which it was felt that child could be exposed if it were to remain either in its own, unsatisfactory, home or in an institution. There was also a belief that the British Isles were over-populated, whereas the colonies were under-populated. A similar, but separate, argument was that there was a need to build up and maintain the Empire, and to ensure that the predominant population of the Empire was of white, British stock.
- 28 The most enduring argument in favour of such schemes was a financial one. Those youngsters who were selected and sent to the colonies would have a chance to "better themselves", and, by their removal, more room would be made available in over-crowded workhouses, orphanages and homes for other children in need of care. The fare to Australia would therefore be money well spent. All the major child and juvenile migration agencies used some variant of this economic argument. At its simplest, it was reckoned that it was cheaper to send a youngster abroad than to keep it for several years in a workhouse. In later years, this argument was refined, by providing emphasis on the benefits to the child and to the colonies of child migration. The child or youth who was otherwise un-provided for should be sent to the colonies where he or she could find farm or domestic work, thereby relieving unemployment at home, whilst increasing the labour force of the receiving country.
- 29 As was the case with child migration to Canada, a further consideration was the belief that sending children to a healthy outdoor life in the fresh air and sunshine of Australia, far away from the slums, from evil influences and from institutional life, would do more for a poor child than all the charity offered at home. This view was expressed by Arthur Lawley in his epilogue to *The Autobiography of Kingsley Fairbridge* in 1934 when he said that children could become "strong, sturdy and efficient citizens able to play their part in developing the vast resources of Australia."<sup>11</sup>

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11 Arthur Lawley, in the epilogue to *The Autobiography of Kingsley Fairbridge* (London, 1934), p.179.

- 30 Some people considered the risk of drifting into the “wrong” religion even more damaging. Most religious denominations had their own homes, each replicating the work of homes of other religious denominations. Each jealously guarded its own sphere, and great emphasis was placed by many denominations on the need for children who migrated to be brought up in what was regarded as the “correct” religion. As we shall see, the Roman Catholic Church was also influenced by the desire to increase the number of Roman Catholics in Australia.
- 31 In the 1920s the Australian Commonwealth (i.e. central) Government and state governments offered grants to support assisted passages, but by 1930, as the Australian Year Book of 1932<sup>12</sup> makes clear, those concessions were limited to: “boys for farm work, young women for household employment, and to nominees, mainly wives and children of husbands in Australia.” These concessions were revoked in 1932, and although assisted migration resumed in 1938, it was curtailed due to the approaching hostilities, and assisted passages were not reintroduced until 1947.

### **Attitude of the Australian Government post 1945**

- 32 The Australian Senate Report makes clear<sup>13</sup> that the Commonwealth Government had been developing plans to bring large numbers of child migrants to Australia before the end of the Second World War. On 2 August 1945, the Minister for Immigration referred to the Government’s plan to bring 50,000 orphans to Australia during the first three years of peace. The Minister, the Hon Arthur Calwell, said:

“Pending the resumption of large-scale adult migration, the Government will take every available opportunity to facilitate the entry into Australia of accepted children from other countries. The Government has already approved in principle a plan to bring to Australia, in the first three years after the war, 50,000 orphans from Britain and other countries that had been devastated by the war. Discussions on the details of this plan are proceeding with the States, and we hope soon to reach a stage where the full possibilities of the scheme can be properly assessed.”<sup>14</sup>

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12 An Australian Government publication.

13 *Senate Report*, paragraphs 2.60-2.65.

14 *Ibid*, paragraph 2.61, quoting House of Representatives, Debates, 2 August 1945, p.4914.

- 33 When it became clear that the target of 50,000 war orphans could not be reached, not least because there were not as many true orphans as had been anticipated in Britain and in other European countries, it was decided that as far as possible the Commonwealth Government would rely on private organisations such as Barnardo's, Fairbridge, and the religious organisations to promote child migration. Neither private fostering nor adoption of child migrants was favoured, partly for legal reasons as the death of the parents of refugee children might be impossible to determine.<sup>15</sup> As had been the position before the war, it was agreed that maintenance payments for children would be shared between the British, Commonwealth and state governments.<sup>16</sup> Some figures illustrate the type of payments that were made. In Western Australia the payments for child migrants up to 16 years were:

**1948**

Commonwealth child endowment	10s per week
State subsidy	3s-6d per week
British Government subsidy	6s-3d per week
Lotteries Commission	3s per week
Total	£1-2s-9d

**1963**

Commonwealth child endowment	10s per week
State subsidy	15s per week
British Government subsidy	£1-5s per week
Lotteries Commission	10s per week
Total	£3-0s-0d. <sup>17</sup>

In succeeding years considerable differences developed in the amounts allowed by individual states and these are described in greater details in the Australian Senate Report.

## Concerns about Child Migration

- 34 Child migration had been the subject of expressions of concern, both about the rationale for the schemes, and about their operation, prior to the Second World War, particularly as the reports we have referred to above

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15 Ibid, paragraph 2.63.

16 Ibid, paragraph 2.77 to 2.88.

17 These amounts are in the pre Australian Dollar currency of pounds, shillings and pence.



began to surface showing the unsatisfactory conditions experienced by children sent to Canada. At the end of the Second World War the British Government set up a committee chaired by Miss Myra Curtis CBE, which reported in 1946. The *Report of the Care Children Committee* (the Curtis Committee) considered the various options available for care of children in need in Britain. Although primarily concerned with the British childcare system, the Curtis Committee did consider the matter of child migration. Given the many difficulties and experiences experienced by the witnesses to this Inquiry, the following passage from the Curtis Committee report is particularly noteworthy:

“We understand that organisations for sending deprived children to the Dominions may resume their work in the near future. We have heard evidence as to the arrangements for selecting children for migration, and it is clear to us that their effect is that this opportunity is given only to children of fine physique and good mental equipment. These are precisely the children for whom satisfactory openings could be found in this country, and in present day conditions this particular method of providing for the deprived child is not one that we especially wish to see extended. On the other hand, a fresh start in a new country may, for children with an unfortunate background, be the foundation of a happy life, and the opportunity should therefore in our view remain open to suitable children who express a desire for it. We should however, strongly deprecate their setting out in life under less thorough care and supervision than they would have at home, and we recommend that it should be a condition of consenting to the emigration of deprived children that the arrangements made by the Government of the receiving country for their welfare and aftercare should be comparable to those we have proposed in this report for deprived children remaining in this country.”<sup>18</sup>

The report further stipulated:

“The emigration of deprived children should be subject to the condition that the receiving Government makes arrangements for their welfare and supervision comparable to those recommended in this report.”<sup>19</sup>

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18 Page 193.

19 Page 182.

- 35 The qualified approval for the principle of child migration, and the note of caution, expressed by the Curtis Committee was not the only expression of concern about the propriety and effectiveness of child migration to Australia at this time. The president, chair and secretary of the British Federation of Social Workers wrote to *The Times* on 24 March 1948 raising concerns about the system.<sup>20</sup> The British Federation of Social Workers attempted to obtain changes to the bill then going through Parliament which ultimately became the Children Act 1948, but were unsuccessful. The National Council of Social Services also published a critical report in relation to child migration in 1951.
- 36 In view of these concerns we consider that it can fairly be said that although after the Second World War the principle of child migration continued to receive support from governments, and from secular and religious groups, it behoved all those concerned with child migration to look very closely at what was being done in order to prevent well-known difficulties and problems happening again.

### **The Role of the United Kingdom Government**

- 37 On 24 April 1939, the Secretary of State for Dominion Affairs on behalf of the United Kingdom Government signed an agreement with the Christian Brothers of Western Australia under the Empire Settlements 1922 and 1937. This agreement, which was stated to be made with the approval of the Commonwealth and Western Australian governments, provided that the UK Government would provide money to the Christian Brothers towards the cost of extending the Christian Brothers' Agricultural Training Farm at Tardun, and contribute towards the maintenance of up to 50 British migrant children at Tardun. The agreement, which was not to extend after 31 May 1952, contained provisions regarding the type of education and training the children would receive at Tardun.<sup>21</sup>
- 38 Because of the outbreak of the Second World War it was not until after the end of the War that child migration resumed. It is clear from the documents the Inquiry has obtained from the National Archives of Australia that the involvement of the United Kingdom Government was not confined to providing the legislative framework that allowed organisations to arrange child migration to Australia, nor (as we shall see

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20 Gordon Lynch, *Remembering Child Migration*, p.63.

21 NAA, A445, 133/2/8.

later) to making a financial contribution towards the operation of such schemes, because it would only allow children to be sent to Australian institutions that were approved by it. Inspections of institutions were carried out by British government officials, and in one case the findings about the Christian Brothers' institution at Clontarf were so critical that Clontarf was removed from the list of approved institutions, and the numbers that could be sent to Tardun and Bindoon were reduced, until the United Kingdom Government was satisfied that the necessary improvements had been made.<sup>22</sup> Detailed examinations of these institutions were then carried out by the Australian authorities.

- 39 In 1953 John Moss, about whom we shall say more later, made use of a visit to Australia to carry out a fact-finding mission on behalf of the United Kingdom Government. He and his wife visited many of the institutions to which children were sent. Although his report was critical of some aspects of these institutions, he nevertheless supported the principle of child migration. In 1956, a further fact-finding mission was sent to Australia by the United Kingdom Government. This was chaired by John Ross, who expressly criticised five institutions. Ross attached a secret annex to his report that was not published at the time. In that annex he was very critical of a number of other institutions that he had not publicly criticised, because he had not been to all of them, and the information was not sufficiently strong in some instances to allow him to express public criticism.
- 40 The Australian Commonwealth and state governments took time to respond to these criticisms and as both reports became available, the two reports, and the responses to them, were furnished to the Northern Ireland Government by the United Kingdom Government. However, although the Australian response was prepared on 16 January 1957, the last group of children sent from Northern Ireland by the Sisters of Nazareth embarked for their voyage to Australia on 24 December 1956. Apart from a small number of older children who were sent to Australia in 1969, the children who embarked on 24 December 1956 effectively represented the end of child migration from Northern Ireland to Australia so far as this Inquiry is concerned.

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22 NAA, A445, 133/2/8, letters 9 June 1947 Garnett to Wheeler, and cablegrams 30 April and 10 June 1947.

- 41 For whatever reason, the numbers of children going from the United Kingdom as a whole to Australia declined significantly during the 1950s. In a debate on 9 February 1959 the Under-Secretary of State for Commonwealth Relations (C.J.M. Alport) told the House of Commons that whereas 388 children had emigrated in 1950, in 1958 only 80 had done so. At the end of November 1958 out of nearly 2,000 places available to the United Kingdom, over one half were unfilled, and only 62 children were awaiting transport to Australia.<sup>23</sup> The numbers going to Australia from the United Kingdom as a whole continued to decline very significantly, and by the end of the 1970s child emigration to Australia had virtually dried up.

## **The Position of the Northern Ireland Government from 1921 Onwards**

- 42 We have not directed our attention to any of those who were sent from Northern Ireland prior to the outbreak of the Second World War because none of those individuals applied to the Inquiry, and in some instances at least the children concerned were over the age of 14. In the pre-Second World War period the Northern Ireland Ministry of Home Affairs policy in relation to child migration by children from training schools can be seen from the following passage from a letter of 4 May 1928<sup>24</sup> by the Assistant Secretary responsible, who wrote to the clerk of each county borough council and each county council:

“...in the majority of cases the disposal of a child by emigration will effect a substantial saving in the sum which would otherwise be expended in capitation grants by the Government and the local authority if the child were to complete its full term at the School. But apart from such financial considerations the Ministry considers it desirable in the interests of the children that when a suitable opportunity for emigration presents itself this should not be lost by reason of lack of funds. It will be realised that owing to the present prevalence of unemployment in this country it is difficult to ensure a means of livelihood for young persons on discharge from Certified Schools and it sometimes happens that in such cases young persons after discharge from the School drift back to a life of crime a result which might have been avoided had they been enabled to obtain work in the colonies.”

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23 Hansard (House of Commons Debates), 9 February 1959, pp 9 and 10.

24 AUS 4421.

- 43 It is significant that in the response of 31 May 1928 from the Children Act Committee of the County Borough of Belfast (Belfast Corporation) a pertinent point was made about the age of children who should be considered for emigration from Industrial Schools when the Town Clerk stated that:
- “...in their opinion it would not be desirable except in very exceptional circumstances, when a child was being emigrated in the care of near relatives, that children under 16 years of age should be emigrated. They quite agree with you, however, that the important consideration in the matter is the welfare of the child.”<sup>25</sup>
- 44 After the Second World War the role of the Northern Ireland Government and the Ministry of Home Affairs was largely confined to the Minister considering whether to approve the emigration of children who were in care, either because they were in a training school or other penal institution, or because they were in local authority care. As we shall see, the number of such children was small. Whilst ministerial consent was not required for the migration of children who had been placed voluntarily in homes of whatever denomination or from secular homes, because these children were not covered by the legislative provisions, nevertheless the Government was well aware of the considerably larger numbers that were likely to be sent to Australia under the child migration schemes that were supported by various Roman Catholic organisations. It is convenient to consider the position of the Northern Ireland Government in relation to two distinct categories of children: the first being those children who were in the care of statutory organisations, such as county welfare committees or training schools; the second being those children who were in voluntary care.
- 45 Different considerations of both law and practice applied to each category. With the enactment of the Children and Young Persons Act (Northern Ireland) 1950 (the 1950 Act) provision was made for the emigration of three categories of children, each category requiring the consent of either the Minister, or the Ministry of Home Affairs.
- (1) Under section 94 (1) and (2) of the 1950 Act, welfare authorities were given power to arrange for the emigration of children in their care, but this was subject to the consent of the Ministry.

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25 AUS 4028.

- (2) Section 111 (5) of the 1950 Act gave the Minister power to consent to the proposed emigration of a child who had been “committed to the care of a fit person”, subject to the Minister being satisfied as to certain matters. This applied to those who had been placed in care by a court, or who had been formally taken into care by a welfare authority.
- (3) The managers of training schools were empowered to arrange for the emigration of a child, provided (a) that the child gave written consent, (b) the Minister also gave his consent, and (c) before exercising their powers “the managers shall, where it is practicable to do so consult with the parents of the person concerned.”
- 46 Thus, in May 1950, the St. Patrick’s Boys School run by the De La Salle Order put forward several boys as candidates for emigration to Australia, all but three of whom had already completed their period of supervision in the training school. Therefore only the three candidates still under detention required Ministerial consent by virtue of paragraph 7 of schedule 4 of the 1950 Act. Two of the three boys were aged sixteen and nine months, and the third was aged eighteen and five months. Ultimately the Minister gave his consent and all three boys emigrated.<sup>26</sup>
- 47 It is unclear how many boys ultimately went to either Canada or Australia by virtue of the provisions which governed emigration from training schools, but all the boys sent before and after the Second World War were close to adulthood at the time. Although all of these children fall within the ambit of the Inquiry, so far as the Inquiry has been able to ascertain all were in the fifteen to eighteen year old age bracket, and we consider that they were therefore of an age when they could make an informed choice as to whether they wished to go to Australia. Indeed several of those in this category seemed to have taken the initiative to do so. None have approached the Inquiry, and because of that, and their age when they emigrated, we have not considered the circumstances surrounding their emigration any further.
- 48 We know that in November 1950, ten children sailed on the same vessel, all of whom came from either county welfare committee care, or from the Protestant run home at Manor House, Lisburn, Co Antrim. Despite intensive efforts by the Inquiry we have obtained little information about many of those children who went from local authority homes,

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26 See AUS 5923, letter dated 16 June 1950.

but we are aware from a passenger list that two children, AU 110 and AU 111, sailed in November 1950 with several other children, some of whom are applicants to the Inquiry. The passenger list suggests that these children were sent to Australia by the County Londonderry County Welfare Committee, but the HSCB has been unable to find any documents relating to either person.<sup>27</sup>

49 Of those who have been identified by the Inquiry's researchers, or of whom we have been told, the position appears to be as follows:

- (1) Three children (including AU 110 and AU 111) were sent for emigration by various county welfare committees in November 1950.
- (2) In 1952, three brothers were put forward for emigration to Australia by County Armagh Welfare Committee. Although the records do not expressly state that they were sent to Dhurringle, this appears highly probable because there is a reference to them being sent to a Church of Scotland (i.e. Presbyterian) Foundation. It is noted that they sailed on 11 June 1952, and their arrival in Australia was reported on 28 November 1952. Whilst the ages of the three brothers are not stated, it appears probable that two of them were no longer of school age because they were described as working. Whilst the age of the third brother is not stated, because no reference is made in the records to his working or being available for work, it may be inferred that he was still of school age, in other words under fourteen.
- (3) The South Eastern Health and Social Care Trust has found evidence that suggests that two brothers (aged sixteen and four months and fifteen and one month respectively), were discharged from Marmion Childrens Home to Australia on 24 February 1954.
- (4) A third boy was discharged from the same home to Australia on 14 April 1957, although no further information is available.

