

Scottish Child Abuse Inquiry

Witness Statement of

Archbishop Mario CONTI

Support person present: No

Legal representative: Mr Frank McCormick, McSparran & McCormick solicitors,
Glasgow

1. My name is Mario Joseph Conti. My date of birth is [REDACTED] 1934. My contact details are known to the Inquiry.
2. I was born in Scotland and raised in Elgin, Moray.
3. I was educated initially in a convent school in Elgin called St Marie's conducted by the Sisters of Mercy. I then went to the preparatory school for Elgin Academy, Springfield Primary School.
4. Thereafter I went to Blairs College junior seminary in Aberdeen in 1947. I stayed there until I went to the Pontifical Scots College in Rome in 1952. I studied at the Gregorian University and obtained licences in Philosophy and Theology. I was ordained in Rome as a priest in 1958.
5. I understand that in this case study the Inquiry is concerned with the Sisters of Nazareth and my role in relation to them such as it was.

Role as Curate, St Mary's Cathedral, Aberdeen 1959 – 1962

6. In 1959: I returned to Scotland and was appointed a curate at St. Mary's Cathedral, Aberdeen.
7. During the period 1959 – 1962: I regularly visited Nazareth House, to celebrate morning Mass (one week in three). This involved arriving just before Mass celebrating Mass with children, Sisters and some visitors

present and then a quick breakfast by myself before I headed away to carry out whatever other duties I had that particular day., The children were taken for breakfast in their refectory. I occasionally visited during play times to see e.g. Scout and Guide troupes conducted by Tommy and Pat Fraser, who were volunteers from the parish and my friends. I was not otherwise involved with the individual children, but did not see anything which caused me concern for the welfare of the children.

8. Several former boys of Nazareth House gave me sterling help in converting the attic of the Cathedral Rooms for a youth Club.
9. During the period 1962 – 1977: I was a parish priest in Caithness at Wick and Thurso (two hundred miles from Aberdeen!). I was only occasionally in the City, and I am not sure that I ever visited Nazareth House during that period.
10. In 1977: I was appointed Bishop of Aberdeen, and served the Diocese until my appointment to Glasgow in 2002 (virtually 25 years).
11. By this time, following the passing of the Social Work (Scotland) Act in 1968, Nazareth House was largely serving as an Old People's Home, with the number of children in care reducing to 30 in 1980 and 12 in 1981. The children in care section of Nazareth House closed in 1983.

Short History Of Nazareth House

12. Nazareth House in Aberdeen was established in 1862 having operated for a decade in the church of St Peter and the adjoining house which had been vacated by the move of the parish to the newly built Cathedral in 1860. By the time I became a priest in Aberdeen and throughout the time I was bishop in Aberdeen, Nazareth House was under the supervision of the Local Authority. I understand that the Inspectors from the Local Authority recorded their visits in a log book held by the Sisters. I only

learned of the existence of such a book after allegations of abuse had been raised.

13. Certainly in my time priests were not involved in the placing of children though they may have in the past mentioned to the authorities or the Sisters cases which they came across.
14. Questions have arisen about the sending of children in care to Australia. At the time I was not even aware of the so called child migrants. I had no one-to-one contact with the children during their time in care. I would simply minister the sacraments to them, and hear confessions in the confessional box within the chapel of Nazareth House. Among those who helped me as a young curate to set up a youth club in the converted garret of the building adjoining the cathedral were some former members of Nazareth House who continued their association with it.
15. I never saw or heard anything which gave me concern about the children's treatment by the Sisters of Nazareth at Aberdeen, nor did anyone including those just mentioned say anything about their being abused.

Role as Bishop of Aberdeen, 1977 – 2002

16. I was appointed Bishop of Aberdeen in 1977 and served the diocese until my appointment to Glasgow in 2002.
17. In the Diocese which stretched from south of Aberdeen up to Shetland and to the west to Kyle of Lochalsh, there were seventy churches and Mass centres. I used to visit the parishes regularly to make sure that parishioners were being looked after spiritually and that the sacraments were being administered. As a trustee of the diocese I had to make sure that the buildings were being properly maintained.

