

SUMMARY OF DOCUMENTS INSPECTED -
CHRISTIAN BROTHERS CASES

1. GENERALATE CORRESPONDENCE FILED 1921-1946

1921 - File 001 - Document 22 - reference to fondling and immorality with boys involving Brothers REDACTED

REDACTED None of these Brothers was involved in W.A. Document 45 - Brother REDACTED (1928) guilty of immorality with boys and dismissed. Not in W.A.

File 002 - Document 1 - immorality involving a Brother Hogan (not sure if boys involved) in 1929. Document 2 - reference to Brother Paul Keaney "it is considered risky to give a roving commission to Brother Paul Keaney as he is disposed to take more more wines than is good for him" - 1929.

File 003 - reference to Brother L. Hewitt of Castledare being charged with kicking a boy - CWD informed by the boy in 1932.

File 006 - Document 4 - reference to Brother REDACTED interfering immorally with boys at Nudgee in 1934. Documents 10 and 17 - cases of interference with boys involving REDACTED REDACTED - not in W.A. - in 1935. Document 62 - interference by Brother REDACTED in 1935 - not in W.A.

File 007 - Documents 3, 5, 17, 38 and 48 mention Brother REDACTED REDACTED Document 41 - reference to charges against REDACTED in 1936 - not in W.A.

File 008 - Documents 4, 6, 13, 14, 15, 22 - references to Brother REDACTED - interference with boys - in 1937. Document 25 - reference to interference with boys by Brother REDACTED in Melbourne in 1937. Document 35 - reference to immorality involving a brother - Brother REDACTED and the boy involved

- 2 -

being subsequently being convicted for immorality in 1937. Also a reference to Moreland. Document 42 reference to Brother **REDACTED** again. Document 54 - reference to Brother Herbert **REDACTED** - October 21, 1937. "Kalgoorlie: I hope you have been able to relieve Brother **REDACTED** as the report makes his condition serious." Document 65 - refers to Moreland's appeal - as does document 66.

File 009 - document 25 - complaints of abuse by Brother **REDACTED** **REDACTED** involving boys not in W.A. - 1938. Document 25 - mentions **REDACTED** to apply for dispensation and the offence - as does document 36 and another letter dated 13 May 1938.

File 012 - letter 31 March 1943 refers to an application for dispensation by **REDACTED** (280) described as one of the worst ever - unclear what it is about. - Document 101 - letter 7 November 1943 - accusation against E.B. (111) possibly immorality involving children. *(Doc Hansen)*

File 013 - letter 18 August 1944 - complaints by parents and removal of **REDACTED** (654). **REDACTED** mentioned in letter 12 September 1944 - refers to possible complaints from 12 others. Telegram 15 December 1944 concerns **REDACTED** - breach of constitution 99 which mentions fondling of pupils. Telegram in reply 27 December 44 also on **REDACTED**.

File 014 - letter dated February 11, 1945 refers to **REDACTED** (WFS-645). Letter 31 August, 1945 refers to **REDACTED** (104) - given 2 previous warnings - this case involved a novice. Sent to Leura. **REDACTED** also mentioned in document 79 - letter dated 5 September 1945 and letter dated 8 September 1945. Also letter 14 September, 1945, 20 October, 1945, 29 October 1945, document 105, 17 November 1945, document 107, 19 November 1945, document 109, 2 December 1945.

File 014 - document 10 - mentions case of Brother **REDACTED** **REDACTED**. Also mentioned in document 13, and letter 21 March

- 3 -

1946. Also letter 31 March, 1946, letter 6 April 1946. Mentioned in letter 23 May 1946 - REDACTED Document N. 36 - letter 3 June 1946 - reference to Brother REDACTED - interfering with a boy at Lewisham. Had been in a similar position in 1941. Reference to REDACTED in document No. 40 and document 44. Also document 47 and a letter dated 23 July 1946 and document 51. Mentioned to REDACTED in document 66, document 69 document 71, document 79 and document 80.

This is a conclusion of the Generalate Correspondence for the period 1921-1946. However there are many references in this correspondence to matters involving the Western Australian institution, Bindoon, Tardun, Clontarf and Castledare, particularly concerning the finances of the institutions, crops and agricultural problems, buildings, staff, the migrants, and visitation reports. However none of these matters touch upon the issues of abuse of the children - all incidents involving immorality with boys are concerned with brothers not in W.A.

