HIA REF: [to be put on]

NAME: [NAME IN FULL]

DATE: [DATE]

#### THE INQUIRY INTO HISTORICAL INSTITUTIONAL ABUSE 1922 TO 1995

#### **WITNESS STATEMENT OF**

- I, Fionnuala McAndrew, Acting Chief Executive, Health & Social Care Board, will say as follows:-
  - I make this witness statement on behalf of the Health and Social Care Board ("the HSCB") in response to a Rule 9 request for a witness statements dated 9 June 2014, which asks the HSCB to answer a number of questions listed (a) to (q).
  - 2. I have been informed and I believe that the welfare authorities in Northern Ireland could only procure or assist in procuring the migration of any child in their care with the consent of the Ministry. Statutory provision for this was made in sections 94(1) and (2) of the Children and Young Persons Act (Northern Ireland) 1950 and section 118 (1) of the Children and Young Persons Act (Northern Ireland) 1968. I have also been informed and I believe that earlier English statutes that allowed for the migration of children without their families did not extend to Northern Ireland.
  - 3. I have been informed and I believe that section 111(5) of the <u>Children and Young Persons Act (Northern Ireland) 1950</u> required the Ministry to be satisfied about certain matters before empowering a welfare authority to arrange for the emigration of a child in its care and that this was replicated in section 118(2) of the <u>Children and Young Persons Act (Northern Ireland)</u> 1968, which provided that

- "The Minister shall not give his consent to arrangements for the emigration of a child under section 118(1) unless he is satisfied that the child
- (a) consents, or
- b) being too young to form or express a proper opinion on the matter, is to emigrate
- (i)in company with a parent, guardian or relative of his or for the purpose of joining a parent, guardian, relative or friend,
- (ii) and also that his parents have been consulted or that it is not practicable to consult them."
- 4. It appears to me that without the consent of the Ministry, no child in the care of a welfare authority in Northern Ireland could be migrated.
- 5. I have been informed and believe that the Children and Young Persons (Northern Ireland) Acts of 1950 and 1968 did not make provision for the welfare authorities to have any role in connection with the emigration of children who were not in their care. Thus, welfare authorities had no role to play in the emigration of children from voluntary homes in Northern Ireland. Rather, the legislation made the Ministry a party to any migration of children, including children from voluntary homes, as only the Minister could empower the person to whose care a child had been committed to arrange for his emigration and only then if the Minister was satisfied of certain matters set out in the legislation.
- 6. The HSCB and each of the Health and Social Care Trusts in Northern Ireland have conducted thorough searches for documentation relating to the individuals named on the schedules provided to the HSCB by the Inquiry under cover of a letter dated 16 April 2014. Documentation has been found in relation to only one individual namely HIA 459, who was on the schedule of names of children from Termonbacca. Perusal of the documentation in respect to HIA 459 shows that he was adopted in Northern Ireland on 6

September 1963 and there is no mention of Australia or the Child Migrant Scheme in his records.

- 7. The searches for documentation relating to those named on the schedules has not unearthed any evidence that the HSCB or any of its predecessor bodies were informed by any voluntary organisation in Northern Ireland or any local authority in Northern Ireland that the voluntary organization / local authority intended to send, or had sent, children from Northern Ireland on the Australia Child Migrant Schemes. This is in keeping with the fact that the legislation did not impose any duty to notify the welfare authority on voluntary organisations / local authorities intending to send, or having sent children to from Northern Ireland on the Australia Child Migrant Schemes.
- 8. The searches conducted by the HSCB and the four Trusts have not yet unearthed any evidence that the HSCB or any of its predecessors participated in the Child Migrant Scheme. However, following correspondence from a woman in Australia, about her Father AU 112 AU 112 (dob. and her Uncle AU 113 (dob. ) whom she understood had been in Marmion Children's Home, the South Eastern Trust conducted a search for documentation about these two brothers who were admitted to Marmion Children's Home from Millbank on 21 October 1953 and were noted to have been discharged to Australia on 24 February 1954. No files were found for either AU 112 or AU 113 However, the information about their emigration to Australia was obtained from entries in the admission and discharge book for Marmion Children's Home. The entries provide no context to the move to Australia and there is no reference to the Child Migrant Scheme. In the course of this search, S.E. Trust staff noted that another boy was also admitted to Marmion Children 's Home on 3 September 1956 and discharged to Australia on 14 April 1957. No date of birth or where he was admitted from is available. In relation to AU 112 and AU 113 I have attached a copy of the admission and discharge entries as well as two letters sent by a Children's Officer to the boys in Australia in 1954 to this witness statement at appendix 1.