50 A number of other children in the care of county welfare committees were put forward for, and it appears were ultimately given approval for, emigration.

- (1) In 1951 or 1952 a child who appears to have been fifteen or sixteen, and to have been boarded out (i.e. fostered) by Antrim County Council was accepted by the Big Brother Movement.<sup>28</sup>

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27 AUS 5993, Statement of Fionnula McAndrew.

28 AUS 5167.

- (2) In November 1956 County Down County Council noted on 30 November 1956 that a boy was at Dhurringle, although no further record in relation to his emigration has been found.<sup>29</sup>
- (3) In 1965 two boys were apparently given permission, and financially assisted, in their emigration to Australia.<sup>30</sup>
- (4) Finally, in April 1964 Belfast County Borough Welfare Committee sought authority for a boy of unspecified age to travel to Australia under the auspices of the Big Brother Movement so that he could join his foster parents. It appears that he did not emigrate, because he was turned down by the Australian Chief Migration Officer in July 1964.<sup>31</sup>

Therefore, of some fourteen children who appear to have been sent to various institutions in Australia from County Welfare Committee Homes, four were in the fifteen to eighteen year bracket and so we have not considered them further.

- 51 Of the remaining ten, we have been able to discover nothing other than the barest details, except for HIA 354. His case is of particular importance because, uniquely so far as we can discover, in his case voluminous records have survived which enabled the Inquiry to establish with very considerable precision all, or virtually all, of the relevant circumstances surrounding his migration. These include what steps were taken, and by whom, at almost every stage of his migration at the age of eight years and four months until he was twenty one. As a result, much light has been thrown on the procedures of the County Tyrone Welfare Committee, the Ministry of Home Affairs, and the Australian immigration authorities. His case also provides an example of what could have been done by other institutions that sent children to Australia, such as Manor House, Lisburn, and the Sisters of Nazareth. For this reason we have examined the circumstances relating to the emigration of HIA 354 in detail.
- 52 Before doing so, it is appropriate to examine the attitude of the Northern Ireland Ministry of Home Affairs towards those children who were sent to Australia but who were privately placed in care, such as those from Manor House and the four Sisters of Nazareth homes in Northern Ireland. It appears the Northern Ireland Government chose

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29 AUS 5006.

30 AUS 4349.

31 AUS 4349 and 4350.



not to include provisions in the 1950 Act which corresponded to those of the Children Act, 1948 (a Westminster statute which did not extend to Northern Ireland), and which would have enabled the Ministry to control any activities of voluntary organisations in connection with the emigration of children. The reason was that the Second Parliamentary Draftsman informed the Ministry of Home Affairs that the question of including similar provisions in the 1950 Act had been considered when the Bill was being drafted, and the view was taken that the control of emigration was a matter for the United Kingdom Government and that the Stormont Parliament had no power to legislate in the matter. We accept that the position at that time was that the Ministry of Home Affairs did not have any legal responsibility for the emigration of children who were in voluntary homes because those matters were legally the sole responsibility of the United Kingdom Government. There was therefore no legal duty on the Ministry of Home Affairs to inform itself about arrangements being made by voluntary organisations for the migration of children in their homes. Nor was there a legal duty on those voluntary organisations to inform the Ministry of any arrangements the organisation was making for the migration of children in its care.

- 53 However, even if such powers had been taken they may not have been exercised, because the Westminster Government did not make any regulations of that type under the legislation corresponding to the 1948 Act until 1982, when the Emigration of Children (Arrangements by Voluntary Organisations) Regulations, 1982<sup>32</sup> were made under section 62 (1), (2), and (3) of the Child Care Act 1980. Given that the United Kingdom Government did not consider it necessary to make regulations to enable it to control the arrangements for emigration by voluntary organisations for many years after the events with which this Inquiry is concerned, and as it was the almost invariable practice of the Northern Ireland Government to follow as closely as possible in every respect corresponding legislative and procedural processes being followed in England and Wales, it may well be that the Northern Ireland Government would never have utilised any such powers even if, contrary to the advice it had been given, it had enacted such provisions in the 1950 Act.
- 54 Nevertheless, despite the legal position, the Ministry of Home Affairs was well aware from several sources that the Sisters of Nazareth were sending children to Australia. First of all, the Roman Catholic body

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32 SI 1982/13.

that was closely involved in arranging for children from Roman Catholic homes in Northern Ireland provided a great deal of information to the Ministry of Home Affairs when the secretary of the Australian Catholic Immigration Committee (ACIC) wrote to the Ministry in August 1949.<sup>33</sup> In the letter it was explained that whilst the Scottish Secretary of State would not normally consent unless the child was over ten, there were many children in Catholic homes in Northern Ireland whom the ACIC “would willingly place in the Australian homes”, saying that Termonbacca “would like us to take about eighteen boys whose ages vary from two years to twelve.” The writer commented that as all these children were privately placed she thought they would probably be available to go. She also said that other children from other homes might be sent in the future.

- 55 Enclosed with the letter was a copy of the ACIC’s quarterly progress report relating to Scotland and Northern Ireland. This was a very detailed document,<sup>34</sup> and included information about the numbers of children sent from Roman Catholic homes in Scotland and Northern Ireland. It stated that by 1949, 63 children emigrated from Northern Ireland, thirteen of whom came from Nazareth House in Londonderry, 27 from Termonbacca, and 23 from Nazareth Lodge in Belfast. The Ministry of Home Affairs was therefore fully informed about several crucial matters: namely the number of children being sent from the Sisters of Nazareth homes in Northern Ireland; that some of the children were as young as two; and that the Scottish authorities would not normally agree to children younger than ten being sent.
- 56 In 1949 the views of the Northern Ireland Government were also sought by the Westminster Government about a query raised by the Australian Commonwealth Government concerning the provisions made in Australia for the guardianship of the children who were sent from the United Kingdom, and the meaning of the term “guardian” in section 17 of the Children Act, 1948<sup>35</sup>, one of the matters also raised in the letter from the secretary of the ACIC. The Ministry of Home Affairs decided they would apply the broader definition of “guardian” applied in England and Wales and not the limited Scottish view, as can be seen from a letter of 13 February 1950<sup>36</sup> in which it said that:

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33 AUS 4074-4075.

34 AUS 4078 to 4079.

35 AUS 4081-4083.

36 AUS 4089.

“Our Children and Young Persons Bill will enable a Welfare Authority to procure, or assist in procuring, the emigration of any child in their care, but where the child is capable of giving his consent such consent will be necessary. Where the child is too young to form an opinion he must emigrate in company with a parent, guardian, or relative, or must be emigrating to join a parent, guardian, relative or friend. In all cases the parent’s consent must, where practicable, be obtained and the Ministry’s approval will also be necessary in each case. As regards children in training schools, the Managers may, with the child’s consent and with the consent of the Ministry, arrange for his emigration, and must, where possible, consult with the child’s parents.”

The Ministry felt that should a limited definition of ‘guardian’ be applied then, as feared by the High Commissioner in Canberra:

“...the consequences will be a virtual cessation of the migration to Australia, under the auspices of and for placement with voluntary child migration organisations approved by our respective governments, or children maintained wholly or partially by Local Authorities responsible to the Scottish Home Department.”<sup>37</sup>

- 57 These communications from the Home Office and the ACIC were not the only sources of information available to the Ministry of Home Affairs about the scale of child migration connected with the Sisters of Nazareth. On 21 November 1955 Miss Forrest (one of the Ministry’s inspectors of voluntary children’s homes) reported on a visit to Nazareth Lodge, Belfast in which she referred to being told by the Mother Superior that the home was about to send 23 children to Australia, and possibly another 20. In the event, it seems that no children were sent from Nazareth Lodge in 1955, because the information provided to the Inquiry by the Sisters of Nazareth (and we will comment upon the reliability of that evidence later) suggests that the next group of children who went after November 1955 consisted of one boy from Nazareth Lodge who went on 21 September 1956, followed by thirteen who went on 24 December 1956. It would seem that, for whatever reason, Nazareth Lodge did not send as many children as it had contemplated in November 1955.
- 58 The significance of the cumulative effect of these sources of information is that they show that for several years the Ministry of Home Affairs was

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37 AUS 4082.

well aware that significant numbers of young children were being sent to Australia by the Sisters of Nazareth in Northern Ireland. There was also considerable information in the public domain to suggest that very young children were being sent, because it was well publicised at the time that children were being sent from Northern Ireland to Australia. For example, a picture in the *Derry Journal* of 2 August 1947 shows a group of boys from Termonbacca ready to leave for Australia. When they arrived in Australia considerable publicity was given to their arrival, which was recorded on newsreel films and in Australian newspapers. The practice of child migration from Northern Ireland was therefore widely known, and, so far as the Inquiry is aware, did not result in any adverse comment in Northern Ireland at the time.

- 59 The Inquiry has found no evidence to show that the Ministry was aware that children had been sent from non-Roman Catholic homes, such as Manor House, Lisburn.
- 60 Given that the Ministry was alerted to the practice of voluntary homes run by the Sisters of Nazareth in Northern Ireland sending children to Australia on a significant scale over a number of years, ought it to have made efforts to find out more information about those being sent, such as their ages? After all, the Minister had been advised that his consent should be refused when it was required in respect of children who were in care and who were under twelve years of age, and in the light of the information they had, should the Minister and the Ministry not have taken steps to inform themselves more fully of the circumstances of children being sent by voluntary institutions, even though the Minister had no responsibility for those institutions, in order to see whether the standards being applied to the emigration of children by those institutions were no less stringent than those he applied to the children in care who were his responsibility? Was it sufficient for the Northern Ireland Government to leave the matter purely in the hands of the United Kingdom Government? After all, a memorandum of 2 January 1950 pointed out that the scheme was “being worked mainly through the Roman Catholic voluntary homes here in Northern Ireland”, and after referring to the decision not to seek power to control child migration by voluntary organisations, the writer observed “the whole question is more likely to arise in connection with voluntary organisations than in relation to children in the care of Welfare Authorities.”<sup>38</sup>

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38 AUS 4086.

61 In her oral evidence on Day 223 on behalf of the Department of Health (the successor of the DHSSPS by this time), Dr Harrison explained that the concessions made by the Department had been agreed by the First Minister and deputy First Minister on behalf of the Executive. Dr Harrison dealt with this issue at 7.12:

“The migration of children was an initiative of the UK Government and there was no evidence to suggest that MoHA or the Executive Committee of the Privy Council (the Northern Ireland governing body) were involved in the establishment of such schemes. Nevertheless MoHA and members of the Northern Ireland Cabinet were aware of their existence and operation in Northern Ireland. The Department has already conceded that the migration of children was a misguided policy. The Department has stated to the HIAI that it fully endorsed the Prime Minister’s apology and acknowledgments in this matter.”<sup>39</sup>

62 We consider that the Department’s acceptance that the child migration policy was misguided, and the endorsement of the Prime Minister’s apology and acknowledgments do not constitute a clear admission by the Department that there was a systemic failing by the Northern Ireland government of the time in its attitude to child migration. We are satisfied that the Ministry of Home Affairs was content to leave matters in the hands of both the United Kingdom Government and Roman Catholic organisations, and was indifferent to what the Roman Catholic or other voluntary organisations were doing. Although, as we have said earlier, the Northern Ireland Government did not have a responsibility towards those children who were in voluntary care, whether the children were in the care of statutory bodies or voluntary organisations they were Northern Ireland children, and it is our firm view that the Northern Ireland Government was therefore under a moral responsibility to ensure that such children were treated by voluntary organisations in the same way as those children for whom it had statutory responsibility. We consider that this indifference was unjustified, and that the Northern Ireland Government ought to have taken steps to fully inform itself as to what was happening once it became aware that significant numbers of such young children were being sent to Australia by voluntary organisations such as the Sisters of Nazareth. **We regard its failure to do so as a systemic failing on its part.**

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39 GOV 785.

- 63 Although primary responsibility for sending children in voluntary care to Australia must rest with the Australian and United Kingdom Governments for encouraging, permitting and facilitating this, with the voluntary organisations concerned that sent the children, and with the Australian organisations that encouraged Northern Ireland organisations to send children to them, the Northern Ireland Government cannot escape a degree of responsibility for what happened, because there is no evidence to suggest that the Northern Ireland Government took any steps to satisfy itself that the children it had approved for child migration were being properly looked after in Australia, let alone that it concerned itself with the children sent by the Sisters of Nazareth.
- 64 The attitude of the Northern Ireland Government is in contrast to the actions of the Scottish Home Department and the United Kingdom Government. In 1950 the Scottish authorities sent Miss H.R. Harrison to inspect homes in Australia, although she thought Bindoon “the best of the RC Homes she has ever visited”.<sup>40</sup> In the light of such comments, and the qualified approval contained in the Moss Report there is no reason to suppose that an inspector from Northern Ireland would have formed a different view of the circumstances in Australia at that time. **However, we regard the failure of the Northern Ireland Government to make any enquiries whatever as to the fate of these children, whether of the authorities in London or Australia, as further evidence of its complete indifference to their welfare. We regard this as a further systemic failing on its part. As we shall see, it was not until the end of 1956 when the Home Office sent the Ross report that the Northern Ireland Government appears to have given any thought to the issue, and by then the last children had sailed.**
- 65 In our view, the Northern Ireland Government should have taken greater steps to inform itself of what was happening. If it had done so, it is hard to see how it could have failed to have become aware how many children from Northern Ireland were being sent to Australia when they were of an age at which the Government would normally refuse to consent to their emigration had the children been in statutory and not in voluntary care. In those circumstances we consider that it should have made vigorous representations to the United Kingdom Government to prevent this practice, and not remain indifferent to the practice. **We consider the failure of the Northern Ireland Government to take the steps we have described amounts to a systemic failure on its part.**

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40 HAA PP.6/1 1949/H/1168.

## **The experience of HIA 354 and the lessons to be learnt from that**

66 Reference has already been made to the evidence of applicant HIA 354. His evidence, and the voluminous documentary material which has been provided to the Inquiry in relation to these matters, is of considerable importance for a number of reasons, not all of which are directly connected with the circumstances of his own case. However, in order to fully appreciate these considerations it is necessary to set out in some detail the chronology of events, and the background circumstances, of HIA 354 and his siblings. These can be conveniently divided into a number of stages, with the first stage relating to the events leading up to his emigration to Australia.

- (1) HIA 354 was a seven-year-old boy who had a younger brother (AU 98) and a younger sister (AU 99) who were orphaned when their mother died in August 1949. All three were then taken into care by Tyrone Welfare Committee (TWC).
- (2) Each of the three children had health problems, and although HIA 354 was cleared, at the time he was taken into care his younger brother AU 98 was in Crawfordsburn hospital (the headquarters of the Northern Ireland Tuberculosis Authority). HIA 354 and his sister AU 99 had been taken to Tower Hill hospital, Armagh where they remained until November 1949 when they were amongst the first children to be placed in Coneywarren children's home. On 28 September 1950, AU 98 was admitted to Coneywarren from Crawfordsburn. His sister AU 99 remained in Coneywarren with him until she was boarded out with a foster mother on 9 February 1951. AU 98 was discharged from Coneywarren later that month and boarded out with foster parents in Co. Londonderry.
- (3) HIA 354 and his sister AU 99 had therefore been together in Coneywarren for some seven months before HIA 354 was boarded out to his foster parents in Donemana. AU 98 did not enter Coneywarren until 28 September 1950 and so at the very most would have had recent contact with his brother for about a month before HIA 354 went to Australia, although it is not clear from the documents produced to the Inquiry whether any contact took place. None of these matters were made known to the Ministry by TWC.

