

Thursday, 10 January 2019

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(10.00 am)

LADY SMITH: Good morning. Now we turn to another witness this morning who is somebody we've already had trailed in the evidence of both the previous two witnesses, I think, Mr Peoples; is that right?

MR PEOPLES: Indeed. The next witness to give oral evidence is Hugh Mackintosh.

HUGH MACKINTOSH (sworn)

LADY SMITH: Please sit down and make yourself comfortable.

If you can make sure you stay in a good position for the microphone to pick up your voice, we need you to do that. Are you happy if I call you Hugh? Is that all right?

A. That's fine.

Questions from MR PEOPLES

MR PEOPLES: Good morning, Hugh.

A. Good morning.

Q. By way of introduction, can I just tell you that there's a red folder on the desk in front of you, which contains a copy of the statement that you have provided to the inquiry, the written statement. In front of you is a screen, which will bring up, with perhaps some redaction, the same statement and you're welcome to use either the folder or the screen, depending on which suits you best.

1 I'm going to ask you questions based on some of the  
2 matters that you have told us about in the statement,  
3 but before I do so, I will just give the reference of  
4 your statement for the benefit of the transcript. The  
5 statement is WIT.003.001.7908.

6 If I could ask you at this stage to turn to the  
7 final page in the folder, which is hopefully the last  
8 page of your written statement on page 7921, it's  
9 page 14 of your statement. Can you confirm that  
10 you have signed your written statement?

11 A. I have indeed.

12 Q. Can you also confirm that you have no objection to your  
13 witness statement being published as part of the  
14 evidence to the inquiry and you believe the facts stated  
15 in your statement are true?

16 A. I do believe they're true, yes.

17 Q. If I can maybe go to the first page of the statement  
18 with that introduction. First of all, simply, can  
19 I confirm that you were born in 1947? Is this correct?

20 A. Correct.

21 Q. What I propose to do is to take you through some of the  
22 issues that you address in your statement. I suppose  
23 what emerges from your statement is that you had a very  
24 long association with Barnardo's. Indeed, stretching  
25 over, I think, in all, 40-plus years.

26 A. Not far off it, I think. I was six years with the

1 Caldecott Community.

2 Q. And I'll maybe ask you a little bit about that, if  
3 I may. But you have a long connection.

4 A. Yes indeed.

5 Q. And you have a long connection with Barnardo's Scottish  
6 division because you worked there between 1981 and 2007.

7 Today I will be asking you questions about  
8 principally your period of employment with Barnardo's in  
9 Scotland. As you tell us in the statement, it started  
10 in 1981 and ended in 2007. That's a long period and  
11 we're going to deal with a number of issues that related  
12 to that period.

13 I appreciate the difficulties that sometimes -- it  
14 can be difficult to remember some matters of detail and  
15 I think that's a point you make in your statement and  
16 indeed you probably want to make at this stage --

17 A. Yes.

18 Q. -- that you will not be conversant with detail in some  
19 areas --

20 A. Yes, indeed.

21 Q. -- and I fully appreciate that.

22 LADY SMITH: Hugh, just let me echo that. It wouldn't be  
23 realistic for me to expect you to remember all the  
24 details over your working life, even just the 26 years  
25 you were in Scotland. So I fully understand that some  
26 of it won't be there. Don't get anxious about it.

1 A. I'll certainly do my best, however, and if I can't  
2 remember something, I'll be very clear.

3 LADY SMITH: Thank you.

4 MR PEOPLES: When I was looking at your statement, there may  
5 be some value, if you're trying to remember about  
6 a particular topic, what the situation was, in perhaps  
7 either breaking it into the period when you were an  
8 assistant divisional director, which was from 1981 to  
9 1991, or the period when you were in fact the director  
10 in Scotland of Barnardo's operations in Scotland. So as  
11 a broad divide, it may be helpful for us and for you to  
12 think along those lines and say, was this something --  
13 how was the situation when I was an assistant, how was  
14 the situation -- was it the same or different when I was  
15 director, did things move on, or whatever.

16 A. One of the things I don't think I made clear is I was  
17 acting divisional director -- I think it was called  
18 divisional director at that time -- from 1987 to 1988  
19 when John Rea was on sabbatical. Then I went off  
20 of course from 1988 to 1989 to Birmingham University.  
21 So I was actually acting director.