- 9. The searches conducted by the HSCB and the four Trusts have not yet unearthed any records in relation to the operation of the Child Migrant Scheme.
- 10. Given that the HSCB has not been able to find any files that indicate that the HSCB or any of its predecessors participated in the Child Migrant Scheme, it has not been possible to answer the questions (c) to (h) and (j) to (o) posed to the HSCB in the Rule 9 request for witness statements dated 9 June 2014.

#### **Statement of Truth**

I believe that the facts stated in this witness statement are true.
I believe that the facts stated in this witness statement are true.  Signed:
Dated: 30 July 2014,

# ADMISSION AND DISCHARGE INFORMATION FROM MARMION ADOLESCENT UNIT

#### Marmion Children's Home

Detail on admission register and discharge to Australia

AU 113

admitted from Millbank 21/10/53

Discharged to Australia 24/2/54

AU 112

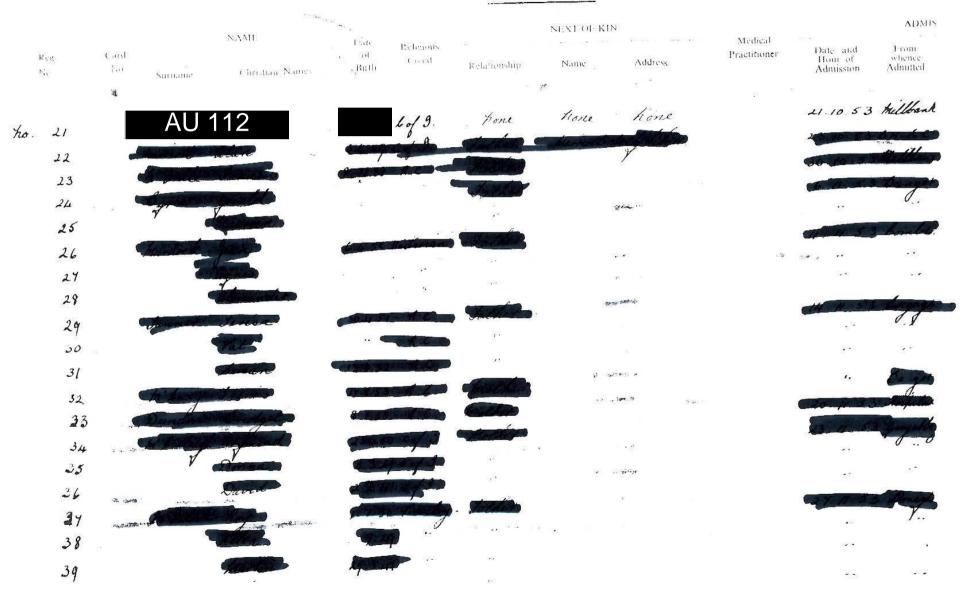
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CORRESPONDENCE

Marmion Children's Home 126 Church Road, Holywood, BT18 9DD, Belfast, Northern Ireland.

To Whom It May Concern,

10 Wholii it May Concern,
I am writing to enquire about finding some information regarding my father,  AU 112 born and his brother  AU 113 born who were living at Marmion  Children's home in the 1940's and 50's.
I have some letters, which I have included in with this letter, from a children's officer who was writing to my father after he arrived in Australia in 1954. The address at the time was 65 University St in Belfast but I am unable to find a children's home at that address now.
Would there be any records available from the 1940's and 1950's that might help us to find out about my father's birth family? Or might you know where I could look for records from that time period.
Thank you.
From
Australia

65 University Street, Belfast.

4th May, 1954.

## $_{ m Dear}$ AU 113 $_{ m and}$ AU 112

I feel I must apologise to you both for not writing sooner but I have been extremely busy of late and the time has just flown past.

However, I do hope you had a very enjoyable crossing and were not too sea sick.

I expect by now you have settled down in your new home and are enjoying the climate and getting used to the different way of life. I hope that you will both be very happy in Australia and will get on very well.