- (4) On 3 July 1950 HIA 354 was boarded out for a three-month trial period with a family in Donemana, Co. Tyrone, who had hoped to adopt a six-year-old boy. For some reason that arrangement had fallen through.<sup>41</sup> AU 99's foster mother was the sister of the foster mother of AU 98, and AU 99 was later boarded out to a foster mother who lived on the same country lane as the foster parents of HIA 354.<sup>42</sup>
- (5) By the time HIA 354 was fostered out the Tyrone Welfare Officer was already considering HIA 354 as a possible candidate to go to Dhurringle in Australia. The County Welfare Officer (CWO) said, "being an Australian myself and being intimately acquainted with the Fairbridge Farm School projects, I can appreciate what this opportunity might mean to an orphan boy".<sup>43</sup> He pointed out that the child was in a Presbyterian foster home, and the Presbyterian minister consulted felt that "migration to Australia may afford [HIA 354] more opportunity than [sic] he would have in County Tyrone."
- (6) It is noteworthy that it was recorded at the time that "in regard to separating the family, [the Presbyterian minister] feels that the brother's and sister's health condition is such, that it might never be possible to re-unite them".<sup>44</sup>
- (7) On 10 July 1950 the CWO wrote to the Reverend Boag, the representative of Dhurringle in Scotland, suggesting that HIA 354 would be a suitable child to send to Dhurringle.<sup>45</sup>
- (8) On 17 July 1950 the TWC agreed that the CWO could pursue enquiries regarding the possibility of HIA 354 emigrating.<sup>46</sup>
- (9) On 21 July 1950 the foster mother was informed that HIA 354 had to undergo an intelligence test.
- (10) On 27 July 1950 HIA 354 underwent an Intelligence Quotient (IQ) test administered by a local doctor,<sup>47</sup> and that record survives.<sup>48</sup>
- (11) On August 1950 the CWO wrote to the Ministry of Home Affairs giving brief details of the background of HIA 354 and asking whether

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41 AUS 11724.

42 AUS 11931-11932.

43 AUS 11719.

44 AUS 11718.

45 AUS 11269.

46 AUS 11269.

47 AUS 11714.

48 AUS 11703.



the Ministry would approve of the Tyrone Welfare Committee recommending HIA 354 for the migration scheme.<sup>49</sup>

- (12) This application was carefully considered by the relevant officials in the Ministry, and a recommendation was made to the Minister of Home Affairs on 9 August 1950 that the Minister should refuse to agree to the proposal. Two passages from that memorandum are worthy of quotation. After referring to the relevant statutory provisions, and in particular section 111 (5) of the 1950 Act, the writer continued “a child of eight years of age is obviously too young to form or express a proper opinion on the advantages or disadvantages of emigration. In the circumstances the Section would appear to debar any prospect of emigration in this case for the present”.
- (13) The writer then referred to representatives of Dhurringle Training Farm recently approaching welfare authorities in Northern Ireland, stating that it was possible that other requests for information may be received from welfare authorities:

“Whilst it is difficult to say that what age any particular child may reach the stage of mental development at which he is capable of forming a proper judgement on such a question, it is unlikely that such a stage would be reached before the age of twelve years at the earliest. I think, therefore, that unless the conditions laid down in paragraph (sic) 111 (5) are satisfied we should not agree to the emigration of any child under that age.”

- (14) A note on that memorandum records that the Minister was spoken to about this matter, and continues:

“The Minister agrees generally. As it would probably be in the interests of the child (illegible) if he could emigrate under a scheme sponsored by a responsible body such as the Presbyterian Church he would be prepared to approve if a responsible officer or agent of the managing body of the Farm could assume guardianship of the child or other reasonable arrangements made for travel and subsequent care.”<sup>50</sup>

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49 AUS 11259.

50 AUS 11260.

- (15) The Ministry replied to the CWO on 19 August 1950 observing that:

“the position of orphanage children who are too young to be able to form a proper opinion as to the advantages and disadvantages of emigration is one which has given rise to some concern to the Ministry. Where, however, it is obviously in the interests of any child that he should be allowed to emigrate and satisfactory arrangements can be made for safeguarding the child’s interests, the Ministry will not raise any objection to his emigrating under a scheme conducted by a reputable organisation.”<sup>51</sup>

- (16) On 13 September 1950 the Tyrone children’s officer took HIA 354 to Tyrone County hospital where the child was examined for the presence of tuberculosis and cleared. On the same day the children’s officer took HIA 354 back to his foster parents’ home at Donemana, “and discussed privately with [the foster mother] the proposed migration of this boy. While if selected, she will be sorry to lose [HIA 354] but realises the opportunities he will be afforded in Australia.”<sup>52</sup>

- (17) On 18 September 1950 the TWC gave final approval to his emigration subject to his being accepted on the scheme.<sup>53</sup>

- (18) On 5 October 1950 HIA 354 was interviewed by the representative of the Australian migration authorities at the Omagh office of the Ministry of Labour and National Insurance. The note made of that visit is revealing:

“[HIA 354] was today interviewed by Mr. Hill representative of Australian Government. The boy was very shy, and would not talk freely.”<sup>54</sup>

He was then accepted for the scheme.

- (19) On 31 October the necessary instructions and documents for HIA 354 to sail from Liverpool on 7 November 1950 were received in Omagh.<sup>55</sup>

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51 AUS 11264.  
52 AUS 11688.  
53 AUS 11270.  
54 AUS 11684.  
55 AUS 11658.

- (20) On 1 November 1950 the divisional children’s officer of TWC called with the foster family to collect clothing and other articles relating to HIA 354 in preparation for his forthcoming migration. The note of that visit reads:

“There was an air of depression and deep resentment in the [foster family] home at the removal of the boy, and all I could say, was that the decision to send the boy abroad was taken, after long and most careful consideration.”

“The decision would prove to be the right one, while the opportunity, from the point of the boy’s future was too good to be overlooked”.<sup>56</sup>

- (21) HIA 354 recalls that he then went to Manor House, Lisburn where he stayed until he and other children were taken to the boat in England.

- (22) There can be no doubt that the foster family decided that they wished to keep HIA 354 with them at a very late stage indeed. On 2 November 1950 the husband of the foster family, accompanied by a local Presbyterian minister, called at the County Welfare Committee and asked if arrangements could be made for the adoption of HIA 354. The divisional children’s officer reported:

“I have been requested by [foster father] to call at his house today but I prefer to wait until this matter blows over.”

- (23) There the matter appears to have rested, and on 7 November 1950 HIA 354 sailed for Australia in the company of several other boys from Northern Ireland.<sup>57</sup>

- (24) Two further matters are relevant. The first is that HIA 354 kept in touch with his foster parents in succeeding years. The second is that, as Mr. O’Reilly on behalf of the DHSS&PS pointed out in his closing submissions, “two of the foster families were living almost directly opposite one another, and in the case of a third child the mother in that family was the sister of the mother in one of the other families.”<sup>58</sup>

- 67 Several aspects of this sequence of events cause us considerable concern. Firstly, Tyrone Welfare Committee did not inform the Minister that HIA 354 had two younger siblings who were in their care. Given

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56 AUS 11654.

57 AUS 11041.

58 Day 50, 15 September, 2015, p.305.

that one of the matters that the Minister was required to consider under section 111 (5) of the 1950 Act before giving his consent was whether the child was to emigrate “for the purpose of joining ...a relative”, it must have been apparent to the CWO that this child being put forward for emigration had a younger brother and a younger sister in the care of his Committee. Had the Minister been told that, then he would have had to have taken into account that if he gave his consent to HIA 354 being sent to Australia that would result in the child being separated from his siblings. The failure of the CWO to inform the Ministry of these matters is all the more surprising given that he had discussed with a Presbyterian minister that if HIA 354 were to be sent for migration then it could lead to the permanent separation of HIA 354 from his brother and sister.

- 68 The second is that the foster parents of the two siblings were both geographically and in terms of family connections closely connected with HIA 354’s foster parents, circumstances that were also of considerable importance.
- 69 Thirdly, it is arguable that the Minister stretched the definition of “guardian” to include the body responsible for Dhurriple, but as against that it was clearly the policy of the United Kingdom Government to regard the Australian authorities as being the guardian once a child arrived in Australia and that position was a valid one.
- 70 Fourthly, we are firmly of the view that at that time it was wrong for the Minister to approve an eight-year-old child for emigration to Australia where he had no relatives or friends with whom he could live, but would live in an institution there, no matter how advantageous that course of action may have been thought to be for the child at the time. The Minister’s decision flew in the face of the advice of the officials of his own Ministry, and was at variance with the practice in Scotland where the Scottish authorities would not consider a child so young. These were not isolated views, because as long ago as 1928 the view was taken by Belfast Corporation that it could not countenance the emigration of a child in its care under the age of sixteen, save in exceptional circumstances. The Minister’s decision was therefore contrary to a substantial body of advice and professional opinion.
- 71 The next matter is that it is apparent that the Tyrone Welfare Committee did not inform the Ministry of the approach by the foster family to adopt HIA 354. This appears to have been a last minute change of attitude

on the part of the foster parents, and no doubt it would have been administratively extremely awkward if it had been accepted, probably resulting in wasted time, medical fees, and money spent on fitting out the boy for his new life. Nevertheless, it is hard to avoid the conclusion that Tyrone Welfare Committee officers had formed the view that it was in the best interests of HIA 354 to go to Australia as they had arranged, and were not prepared to countenance any change of circumstances at such a late stage.

- 72 In her statement to the Inquiry, Fionnula McAndrew said on behalf of the HSCB (as the successor body to Tyrone Welfare Committee) that there is no evidence to suggest that this last minute approach was given due consideration.<sup>59</sup> However, we consider that the matter goes further than that, and as Dr. Harrison conceded<sup>60</sup> in her statement on behalf of the DHSSPS, “the record of the visit would indicate that the Welfare Committee was determined that the request would not be further pursued.” We are satisfied that the officials of the Tyrone Welfare Committee did consider the matter, and decided to go ahead and send HIA 354 to Australia, notwithstanding that there was a very late proposal for adoption, which, if it had been properly considered, could well have resulted in three children being kept close together in Northern Ireland. **We regard this as only one of several systemic failings in the way that HIA 354’s case was dealt with by both the Tyrone Welfare Committee and the Ministry of Home Affairs.** The others are set out in the next three paragraphs.
- 73 Tyrone Welfare Committee did not tell the Ministry of the existence of HIA 354’s siblings, thereby depriving the Minister of important and relevant information which should have been before him in order that he could make a proper and informed decision as to whether or not to give his consent to the child’s emigration. Whilst of course it is to some extent speculative whether the Minister’s decision would have been any different had he had this information, nevertheless it might well have been.
- 74 Tyrone Welfare Committee did not tell the Ministry of the approach made by the foster family to adopt this child. **We regard this to be a systemic failing on the part of the Welfare Committee.** Although the approach was made at a very late stage, nevertheless there remained about a

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59 AUS 5994.

60 AUS 5972.

week before the anticipated sailing date, and so there was ample time in which to inform the Ministry of this new development and seek the views of the Minister accordingly.

- 75 The Minister was wrong to take the view that it was appropriate to send a child of eight to Australia in the particular circumstances relating to HIA 354 because the Minister ought to have taken the view that no child of that age could be expected to form, or express, a proper opinion on the advantages or disadvantages of emigration. Indeed it is noteworthy that so far as the Inquiry can ascertain on no other occasion did a Minister of Home Affairs give approval for the emigration of such a young child where that approval was required. **The decision by the Minister reflected a policy that it was appropriate to send a child of eight to Australia. We regard that policy as a systemic failing.**
- 76 The second stage of the history of HIA 354 consists of his experiences on the voyage from England to Australia. Two experiences are relevant. Despite being only eight he was made take part with other boys in a boxing match for the entertainment of the passengers. On crossing the Equator he was tipped backwards into a tub of water, this apparently being a traditional type of ceremony for those who cross the Equator for the first time, but an experience he found extremely frightening.<sup>61</sup>
- 77 The third stage commences with his arrival at Melbourne, Australia on 15 December 1950, from where he travelled to Dhurringle. As we have already explained, the Inquiry does not have power to examine his experiences in Australia. For those who wish to consider them, they may be found in his statement and in his evidence to the Inquiry.<sup>62</sup>
- 78 The next relevant development did not concern HIA 354 directly but concerned AU 98, his younger brother, because in 1952 TWC considered whether AU 98 should be sent to Australia to join his brother at Dhurringle. In the event this suggestion never came to fruition because of concerns about the health of AU 98, and when his health improved some years later he was boarded out with foster parents in Co. Londonderry. The suggestion that AU 98 be considered for emigration to Australia to join his brother shows that TWC was prepared to reunite the two brothers, although that would have meant depriving AU 98 of the possibility of future contact with his sister AU 99 because she was not being

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61 AUS 11246.

62 Day 44, 3 September 2014.

considered for emigration and would remain in Northern Ireland.<sup>63</sup> It is clear that it was the Committee's intention that when AU 98 attained the age of eight years "he should if possible, join his brother at Dhurringle Training Farm School".<sup>64</sup>

- 79 The proposal to send AU 98 to Dhurringle was significant for another reason, because the CWO reported to the Children's Committee of the County Welfare Committee on 1 September 1952 that:

"...it was decided to make tentative arrangements for [AU 98] to rejoin his brother [HIA 354] at the County Dhurringle Farm Training Centre in Australia but that since then, by indirect manner [the County Welfare Officer] had learned of rather disquieting reports considering the unhappiness of the boys there. He stated that he had written to the Supervisor of the Centre and also to some personal contacts in Australia and that he awaited replies. In the circumstances, it was agreed to defer further arrangements in regard to the migration of [AU 98]."<sup>65</sup>

- 80 As a result of this "disquieting report" the CWO sought information on HIA 354 from the Presbyterian Church authorities in Australia, and received reassuring reports to the effect that the complaints had been made by a homesick boy within a few days of his arrival, and were trivial.<sup>66</sup> The letter was received on 2 September 1952. However the CWO had made private enquiries through Mr J.T. Massey OBE, a friend who was the National General Secretary of the Committee of the YMCAs of Australia. Mr. Massey's response was that so far as he could gather the conditions in Dhurringle:

"compare quite favourably with other similar Institutions being run by various Churches. My impression is that it is not as far advanced as some others, e.g. Methodist Church Tally - Home Scheme, but I know of no reason why a boy should not have a great opportunity as a result of attending the school."<sup>67</sup>

- 81 As that letter was dated 9 October it would not have been available to the CWO, (although the letter of 2 September which has been referred to would have been available to him) when the Reverend A. Bell made

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63 AUS 11287.

64 AUS 11755.

65 AUS 11291.

66 AUS 11765.

67 AUS 11763.

a presentation to TWC on 6 October 1952. To judge by the minute of the meeting, his presentation received a polite but non-committal response.<sup>68</sup> It seems likely from the absence of any further reference to these concerns that they must have been allayed by both the official and unofficial responses to the enquiries made by the CWO.

- 82 The proposal to send AU 98 to Australia was dropped because of his health, but we consider it significant that the suggestion that AU 98 be sent to Australia was not well received by his foster mother, nor by the Co. Londonderry Welfare Committee. Its CWO pointed out that AU 98 was living near his sister AU 99 “who could not go to Dhurringle” (presumably because that was an all boys institution). Co Londonderry also criticised Tyrone because no indication had been given to his foster mother that the boy might be sent to Australia when she had taken him, nor had they discussed with her beforehand that they were now considering sending him to Australia to join his brother. Not surprisingly, the foster mother was extremely upset when she learnt of this plan. We consider the relevance of this to be that it is a further indication that the Tyrone Welfare Committee did not give any, or at least proper, weight to the desirability of keeping as many of the children of this family together as possible.
- 83 The third stage of the history of HIA 354 relates to the efforts of TWC to keep in touch with him in Australia. An initial report from Dhurringle was received in September 1951, but although further letters were sent on 11 June 1952, 8 July 1952 and 14 August 1952, no replies were received. At the same time, steps were being put in hand to send AU 98 to Dhurringle and although there was a response to a separate letter of 11 June 1952 containing some information from the Reverend Boag, who said he had asked the Superintendent of Dhurringle to send an official report<sup>69</sup>, it would seem that no such report was sent.
- 84 Despite the lack of further information it would appear that no further enquiries were made about HIA 354 until 1956. During that time HIA 354 has said he and his sister wrote to each other every couple of months<sup>70</sup> and this would appear to be confirmed by a reference in a letter of 7 September 1956<sup>71</sup> to AU 99 being “terribly disappointed at

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68 AUS 11293.