18. As bishop I had oversight of the pastoral care and education of children of the Catholic faith. Where there was no Catholic primary school it was the responsibility of the parish priest to ensure that the children received catechetical instructions. These were administered directly or indirectly by the priest himself or by members of the parish suitably qualified and responsible and able to assist the parish priest with this part of his parish programme.
19. There were only six Catholic schools in the Diocese during my time as Bishop. They were maintained by the Local Authority following the 1918 Scottish Education Act which gave me the right to approve Catholic teachers to these maintained Catholic schools. I was not responsible for the management of the schools; this was and it continues to be the responsibility of the local education authority. The training of Teachers is undertaken at University level as directed nationally by the Scottish Government. My responsibility at local level was related to the pastoral side of education.

Nazareth House, Aberdeen

20. My practical involvement with Nazareth House during my time as Bishop (1977 – 2002) was less than during my time as a Curate due to my responsibilities as a Bishop having to be exercised over the huge area of the diocese. I would be travelling most weekends. I would give Nazareth House an occasional visit. My role was to give spiritual support to the community.

By this time, however, following the passing of the Social Work (Scotland) Act in 1968, Nazareth House was largely serving as an old people's home, with the number of children in care reducing to 30 in 1980 and 12 in 1981. The children-in-care section of Nazareth House closed in 1983. The

closure of this section of the House left the Sisters with a question as how they would continue their mission.

21. I have provided to the Inquiry a letter dated 22 June 1981 written by Father Thomas Gibbons. He was a concerned agent of the Church appointed by the Bishops' Conference to the Commission for Pastoral and Social Care. This letter is indicative of the increasing interest of the bishops in the well-being of the work undertaken by religious Sisters and their mission. I received a letter as local bishop and it was clear to me that Fr. Gibbons, seeking to report to the bishops, had wanted to inspect the house and found it difficult to do so as the Sisters were very protective of their autonomy. That accorded with my own experience. The Sisters were very protective of their rights under Canon Law as laid out in their constitutions, and I had no immediate power under Canon law to require them to admit Father Gibbons to conduct an inspection.
22. If the homes were still open today, I am certain, particularly in the light of evidence presented to the Inquiry, that the Church would make a point of insisting that the local Bishop had more access to them.
23. However, even then while I was a Bishop had I seen that a home set up for the care of children was failing in its mission, I would have acted to ensure that the children were protected, regardless of the rights of the Sisters under their Constitutions. It never came to this because I was never informed of, nor ever aware of, such problems.
24. I sent a letter to the Mother Superior on 10 December 1982. This relates to the closure of Nazareth House as a children's home and the future of the mission, since in Canon Law it was the right of a local bishop to give agreement to any new mission of a religious congregation set up within his diocese. In fact, the Sisters increased their service to the elderly.

Allegations of abuse against the Sisters of Nazareth

25. I had no knowledge of allegations about Nazareth House, until I was first made aware of them when two officers of the local police force came to see me at my house in Aberdeen and advised me of them. That was within the last years of the nineties. I was taken aback because until that time, I had never heard anything negative about Nazareth House. The allegations also seemed to be wholly contrary to the vocation of these women and the religious congregation which they had joined which was dedicated to the care and protection of the vulnerable and the needy, particularly those whom society may otherwise have left abandoned. The Sisters were women who had given up their lives and their own prospects of a family to care for others. My reaction was to try to find out more because I found it difficult to understand how this could have happened. Thereafter, I became further aware through the Press of specific accusations of ill-treatment, of which of course I had seen no evidence: my memory of children at Nazareth relating mainly to the period 1959 – 1962; and to the short period, 1977 – 1982, following my return to Aberdeen, when as Bishop I had broader pastoral commitments to engage me.
26. Eventually these accusations focused on the case of Sister Alphonso, or Marie, her baptismal name, whose evidence has already been heard by this Inquiry. I had hitherto no knowledge of the matters alleged against her.
27. At the time I was greatly concerned to see that Justice was done, and particularly when accusations of gross misbehaviour were being widely reported by the press.
28. I invited people who had been children of Nazareth House, accusers and others, to write to me. The receipted letters were fairly evenly divided

between those who said they had been badly-treated and those who said they had not. I wrote personally to each of the former telling them that I was sorry to hear that they had felt badly-treated. I thought and expressed the view at the time that the Sisters ought to have some means of defending themselves, i.e. within a due legal process, whereby the allegations might be properly investigated.