22 LADY SMITH: I think we heard that from John Rea on Tuesday  
23 of this week.

24 MR PEOPLES: I think he said that.

25 A. Right.

26 Q. I'm probably not going to be focusing specifically on

1 that period. It's looking at your whole period as an  
2 assistant director and what was happening in that period  
3 to build for us a picture, as far as we can establish,  
4 of what was going on in relation to various matters that  
5 your statement deals with. So just bear that in mind if  
6 you can.

7 A. Yes.

8 Q. Can I start with looking at page 1 of your statement,  
9 page 7908. You tell us about your qualifications.

10 I see from section 1.3 of your statement on page 7908  
11 that in the 1960s you obtained a Home Office certificate  
12 in residential childcare in 1968 or 1969. Is that  
13 correct?

14 A. Correct.

15 Q. And you obtained that by, is it, attending the  
16 Barnardo's training centre?

17 A. Yes.

18 Q. Was that a full-time course?

19 A. Yes, it was. Barnardo's was one of many of the courses  
20 organised by that time -- some by educational  
21 institutions, but some of the larger -- maybe only two,  
22 I think, Barnardo's and the NCH, I think -- both ran  
23 their own courses but they took people not just from  
24 Barnardo's, for example. People could apply for one or  
25 two of those courses and you got selected by one or the  
26 other. So although I was on the Barnardo's one and

1 I had been employed by Barnardo's, maybe there was only  
2 half a dozen of us on the course who had actually been  
3 working in Barnardo's.

4 Q. So it was a course that was open to people who were not  
5 employed by Barnardo's?

6 A. Absolutely. Of course, there were all those courses  
7 recognised by the Home Office at that time.

8 Q. I was going to say: was the fact that it was  
9 a Home Office certificate, as you describe it, was that  
10 a form of accreditation of the course itself by the  
11 Home Office?

12 A. Yes, correct.

13 Q. And so far as the other bodies that were offering  
14 courses, you mentioned the --

15 A. National Children's Home at that time, Action for  
16 Children now.

17 Q. And was that a voluntary body?

18 A. Yes, it was. And I think they also ran a course,  
19 a similar course, that would have got the same  
20 certificate, whether you'd been at a college or a  
21 university or indeed Barnardo's or National  
22 Children's Homes.

23 Q. And the course itself was focused on residential  
24 childcare --

25 A. Correct.

26 Q. -- rather than more generic childcare?

1 A. Indeed. One of the -- I think it was an advantage, one  
2 of the, I think, advantages of the Barnardo's course was  
3 that you were actually residential. The whole notion,  
4 I think, of staff working together in a residential  
5 setting with all the complexities of that was, I think,  
6 used and was an important part of one's learning.

7 Q. If I could step back a little bit and see that in 1966  
8 I think you joined Barnardo's before you embarked on the  
9 course itself.

10 A. Yes.

11 Q. And your first role was as a residential social worker,  
12 you tell us, in a school for disabled children that was  
13 run by Barnardo's; is that correct?

14 A. Correct.

15 Q. And you began in 1966 and I think you stayed there, was  
16 it, until you --

17 A. Went on that Home Office course.

18 Q. Just tell me a little bit about that particular role.  
19 The school itself, was that based in England?

20 A. Yes, it was, just outside Harrogate.

21 Q. It was for disabled children: was that mental, physical?

22 A. No, physical handicaps. A lot of the children,  
23 especially the boys, had muscular dystrophy and all  
24 would have died in their teens, so it was a lot of  
25 personal care.

26 Q. And you were quite young when you started?

- 1 A. Probably too young.
- 2 Q. It's not a criticism. I'm just trying to establish.
- 3 I think you were 19, just touching 20, when you began,
- 4 and you worked there for couple of years?
- 5 A. Yes.
- 6 Q. Then you decided to take the course in residential
- 7 childcare?
- 8 A. Yes.
- 9 Q. And you say that was at Barnardo's training centre.
- 10 Can you tell us where that was?
- 11 A. That was in the Garden City. That was where it was
- 12 based and of course that was one of Barnardo's own
- 13 villages originally for the boys.
- 14 Q. War exactly was the Garden City?
- 15 A. Essex way, the London area.
- 16 Q. The London area but not in London itself?
- 17 A. No, in Essex, and of course the girls' village was
- 18 Barkingside originally. So it was those two villages
- 19 that Barnardo's themselves had set up of course.
- 20 Q. Don't go too quickly for us. We've heard some evidence
- 21 about Barkingside.
- 22 A. Yes.
- 23 Q. Just to get a flavour of this, in the 1960s, Barnardo's
- 24 had a village called Barkingside; was it like
- 25 a Quarriers type village model --
- 26 A. Yes.