69 AUS 11759.

70 AUS 11249.

71 AUS 11435.



not receiving a letter from him since March 1956”. Therefore, whilst HIA 354 only wrote to his brother once or twice, there does appear to have been a much greater and continuing level of correspondence between himself and his sister.

- 85 The letter of September 1956 from the Children’s Officer of TWC was to the secretary of the Department of Social Service, which was the body of the Presbyterian Church in Australia responsible for Dhurringle. She requested a full report on HIA 354 and a photograph. She also said that if she did not hear from the Department she “would be forced to take the matter up with the High Commissioner”.<sup>72</sup> This letter had the desired effect because a detailed report dated 20 September 1956 was received. Although this letter suggested that the previous superintendent may have failed to deal with the earlier letters, as the writer had been in post since 1954 he did not explain why he had not followed his professed practice of sending six monthly reports on HIA 354 as he said he did in respect of other boys sent by overseas organisations. Thereafter detailed progress reports about HIA 354 were sent by Dhurringle to TWC on a regular basis until he reached the age of twenty one and so ceased to be their responsibility.<sup>73</sup>
- 86 We have set out this stage of HIA 354’s history at length because it shows what could be done by a welfare committee, and therefore by another body with the will and the means to do so, to keep in touch with the children it had sent abroad, and to ensure that siblings or other family members who tried to do so could maintain contact with those children who had been sent to Australia.
- 87 Whilst Tyrone Welfare Committee’s efforts to get information about HIA 354 were commendable in virtually every respect, it must be noted that the records suggest that it did not take any steps to get information between the cessation of letters in 1952 for four years until further correspondence was initiated by it in 1956. Had the determined and successful course of threatening to write to the High Commissioner been attempted earlier then that gap might not have occurred. Although we consider that the gap should not have happened, nevertheless it seems to be the position that during the gap Tyrone Welfare Committee was aware HIA 354 was in regular contact with his sister AU 99, and so we do not consider that this lapse on the part of the Tyrone Welfare

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72 AUS 11436.

73 AUS 11598.

Committee, whilst significant, should be regarded as a systemic failing by it in view of its other efforts.

88 The history of HIA 354 also throws light on the approach of the Ministry of Home Affairs to the question of child migration initiated by county welfare committees, and enables us to see almost the entire administrative process involved in child migration. We have already considered some of these in preceding paragraphs, but others that are of wider significance to issues which we will examine later can be summarised as follows:

- (1) He underwent a formal interview with an Australian immigration officer.
- (2) He was examined as to both his physical and intellectual capacities, something that was organised at the insistence of the Australian authorities.
- (3) Those, such as his brother AU 98, who did not come up to the physical and intellectual standards required by the Australian authorities were rejected.
- (4) In the case of Dhurringle regular reports on the children would be sent to the organisation which had sent the children to their care in Australia.
- (5) If such reports were not sent back, then the sending organisation was able to pursue that information, and, if information was received, pass it onto the siblings or other family members.
- (6) Direct contact between the child and its siblings in Northern Ireland was certainly feasible, and facilitated by Dhurringle at least, as a normal procedure.

## **Irish Church Missions**

89 The Society for Irish Church Missions (previously known as the Irish Church Mission to the Roman Catholics) is a society run by clergy and laity of the Church of Ireland within the wider Anglican communion, and although its principal address is in Northern Ireland, its registered office is in England. For many years until 1984 the Irish Church Missions (ICM) ran a children's home in Lisburn, Co. Antrim, known as Manor House. In the 1940s and 1950s Manor House was attached to the Church of Ireland Parish of Christ Church, Lisburn, and as appears elsewhere in this Report the way in which Manor House was run has been investigated by the Inquiry. The ICM published a magazine called

*The Banner of the Truth in Ireland* and reference will be made to this, and to written submissions made to the Inquiry by the ICM. The ICM did not appear, nor was it represented, during the hearing of the second module dealing with Australia, although it was informed of the dates on which evidence would be given relating to it, and when it could make any further submissions.

- 90 The connection of the ICM with the child migrant scheme is twofold. In November 1950 seven boys from Manor House accompanied HIA 354, as did two other child migrants who were sent to Australia by the County Londonderry Welfare Committee. These may well have been AU 110 and AU 111 referred to above. In 1969 three more boys from Manor House emigrated to Australia. These were HIA 365, HIA 290 and their half brother AU 83. HIA 365 and his twin brother HIA 290 were fourteen and nine months of age when they emigrated, and AU 83 was thirteen. These three children migrated with their father at his request, and in view of that, and the fact that they were in their teens, the Inquiry has not considered their experiences as child migrants. However, HIA 365 and HIA 290 made serious allegations about the way they were treated as children in Manor House and these are considered elsewhere in the section of the Report relating to Manor House.
- 91 Although a minute of the proceedings of the committee of the ICM written in the 1960s said that six boys went from Manor House, this is inaccurate. Both the June 1951 issue of *The Banner of the Truth in Ireland*,<sup>74</sup> and a committee minute of 2 November 1950<sup>75</sup> both say that seven boys went, and that it is confirmed by the passenger manifest which records that seven boys were sent by the home. Two of the seven boys are applicants to the Inquiry. HIA 341 was nine years and six months of age when he was sent, and HIA 346 was eight years and ten months of age when he was sent.
- 92 HIA 346 described how he was in Manor House from the age of six, having been placed there at the time by his unmarried mother. Although he describes her as visiting him regularly at the home, the consent form in his case was signed by the matron of the home on 20 July 1950. He claims that his mother, who married on 2 July 1949, told him in later life that when she and her husband came to Manor House to take him home, she was told that he had been adopted by a wealthy family in

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74 AUS 11063.

75 AUS 11061.

Dublin.<sup>76</sup> In his written statement HIA 346 described how he obtained his school records, which he said showed that he was taken out of school for a period of about one month. He believes that that was when his mother, her husband and her stepchildren came to the home to collect him. However, the Inquiry has been informed that the school records no longer exist and therefore this cannot be confirmed.

- 93 The mother of HIA 341 did give consent to his being sent.<sup>77</sup> If his mother did visit regularly it might be thought that Manor House may have been able to contact her to ask whether she did consent, but it may be that they could not contact her, and since HIA 341's mother did consent we cannot be satisfied that Manor House did not try to contact HIA 346's mother.
- 94 Although the surviving migration records suggest that both underwent medical examinations, neither can recall these. The ICM has no records relating to interviews by the migration authorities of either child, or of either child being made to sit intelligence tests of any sort. However, given that the Inquiry is satisfied that these steps were normally carried out, it may well be that they did undergo some form of intelligence assessment. If so, it is not surprising that neither applicant can recall any such event, which would have occurred when they were eight and nine years of age respectively.
- 95 HIA 346 alleges that on the voyage he was kept short of food,<sup>78</sup> and whilst HIA 341 does not allege that he was kept short of food or ill-treated on the voyage, it should be noted that HIA 354 says he was made to box against his will on the same voyage.<sup>79</sup>
- 96 In later years both applicants had considerable difficulty establishing contact with their parents. HIA 341 did write to Manor House in the early 1960s in an effort to contact his mother and the Manor House authorities replied saying that they had not been able to trace her. Fortunately, HIA 341 was able to trace his mother by using a genealogist he employed for that purpose. HIA 346 did not try to find out any information about his family until many years later, when he was reunited with his mother through the efforts of the Child Migrants Trust.

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76 AUS 11118.

77 AUS 11032.

78 AUS 11119.

79 AUS 11246.

- 97 We accept that the various preliminary procedures that have already been described in respect of HIA 354 were probably carried out for HIA 341 and 346 because all three were sent to Australia on the same boat, and it appears likely that the elaborate procedures applied to HIA 354 at the insistence of the Australian migration authorities were applied to HIA 341 and HIA 346 as well.
- 98 **We are satisfied that Irish Church Missions were guilty of a systemic failing in sending children of this age to Australia.** Whilst we accept they took the view that the children would have greater opportunities in Australia than they had in prospect in Northern Ireland, nevertheless it was wrong to send children of that age to Australia, even where, as in the case of HIA 341, a child's mother gave consent, because we are satisfied that the initiative for the child being sent came not from the mother but from the ICM.
- 99 HIA 346 said that he received no communication from Manor House after he left in 1950. Apart from a report in 1951,<sup>80</sup> it would seem that no information was received on these boys until 1961 when a letter came from Dhurringle.<sup>81</sup> No evidence has been provided to us to suggest that ICM took any steps to keep in touch with their children in Australia for a decade after they were sent. The information they received in 1961 was sent from Australia, and not sought by them. **We are satisfied that ICM failed to make sufficient efforts to stay in touch with the children in later years, and consider that this failure amounts to a systemic failing on their part.**
- 100 HIA 346 said that when his mother asked for him later she was told that he had been adopted by a wealthy family in Dublin. We consider him to be a reliable witness, and we accept that his mother was misled in this way. **We also regard this as a systemic failing on the part of ICM.**

## The Sisters of Nazareth

- 101 The Sisters of Nazareth were involved with child migration well before the children who are being considered by this Inquiry were sent to Australia. It appears that they sent children to Canada in or before the 1920s. In 1923 the General Chapter considered an approach from a Major Macaulay who suggested that the Sisters might send children

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80 AUS 11063.

81 AUS 11064.

aged about twelve to Australia. This proposal was put before the General Chapter by the Mother General. She suggested that if the children were to be sent they should go to Brisbane in Queensland after a suitable arrangement had been made with “Archbishop Duhig, who is also anxious for Catholic girls to go there.” The General Chapter agreed that the scheme would be a good thing and it is recorded that “the scheme would need to be well thought out.”<sup>82</sup>

102 A further discussion took place at a General Chapter in 1925. The Mother General referred to the earlier approach two years before, and it would seem that in the intervening period someone from the Order had visited Australia and spoken to Archbishop Duhig, “who not only approved of and encouraged the proposal but was prepared to get a hostel for them, but this we shall not require as we have now a large house in Brisbane.” The proposal was to send out about 20 girls “from 12 to 16 years old.” Queensland was favoured because it “is a very Catholic State and considered the best for our girls.” They would be sent to the Sisters’ home in Brisbane in the first instance “where they could help with the work and be trained more or less for situations for about two years or so. There are much better openings for girls in Australia than at home, and as a rule, they get on better.”<sup>83</sup>

103 The Sisters were clearly anxious about the way children would be selected to be sent because the minutes continue:

“Care must be taken in the selection of these children so as to send out sensible, well developed healthy girls who are likely to turn out well, otherwise they may not get a good name for Nazareth House and we may not be able to continue sending them.”

The minutes refer to the availability of assisted fares, children under twelve going free and those over twelve for £5 10s each. The majority approved of the scheme “if it could be worked out – it would help to spread Catholicity.” One superior remarked that sending out children to Canada through the Catholic Emigration Society was very satisfactory.

104 The matter was considered again at a General Chapter in 1928, and it would seem that a number of girls had been sent in the intervening period of time, as the minutes record:

“Reports very satisfactory of girls who had emigrated under the care of our Sisters, and being received in our house at Brisbane. The

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82 AUS 5386.

83 AUS 5389.

Bishop there is very interested in the scheme. A site for a new foundation has been procured in Melbourne, this house might be used to receive children emigrated from the Home houses.”

The same minute refers favourably to reports of the children who had emigrated to Canada under the care of the Catholic Rescue Society, saying that “Reports of these children are good and the supervision exercised over them in Canada is highly satisfactory.”<sup>84</sup>

- 105 The matter seems to have rested there until 1938 when a fresh approach was made to the Mother General about a scheme for the emigration of boys to Western Australia. The *History of Foundations* provided by the Sisters of Nazareth records that on this occasion the scheme was for the emigration of boys to Western Australia under the auspices of the British Government, the Commonwealth and State governments. The records state that “Rev Brother Conlon of the Christian [Brothers] Schools was the chief organiser.” Other entries in the History of Foundation describe boys being hurriedly selected and sailing on 8 July, apparently arriving in Australia on 9 August. There were 25 boys in the first party, and another party of about 30 went in the week of 16 July. It appears that one boy from Nazareth House Belfast was included in a further group as he is recorded by the Sisters as sailing on 29 August 1938. Two boys from Termonbacca sailed on 17 February 1939. The Australian Senate Report records that in 1938, 68 boys and one girl were sent by the Sisters, and in 1939 46 boys were sent.<sup>85</sup> Therefore three of these boys were sent by the Sisters from Northern Ireland to Australia before the outbreak of the Second World War brought this scheme to a rapid end.
- 106 The initiative for British Catholic children to be sent to Australia came from the Christian Brothers in Australia. In *Changing Times Changing Needs A History of the Catholic Children’s Society* (Westminster) (2009) Jim Hyland states that the Christian Brothers made a plea for 100 English Catholic boys to be sent to the newly established farm school set up by the Christian Brothers in Western Australia, and that when the approach was made in 1938 Cardinal Hinsley, the Cardinal Archbishop of Westminster at the time, and the Catholic Emigration Association “agreed reluctantly to support the idea.” Hyland reports that in 1938 the Christian Brothers were approached by the London County Council

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84 AUS 5391.

85 *Senate Report 2.52.*

with a request to establish a scheme for girls, and that it was hoped that the Sisters of Nazareth would run a project for girls in one of their Western Australia projects, which they later did.

- 107 Hyland quotes a letter from Canon Craven, the Administrator of the (Catholic) Crusade of Rescue, written in 1939 to Bishop (later Cardinal) Griffin of Father Hudson’s Society in Birmingham (a society of which Bishop Griffin had been Administrator). Canon Craven said that whilst he supported the plans:

“I should myself have been very much opposed to girls going out simply to be trained for domestic service and I ought to tell you that the [London County Council] were absolutely opposed to such a scheme. They are afraid, like myself, that it would mean using poor girls as drudges on farms and in the towns. This we must certainly prevent.”<sup>86</sup>

Hyland records that:

“It was agreed by the Bishops of England and Wales in February 1939 that the Catholic Child Welfare Committees (CCWC) of which the Crusade of Rescue was a member should have exclusive control and management of the emigration and settlement of all children up to the age of seventeen. The outbreak of World War II put an end to all such activity until 1945.”<sup>87</sup>

## **The Role of the Roman Catholic authorities in arranging post-war child migration**

- 108 There can be no doubt that the Roman Catholic bishops in Australia, and in Western Australia in particular, were extremely anxious to encourage the migration of Roman Catholic children to Australia before and after the Second World War. Archbishop Redmond Prendiville was the Roman Catholic Archbishop of Perth at the time. In 1947 when welcoming the first group of 147 Catholic child migrants to arrive in Perth after the resumption of child migration following the end of the Second World War he is reported to have said that “At a time when empty cradles are contributing to empty spaces, it is necessary to look for external sources of supply.”<sup>88</sup> Hyland records<sup>89</sup> that in May 1945 Archbishop

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86 Hyland, *Changing Times Changing Needs*, p.74.

87 *Ibid*, p.75.

88 *The Record*, 25 September, 1947. *The Record* described itself as the “Official Organ of the Archdiocese of Perth”.

89 Hyland, *Changing Times Changing Needs*, p.75.



Prendiville wrote to Cardinal Griffin seeking the Cardinal's agreement to restarting child migration. As can be seen from a booklet published by the Christian Brothers publicising the schemes which they ran in Western Australia, the Archbishop publicly commended the Christian Brothers for their efforts, saying:

“I wholeheartedly commend the proposal to arrange for the reception of children from the United Kingdom at the Institutions in Western Australia and commend the Catholic Episcopal Migration and Welfare Association which is to arrange and control the migration scheme.”<sup>90</sup>

- 109 Hyland also records that in May 1946 Cardinal Griffin wrote to Canon Craven at the Crusade of Rescue “about the pressure he was having from the Church in Australia and suggesting a meeting of the Catholic Child Welfare Council to discuss the issue.” Significantly, in the light of what the Inquiry heard about the experiences of many of those children who were sent to Australia by the Sisters of Nazareth, Hyland continues:

“The Cardinal also refers in his letter to ‘adverse reports’ about Australia of which he thought Brother Conlon, of the Australian Christian Brothers schools should be made aware. Canon Craven replied that he was not aware of such reports but agreed that if they existed Brother Conlon should be told about them. He added that he believed that before any further migration of children began the whole issue needed to be explored on the spot in Australia.”<sup>91</sup>

- 110 At the subsequent meeting of the CCWC it was noted that the Australian Government was seeking 70,000 migrants a year, of whom they expected 17,000 would be children. Hyland states “They agreed that someone from the Council should visit Australia before resuming the scheme, although there is no record of anyone going at this time.”<sup>92</sup> He refers to Brother Conlon travelling around England and agreeing with various Catholic agencies the number of children who could be sent to Australia. Brother P.A. Conlon was the moving spirit behind, and was closely involved in arranging, the child migration of Roman Catholic children to Australia before and after the Second World War, although he was not the only person so involved. It is clear from the material presented to the Inquiry by the Sisters of Nazareth, and the material submitted

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90 AUS 2592. See *The Christian Brothers' and associated schemes for the training of boys and girls in Western Australia* (Perth, no date), p.4.