MINUTES OF THE COUNCIL MEETINGS - VOLUME 1 1923-1934

REPORTS OF IMMORALITY/ABUSE OF CHILDREN

- 1923 - Brother REDACTED - not sufficient evidence to prove guilt.
- 1927 - Brother REDACTED - expulsion.
- 1928 - Brother REDACTED - charges didn't warrant application of canon 653
- 1928 - Brother REDACTED - referred to General Council
- 1929 - Brother REDACTED - reprimand
- 1934 - Brother REDACTED - a delay so no expulsion but a reprimand and penance to be regarded as a canonical warning.
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- 4 -

COUNCIL MINUTES 1935 - 1960REPORTS OF IMMORALITY/ABUSE OF CHILDREN

- 1935 - Brother REDACTED - expelled - p.5/12
- 1935 - Brother REDACTED - warned - p.10-12
- 1935 - Brother REDACTED - expelled - p.14
- 1936 - Brother REDACTED - warned - p.22
- 1936 - Brother REDACTED - referred to General Council - p.27
- 1937 - Brother REDACTED - expulsion - p.35-6
- 1937 - Brother REDACTED - charges unsubstantiated - p.36
- 1938 - Brother REDACTED - expulsion - p.43
- 1938 - Brother REDACTED - novice - not expelled p.45
- 1939 - Brother REDACTED - allowed to make vows - p.60
- 1940 - Brother REDACTED - warned/penance p.66
- 1940 - Brother REDACTED - further investigation - p.69
- 1941 - Brother REDACTED - involved girls - canonical warning - p.74
- 1941 - Brother REDACTED - vote in his favour - p.75
- 1941 - Brother REDACTED - referred to General Council - p.75/6
- 1941 - Brother Evangelist REDACTED - canonical warning - p.77
- 1942 - Brother REDACTED - vote in his favour - p.79
- 1942 - Brother REDACTED - warning - p.85
- 1942 - Brother REDACTED RE - warning - p.85/6
- 1943 - Brother REDACTED dismissed - p.96
- 1945 - Brother REDACTED - recommended expulsion - referred to General Council - p.116
- 1946 - Brother REDACTED - canonical warning - p.126
- 1947 - Brother REDACTED - recommended dispensation - p.147
- 1950 - Brother REDACTED - canonical warning - p.169

- 5 -

- 1951 - Brother REDACTED further investigation - p.185/6
- 1951 - Brother REDACTED - dismissal - p.192
- 1952 - Brother REDACTED - canonical warning -
p.208/9
- 1953 - Brother REDACTED - canonical warning - p.217/8
- 1953 - Brother REDACTED - further investigation - p.218
- 1953 - Brother REDACTED - canonical warning -
p.225
- 1953 - Brother REDACTED - censured - p.240
- 1953 - Brother REDACTED censured - p.241
- 1954 - Brother REDACTED - canonical warning - p.258
- 1955 - Brother REDACTED REDACTED - canonical warning -
p.289
- 1955 - Brother REDACTED - canonical warning - p.290/1
- 1956 - Brother REDACTED REDACTED - recommended dismissal to
Superior General - p.295
- 1956 - Brother REDACTED - referred to Superior
General - p.304
- 1956 - Brother REDACTED - canonical warning p.315
- 1956 - Brother REDACTED - involved girl - to appear
later - p.321
- 1956 - Brother REDACTED REDACTED - dispensation - p.323
- 1956 - Brother REDACTED - little girl - censure -
p.325/6
- 1956 - Brother REDACTED - censure - p.329
- 1958 - Brother REDACTED - readmitted - p.40
- 1958 - Brother REDACTED - canonical warning - p.51
- 1958 - Brother REDACTED - canonical warning - p.53
- 1958 - Brother REDACTED - canonical warning - p.56
- 1959 - Brother REDACTED - little girls -
dispensation - p.63.

There are various references throughout the minutes to matters involving Bindoon, Tardun, Castledare and Clontarf. These references include mentions of staff, appointments, accounts, building approvals and other day to day matters involving the running of the institutions. The only matter above involving a

- 6 -

Brother from one of the institutions in Western Australia is a matter in 1943 involving Brother [REDACTED] It should be noted that following the last report in the Council minutes in 1959 there were approximately 150 pages left in that particular volume in the minutes in which there is no mention of any report of abuse of children or immorality involving children. This suggests that these cases are no longer reported in the Council minutes and there may well have been some decision made in the late 1950's not to record these matters.

- 7 -

VISITATION REPORTS - BINDOON

There is very little in these reports which could cause concern if they were subpoenaed by the defendant. However the following reports might be noted:-

1. October 29, 1941 - mentions **REDACTED** severing his connection with the congregation.
2. 28 April 1948 - mentions Brother Lambert Wise is over-familiar with boys and is advised concerning his attitude and demeanour towards boys.
3. 17 October 1953 - mentions Brother **REDACTED** - familiar with boys/no incident, recommends minimum contact with boys. Report 7 July 1959 - refers to complaints of immorality between boys.
4. 5 August 1963 - reference to **REDACTED** purple patch at Bindoon.