With regards to Marmion it has unfortunately had to be closed for admissions due to a fresh out-break of dry rot but we are hoping to be re-opened presently.

is at present home on leave and he was asking for you both, also the members of staff and the Matron were enquiring as to how you had faired in your journey to Australia and if you had settled down, so if at anytime you find time to write we should all be very

has been re-admitted to hospital and was very ill but is now on his way to recovery.

I think this is all the news at present about Marmion apart from the fact that you may be interested to know that is getting married presently.

In closing I would again wish you both every success but I feel you will indeed make a success of your new life.

With kind regards and best wishes from myself and Miss McClure.

Yours sincerely,

hangark H. blant

Children's Officer.

P.S. I forgot to mention to you that has also left Marmion.

65 University St.,
Belfast.

31st August, 1954.

### Dear AU 112

I thank you for your letter of the 29th June, 1954, and I was indeed very glad to note from it that you have settled down well and are making fine progress in your work. I was also pleased to note that you are endeavouring to save out of your pay every week, and this is something I would strongly advise you to do as it is a very pleasant feeling to know that you are independent to outside bodies.

Marmion Children's Home has now re-opened for admissions but there are very few of the crowd there that you knew, in fact there is only and will probably be leaving presently as she is taking up is now married and is now

The children in the Home at the time of her wedding formed a guard-of-honour outside the Chapel, and presented her with a horseshoe.

Indeed, and presented her with a little girls and trousers for the boys.

I expect by now you have completed the work on the building for the pigs in wet weather - such as we are experiencing here this summer. Yes, the weather has been very poor this year as we have had hardly anything but rain.

There are about twenty children in the Home at the moment, and is still there. The grounds are looking much better though there are few flowers. The drive up to the Home has now been tar-macadamed.

Have you joined any Youth Organisation yet or connected yourself with any Church? I think, if you have not already done so, you should do so at the first available opportunity as it is a means of making friends with boys of your own age as well as helping to introduce you to the people in your neighbourhood.

was again home on leave and he called in to see me and asked me to let you know he was asking for you. He took your address away with hom so you will hear from him eventually,

Miss McClure wishes to be reminded to you and she will write soon.

I close now wishes you continued success in your job as well as the best of health.

I am also writing to AU 11

Yours sincerely,

Children's Officer.

MHC/MH.

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#### AUS-5989

HIA REF: [to be put on]

NAME: [Fionnuala McAndrew]

DATE: [10.09.2014]

# THE INQUIRY INTO HISTORICAL INSTITUTIONAL ABUSE 1922 TO 1995 WITNESS STATEMENT OF FIONNUALA McANDREW [ 2.]

- I, Fionnuala McAndrew, Director of Social Care & Children's Directorate, Health & Social Care Board, will say as follows:
  - 1. I make this witness statement on behalf of the Health and Social Care Board ("the HSCB") as a supplemental statement to that which I provided on 20 June 2014. This is in connection with knowledge held by the HSCB and HSC Trusts in respect to Module 2, the Child Migrant Scheme to Australia. This statement should therefore be read in conjunction with my first statement
  - Limited documentation was found at the time of the submission of my last statement.
     However, continuing painstaking and exhaustive searches conducted by the HSCB and the
     five HSC Trusts have now unearthed more records in connection with the Child Migrant
     Scheme.
  - 3. The documentation is in respect of three children who were in the care of Tyrone County Welfare namely, HIA 354 (dob. ), his brother AU 98 (dob. ) and another boy AU 109 (dob. ). All these boys were orphaned and boarded out by Tyrone County Welfare Committee. All three boys were considered for migration to Australia but in the final event, only HIA 354 actually went to Australia on 6 November 1950 to the Dhurringile Rural Training Farm.
  - 4. The records in relation to HIA 354 AU 98 and AU 109 have already been forwarded to the Inquiry. My analysis of these records form the basis for my replies to

the questions posed in the Rule 9 request for a witness statement dated 9 June 2014, which I address below as follows:

- (a) It appears that welfare authorities in Northern Ireland did participate in the Australian Child Migrant Scheme. HIA 354 migrated to Australia in November 1950.