91 Hyland, *Changing Times Changing Needs*, p.75.

92 *Ibid*, p.76.

by them to the Australian Senate and contained in the Senate Report, that the Sisters sent a substantial number of children to Australia from their homes throughout the United Kingdom, and not just their homes in Northern Ireland, following the initiatives by Brother Conlon and others.

## How many children were sent to Australia by the Sisters of Nazareth?

- 111 Figures prepared by the Sisters of Nazareth for the Australian Senate and supplied by the Sisters to this Inquiry record that 1,109 Roman Catholic children from the United Kingdom were sent to Australia between 1938 and 1956, 775 of whom were sent by the Sisters of Nazareth. It has proved extremely difficult to establish exactly how many children from Northern Ireland are included in the total number of children sent to Australia by the Sisters of Nazareth. The Sisters informed the Inquiry that 122 children were sent by the Sisters from their institutions in Northern Ireland, and if that figure is correct it represents over 10% of the total number of children sent by the Sisters of Nazareth from the United Kingdom to Australia as child migrants. When the Inquiry asked that inconsistencies in the figures provided to it be resolved, further investigation by the Sisters resulted in their modifying that figure and giving the names of 111 children. However, there is information which suggests that ten girls from Northern Ireland who sailed for Australia on 8 February 1950 are not included in the revised total of 111. That suggests that the total may have been at least 121 or 122.
- 112 It has not been possible to identify all of the children who sailed on 8 February 1950. The Congregation has informed the Inquiry that the records relating to this sailing appear to be missing, although there are other documents which show that children did go on that occasion, notably an entry from the *History of Foundation* for 1950 which records that two sisters left for Australia on the *Asturias* on 8 February 1950 escorting child migrants from Nazareth Houses in Birmingham, Belfast, Aberdeen and elsewhere.
- 113 One of the ten was HIA 326, an applicant to the Inquiry. The Inquiry has not been able to resolve this discrepancy, and so the best judgement we can make is that at least 111 children were sent to Australia by the Sisters, but it may be that as many as 127 were sent. That is because although the total of 122 in the following table includes the ten who appear to have sailed on 8 February 1950, there were a further five

children from Sligo who are not included in the figure of 54 shown in the table below as having sailed on 29 August 1947, and we consider the five children from Sligo separately.

SAILING	NAZARETH HOUSE, BELFAST (F)	NAZARETH LODGE, BELFAST (M)	NAZARETH HOUSE, DERRY (F)	TERMON-BACCA (M)	
29/08/1938		1			1
17/02/1939				2	2
29/08/1947	9	6	12	27	54
10/10/1947		2			2
08/02/1950	?	?	?	?	10?
29/01/1953				16	16
10/03/1953	2	1			3
18/03/1953		2			2
08/05/1953	6			5	11
23/02/1955	5				5
21/02/1955	1				1
24/12/1956	1	14			15
	24	26	12	50	122

( **F** = female, **M** = male)

## Children from Nazareth House, Sligo and children born in the Republic of Ireland

114 A curious feature of the information supplied by the Sisters of Nazareth to the Inquiry is that it suggests that six boys were sent from Nazareth House in Sligo to the Sisters' House at Termonbacca in Londonderry, five of whom appear to have sailed to Australia on 27 August 1947 with other boys from Termonbacca. That is stated in Sr Brenda's statement of 6 July 2014,<sup>93</sup> and in other documents supplied to the Inquiry by the Sisters,<sup>94</sup> although the names of the five boys do not appear on the list of 111 children referred to earlier. Two of the five, HIA 302 and HIA 333, applied to the Inquiry. Information provided by the Sisters suggests that a third child from the group of five also sailed, but none of the three appear on the list of 111 children. A fourth child who was on Sr Brenda's list as

93 AUS 11409.

94 AUS 12138-42.

having sailed to Australia contacted the Inquiry and confirmed he did not go to Australia. This is a further illustration of the extreme difficulty faced by the Inquiry in trying to reconcile conflicting information provided by the Sisters to establish a reasonably definitive list of all the children the Sisters sent to Australia.

- 115 As HIA 302 and HIA 333 were sent to Australia it appears likely that three of the other four children from Sligo went with them, making five in all, although some documents provided by the Sisters suggest that only three out of five actually went. We have not been able to establish why the five children were sent from Sligo to Termonbacca before they were sent to Australia. So far as can be ascertained from various documents produced to the Inquiry by the Sisters, four of the five children who we think were likely to have been sent to Australia were born in Northern Ireland. Although HIA 333 was born in Co. Monaghan his mother may have been a native of Co. Fermanagh. The legal position relating to the citizenship of such children under the law of the United Kingdom and the Irish Free State at that time is complex, and because of the limited information the Inquiry has about the children and their parents we cannot form any view as to whether at the time they moved from Sligo to Termonbacca all or some of the five children would have been regarded as citizens of the Irish Free State under its law, or of the United Kingdom under its law, or citizens of both. It is possible that there was other information available to the Sisters that has not survived, which led the Sisters to regard all five (and not just the four born in Northern Ireland) as Northern Ireland children, but that must remain speculation. What we can say is that we regard it as likely that all five were sent to Australia from Termonbacca on the first sailing on 29 August 1947. One was aged 10, one was 12, two were 11, and the fifth was 5. We therefore consider it likely that at least 117 children, and quite possibly as many as 127, were sent to Australia by the Sisters, all but three of whom were sent between 1947 and 1956.
- 116 Other applicants born in what was then the Irish Free State, and is now the Republic of Ireland, also complained to us that they should not have been sent to Australia because they were not British children. HIA 307, one of the Australian applicants who had been in Nazareth Lodge in Belfast, gave evidence during the fourth module.<sup>95</sup> He was one of the final group of child migrants from Northern Ireland who sailed on 24 December

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95 Day 84.

1956, and he believes that because he was born in Dublin it was illegal for him to be sent to Australia. However, as in the case of those children discussed in the previous paragraph, there is insufficient evidence about his mother to enable the Inquiry to reach any conclusion about the legality of his or other children born in the Irish Free State being sent to Australia as a child migrant.

- 117 Therefore the Sisters sent three children in 1938 and 1939, and possibly as many as 124 more children spread across ten sailings to Australia between August 1947 and December 1956. The first sailing after the Second World War was on 29 August 1947 and contained 54 children from all four Nazareth House institutions in Northern Ireland. The last sailing left on 24 December 1956 and contained fourteen boys from Nazareth Lodge, and one girl from Nazareth House, in Belfast. It is significant that no children were sent from Londonderry after five boys went from Termonbacca on 8 May 1953, and SND 482<sup>96</sup> said he remembered SR 11 saying that no more children from Termonbacca were going to Australia. Although the Congregation as a body decided to support the migration of children to its homes to Australia, as each house was semi-autonomous it was for the mother superior and her local council in each house to decide whether to take part in the child migrant scheme, and if so, how many children each house would put forward for emigration. No children from Termonbacca were sent after 1953 and, at the latest, girls were sent from Nazareth House, Bishop Street in 1950, whereas girls from Nazareth House, Belfast, and boys from Nazareth Lodge, Belfast, were sent until 1956.
- 118 The Congregation has not been able to provide a definite explanation as to why there was a different approach between the Belfast and Londonderry homes, but it appears to us that it may possibly have been due to greater pressure on accommodation in the Belfast homes. That may be inferred from a remark contained in a report by Miss Forrest to the Ministry of Home Affairs in November 1955 that the Mother Superior of Nazareth Lodge said that she was contemplating sending 23 boys to Australia soon, and may send another 20 later. Miss Forrest continued “Rubane can’t absorb all their output and this is how they are to be disposed of.”<sup>97</sup> Whether the words “disposed of” were those of Miss Forrest or those of the Mother Superior may be open to interpretation. In

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96 Day 32, 7 May, 2014, p.16.

97 AUS 5160.

the event it seems that the boys were not sent. So far as the Londonderry homes were concerned, the remark attributed to SR 11 would suggest that there was reluctance on the part of both homes in Londonderry to see their children go, and thereby change the character of the home.

- 119 Many of the girls sent from Northern Ireland went to Sisters of Nazareth houses in Western Australia, although it would seem from the *History of Foundation* entry for 8 May 1953 that the girls from Nazareth House in Belfast were to go to the Nazareth House in Melbourne, New South Wales. Incidentally, that entry states that there were five children, although the figures submitted to the Inquiry by the Sisters say that six children went on that occasion. Girls who did not go to homes run by the Sisters of Nazareth went instead to the Sisters of Mercy at Subiaco, Western Australia. It appears that all the boys went to homes in Western Australia run by the Christian Brothers.

### **Ages of children selected for migration**

- 120 In her *Analysis of computerised database*<sup>98</sup> which examined all the available information held by the Sisters of Nazareth relating to 1,147 children sent to Australia from the United Kingdom by Roman Catholic religious orders and organisations, Rosemary Keenan commented that “The highest single percentage of children sent [from the United Kingdom as a whole] were eight year olds with about half of all children aged between 7-10 years of age.”<sup>99</sup> As can be seen from the table below the pattern of the ages of 117 children sent from Northern Ireland by the Sisters whose dates of birth we have was similar to the age pattern for the whole of the United Kingdom (the numbers in brackets are the totals when the ages of HIA 326 and the five children from Sligo are included).

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98 Submitted in 1996 to the Select Committee into Child Migration of the Legislative Assembly of Western Australia.

99 Former *Child Migrants to Australia: analysis of computerised database* (3rd edition August 1996), page 3.

Age	Number
4	2
5	11 (13)
6	9
7	14
8	21
9	15
10	10 (11)
11	9 (11)
12	7 (8)
13	7
14	2
15	2
16	1
17	1
<b>Total</b>	<b>111 (117)</b>

Therefore, out of 117 children identified to the Inquiry by the Sisters, or which the Inquiry believes were likely to have been sent, 85 were ten or younger, 57 or 59 were eight or younger, and of this group two were four years old, thirteen were five years old, and nine were six years old. Only six of the 117 were over fourteen. This pattern of the majority of children being ten or younger reflected a deliberate policy on the part of the Roman Catholic Church in Australia. Keenan observed that “The majority of children sent were between the ages of five-thirteen years, the Roman Catholic Church preferring younger children to be sent.”<sup>100</sup> Three examples show that it was a deliberate policy to send such young children. In June 1946 Br Conlon wrote to Dr Farren, the then Roman Catholic Bishop of Derry, seeking permission to visit the homes or institutions in his diocese “with a view to select suitable children, boys and girls, between the ages of five and fourteen for the Australian Bishops’ migration scheme.”<sup>101</sup> On 21 March 1952 Fr. Nichol wrote to the mother superior in Termonbacca, and enquired whether there were any boys she might suggest for emigration, saying “The age groups

100 P.3.

101 AUS 5364.

should be as follows: eight-twelve and five-six. In the case of brothers we are prepared to extend the ages either way.”<sup>102</sup> That the Sisters were quite willing to send children as young as five was confirmed by the Superior General of the Congregation in her circular letter of the same day to superiors when she emphasised that “only normal children from five to ten years of age are to be emigrated and this is the responsibility of Superiors and Sisters in charge of the children.”<sup>103</sup>

- 121 The Sisters of Nazareth were not alone in sending young children, although it was unusual for children under seven to have been sent, if the approach of Dr Barnardo’s (now known as Barnardo’s) is typical of other organisations which sent children to Australia. When explaining its approach in 1955 Barnardo’s stated:

“The best age for children to make the move is when they are between seven and twelve years, but when a family group is involved such a limiting condition need not apply. Normally girls should not migrate between the ages of thirteen and seventeen years.”<sup>104</sup>

## Parental consent

- 122 One of the matters about which the great majority of applicants were most bitter was whether their parents (almost always the mother) were asked to consent to their child being sent to Australia. Many allege that their parent was not asked for their consent, or were lied to, when the parent returned to the home to see, or take back, their child. HIA 330 is such a case. She says that her mother told her in later years that SR 139 gave the authority for her to go to Australia but her mother was never asked. HIA 274, another applicant born in the then Irish Free State, said:

“I was sent to Australia without my mother’s consent or knowledge and from that day I lost my identity and all connections to my family, my home and my country.”<sup>105</sup>

It would seem from the information provided by the Sisters that hers is one of a large number of cases where they are unable to provide information to show that the consent of the child’s parent was sought.

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102 AUS 12178.

103 AUS 5407-08.

104 Module 8, BAR 19050.

105 AUS 10083.



- 123 There is ample evidence that the Sisters were well aware that parental consent was required in those cases where the parent(s) could be traced, and that they tried to contact a parent (usually the mother where the child was illegitimate). For example, in the *History of Foundation* of the Carlisle house of the Sisters of Nazareth an entry in July 1938 relating to eight boys who left for Australia recorded “We were sorry that we were not able to send a greater number but we could not get the consent of their relatives.” An undated letter sent by Canon Cyril Stinson to the Mother Superior of Termonbacca contained a list of sixteen boys who had been accepted for emigration and who were due to sail on 28 January, presumably the sailing which actually occurred on 29 January 1953. The letter also referred to a list of names of children submitted by Termonbacca for a future sailing. Canon Stinson said “Could you let me know...whether or not we have to get parents’ consent.” Finally he says “I understand [AU 32] was withdrawn because his grandmother refused consent.”<sup>106</sup> A circular letter of 21 March 1952 from the Superior General to all superiors said “be careful not to select children belonging to people who may object to their going.”<sup>107</sup>
- 124 In December 1955 the Catholic Child Welfare Council (the CCWC) wrote to the mother superior at Termonbacca in relation to “the eleven boys whom you wish to emigrate to Australia.” This letter referred to the necessity to “have the parents’ consent form signed in triplicate and duly witnessed. This matter is of special importance owing to a new ruling from Australia House.”<sup>108</sup> A further letter from the Secretary of the CCWC to the mother superior at Termonbacca dated 17 January 1956 also referred to the necessity to send a brief history of the child to Australia giving:

“...the date and reason of the child coming into care, whether or not the parents had been in contact with the child and a few details regarding the physical and educational history and religious practice of the child up to the present date.”

The final sentence of the letter (which is hard to decipher) reads:

“Should the mother still be in contact with the child, then you should state that the mother (wishes?) the child to be emigrated for the future benefit of the child. I trust that is clear.”<sup>109</sup>

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106 AUS 5208.

107 AUS 5407-08.

108 AUS 5209.

109 AUS 5212.

- 125 At various times the Sisters of Nazareth have attempted to identify those cases where it can be established that parental consent was obtained, and they have conceded that in the majority of cases their records do not allow them to show this. In her *Analysis of computerised database*, already referred to, Keenan concluded that “Consent by birth parent(s) was given to the migration of children in 219 instances (19%). In 913 (80%) instances it is unknown whether or not parental consent was given as the documentary evidence remains unfound.”<sup>110</sup>
- 126 In their final written submissions at the end of this module of the Inquiry the Sisters argued that there were references in their records in Hammersmith, and in the evidence of some applicants to the Inquiry, that suggested that the Sisters had obtained, or from which it could be inferred that they had tried to obtain, parental consent in many cases. They base this submission on references in their records, which they suggest refer to efforts to get parental consent in 48 of the 111 cases where the Sisters accept they sent children from Northern Ireland to Australia, sixteen of whom are applicants to the Inquiry.<sup>111</sup> An analysis of the often cryptic comments extracted from the Sisters’ records in Hammersmith suggests that these 48 cases fall into three broad categories. In twenty cases the only known parent could not consent because they were either (a) dead, (b) mentally ill, or (c) could not be traced. In thirteen cases the entries suggest that (a) the mother had handed responsibility for the child to the Order, or (b) did not want the child, or (c) the parent or relative had consented. The remainder do not expressly state whether the parent could or could not be traced, although that might be inferred in some cases, as where the father of three children was described as “a pedlar”. In two cases where the mother was described as “irresponsible”<sup>112</sup> the children were sisters and their mother was declared a person in need of special care under the Mental Health Act (Northern Ireland) 1948. She was admitted to the Good Shepherd Convent in Newry, and so both applicants might be added to the twenty already referred to. In the case of HIA 284 it is said the applicant “had rickets on admission” which gives no indication

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110 P.4.