29. Vulnerable children (orphans, those from broken homes and other children who were judged as requiring residential care) undoubtedly stood in need of an affection from those operating a system of child management inherited from Victorian times which now with hindsight it was probably incapable of providing. In addition Religious at the time were trained to avoid undue attachment to individuals ("particular friendships") which would extend, not surprisingly perhaps, to children. Nonetheless there is evidence to show that many of the children appreciated what was done for them. Subsequently they would visit the Sisters and speak well of their care. There were dual bonds, on the one hand with the Sisters and on the other with fellow child residents.
30. But cruelty is more than a lack of affection. I recall stating at the end of Sr. Alphonso's trial that even one case of child cruelty would be one too many. With evidence of many cases offered to the Inquiry there is understandable revulsion. I continue to hope that reconciliation might ultimately be achieved. I had, at the time of these allegations emerging, proposed a gathering at Nazareth House of Sisters and survivors with a view to achieving such reconciliation, but I was advised against this as it could prejudice the trial.

Press Comments at the time of allegations against the Sisters of Nazareth

31. I made a comment to the Guardian newspaper in 1999. I said "the Sisters kept a log of visits to the institution by officials and elected

representatives of the community which tells a very different tale", by which I meant from that being stated at the time in the Press at the time I continued "So do the many letters I have received from contemporaries of those who have been encouraged, by unscrupulous lawyers, to stake a claim against a community of Sisters." I was thinking of a particular solicitor who has since been struck off and indeed subsequently declared bankrupt. I knew the Sisters kept log books. The Sisters told me that they had a book with all the reports.

I saw the log book, it looked like an official book, a visitor's book which contained the Inspectors reports. In my brief examination of it, what I saw was very positive. I told the Sisters to keep the book as evidence.

32. It is expected in this statement that I respond to allegations that I adopted a position relative to the accusations which was favourable to the Sisters and critical of the complainants. I think I can understand that complaint, but I would like to invite people to consider the position that I found myself in as a bishop. I had on one hand a group of religious woman who had dedicated their lives, giving up the opportunity of having families of their own, to the care of orphan children and others in need of residential care. On the other hand I had a group of people whose complaints covered events which were alleged to have occurred over many years. The particular difficulty I faced was the hostility of certain sections of the press and the actions of a solicitor who undertaking the defence of the complainants had in my judgement exceeded what it was proper for someone in that position to have done. I therefore saw the Sisters as in need of defence and the allegations in need of investigation. I know that this inquiry is seeking the truth which is why I have to be honest about this: while I said that the diocese stands by the Sisters, this is not to say that I dismissed the allegations out of hand.

Let me illustrate this by first referring to the press.

33. The reference is to a letter to the editor of the Evening Express dated 2 July 1997. In the last paragraph I say "I note that some who appeared ready at the beginning to accept the allegations at face value, are now appearing to distance themselves from some of the more sweeping condemnations which your paper has uncritically reported. It would be equally unwise to dismiss out of hand all the complaints which have been made, and despite any impression to the contrary conveyed to your paper, I have no intention of doing so."
34. I also refer to my statement released on 28 January 1998. It states, "Although the Diocese of Aberdeen has no direct responsibility for Nazareth House (it is an institution within the Catholic Church) it is naturally concerned at the allegations being made against the Sisters. These allegations affect their good name and that of the Catholic Church generally. The Diocese wants it to be known it stands by the Sisters. Justice demands that the Sisters are heard before accusations are sustained and talk of compensation raised. This office has many testimonies from those who were contemporaries of complainants that deny the substance of their allegations, as well as from those professionals whose training equipped them to discern signs of abuse, and saw none."
35. Some allegations go back fifty and more years. Many of the Sisters who were there are no longer alive and cannot therefore defend themselves. Admittedly the regime was tough, but it has been pointed out already, the upbringing of children even within families, was much stricter than it is today. Nevertheless, if any Sister acted harshly, even occasionally, she would have done so contrary to the practice of the Order and the great educational and caring tradition of the Catholic Church. The truth of the

matter is that for many of these people Nazareth House was the only home they had, and the Sisters the only parents from whom they received care and attention. Many of the children forged attachments with the Sisters which continue to this day”

In reference to the lawyer I continued:

“We are amazed that a lawyer can use such intemperate language as has been quoted, and manifest a failure to abide by the elementary legal principle that those accused are assumed innocent until proved guilty. He has presumed the role of both prosecutor and judge, and this before even hearing what the accused have to say. This is preposterous. In the light of the many favourable testimonies written by former “Nazareth children” it would be imprudent for anyone to pre-judge the issue. The sympathy of the Bishop, clergy and people of the Diocese goes out to the Sisters who are presently serving the community by caring for seventy old people in Nazareth House, Aberdeen. It would also be extended to all who feel hurt whose complaint can be verified.” I now say: We were not going to abandon the Sisters in their hour of need. It was my attempt to be fair and balanced before the start of the criminal trial. Things have moved on. The criminal trial ended in a conviction. The witnesses to this Inquiry have given their evidence. I am deeply ashamed of what has been revealed and I express my pain and sorrow to those who were abused. I hope they will find it in their hearts to forgive their abusers, and to forgive me if they feel I was insensitive to their pain, by being partial to the Sisters.

36. This inquiry has now heard the testimony of survivors and it gives me the opportunity to state that I do stand with all those who have been abused and express my pain and sorrow and profound regret that this should have happened to them.

Responses To Particular Complaints:

37. Several statements made by individuals to the Inquiry have been brought to my attention;
38. A certain lady, named pseudonymously as Christina, gave evidence to the effect that at some unstated date while I was Archbishop in Glasgow she spoke to me at the Church of the Immaculate Conception in Maryhill about her treatment at Nazareth house, whether at Aberdeen or Glasgow was not stated. Her complaint was that I gave her short shrift, advising her simply to try and pray about her experiences. The fact is that I have no recollection of the event and all I would want to say to Christina is that I am sorry if I let her down and not to hold it against the Church.
39. A lady named [REDACTED] phoned me while I was still in Aberdeen, responding to my invitation to people who had experience of Nazareth House in Aberdeen, whether positive or negative, to write to me. I remember the call; she was very angry with me. I was trying to explain to her, that neither I nor the Diocese was in charge of Nazareth House, that it was an autonomous institution. Her complaint was/is that I said that we were "unaccountable to anyone." I know that I did not say that since I have never held that to be the case. We are all accountable to those we serve, to the Lord who has appointed us through the Church, and ultimately to God himself for all our actions. Indeed to whom much is entrusted from him/her much more is expected. I am so sorry that she misunderstood what I was trying to convey.
40. A gentleman named Christopher Booth gave evidence to the Inquiry that he had visited me to appraise me directly of his experiences as a boy at Nazareth House. While I do not recall the details of that visit, I am ready to accept that it took place. He believed that I had knowledge of and some responsibility for what he had experienced, and particularly of the sending of children to Australia to which he clearly strongly objected. I

was totally unaware of that practice and the Church, to the best of my knowledge, had no part in what was a Government project. I still do not know to what extent the Sisters of Nazareth took advantage of the scheme to send some of the children in their care in Scotland to houses they operated in Australia. I feel certain that they would have been persuaded at the time that it was in the interest of the children to do so. Australia was presented as a land of opportunity.

41. Another gentleman called Joseph Currie has over the years maintained that he told me in the confessional in St. Mary's Cathedral in 1967 that he was abused in Nazareth House. Between 1962 and 1977 I was in Caithness some 200 miles from Aberdeen and was rarely in the city, and never did provide locum pastoral assistance such as hearing confessions.
42. I have discovered through the Inquiry that the same individual is the one who around the time of the complaints in Aberdeen, stated that he had kept a diary of abuse and posted it behind a cupboard in what had been his place of sleeping. I understand that the Inquiry has copies of that material which has since been discovered, but which does not perhaps say anything like its author remembered and which he reported it might contain prior to its being found. The press never reported the outcome following these papers coming again to light. Such an incident illustrates the difficulty of recalling after many years what actually took place at the alleged time of abuse, while a general memory is usually more reliable. The difficulty for the Inquiry is that there are conflicting general memories.

General Memories

43. In response to my invitation at the time, expressed in a letter sent to the Evening Express, dated 13 June 1997, I received a number of letters which fell almost evenly into the categories of being well cared for and not

well cared for. I said that I would only take account of signed letters. I followed that practice.

44. I recall writing in response to all who had signed their letters saying to those who were aggrieved that I was sorry that they had felt that they were unkindly treated.