- 1 Q. -- at that time?
- 2 A. Yes.
- 3 Q. I know it changed; I think we have heard some evidence  
4 that there were some changes.
- 5 A. Yes, indeed it did -- and much, much larger, of course,  
6 than Quarriers.
- 7 Q. Much larger?
- 8 A. Oh, much, much larger.
- 9 Q. How large in scale?
- 10 A. There would have been -- I would have thought --  
11 Barkingside in the 1960s, I would have thought maybe 40  
12 to 60 cottages. The Garden City was smaller, but maybe  
13 had about 15 cottages.
- 14 Q. I think we know from other evidence we've received  
15 in the inquiry that, at its height, Quarriers had  
16 something in the order of just over 40 cottages at  
17 Bridge of Weir on a site --
- 18 A. Yes.
- 19 Q. -- and was effectively a children's village, if you  
20 like, which was near other communities in the area but  
21 away from the city.
- 22 Barkingside, was that, as you say, on a larger  
23 scale, but similar in concept, in model?
- 24 A. Yes, a very similar concept.
- 25 Q. How long, I don't know whether you know this, had  
26 Barkingside been in being?

1 A. It would have been in being not long after Barnardo  
2 himself set up.

3 Q. So it went back to the 19th century?

4 A. Indeed, yes, indeed.

5 Q. At the time in the 1960s that we're looking at just now,  
6 was it a village just for boys?

7 A. No, well, I think possibly -- I can't really recall.

8 Q. Don't worry if you can't.

9 A. The Barkingside was originally for girls, as  
10 I understand it, while the Garden City was for boys.  
11 But I think probably by the 1960s, they would have  
12 become mixed. I'm quite sure that the separation would  
13 have long gone.

14 Q. But there would be -- when we talk about cottages, at  
15 least we know from our evidence about Quarriers that the  
16 word "cottage" can is a bit of a misnomer. The  
17 Quarriers' cottages were large Victorian mansions which  
18 were quite spacious and could accommodate historically  
19 perhaps 25, 30 children with adults as house parents and  
20 other staff. Was that a similar type of -- were the  
21 cottages at Barkingside and Garden City similar or  
22 smaller?

23 A. I doubt if they were quite as big as that. I would have  
24 thought they were smaller, maybe taking 10 to 12  
25 children, maybe slightly more. I never actually worked  
26 in any of those, so I don't have absolute --

1 Q. I'm just trying to get some --

2 A. And of course, invariably, at that time, it would be  
3 a couple that would be looking after the small  
4 residential unit.

5 Q. In a cottage?

6 A. Correct, with the husband doing his own job. And then  
7 there would be other residential staff, and of course  
8 the whole kind of notion was this kind of family group  
9 to try and replicate what a normal family might be.

10 Q. That was very much similar to the Quarriers model that  
11 William Quarrier had in mind and indeed a model that  
12 clearly Barnardo had followed as well.

13 A. Yes (overspeaking).

14 LADY SMITH: If you both speak at the same time it is  
15 impossible for the stenographers -- that is a reminder  
16 to both of you, not just you, Hugh. Don't worry.

17 MR PEOPLES: Perhaps I can say Hugh I am sure you have a lot  
18 to tell us and sometimes you are speaking quite quickly  
19 as well and it might help the stenographers -- and  
20 possibly me because I am trying to gather my thoughts --  
21 that if you just slow down slightly -- it's not a  
22 criticism, we all do it -- but it would be useful if you  
23 can. It's not always easy.

24 A. I will do my best.

25 Q. Just then following some of that up, you've explained  
26 these two, Barkingside and Garden City, and you have

1 told us about the Home Office certificate and the  
2 training centre.

3 The course itself, do you know how long it had been  
4 in operation, the course that you undertook in the late  
5 1960s?

6 A. I would have thought it started some time in the 1940s.  
7 There must have been a period, I think, when the  
8 Home Office would be keen to have a training programme  
9 for people in residential work because I guess up until  
10 a point there was no training, and there would have been  
11 no national qualification. So at some stage -- I think  
12 it was probably in the 1940s -- the Home Office set up  
13 these courses in order to train staff and make them  
14 better qualified for what was a very difficult job.