111 AUS 8179-8182. Fifteen gave evidence in Module 2. One (HIA 279) gave evidence in Module 3. In addition one (HIA 474) only applied to the Acknowledgment Forum and in one case (HIA 395) the file was closed, and so neither have been considered by the Statutory Inquiry.

112 HIA 303 and HIA 401.

whether or not his parent consented. He told the Inquiry that while he agreed to go to Australia the sisters at Termonbacca told him he had no family.

127 Instances such as this make it difficult, and sometimes impossible, to decide in an individual case whether parental consent was sought or not, given the passage of time, the deaths of those involved, and inadequate records held by the Sisters. However, even if all 48 cases are regarded as cases where a genuine effort was made to obtain parental consent, they represent only 43% of 111 children the Sisters accept they sent to Australia (and, as pointed out earlier, the actual number might be as high as 127). Whilst that is a significantly higher proportion than the 19% of all the United Kingdom cases analysed by Rosemary Keenan in 1996, it means that in more than half of the 111 cases the Order cannot show that parental consent was sought, let alone obtained, where that was possible. Although many applicants asserted that their parents had not in fact consented, a number of witnesses who gave evidence to the Inquiry in module one confirmed that their parents were approached and refused their consent to their children being sent to Australia.

- (1) HIA 121 said that he learnt from his mother and father in 1965 that they took him and his brother off a list of boys who were due to go to Australia. However it is unclear from his account whether his parents learnt about the proposed emigration by accident or were formally consulted. He also said<sup>113</sup> that he remembered the nuns talking about the boys going to Australia, and a nun walking along a line with a doctor to select the boys.
- (2) HIA 66<sup>114</sup> described how what he referred to as the “emigration people” came and picked people out.
- (3) HIA 151<sup>115</sup> said that he remembered a line of boys being selected for Australia when he was about seven. However, as the last group went in 1956 when he was four he is clearly mistaken about the dates.
- (4) HIA 235<sup>116</sup> said that he learnt from his cousins that his mother wouldn’t allow him to be taken to Australia.

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113 Day 5, 29 January 2014, p.66.

114 Day 19.

115 Day 19.

116 Day 4, 28 January, 2014, at p.108.

- 128 A further issue is that two applicants have alleged that their migration forms were not in fact signed by their parents. HIA 273<sup>117</sup> said that she did not believe that it was her father's signature on the form, although she declined to say why. We note that the signature was witnessed by the chaplain of Nazareth House, Ormeau Road, Belfast. HIA 308<sup>118</sup> doubted that his mother signed. That signature was also witnessed by a Roman Catholic priest. We are unable to reach a firm conclusion about these allegations. Eight applicants said that their parents told them that when they (or other relatives) approached the Sisters to enquire about their child the Sisters lied to them about their whereabouts, saying the child was no longer there or, in four cases, that the child had been adopted. These applicants came from Termonbacca, Nazareth House in Londonderry, and Nazareth Lodge in Belfast, and were sent to Australia in 1947 and 1953. The allegations relate to different homes at different dates, and we see no reason to disbelieve them, indicating as they do that there was a pattern of behaviour by the homes indicative of an attitude that they had made the right decision for the children and it was not in the interests of anyone for the parents to re-establish contact with their child. Whilst it may seem strange today that a parent would not pursue the matter more vigorously, given the high regard in which the Sisters were held, and the deference paid to religious institutions by many Roman Catholics at that time, it would not have been easy for a single parent who had placed a child in the care of the Sisters then to question the actions of the Sisters.
- 129 It is not now possible to say in every case whether the Sisters did attempt to contact every parent who was alive at the time to obtain that parent's consent to their child being sent to Australia. Looking at the evidence as a whole, we can only say that there is a considerable body of evidence to show that the Sisters did make such efforts, although in some cases they may not have been successful.

## **Medical examinations and Intelligence Quotient (IQ) tests**

- 130 Some of the procedures involved at particular stages were introduced at the insistence of the Australian authorities who were dissatisfied with the physical and intellectual standard of many of the children being sent to Australia in the early years. This dissatisfaction can be

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117 Day 46, 8 September 2014, p.20.

118 Day 46, 8 September 2014, p.45.

seen in correspondence between the Secretary of the Department of Immigration in Canberra, the Chief Migration Officer in London, and the Under-Secretary for Lands and Immigration in Perth in late 1949 and early 1950. This correspondence set out the reasons for their concern at considerable length, but the flavour of the Australian concerns can be seen from the following extract from a lengthy letter of 6 January 1950 from the Secretary of the Department of Immigration to those officers just described. Referring to tests carried out “at various Catholic Institutions in [Western Australia] on child migrants from the United Kingdom” he continued “...I agree that the situation is very disturbing.” Having referred to various explanatory factors that might influence these findings he observed “Nevertheless, the percentage of dull, and borderline defective children shown in the report is too high.” The letter continues:

“It is also to be realised that the children who have been examined arrived in 1947, before the immigration schemes were properly under way and it may be that the supervision over the selection of the children could have been tighter at that time.”

He goes on to refer to a discussion of this at the conference of Commonwealth and state ministers held at Canberra on 16 May, 1949, and to a decision of the conference that the Chief Migration Officer in London “was then advised to exercise a careful supervision of the children selected”, before saying that he has again asked the Chief Migration Officer “to carefully watch the selection of children and let me have his observations.”<sup>119</sup>

- 131 The Sisters of Nazareth were well aware of these criticisms, as can be seen from the circular letter of 21 March 1952 from the Superior General, which has already been referred to. She said:

“I am grieved to say that the Australian Department for Emigration has complained about problem children, wet beds and mentally deficient[sic] being sent from Nazareth Houses to Australia, and these children will be returned by the Australian Government to the Houses from which they were sent...The Home Office, London has been notified by the Australian Government about this matter, even the Nazareth Houses in this country that sent such children have been named to the H[ome] O[ffice], so it is humiliating for the

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119 NAA A445, 138/2/8.

Congregation, and looks as if we were putting our obligations on other people. This is very serious, as I have been notified that some Catholic Homes in Australia were to be closed to children on account of the unsatisfactory state of affairs among these children.”<sup>120</sup>

- 132 The manner in which the procedures involved in child migration were applied and developed can be seen by comparing the experiences of HIA 330 and HIA 336. HIA 330 was placed in Nazareth House, Bishop Street, and she remembers very little about her time there. She was one of 54 children from Northern Ireland, and one of twelve girls from Nazareth House, Bishop Street, who sailed on the first sailing of children to Australia from the United Kingdom on 29 August 1947. She was six-years-old at the time and so it is not surprising that she has little recollection of what happened. It appears from the Commonwealth of Australia immigration documents she obtained that she underwent a medical examination by a doctor at Australia House in London, which appears to have been carried out on 16 July 1947. The sponsoring organisation is described as the Catholic Council for Child Welfare of Coleshill, Birmingham, and the certificate relating to her background was signed by SR 139 who was the mother superior of Nazareth House, Bishop Street, at the time. She also signed as the child’s guardian on 15 July 1947. Her signature was witnessed by P.A. Conlon, clearly Brother Conlon, who gives his qualification as a migration organiser, and his address as 38 Strawberry Hill, Twickenham. As her ship sailed on 29 August, if the medical examination took place on 16 July in London as the form implies, it would seem that on or about 15 July HIA 330 left Londonderry and travelled to London, presumably spending the time between her medical examination and her sailing on 29 August at a Sisters of Nazareth home somewhere in England.
- 133 HIA 336 (who was an applicant to the Acknowledgement Forum only), provided the Inquiry with a comprehensive set of papers showing that the process had become considerably more elaborate by 1956. These documents show that his unmarried mother gave her consent to his migration on 28 November 1955. Application forms sent to the Department of Immigration in December 1955 said (a) that he was in care and (b) that the Secretary of State had given his consent to HIA 336’s emigration. The Sisters of Nazareth sent a formal application to the Department of Immigration at Australia House in London, which was

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120 AUS 5407-08.

received by it on 16 January 1956. He underwent an initial medical examination on 26 February 1956, and was medically examined again on behalf of the Australian Department of Immigration by a Belfast GP, Dr John McSorley on the Ormeau Road, whose report was compiled in or around 10 April 1956. In August 1956 HIA 336 was one of nine children from Nazareth Lodge, Belfast who were then subjected to IQ tests by Prof. Seth, the Head of the Department of Psychology at Queens University, Belfast. Professor Seth sent his results to the Australian Department of Immigration in London.<sup>121</sup> HIA 336 was just six when he sailed from Southampton on 24 December 1956 on the *SS Strathnaver*, arriving in Freemantle on 22 January 1957.

- 134 In HIA 336's case thirteen months elapsed between his mother giving her consent in November 1955 and his sailing on Christmas Eve 1956, and no doubt the process of identifying him as a possible emigrant child started some time before that. The process from being selected for consideration for emigration until sailing was often a particularly long drawn-out one, in most cases taking several months. Although the manner in which this happened is not clear in every respect, it appears to have been the position that in many, if not all, of the cases where children were sent from one of the four Sisters of Nazareth institutions in Northern Ireland, the mother superior of the house started the process by nominating individual children to one of the Roman Catholic organisations responsible for child migration, such as the Australian Catholic Immigration Committee (ACIC). That would seem to be the position from a letter sent on behalf of the Director of the ACIC to the mother superior of Termonbacca in 1951. He indicated that he already had a list of names on file and suggested four names to the mother superior. He stated that application forms, birth certificate, baptismal certificate, confirmation certificate if confirmed, case history, IQ report and school report were required, saying "many of these documents we have already." He then set out the papers which he held for each of the children, and asked whether or not the children were still available for emigration, together with any other names that might be put forward for inclusion in a later batch. He concluded "We would point out that very careful selection is now taking place and, therefore, if children are anyway below average and do not come up to the required standard, they are being sent back."<sup>122</sup>

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121 AUS 11839.

122 AUS 5218.

- 135 The emphasis placed by the Australian authorities on the need to select children who were in good physical and mental health is clear, and is confirmed by his next letter. As that letter was believed to have been wrongly addressed, a further letter was sent including the name of a fifth boy who was thought to be the brother of one of those mentioned in the earlier letters. It again makes the point about the need for children to reach a certain standard, because the letter concludes “when submitting further applications, Father Nichol asks you to bear in mind the fact that if these children are in any way below average, mentally or physically, they will be sent back...”<sup>123</sup>
- 136 Only a few applicants have any recollection of being medically examined, or of undergoing IQ tests, before they were sent to Australia. Nine applicants remember undergoing medical examinations, and the immigration documents for many more record medical examinations. Whilst there is documentary evidence of the IQ tests on nine boys in 1956, it is noteworthy that two applicants who sailed on the first sailing on 28 August, 1947 have clear memories of undergoing IQ tests,<sup>124</sup> and HIA 350 (who was seven years and five months old when she sailed) recalls that Br Conlon, a sister and a government official were present. Correspondence from the CCWC to the mother superior of Termonbacca in 1952 requested both school and IQ reports.<sup>125</sup> Given that children in the first and last groups to go to Australia from Sisters of Nazareth homes in Northern Ireland underwent such tests, that there is substantial evidence that the Australian Government placed considerable emphasis on assessing child migrants’ intelligence, and that IQ tests were required by children from the state sector as in the case of HIA 354, we are satisfied that IQ tests were conducted on applicants who do not now recall them. We are satisfied that it is highly likely that after 1947 all children went through the required procedures, including medical examinations and IQ tests, and it is not surprising that 50 or 60 years later applicants do not remember some parts of the process, given that the process was often long drawn out, and that many would not have appreciated the significance of what was happening.

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123 AUS 5216 and 5217.

124 HIA 299 and HIA 350.

125 AUS 12178.



## Were illegitimate children singled out for emigration?

- 137 A number of applicants expressed the belief that the children selected for emigration were chosen because they had no parents to speak for them, and the implication in those cases is that all or many of the children were selected because they were illegitimate. As we have pointed out, there is evidence that the Sisters tried to contact a parent of a child being considered for emigration, and that in a number of cases where contact was made the parent or relative refused to consent. It also has to be remembered that during the decade in which child emigration took place the proportion of illegitimate children in all children's homes in Northern Ireland was very high, as can be seen from figures gathered in 1957 by the Northern Ireland Child Welfare Council.<sup>126</sup> It found that in the six largest children's homes, two out of every three children were illegitimate. Of the six homes, the percentages were 82.8 % in Nazareth Lodge, Belfast; 62.1% in Nazareth House, Belfast; 57.7% in Nazareth House, Londonderry; and 60% in St Joseph's, Londonderry (Termonbacca).<sup>127</sup> We have no reason to believe that the position was significantly different in the ten years before 1957. A further consideration is that, as the same report pointed out, many parents did not maintain contact with their child once the child was placed in a home. The report gave the following percentages for parents in the four Sisters of Nazareth homes who did not maintain contact with their children: 57.4% in Nazareth Lodge, Belfast; 48.8% in Nazareth House, Belfast; 13% in Nazareth House, Londonderry; and 45.5% in St Joseph's, Londonderry (Termonbacca).<sup>128</sup> With the proportion of illegitimate children so high in each of these homes, it was inevitable that there would be a high proportion of illegitimate children amongst those selected. We note that of the witnesses who contacted the Inquiry, only four were members of families of five or more children.
- 138 Because the sisters who made these decisions and the parents of the children are dead, and because there are not many contemporary records that throw any light on why an individual child was selected other than the migration forms, there is insufficient evidence to enable the Inquiry to decide in each individual case whether, and if so to what extent, the fact that a child was illegitimate was a factor that led that

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126 *Operation of Social Services in relation to Child Welfare*, p.2.

127 *Ibid.*, p.5, para. 11.

128 *Ibid.*, Appendix 13, p.41.

child to be selected for emigration. All that we can say on this issue is that because the percentage of illegitimate children in each of the four homes was so high, and so many parents no longer maintained contact with their children, and therefore could not be asked for their consent to their children being sent to Australia, it was likely that illegitimate children would form a high proportion of the children who were selected.

## **What were the children told, and were they asked if they wanted to go?**

139 Many applicants, but not all, had some recollection of Australia being mentioned to them before they went, although there are considerable variations in their accounts of what was said to them. A very common theme amongst those applicants who could remember being told something was that they were given a wholly misleading picture of the conditions they could expect to find on arrival in Australia. HIA 335 said that Br. Conlon “said we would be able to ride horses and pick oranges off trees.”<sup>129</sup> HIA 299, who went to Australia in September 1947 aged ten and a half said:

“Brother Conlon brought books about Australia and told us it would be good there, the aboriginals were great, there was plenty of orchards and fruit and we would never go hungry...I had no idea where Australia was but I was convinced by his description of the country.”<sup>130</sup>

140 HIA 299 described how he helped to build the buildings and clear land when he arrived. Although conditions in Australia are not within our terms of reference, we note that there is ample contemporary evidence that the boys engaged in heavy physical labour helping to construct large buildings at places such as Bindoon. Captions to photographs of Bindoon in the undated pamphlet about the Western Australian institutions already mentioned such as “Administration block in course of construction by boys”,<sup>131</sup> and “Boys tiling the Refectory Block”,<sup>132</sup> make this very clear.

141 Not all applicants remembered being given any explanation about where they were going, or, if they were told, say they were not told the truth

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129 AUS 10957.