  AU 98 and AU 109 were considered for nomination for migration in 1952 but they did not advance through the nomination process.
- (b) In participating in the Child Migrant Scheme, the welfare authorities were required to, and did satisfy themselves, that any action they took in nominating and facilitating the migration of a child in their care was in the interests of the individual child.
- (c) The records available in respect of HIA 354 demonstrate that:
- (i) In November 1950, HIA 354 migrated to Australia under the Presbyterian Church of Victoria Scheme.
- migration was sought from Tyrone County Welfare Committee and the Ministry of Home Affairs. This is highlighted in the letter of 8 August 1950 from Tyrone County Welfare Officer to Rev Andrew Boag about the migration scheme. The letter from the County Welfare Officer indicates that 'My committee has given me approval to pursue this inquiry....I have also put up a letter to the Ministry of Home Affairs asking for permission to formally nominate him for this scheme...'
- (iii) In progressing the nomination process, the Welfare Authority considered HIA 354 best interests. By way of example, a report card signed by Ms McFadden dated 10 September 1950 refers to 'this being done in the best interests of the boy.'
- to Australia for the duration of his childhood and proactively sought information from the authorities in Australia about his progress, health and development. This is evidenced in a letter of 11 June 1952 from the Children's Officer to the Rev Andrew Boag in Melbourne requesting a progress report on HIA 354 and also in a letter to Rev Harrison in Melbourne on 8 July 1952. When information was not forthcoming, the Children's officer wrote to the Social Services in Australia saying she would take the matter up with the High Commissioner if she did not receive a full progress report on HIA 354 and a photograph for his sister in Northern Ireland.

- (v) The welfare authority actively encouraged indirect contact (photographs, letters and progress reports) between HIA 354 and his siblings in Northern Ireland. One letter signed by the Children's Officer dated 10 October 1956 in relation to boys who are suitable for Dhurringile, indicates that 'It is a policy of my Committee to maintain family links.'
- (vi) The welfare authority's Children's Officer wrote to HIA 354 in Australia on 8 July 1952 to ask how he was progressing and to update him about his brother and sister. There are several examples of such letters.
- (vii) The Children's Officer continued to update the Children's Committee about HIA 354 and this is evidenced in a letter on 8 August 1957 from the Children's Officer to the Superintendent in Dhurringile wherein it stated that 'The Children's Committee at their meeting on 7<sup>th</sup> instant were delighted to learn news of HIA 354. There are many further such examples.
- (viii) After a letter was received from a child complaining about conditions in Dhurringile Farm School, the Welfare Officer asked a Mr. Jack Massey OBE to make enquiries and to report back. This evidences some attempts by the welfare authority to obtain an 'independent' opinion on the workings of Dhurringile Farm School with a view to seeing if the welfare authority should continue to send boys there.
- suggests that the rationale for participating in the Australian Child Migrant Scheme by the predecessors of the HSCB was that the migration was considered to be in the best interests of the individual child, all of whom were described as 'orphans'. It was considered at the time that migration would offer the child more opportunities than remaining in Northern Ireland. This is evidenced in the letter sent on 3 July 1950 from the Tyrone County Welfare Officer to the Rev Boyd Moore [ a Presbyterian Minister related to the HIA 354 family ] to ask advice about the scheme and indicating that 'if he were nominated for this scheme, he might have ultimately a greater opportunity.'
- (e) The documentation in the files concerning HIA 354 AU 98 and AU 109 suggests that the predecessors of the HSCB informed themselves about the conditions for the children in the institutions in Australia by corresponding with the Presbyterian Church of Victoria. I note that, upon receipt of a letter from a child complaining about conditions in Dhurringile Farm School, the welfare officer wrote to the Presbyterian Church of Victoria, Department of Social Services in Australia on 11 June 1952 and received replies dated 26 August 1952 and 18 September 1952. The welfare

officer also wrote to a trusted contact in Australia (Mr. J. T. Massey O. B. E.) on 14 August 1952 and asked him to make enquiries, assess Dhuurringile and give a view as to whether the welfare authority should continue to send boys there.