15 Q. So far as the training centre that Barnardo's had that  
16 you attended to undertake this course, how long had that  
17 been in being?

18 A. I can't actually recall, but I think it would have been  
19 from the 1940s.

20 Q. Because we've heard some evidence that in Scotland some  
21 residential care staff at Quarriers, for example,  
22 attended Langside College in Glasgow in the early 1960s  
23 and perhaps it was offering courses then and perhaps for  
24 a period before then. I don't know if you were familiar  
25 with that college or not.

26 A. No, I wasn't familiar, but I think it's possible that

1           that was one of the Home Office courses where people got  
2           the same certificate.

3       Q.   Having done the course in residential childcare, you  
4           then took up, is it, another post as a residential  
5           social worker at a branch home with Barnardo's; is that  
6           correct?

7       A.   Correct.

8       Q.   Can you tell us just a little bit about where that was?

9       A.   It was in Finchley, about six doors up from Vera Lynn.

10      Q.   When you term it a branch home, is that similar to  
11           a cottage that you would find at Barkingside or  
12           Garden City?

13      A.   No, the branch homes tended to be larger and could have  
14           taken anything, maybe, from 20 to 30-plus children.

15      Q.   So they might have been more equivalent to the Quarriers  
16           type cottage that we talked about?

17      A.   Yes.

18      Q.   And you spent a short time there. You say you were  
19           a residential social worker. Was that the job title?

20      A.   Yes, I think that was the title, yes.

21      Q.   Would that be any different to a residential care  
22           worker?

23      A.   Very similar.

24      Q.   Would you have had to have the Home Office qualification  
25           to be designated a residential social worker as opposed  
26           to a residential care worker?

- 1 A. No.
- 2 Q. You don't think so?
- 3 A. No, I don't think so.
- 4 Q. Would be I right in thinking that in the 1960s not all  
5 residential care workers, if I can just use the broad  
6 term, would have had the sort of qualification that you  
7 had?
- 8 A. Oh, they would not have had any qualification.
- 9 Q. Was there any particular reason why you elected to go on  
10 the course and obtain the qualification at an early age?  
11 Can you recall why you made that decision?
- 12 A. Yes. I left school with absolutely no qualifications  
13 whatsoever and went into a family business, which  
14 I realised was a mistake, so I was very keen to get an  
15 education and to be trained for the work that I wanted  
16 to do. So it was a very personal thing that I applied  
17 to the course and got accepted. In fact, I actually got  
18 accepted before -- you had to be 21 before you were  
19 accepted to the course. They actually took me a bit  
20 earlier because they made a mistake. They interviewed  
21 me far too early. I was 20, I think, so I had to stay  
22 on another year at the unit in Harrogate for children  
23 with disabilities. But it was a personal drive, really,  
24 and ambition to be trained and to get on.
- 25 Q. Can I ask you this: you were quite young when you  
26 obtained the qualification and then you went into work

1 as a residential care worker thereafter. Did you  
2 consider that, having done the course, you were better  
3 equipped to perform the role that you took up at the  
4 branch home, for example?

5 A. Oh, definitely. Definitely.

6 Q. Can you maybe indicate why you felt that way?

7 A. A much better understanding, I think, of human growth  
8 and development, the stages of children's development.  
9 To give you one little example -- can I give a little  
10 example?

11 Q. By all means.

12 A. If you think of a 12 or 13-year-old child in  
13 a residential unit who's been very deprived  
14 background -- if you think of a baby or a young child of  
15 2 or 3 who goes into a temper tantrum and lifts  
16 something up and throws it, it probably goes about 3 or  
17 4 feet, it probably doesn't hurt anybody. But a 12 or  
18 13-year-old who gets into the same kind of state, that  
19 same kind of stage of development, when he or she picks  
20 that up, it's probably going to go much further and it's  
21 going to go much harder and it's probably to go to hurt  
22 somebody on its route. So you had to be very conscious,  
23 I think, of the stage of development of children and  
24 that, I think, was a great deal that I learned -- plus  
25 the realities of what residential, what it meant for  
26 children, was very important.

1 Q. I was going to ask you about that. Even in the 1960s,  
2 in the mid to late 1960s, you were doing this course and  
3 you were gaining an understanding of human growth and  
4 development, and you consider that was important. Those  
5 that didn't undertake the course, did you detect  
6 a lesser understanding on their part or was that  
7 something you were conscious of?