130 AUS 10342.

131 AUS 2607.

132 AUS 2610.

about their forthcoming journey. HIA 300, who was eight years old when he went to Australia in August 1947, recalled that the sisters said “all those who want to go to Australia put your hands up. We all put our hands up as it sounded exciting but I had no idea at the time where Australia was, nor did the other boys.”<sup>133</sup> HIA 350 remembered doing an IQ test, being patted on the head and told that she was a smart girl and was going on a trip to Australia. “We were given the impression that life was going to be like a fairy tale, with lots of fruit, sunshine and kind people.”<sup>134</sup> However, HIA 240 said that a priest told him he was being sent on a three-week holiday to England and instead he was sent to Australia.<sup>135</sup>

- 142 Australian officials in the United Kingdom were required to interview each child to ask the child whether he or she wanted to go to Australia, but of 28 applicants who were sent by the Sisters of Nazareth, twenty-one said that either they were not asked at all whether they wished to go, or they were simply told that they were going. However, although HIA 299 was one of the twenty-one who were not asked, he remembered Brother Conlon asking the boys in Nazareth Lodge if they wished to go, and seven applicants remembered being asked. Five of them were in Termonbacca, one in Nazareth Lodge, and one in Nazareth House, Belfast. That children from three different homes remember being asked if they wished to go, suggests that each child was asked if he or she wanted to go to Australia. In addition, we were provided with correspondence from January 1951, March 1953 and March 1956 between the Australian emigration authorities and the mother superior of Termonbacca making arrangements for interviews of boys at Termonbacca itself or at the local employment exchange.<sup>136</sup> Given that the majority of the children sent by the Sisters were younger than ten, it is not surprising that many have no recollection of being asked, and we are satisfied that the children in the four Sisters of Nazareth homes with which we are concerned were asked whether they wanted to go to Australia, although it is unclear whether this was always done by Australian officials, by the Sisters or by other Catholic officials such as Br. Conlon.

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133 AUS 10377.

134 AUS 11202.

135 AUS 11554.

136 AUS 12099, 12104 and 12108.

143 Whilst many children may have been asked in some form whether they wanted to go to Australia, we accept that they were given an idealized and wholly unrealistic picture of what their lives in Australia would be like. While we accept that there was discussion with the children about going to Australia, we do not accept that the children were in a position to give an informed consent, and we do not accept that asking children of such a young age for their consent had any worthwhile purpose. We have already pointed out that where the consent of the Minister of Home Affairs was required many responsible bodies and senior civil servants expressed the view at the time that no child under the age of ten (or even older in the view of some) could reasonably be expected to understand the implications of what they were being asked. Given that many of the children sent from Northern Ireland were under eight, and some as young as four or five, we are satisfied that the procedure of asking children under fourteen to obtain their informal consent to go was a worthless and wholly indefensible practice, and should have been recognised as such by the Sisters, the Australian Commonwealth and state governments, and the United Kingdom Government.

### **Travel arrangements for the children**

144 There were suggestions that there was a financial incentive for the Sisters to send children to Australia, and that they profited from doing so. For example, HIA 401 said she had seen documents whilst doing some archival work which suggested that the Sisters received either £10 or AUS \$10 for each child. This was explored with her when she gave evidence and she said that the Australian Government was “basically helping to finance the child migrants coming to Australia.”<sup>137</sup> Sr Brenda explained that the Sisters were reimbursed for the cost of travel and clothing provided to the children for the journey, but the Congregation did not profit by doing so. It is clear that the Australian Government provided travel warrants for the travel costs of the children to the point of embarkation. It also paid the passage fare for the children to Australia. It also appears that, at least in some cases, it reimbursed the Sisters for the cost of providing new clothing for the children they sent. That can be seen from an entry in the Sisters of Nazareth *History of Foundation* for Nazareth Lodge disclosed to the Inquiry during module four. This recorded that on 7 May 1949 the Sisters received a cheque for £55 “from the Australian Migration Scheme towards the outfits of

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137 Day 48, 10 September 2014, pp. 19 and 20.

the fourteen boys who went to Australia in August 1947.”<sup>138</sup> However, we have found no evidence to suggest that the Sisters of Nazareth profited financially from taking part in the Child Migrant Scheme.

- 145 The children were provided with new clothes for their journey, and then travelled by train and boat from Northern Ireland to England. Some of those sent by the Sisters seem to have stayed for a short time in one of the Sisters of Nazareth houses in England, others went direct to the port of embarkation where they joined their ship. All children, whether sent by the Sisters of Nazareth, by county welfare committees or by the Irish Church Missions, were accompanied during the voyages by adults assigned to look after them during the voyage. Some were priests, sisters, or Protestant clergy in the case of children going to Dhurringle; others were young women recruited for the purpose who had their fare paid to Australia in return for looking after their charges. Most, though by no means all, of the children had happy memories of the voyage, having ample food and being allowed to go where they wished on the ship. Others, as in the case of HIA 346 and HIA 354, whose experiences we have already recounted at paragraph 95, did not consider they were well looked after on the voyage. Given the post war shortages of food and general austerity in Northern Ireland and the rest of the United Kingdom the conditions on board for many seem to have been a considerable improvement on what the children were used to. However, none of the institutions appear to have paid much attention to checking the suitability of those to whom the children were entrusted to look after them in any structured fashion.
- 146 Very little information about the children appears to have been sent with them. By 1954 the migration forms required “case histories”, but we have found nothing that would suggest that the Sisters in particular provided anything that could be described as a “case history”. We consider that even in 1954 good practice would have required a minimum of a half page outlining the nature of the family, its problems and the reason why the child was in care. The absence of such information was unacceptable at the time, and the lack of information undoubtedly also contributed to the difficulties experienced in later years by many former child migrants when they tried to get employment or trace their families. **We regard this failure to be a systemic failing on the part of any institution that sent children and cannot show that such information was sent.**

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138 SNB 11638.

## Efforts by the British and Northern Ireland Governments to ensure that children were being properly looked after in Australia

147 As mentioned earlier, John Moss CBE was a member of the Curtis Committee, and was the Kent County Welfare Officer. When the Home Office learnt that he was due to make a private visit to Australia in 1951, it asked him to make some enquiries into conditions in those homes where children emigrating from the United Kingdom were received. His report *Child Migration to Australia* was published in 1953 and described by the United Kingdom Government as “an independent record of Mr Moss’s impressions, and is not to be taken as expressing the views of the Home Office or of any Australian authority.” His report was broadly favourable to the principle of child migration, although he did make comments about a number of individual homes. He also made a significant number of recommendations, which might suggest that although he was broadly satisfied with what he found, nevertheless there was considerable room for improvement. In his conclusions he said:

“I hope this report will give an impetus to the emigration of children from the United Kingdom to Australia as I have no doubt that many children who are in children’s homes here would have much better prospects in Australia if they are carefully selected and are of suitable ages.”<sup>139</sup>

Of particular relevance to the work of this Inquiry is that he “formed the opinion that the Roman Catholic establishments for children in Australia compare very favourably with those in this country.”

148 It is also significant that whilst he noted that some 2,000 children had been emigrated under this scheme since the end of the Second World War:

“Local Authorities have taken very little interest in the scheme, either in relation to children in their own children’s homes or children for whom they are contributing in voluntary homes such as Roman Catholic orphanages. Local Authorities must naturally be satisfied that any action they take as to children in their care is in the interest of the children. There seems to be a feeling in some quarters that it is wrong to send a child, for whom a Local Authority is responsible, some 10,000 or 12,000 miles away.”

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139 Page 41.

Moss concluded that if those responsible had the same opportunity as he and his wife had of inspecting these premises:

“I am sure they would have no hesitation in helping to fill the vacancies which now exist in approved establishments and would adopt a general policy of sending a regular, but small, flow of suitable children. They would then not only be doing good to the children but helping, in a small way, to increase the English-born population of Australia.”

He completed his report in January 1952, and it is clear from the Northern Ireland Government file that a copy of this report was received by the Ministry of Home Affairs, as the title page of the report bears a number of hand-written references to the Big Brother entries and those relating to Dhurringle in the report.

- 149 The Empire Settlement Acts were due to expire in 1957, and as payments were made under the Acts to those voluntary societies concerned with child migration to Australia the United Kingdom Government appointed a fact-finding mission to visit Australia. This was chaired by John Ross CB, a former Under-Secretary of State at the Home Office. He and his colleagues produced their report in March 1956. It was highly critical of the conditions in Australia in many of the institutions, 26 of which were visited by the committee, and the Australian Government would not agree to its publication until its own officials had visited the institutions. The Australian Senate Report noted that shortcomings were only detected at Dhurringle and Bindoon and minor improvements suggested. The Australian Government investigation concluded “in view of [this], it is felt that there is no justification for your [the British] government to take any action, to cause even a temporary deferment of child migration to Australia.” In the United Kingdom the Commonwealth Relations Office recorded that “as we feared the Australian authorities focus only on material things like bathrooms and carpets, and ignore what had been said about atmosphere and management.” A United Kingdom Home Office official noted that the Australian report “confirms my view that Australian and United Kingdom thinking on childcare matters is poles apart.”<sup>140</sup>
- 150 The Ross Report was extremely critical of the principle of child migration, in particular about matters such as the unsatisfactory premises, the

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140 *Senate Report 2.114.*

isolation of the homes, that children were being separated by gender and also that siblings were being separated, and as Ross put it, not all the staff had “sufficient knowledge of childcare methods”. In addition to the five institutions which he expressly criticised, he attached to his report a secret annex which was not published. In that, he was very critical of a number of other institutions he had not publicly criticised because he hadn’t been to all of them, and the information was not sufficiently strong in some instances to allow him to express public criticism. The Ross report was also made available to the Northern Ireland Government, including its secret annex, and the copy in the Ministry of Home Affairs file carries a manuscript note that it was copied to Miss Forrest, Miss Wright and Miss Miller in February 1957. At this time the Northern Ireland Government anticipated a visit from Australia by a leading public figure there and was somewhat embarrassed by the position in which it found itself. In the event, the last children to be sent by the Sisters of Nazareth had already sailed on 24 December 1957, and so far as the Inquiry is aware no further children were sent from Northern Ireland other than the three children who went from Manor House in Lisburn in 1969. However, as they were older and went at their father’s request they do not fall into the category of child migrants with whom we are concerned.

## **Contact between the homes and child migrants after they went to Australia**

- 151 It is a common complaint by applicants that they received no letters from home, that letters were kept from them if they were sent, and that their parents in many instances either were unaware that their children had been sent to Australia, or maintained subsequently that they had been deceived about that. HIA 392 said that he received some letters from his mother for the first eight months after he went, although these stopped when he asked her why she sent him to Australia.<sup>141</sup> HIA 274 said that her mother managed to trace her to Australia and wrote to her, and although HIA 274 wrote back she doubts whether the letter was ever sent. However, even the minimal contact both experienced was exceptional to judge by the evidence of the great majority of applicants to the Inquiry, only five of whom received letters from parents or other family members after they went to Australia. These are all matters which we have considered in the context of the acts or omissions of those who

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141 AUS 11367.



were responsible for these children in Northern Ireland. The efforts of Tyrone County Council in trying to keep in touch with its child migrants demonstrates what could, and we believe should, have been done in this respect by everyone who sent a child who was in their care to be placed in the care of another institution in a country many thousands of miles away. If the Tyrone Welfare Committee could go to such efforts to keep in touch with one child what was to prevent other organisations pursuing the same policy? Although the Sisters of Nazareth may not have the same financial and administrative resources as public bodies, we consider that they could and should have done much more to keep in touch with the children in Australia. The girls went to other homes run by the Sisters, such as Geraldton, and there was nothing to stop the mother house in Hammersmith asking their sister houses in Australia, or the Roman Catholic Orders to which the boys had gone, such as the Sisters of Mercy or the Christian Brothers, for a short report of a few lines on each child once a year, and passing this information to those parents or relatives for whom they had contact details, or who enquired after a child. **We regard the failure of the Sisters to do so as a systemic failing on their part.**

- 152 The Inquiry has no power to investigate the way these children may have been treated by those responsible on the spot for the Australian institutions to which they were sent after they arrived. Nevertheless, our view is that it is necessary to consider what steps the Sisters of Nazareth took to keep themselves informed about the progress of the children in Australia because the Sisters had sent children in their care to a distant country. In only one case that we are aware of did information come back from Australia to the Sisters in Derry, and through them to those close to the applicant. HIA 342, who sailed in August 1947, said that in later years she learnt from a family with whom she had lived in Derry before going into Nazareth House in Bishop Street that the Sisters in Australia sent back photographs of her growing up. The photographs included photographs of her graduation, although she could not remember graduating.<sup>142</sup> If what she was told is accurate, that would suggest that in her case at least an effort was made by the Sisters in Australia to send back information, but, if so, that would appear to have been an exceptional event. There is no other evidence to suggest that the Sisters in any of the four homes in Northern Ireland made any effort to seek information, or received information, which they

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142 AUS 11074, Day 47, 9 September 2014.

passed on to the families concerned about the children sent from their homes. In some cases the children went to homes in Australia run by the Sisters, such as the home for girls at Geraldton in Western Australia, and whilst it is possible that the mother general or her representative may have enquired after such children in the course of visitations to the Australian homes run by the Sisters, if any information was gathered in this way no evidence has been produced to show that it reached any of the four homes in Northern Ireland.

- 153 Even if the Sisters sought such information, we consider it likely that very little, if any, information was provided, because that appears to have been the experience of other Catholic organisations in the United Kingdom involved with child migration when they tried to obtain information from Australia about the welfare of the children they had sent there. That this was the case can be seen from the following passage in a discussion paper report prepared for the Catholic Children's Society (Westminster) by its director, J. M. Richards in July 1993:

“Between the start of the migration programme in 1938 up until May 1956, concerns were often expressed about the migration programme within C.C.W.C. and the Church hierarchy but nothing in effect was done about it. In May 1956 in a letter to Canon Flood, R.T. Rainer from Southwark Catholic Children's Society wrote ‘I am keenly interested in these problems of supervision of children in Australia, as I made all the arrangements for all our children to emigrate and interviewed all the available parents but so far have not seen one official report about the welfare and progress of the Southwark children’. He goes on to say that without ‘positive evidence of its standards and achievements that the local authorities will not be prepared to use the scheme’ for the Catholic children it has in care. Further he states, ‘there is an opinion in some quarters that we have merely succeeded in transferring children from one institution to another and unfortunately we do not possess any information which suggests the position is in fact satisfactory’. In another letter, he makes clear that Australia and England do not appear to understand each other's conception of child care. By June 1956 Southwark were no longer prepared to send children to Australia until they had details of the welfare and after care of children already out there. Reports from Australia on children that had been sent out there were very brief in content and spasmodic in arriving.”<sup>143</sup>

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143 AUS 12199.

154 Because only five applicants received letters from parents or other family members after they went to Australia, for virtually every applicant the effect of being sent to Australia as a child migrant was that they were cut off from their families in Northern Ireland. As a result in later years the great majority of applicants had great difficulty in tracing their families; difficulties caused, or exacerbated, in many cases by not being able to obtain their birth certificates. Twenty-six applicants mentioned that they had to get their own birth certificates in later life, and nineteen described how the details were inaccurate. Whilst some errors may have been due to clerical error, in the case of HIA 326 and others names had been changed, apparently on an arbitrary basis, by the Sisters before they went to Australia. It appears that birth certificates may have been sent by the Sisters with each child, at least to judge by the experience of HIA 273 who described envelopes with birth certificates inside being taped inside the lids of their suitcases before they left, and being taken from them on arrival in Australia.<sup>144</sup> As the correspondence already referred to makes clear, birth certificates were sent by the homes when the applications were being made to the Australian authorities in London. It appears that only short form birth certificates were sent, and because such certificates only include the name and date of birth of the child, and does not contain details of the parents and place of birth, this also created great difficulties for child migrants who wanted to trace relations in later years.

155 Many applicants complained that the Sisters were extremely uncooperative when contacted in later years for information that would help trace their parents and families, although some individual priests were helpful in providing baptismal and other records. This lack of co-operation by the Sisters in different houses, and not just those in Northern Ireland investigated by the Inquiry, caused enormous difficulties, and great distress and unhappiness, for applicants as they tried to trace their families and roots in Northern Ireland or elsewhere.

HIA 312 expressed the feelings of many of those who spoke to the Inquiry when he said:

“I regret never having the opportunity to meet my birth mother and having no knowledge of my Irish ancestry. I never made any further enquiries about my family. If you’ve written me off, you’ve written me off for life.”<sup>145</sup>

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144 Day 46, 8 September 2014, at p.16.