The attitude of the Catholic Church to child protection in the 1960s.

to the present: The Working Party - to "In the Image of God" (2018):

45. The Working Party was set up in about 1995. It was set up to deal with allegations of sexual abuse by priests. The Working Party were reviewing the rules and regulations and then, as a result of their recommendations, there followed the creation of the Reference Group. That was in my time as Archbishop of Glasgow and was a recommendation based upon my having experienced elsewhere a system that did not prove satisfactory since it seemed to remove from the responsibility of individual bishops the actions which it was theirs to take. What we had to do was to set up alongside other agencies of the Bishops' Conference, an office which contained a Child Care Officer and by the beginning of the year 2000 we had appointed a former teacher, well qualified to provide what we needed. I suggested a setting up of a reference group which would be the way of her liaising with the Bishops' Conference and receiving from a group of experts the advice and support which was needed. I chaired that reference group until my retirement in 2012.
46. The reference Group contained a civil lawyer, a Canon lawyer, someone from the police, a social worker and a Sister from the Notre Dame Child Care Clinic as well as the General Secretary of the Bishops' Conference. In the event we produced the updating of the first attempt of "Keeping Children Safe", ensuring that it conformed to the legislation that was

being produced at the time. This directory gave detailed instructions which involved ensuring that every person within the Church who had some connection with children be vetted for their suitability and given appropriate training. Following the McLellan Report this has now been superseded by the recently published document which the Bishops are very satisfied with which bears the title "In God's Image". Members of religious orders working within Scotland are required to obey the same directives.

47. In addition after some unavoidable hold ups to ensure the unanimity of the Bishops' Conference and the thorough examination of the Archives of each diocese, a full disclosure has been made of the number of allegations made, of the court cases that have ensued and the numbers of convictions which are many less than had been predicted. We have to face the disturbing fact that some of our members entrusted with the care of children, failed to safeguard them. The present Archbishop of Glasgow, Archbishop Philip Tartaglia has made a universal apology to all those who have been so affected.
48. Support offered to those making a complaint has been developed now. There is a counselling service that has been set up and a report is made to the police when appropriate. Reporting arrangements have changed. If an allegation is made, the process has developed since the 1995 Working Party and all such directives and their implementation will be annually checked and, where necessary, will conform to any new legislation directed to the safeguarding of children and vulnerable adults.
49. Reflecting on the past I think the allegation that there was a 'cover up' by the Catholic Church in relation to allegations of abuse is unfair. It was the Church's natural instinct to solve the problem pastorally. It is clear now, and has been for some years, that it was not sufficient for the Church to

try and deal with allegations pastorally, in-house. The Bishops did not take into account that some of these allegations were criminal in nature. We were not alone in this. The fault of the Church was in dealing with them without sufficient consideration for victims. There were perpetrators who promised they would never do such a thing again. It is now recognised there is an addictive nature to child sexual abuse. Once someone engages in this way with a child, there is the very real possibility that they will do it again. It is so serious, that possibility cannot be allowed. I think that that realisation came during the period 1995 to 2000 and followed on published articles from experts along with actual reflection on statistics. The Bishops had to address the problem, to seek to understand it, to find the correct way to tackle allegations, to deal with perpetrators and victims, to prevent such abuse ever happening again.

50. In response to some criticism made of the bishops and the Church, I think it would be fair to admit that the realisation of the extent of the problems and of the necessary steps required to address them, came gradually, with such tardiness evident in the frustration of those earlier pioneers. We can now be grateful to have reached the stage we have with acknowledgement of those who engineered it.

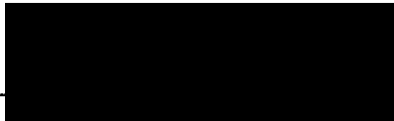
Hopes for the Inquiry

51. I would hope the Inquiry would lead to reconciliation. I hope people will recognise that the Church has acted on what it has learned and that all within it are not only directed but are committed to work with it to ensure the safeguarding of children and vulnerable adults throughout the Church and throughout the whole of Scottish Society.
52. We know that there are a lot of people who have been wounded in our society not least those who have been in focus in this statement and of this Inquiry. I hope that despite all their misgivings survivors will accept

that the Church stands with them and wants to help them reach that reconciliation, that healing, which comes with acknowledgement on our part of the actions and failures that may have led to or worsened their sufferings, and on their part of that forgiveness without which none of us will ever find peace.

53. I have no objection to my witness statement being published as part of the evidence to the Inquiry. I believe the facts stated in this witness statement are true.

Signed _____

A black rectangular box redacting the signature of the witness.

Dated _____

15 June 2018