- 8 -

VISITATION REPORTS OF TARDUN

July 1930 - September 1965

Generally there is nothing in these reports to cause concern if they are subpoenaed by the claimants. However the following matters might be noted:-

1. September 13, 1938 - reference to secular male cook whose association with boys needed careful checking. Also to Brother REDACTED being unnecessarily familiar with boys.
2. 27 July 1940 - reference to immorality between boys in W.C.'s.
3. 31 December 1941 - reference to Superior (REDACTED) favouring one boy, but okay.
4. 29 May 1942 - reference to Brother REDACTED - too much of a boy with boys. Warned against special favourites.
5. 16-23 May 1946, reference to immoral conduct between boys.
6. 27 October 1947 - reference to correspondence for migrants to be kept by Superior.
7. 10 April 1948 - reference to sexual offences between boys.
8. 16 July 1959 - letter to VF REDACTED - mentions guidance required with boys concerning usual weakness.

- 9 -

TARDUN ANNALS - 1936-1964

There is nothing in the annals which need cause concern if the claimants' successfully subpoena these records. However the following matters might be noted:-

1. P.99 - Child Welfare Department visit - requested that a punishment record book be kept.
2. P.118 - December 29, 1943 - Brother H. Murphy was changed to Strathfield. (No reasons given).
3. P.133 - Reference to migrants arriving "migrants 12 arrived on November 11, 1947. It was reported that their supervision was not thorough aboard ship and a good number of boys slipped morally."

- 10 -

BINDOON ANNALS

Note only photocopies supplied. Originals should be supplied.

There is nothing of concern in these documents should they be subpoenaed by the claimants. The following points might be noted:-

1. P.45 - question of guardianship of migrants is discussed.
2. P.53-54 - reference to Dr. Strang's reports - very favourable and says no evidence of repression or inhibition in the boys.

- 11 -

DOCUMENTS AND CORRESPONDENCE
FROM BINDOON AND CASTLEDARE
- FILE 1573

BINDOON

- Documents 1A, 2, 3 concern Brother Keaney's problems at Bindoon and transferred to Tasmania - mentions problems with some of the boys upsetting him by not carrying out his instructions and Conlon's fears of some risk of undue punishment occurring.

- Document 3A - record of Bindoon migrants, 6 are noted as before the Court - REDACTED

REDACTED

- Document 4 - CWD report 1947 - critical of clothing and cleanliness.

- Document 6 - CWD report 1951 - critical as information concerning movement of certain boys had not been supplied.

- State Inspector's report on Bindoon 1957 - page 2 refers to previous reports and psychologists' reports that establish that despite high average age the class work should not be assessed on normal standards.

CASTLEDARE

- Letter from Brother REDACTED to Brother Provincial dated 8 December 1930 referring to checking tendencies of older boys to corrupt others.

Apart from the above entries, there is nothing in these documents which would concern if they were supplied to the claimant.

- 12 -

DOCUMENTS AND CORRESPONDENCE FROM CLONTARF AND TARDUN - FILE
1574

CLONTARF

TARDUN

- Document 14 letter to Provincial from Bishop of GERALTON 26 September 1939 refers to discontentments and a Brother Carroll who was to be transferred. This letter would provide good evidence concerning the treatment of a complaint but it does contrast with the Child Welfare Report dated 26.9.1939 which is glowing.

- 13 -

CLONTARF ACCOUNT BOOK - FILE 1591

This also includes references to the Education Department 192-222, being the reports of Inspectors from 1952-1966.

- Reference to insurance - concerns truck on page 111 and the company of guardian, at 8 Esplanade.

- 14 -

CLONTARF CASH BOOKS - FILE 1596

Contains details of payments and also some class lists plus
Department of Education records from 1957 on.

- 15 -

BARRY COLDERY'S NOTES AND FILESGeneral Council Correspondence

Refers to a number of cases of sexual abuse and abuse of children including the following cases - Brother [REDACTED] - 1956, Brother [REDACTED] - considerable violence to a boy needing surgical and dental attention - 1953, [REDACTED], 1952, Brother [REDACTED] 1956, Brother [REDACTED] 1956. It appears that none of the above brothers were at the various institutions in Western Australia.

There is a reference to the allegations against Brother Murphy at Tardun in early 1943 and his exoneration/letter from [REDACTED] to Brother [REDACTED] dated 17.3.1991.

There are other references to abuse including a list by Barry Coldery.

2. Research Projects - Child Migration to Australia Post World War II by R.J. Flavell and Women in British and Australian Society 1978-1979 dealing with the Good Shepard Sisters Work by Alex McDonald

- Nothing of concern.