145 AUS 10631.

- 156 The practical difficulties experienced by so many applicants who tried to trace their relatives are graphically illustrated by the example of HIA 333 given to us by Dr Margaret Humphreys.<sup>146</sup> He started to search for his mother in the 1950s, but, despite his efforts, had no success. In 1992 he contacted the Child Migrants Trust and it took up the search. In July 1997 Dr Humphreys and HIA 333 visited Nazareth House in Sligo for the first time. The search continued for several years, and, amongst other things, included efforts to exhume the body of a possible relative in California for DNA tests. The search came to an end in 2008 when HIA 333 visited the Nazareth House in Sligo in June and was given a photocopy of a 1937 document which referred to the recommendation of a Catholic curate in Co. Fermanagh. A third visit by Dr Humphreys to the Nazareth House in Sligo in November 2008 resulted in the back of the photocopied document being produced after a three hour delay. On the back was the applicant's mother's address, and within three days that address had been located, only for HIA 333 to learn that his mother had died in 1999. Throughout her life she lived at the same address, and at one stage when she was still alive the search was being carried out half an hour's drive from where she was living. Had that information been produced in 1997 HIA 333 could have been reunited with his mother before she died and many years of fruitless, time-consuming and extremely expensive enquiries could have been avoided.
- 157 Even when applicants were able to trace their families the result was sometimes disappointing for them. Sadly, there can be no doubt that some parents wanted their child out of their lives as demonstrated by the experience of those applicants who were able to trace their mother in later life, only to find that she did not want to acknowledge that the applicant was their child. In some cases this was because they had married but never told their husband or children that they already had a child, as in the case of HIA 304. Through his wife's efforts he was able to trace his mother, but when he contacted her "...she was pleased to hear from me, but also horrified. She had put a lid on her past and now it was reopened."<sup>147</sup> Although they corresponded by letter, this was only for a couple of months as she was terrified her husband would find out. The experience of HIA 341 was even less satisfactory, as his mother refused all contact other than one long telephone conversation. The

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146 Day 43. 1 September, 2014. Pages 152-62 and AUS 6031-35.

147 AUS 10497. Day 4. 2 September, 2014.

mother of HIA 326 tried to persuade her to pretend she was her niece and not her daughter. HIA 326 later traced the man in Northern Ireland she believes to be her father, and spoke to him by telephone. He did not admit he was her father, nor did he respond when she sent photographs of her children.

- 158 The experience of HIA 333 may be an extreme example, but it illustrates the great difficulty experienced by many applicants in obtaining basic information about the past from the Sisters of Nazareth. These difficulties could have been avoided in many cases had the Sisters been more forthcoming when applicants approached them for information. Whilst we recognise that in some cases information was forthcoming, in too many cases it was not produced as willingly or rapidly as it should have been. **Although in some instances the Sisters may have felt that withholding such information might prevent further distress or rejection, nevertheless we regard the failure of the Sisters to provide detailed, accurate and timely responses to enquiries by child migrants for help in tracing their parents as a systemic failing on the part of the Congregation, and one that added a great deal of avoidable suffering to many applicants.**
- 159 These difficulties still continue for many applicants, and the Child Migrants Trust informed us on 4 November 2014 that it was working with nineteen former child migrants who have unresolved and complex family research relating to Northern Ireland, although some of these may relate to former child migrants from Great Britain whose parents originated in Northern Ireland. Many applicants spoke in glowing terms of the effectiveness of the efforts of the Child Migrants Trust in helping them to trace their relatives. The continuing need to search for documentary evidence to enable former child migrants to trace their relatives is an acute problem for a number of individuals. A suggestion made to us was that the institutions concerned should be placed under an obligation to bring together all the papers relevant to such individuals in a central location where they could be conveniently accessed by the individuals concerned, or by organisations acting on their behalf, such as the Child Migrants Trust. Whilst this suggestion is attractive, we are concerned it could prove difficult to achieve in practice. It would require a central location to be identified and then funded, although if such a location was considered desirable it might be possible to make an arrangement with the Public Record Office for Northern Ireland to store

records there. However, there would remain the risk that documents might not be accurately identified by institutions which hold them, or may be mislaid whilst being assembled.

- 160 Perhaps the most compelling objection is the difficulty in defining what documents should be brought together in this way, because birth or baptismal records, school records, social services and national insurance records, to name just a few, might be helpful in tracing relatives, depending upon the information already available. On balance, we consider that a more effective course would be for the Northern Ireland Executive to provide adequate funding to the Child Migrants Trust to enable it to continue its valuable work. It has developed invaluable expertise in carrying out such searches, and enjoys the confidence of those who rely upon it to help them trace their relatives. Rather than creating a new body to do the work already being done by the Child Migrants Trust we recommend that it be given an annual grant for up to ten years, with a review of the effectiveness of, and continuing need for, such work after the first five years. The amount of the grant would be for the Northern Ireland Executive to agree with the Child Migrants Trust.

### **How many child migrants were sent to Australia from Northern Ireland?**

- 161 Whilst it is impossible for the Inquiry to be certain, we are satisfied that at least 138 children under the age of fourteen were sent to Australia as child migrants within the period covered by our Terms of Reference: of these, 121 were sent by the Sisters of Nazareth; ten by various local authorities; and seven by the Irish Church Missions. If the Sisters of Nazareth sent 127, then the overall number was at least 144.
- 162 We accept that institutions, local authorities and the Northern Ireland Government believed at the time that it was in the interests of the children to go to Australia, where it was thought that the children would have a much better future than they could expect in Northern Ireland. It is essential to remember that in the decade after the Second World War there were serious economic problems throughout the United Kingdom, such as rationing and shortages of materials to rebuild damaged buildings and factories, at the same time as the need to rectify the pre-war conditions of slums, widespread unemployment and poverty that had existed in Northern Ireland for decades. In such circumstances it is not surprising that those who had immediate responsibility for children

in their care were attracted by the prospects of a better life for those children in a developing country, prospects encouraged by the pleas from the Australian authorities; pleas that gained added weight in the case of the Sisters of Nazareth because they were also made by their co-religionists in Australia.

- 163 Nevertheless the manner in which the child migration schemes were conceived, planned and implemented was gravely defective. The lessons of the problems associated with earlier child migrant schemes to Canada, and the concerns of many professionals in the childcare field, were ignored. Those responsible for the homes were content to rely on unrealistic assurances about the conditions in the homes to which the children were to go. Had they checked beforehand they would have found that in some cases the buildings were still in the course of construction, and that the children were expected to work as labourers to an extent that would have been prohibited on building sites in the United Kingdom. Neither the homes nor the children were given realistic information about the conditions that would face them when they arrived in Australia. The great majority of the children were far too young to make an informed choice if they were asked. They were being sent many thousands of miles away without any preparation for their new life.
- 164 Had these children, and particularly those from homes run by the Sisters of Nazareth, remained in Northern Ireland they would not have experienced the harm caused to them by child migration. In almost every case nothing was done by the institutions to maintain links between the children and their families in Northern Ireland after they had gone. In many cases when relatives did enquire about the children they were deliberately misled. In later years when former migrants contacted institutions seeking information that might enable them to trace their families all too often the institutions concerned did little to help, particularly in the case of the Sisters of Nazareth.
- 165 The first recognition by the UK Government that child migrants had been badly treated came in the establishment of an inquiry set up by the House of Commons Select Committee on Health in 1997. It gathered evidence not only in the UK but also through a visit to Australia where former child migrants presented their case to the parliamentary delegation forcefully. The outcome was a report entitled *The Welfare of Former British Child Migrants* published in July 1998 (CM 4182).

- 166 Among its seventeen recommendations, nearly all of which were accepted by the Government, it argued for a central database to help former child migrants access material to help them trace their families. It proposed the establishment of a travel fund so that former migrants could make links with their families, and the government set up a £1 million fund. The Select Committee had highlighted the invaluable work being done by the Child Migrants Trust and the government increased funding for the CMT to £500,000 over three years.
- 167 The Select Committee did not recommend that compensation should be paid to former child migrants as they had received markedly differing evidence, and many people had expressed concern that agencies might be less cooperative in providing records if they became unduly nervous about possible financial consequences; the government concurred. The Select Committee had also received differing evidence on the value of an apology; while they felt that an apology was in order, they argued that action on their recommendations would be the best acknowledgement of concern on the part of the government, who responded by expressing regrets and accepting that they considered that the child migration policies had been misguided.

### **Steps taken by the United Kingdom Government and the institutions to address the effects of the child migrant scheme**

- 168 In recent years in different ways both the British Government and the Sisters of Nazareth have acknowledged the grave injustice done to child migrants from the United Kingdom, apologised to them, and provided practical financial support to some of those who are still alive. On 24 February, 2010 the Prime Minister, the Rt Hon Gordon Brown MP, made the following statement to the House of Commons:

“Until the late 1960s, successive UK Governments had over a long period of time supported child migration schemes. They involved children as young as three being transported from Britain to Australia, Canada, New Zealand, South Africa and Zimbabwe. The hope was that those children, who were aged between three and fourteen, would have the chance to forge a better life overseas, but the schemes proved to be misguided. In too many cases, vulnerable children suffered unrelenting hardship and their families left behind were devastated. They were sent mostly without the consent of their



mother or father. They were cruelly lied to and told that they were orphans and that their parents were dead, when in fact they were still alive. Some were separated from their brothers and sisters, never to see one another again. Names and birthdays were deliberately changed so that it would be impossible for families to reunite. Many parents did not know that their children had been sent out of this country.

The former child migrants say they feel that this practice was less transportation and more deportation - a deportation of innocent young lives. When they arrived overseas, all alone in the world, many of our most vulnerable children endured the harshest of conditions, neglect and abuse in the often cold and brutal institutions that received them. Those children were robbed of their childhood, the most precious years of their life. As people know, the pain of a lost childhood can last a lifetime. Some still bear the marks of abuse; all still live with the consequences of rejection. Their wounds will never fully heal, and for too long the survivors have been all but ignored.

When I was first made aware of this wholly unacceptable practice, I wrote to the Prime Minister of Australia to urge that together, we do more to acknowledge the experiences of former child migrants and see what we could achieve. It is right that today we recognise the human cost associated with this shameful episode of history and this failure in the first duty of a nation, which is to protect its children.

Shortly, I shall be meeting a number of former child migrants here in the Palace of Westminster to listen first-hand to their experiences, and as Prime Minister, I will be apologising on behalf of our nation. To all those former child migrants and their families, to those here with us today and those across the world - to each and every one - I say today that we are truly sorry. They were let down. We are sorry that they were allowed to be sent away at the time they were most vulnerable. We are sorry that instead of caring for them, this country turned its back, and we are sorry that the voices of these children were not always heard and their cries for help not always heeded. We are sorry that it has taken so long for this important day to come, and for the full and unconditional apology that is justly deserved to be given.

I would like to recognise the work of my right hon. Friend the Member for Rother Valley (Mr. Barron) as Chairman of the Select Committee

on Health, and of his predecessor the former Member for Wakefield, David Hinchcliffe. For their commitment to this cause, I would also like to praise all past and present members of the Commons Health Committee and the all-party group on child migrants. I would also like to pay tribute to the work of the Child Migrants Trust and the International Association of Former Child Migrants and their Families, which have campaigned for justice over many years. I know that the House will join me in paying special tribute to Margaret Humphreys, who founded the Child Migrants Trust and has been a constant champion and fighter for child migrants and their families.

Although we cannot undo the events of the past, we can take action now to support people to regain their true identities and reunite with their families and loved ones, and to go some way to repair the damage that has been inflicted. I can announce today support for former child migrants that includes the establishment of a new £6 million family restoration fund.

There are many painful memories as a result of the child migration schemes, and for many, today's apology will come too late for them to hear it. We cannot change history, but I believe that by confronting the failings of the past we show that we are determined to do all we can to heal the wounds. I commend this statement to the House."<sup>148</sup>

- 169 A number of applicants to the Inquiry were present when this statement was made, and in their evidence to this Inquiry they and others welcomed the apology. The Family Restoration Fund referred to by the Prime Minister provides financial assistance to former child migrants by paying for flights to, and accommodation in, the United Kingdom by former child migrants who want to re-establish links with their families and relations. A significant number of applicants have taken advantage of the Fund to return to the United Kingdom for two-week visits, and it is apparent that they have greatly appreciated this practical assistance to enable them to meet their families. During the Inquiry it emerged that HIA 401 wrote to the Secretary of State for Health pointing out the difficulties created by the three-year limit on the life of the Fund. The Inquiry asked that the position be clarified, and was informed by counsel for the DHSSPS that it has been confirmed that the life of the Fund will be extended until 2017.<sup>149</sup> Whilst the Family Restoration Fund has undoubtedly been of

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148 Hansard Debates (House of Commons), 24 February 2010.

149 Day 50, 15 September 2014 at p.28.

considerable assistance to many former child migrants, it will therefore expire in 2017 unless the United Kingdom decides to further extend its operation.

- 170 In recent years the Sisters of Nazareth have supported about 50 former child migrants in a similar way by paying for their flights back to the United Kingdom.<sup>150</sup> The Sisters have also apologised to those children in their care who were sent to Australia from the Sisters' homes in Northern Ireland. In 2005 they issued a statement in which they said:

“We, the Sisters of Nazareth, sincerely apologise and are deeply saddened by the pain and distress suffered by so many men and women as a result of the Child Migration Scheme. We wholeheartedly commit ourselves to continue to support those who contact us and warmly welcome each one to Nazareth House, welcoming accommodation if required.”<sup>151</sup>

- 171 At the conclusion of her evidence to the Inquiry on behalf of the Sisters, Sr Brenda said:

“I think hindsight’s a great thing and I think – looking back now, I think the Congregation regrets the grave injustice done to these children in sending them out, not just to the children but to their families as well, and I think no matter the most eloquent apology, or the most beautiful monument, or no matter how much money they receive will never make up for what we took from them in sending them there. I know some made good lives for themselves, and having been out in Australia and spoken to some migrant children, they still have this, ‘What if...? What if I had stayed in Ireland?’ even though they had made good lives for themselves out there, and I think we have to acknowledge – that’s the government, the British Government, the Australian Government, the churches, the congregations, the institutes – we all have to put our hands up and acknowledge that maybe it wasn’t the right thing, even though it was done in the best interests of the child at the time.”<sup>152</sup>

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150 Day 49, 11 September 2104 at p.50.

151 AUS 8190.

152 Day 49, 11 September 2014, pp. 45- 46.

### **Systemic Failings by the Northern Ireland Government**

- 172
- (1) It was indifferent to the practice of the voluntary sector in Northern Ireland of sending child migrants to Australia.**
  - (2) It failed to fully inform itself as to what was happening once it became aware that significant numbers of such young children were being sent to Australia by voluntary organisations such as the Sisters of Nazareth.**
  - (3) It failed to make any enquiries whatever as to the fate of these children.**
  - (4) It failed to make any representations to the United Kingdom Government about the operation of the child migrant schemes.**
  - (5) Because HIA 354 was so young, the Minister of home affairs was wrong to approve the proposal by Tyrone County Welfare Committee that HIA 354 should be sent to Australia.**

### **Systemic failings by Tyrone County Welfare Committee**

- 173
- (1) It was wrong to send HIA 354 to Australia, because he was so young.**
  - (2) It failed to give proper weight to the effect of severing contact between HIA 354 and his brother and sister when seeking approval from the Minister.**
  - (3) It failed to inform the Minister that HIA 354 had a brother and sister who were also in the care of the Committee.**
  - (4) It failed to inform the Minister that the foster parents of HIA 354 wished to adopt him.**

### **Systemic failings by the Irish Church Missions and Manor House Home**

- 174
- (1) The home was wrong to send children to Australia who were so young.**
  - (2) The home failed to take sufficient steps to maintain contact with the children after they went to Australia.**
  - (3) The home did not give truthful information to parents of the children who enquired where their child was.**

### **Systemic failings by the Sisters of Nazareth**

- 175 (1) They were wrong to send children to Australia who were so young.
- (2) They failed to make any enquiries to satisfy themselves that the homes run by other Roman Catholic religious orders in Australia were suitable to receive their children.
- (3) They failed to take sufficient steps to maintain contact with the children after they went to Australia.
- (4) They did not give truthful information to parents of the children who enquired where their child was.
- (5) In many cases they did not provide detailed, accurate and timely responses to enquiries by former child migrants for information that would have assisted them to trace their parents and relatives.

### **Systemic failings by all those institutions who sent children to Australia**

- 176 (1) Failing to ensure that those who accompanied the children were competent to look after the children during the voyage.
- (2) Failing to ensure that a suitable case history was sent with each child to the institution to which the child was being sent.