8 A. I was very conscious of it, I would say. Anyone who --  
9 the great thing of working with people and the privilege  
10 of working with people, young people, is you have to get  
11 to know yourself as well: what makes you tick as  
12 a person, what's your strengths, what's your weaknesses?  
13 And that, I think, is crucial if you're working with  
14 people. You have to know yourself your limitations,  
15 your abilities, and as I've said already, what you're  
16 good at and what you're not.

17 Q. Did the course, though, in terms of understanding human  
18 growth and development, help or have a focus on trying  
19 to understand matters from the perspective of the child  
20 in care and how they would feel, react, perceive things?  
21 Was there any strong focus on that side of things at  
22 that time?

23 A. Yes. Good question. I think there was, but possibly,  
24 as I think the years developed and the learning  
25 developed -- to give you another example to my practice,  
26 really -- and I think I mentioned this yesterday -- you



1 look back and you think you worked with certain  
2 children -- I'm going back to the 1970s -- and you look  
3 back now and I think that was staring us in the face  
4 that that child had been abused before coming into the  
5 unit, for example. And you think, how did we miss that?  
6 It's so obvious.

7 But I'm sure Barnardo's and I were not alone -- in  
8 fact I know we were not alone because we worked in these  
9 settings. So I think the knowledge at that time,  
10 there's no doubt that the man that ran that course had  
11 been a very experienced residential worker himself and  
12 I learned so much from that course. But inevitably,  
13 I think once you got into practice and were performing  
14 in a unit, what invariably, I think, happened is that  
15 you were able to make connections with the learning on  
16 the course and your practice and there were no doubt  
17 things you would do differently from that in regard to  
18 the management, the care, the understanding of children  
19 being residential with all the issues of being separated  
20 from their parents.

21 Again -- and I would maybe come to this later, but  
22 one of the things that certainly I was very conscious of  
23 as director of Barnardo's Scotland, and once did a study  
24 on it, was the huge number of moves in care that  
25 children often experienced. And one of the studies that  
26 I carried out in our own services was from about five

1 services and was how many moves in care had those  
2 children and young people had before they came to us.

3 I think it was about 20, 30 children that we looked  
4 at and the average number of moves in care was about  
5 five. There was one young boy of 9 who had 45 moves in  
6 care.

7 If I can then give another example of what I'm  
8 trying to get at here. If you take a climbing rope and  
9 you're going to climb that rope, and you climb halfway  
10 up and the rope collapses on the ground, you hit the  
11 ground with a fairly nasty thump. So before you climb  
12 that next rope or make a relationship, for example, with  
13 a residential staff, what are you going to do? My view  
14 is going you are going to pull that rope pretty hard:  
15 will this relationship hold on to me? If you have had  
16 10, 15 moves, what are you going to do with the 15th  
17 rope? My God, you're going to pull it like mad to test  
18 whether or not this relationship will hold you: will  
19 this unit stick by me despite all my problems, despite  
20 all what I might do? The real tragedy would be if the  
21 child or young person gave up at all and they no longer  
22 cared or bothered to even pull the rope -- sorry, that  
23 was a bit emotional.

24 Q. No, I follow. Can I take this point, because it's one  
25 that we can clearly see evidence from what we have heard  
26 that people who have come to speak to us and from other

1 evidence have had a number of moves. We often ask their  
2 background to admission to care, but also that they've  
3 been in various care settings, and that's obviously  
4 something you did pick up on and you do feel strongly  
5 about.

6 Can I ask you this: by the time you became director  
7 or by the time you retired in 2007, had that issue of  
8 real concern to you been adequately addressed by the  
9 care system?

10 A. When that report was done -- it was the thing I asked to  
11 be done with about five or six service other services,  
12 as I've said --

13 Q. When you were director?

14 A. When I was director. I wanted to know how many moves in  
15 care those children had experienced, some were in  
16 a foster unit, some were in residential. I have to tell  
17 you all hell broke loose when it went public. A family  
18 rang me up after the news -- I think I followed  
19 John Major after the national news. I have to say  
20 I received no criticism or concern from any of the  
21 Directors of Social Work in Scotland but all hell broke  
22 loose south of the border. And I spent the next two or  
23 three days answering questions and being challenged, so  
24 it did not go down well.