- (f) It appears from the documentation in the HIA 354 AU 98 and AU 109 files that the following factors were relevant considerations in nominating a child for migration:
  - i. The status of the child as an 'orphan'. HIA 354 AU 98 and AU 109 are all described as 'orphans'.
  - ii. The unlikelihood of the child living with a sibling or any other family member in Northern Ireland. A report card dated 10 September 1950 in respect of HIA 354 refers to 'little hope of the children being reunited in a family group owing to their health condition.'
  - iii. The health of the child. It is noteworthy that HIA 354 was a physically healthy child with a good IQ rating whereas AU 98 had a history of chest complaints and is descried as 'rather backward' in some records.
  - iv. An assessment that migration was in the best interests of the individual child. It is noteworthy that AU 98 and AU 109 were both considered for nomination but they did not advance through the nomination progress. In the AU 98 case, the welfare authority in which he was boarded out, objected to the proposed migration on welfare grounds as he was well settled with his foster parents. Some records also suggest he was 'rather backward 'and not suitable for migration'.
  - v. The wishes and feelings of the older child. AU 109 was 13 years old when migration was discussed with him in June 1952. AU 109 was keen on the idea, as were his foster parents. However, by December 1952, 'AU 109 did not seem interested in Australia' and it appears from the records that migration was not pursued thereafter. Thus, it appears that AU 109 wishes and feelings were central to the decision-making about migration.

There is no evidence to suggest that children were selected on the basis either in whole or in part that their parents did not contribute financially towards their upkeep

(g) The files recovered so far relate to HIA 354 AU 98 and AU 109, all of whom are described as 'orphans' Therefore the issue in relation to attempts to explain

to parents of children considered for the Migrant Scheme is not applicable. However, a relative of HIA 354 who was a Presbyterian Minister was consulted. [ see paragraph (d) above.]

- (h) See above. The files recovered so far relate to three children, all of whom are described as 'orphans'. Therefore, the issue of parental consent did not arise.
- (i) The HSCB has forwarded all documents found so far in relation to children considered for nomination and/or migrated to Australia to the Inquiry. I have been advised that Inquiry staff have identified two other children named AU 111 and AU 110 from Londonderry Welfare Committee who apparently emigrated to Australia through the Child Migrant Scheme. To date, no records have been identified for them. However, painstaking and exhaustive searches are continuing and if any further documentation is discovered, it will be sent to the Inquiry without delay.
- (j) HIA 354 file evidences that, as part of the nomination for migration process, he was medically examined by Dr Bradley and a certificate stating that HIA 354 was free from Tuberculosis was obtained from Dr James, the Tuberculosis Officer for County Tyrone. HIA 354 also underwent an IQ test and he had a 'very good' IQ rating.
- (k) There is no evidence on the files of HIA 354 AU 98 or AU 109 that the predecessors of the HSCB received payment in respect of children sent to Australia.
- (I) As set out in paragraph (c)(iv) (viii) above, the documents on HIA 354 file demonstrates tenacity and persistence on the part of the welfare authority in keeping itself informed about HIA 354 progress in Australia. Written reports were requested and received (although no replies were received to written requests for progress reports and photographs between 1952 and 1956). The last half yearly report is dated 14 March 1963, shortly before HIA 354 attained 21 years of age.

There is no evidence on HIA 354 file that any inspections were carried out of the institutions after he was sent to Australia either by or for the predecessors of the HSCB although, as referenced above, the welfare authority did ask a trusted contact in Australia to assess Dhuurringile and give a view as to whether the welfare authority should continue to send boys there after a letter of complaint was received from a child migrant. In addition, the progress reports that were received in respect of

HIA 354 provided reasonable detail of his progress, health, development and interests until he attained 21 years of age.

- (m) HIA 354 file evidences that the welfare authorities consistently promoted indirect sibling contact in the form of letters, photographs and updated information about HIA 354 in Australia. This is in keeping with the policy to 'maintain family links' that is referred to in a letter signed by the welfare officer dated 10 October 1956.
- (n) Documentation in HIA 354 file shows that the welfare authority consulted with the Ministry of Home Affairs in August 1950 about considering HIA 354 for the Migration Scheme to Australia.
- (o) There is no documentation on the files discovered so far that the HSCB's predecessors were consulted by the relevant departments in London before any children from Northern Ireland were sent on the Australia Migrant Scheme.
- (p) There is no documentation on the files discovered so far that predecessors of the HSCB were informed by any voluntary organisation that the organisation intended to, or had sent, children from Northern Ireland on the Australia Migrant Schemes.
- (q) The Foster carers came forward to ask to be considered to adopt HIA 354 albeit at a late stage when he was about to emigrate to Australia. There is no evidence to suggest that this was given due consideration which, upon reflection, I would have expected to happen.

#### Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed:

Dated: 10 September 2014

In andons