25 Q. When you say it didn't go down well down south, was that  
26 in political circles?

- 1 A. Within social services departments.
- 2 Q. But in Scotland, you say there wasn't any --
- 3 A. I received no criticism in Scotland. I had very good  
4 relationships with the directors of social work and  
5 directors of education in Scotland.
- 6 Q. In the face of that reaction of no criticism, again  
7 coming back to the point I asked, do you think the  
8 situation following your report was adequately addressed  
9 between the time you published the report and the time  
10 that you left Barnardo's in 2007, the multiple placement  
11 problem, if I could put it that way?
- 12 A. I think there was a better understanding of it and the  
13 defects and the problems that presented. Because quite  
14 often a move in care also resulted in a move in school.  
15 So that hugely impacts on their educational abilities.  
16 But I'm not sure and I wouldn't know unless so much  
17 research was carried out whether or not there's been any  
18 reduction in the moves in care. A child or young person  
19 comes into care, almost inevitably they have to be put  
20 into a place of safety so they may have two or three  
21 moves in a very short space of time and of course the  
22 great challenge for social work in regard to those  
23 children and young people was to hold on to them.
- 24 When I worked at the Caldecott Community in Kent, no  
25 matter what a child did, whatever the criticisms one may  
26 have nowadays of the Caldecott Community, one of the

1 things that stood out for was that it did not -- it held  
2 on to children.

3 When I was a group leader there first of all,  
4 we were out, and one Sunday afternoon one of the boys  
5 had badly beaten up one of the matron's [REDACTED] -- very  
6 badly beaten up, actually. Miss Day, who was  
7 a co-director of the community, came up and said to  
8 [REDACTED], "If you can't get on with Mrs [REDACTED]  
9 I will have to ask Mrs [REDACTED] to leave". [REDACTED]  
10 never beat the [REDACTED] up again, but what a reassuring  
11 message that was to that boy.

12 Q. Before I ask you about the Caldecott Community, because  
13 I said I would come to it, just to touch on it so see  
14 what it involved, on the point of qualifications, you  
15 were able, as a young person, to take a course in  
16 residential care work, which you have just told us this  
17 morning benefited you considerably in an understanding  
18 particularly of human growth and development.

19 The point comes up then that if the qualification  
20 was a benefit and if the majority of residential care  
21 workers at that time were unqualified but courses were  
22 available, why was it -- and we've heard evidence to  
23 this effect -- that in the 1980s and perhaps by the time  
24 you became director, there were still a large number of  
25 unqualified residential care workers in the care system  
26 in Scotland? Why has that not been addressed? You

1 wouldn't do it in any other walk of life where you are  
2 dealing with people with special needs or complex needs.

3 A. You see, I think there came a point when those  
4 Home Office courses were no longer being run and the  
5 move was to get everyone qualified as a social worker  
6 whether you went into residential work or not, so you  
7 could be a fieldworker or a residential worker but have  
8 the same qualification.

9 Residential childcare I would have said right up  
10 until, maybe until not that long ago, was the Cinderella  
11 of social work. Unqualified people went into it and yet  
12 it was one of the most demanding and difficult jobs  
13 going. And if you compare what happened in this country  
14 as compared to, say, for example, in countries like  
15 Denmark where there was huge training, five, six years  
16 of training going into residential work, it was a much  
17 more highly regarded -- and rightly so -- job than,  
18 I think, ever was given in this country.

19 Q. But if you recognised that, and I don't know at what  
20 point that recognition really hit home, but I'm sure it  
21 did well before you retired, why then has that  
22 significant issue not been addressed? Why were  
23 unqualified people allowed to be the majority in the  
24 care system, the front-line workers? Why is that? If  
25 the training existed in the 1960s and before and was  
26 recognised as necessary in the 1940s, why -- when you

1           retired, I assume it was still the case that there was  
2           a lot of unqualified basic grade residential care  
3           workers, why was that state of affairs allowed to  
4           continue by the organisations, by the state and so  
5           forth?

6           A. In truth, I think by the time I was director and to my  
7           retirement, certainly Barnardo's had much less  
8           residential work, of course, and most of the staff  
9           I think were qualified by that time as social workers  
10          who had chosen to go into residential.

11          Q. Draw back from the period from 1991 onwards, but take  
12          the period between even you taking the course in the  
13          late 1960s and you becoming director in 1991. I don't  
14          think you're suggesting the same situation applied, that  
15          the majority of residential care workers were qualified;  
16          is that correct?

17          A. You're correct.

18          Q. Why then did that situation endure for so long if the  
19          training existed, if there were opportunities? It's one  
20          thing to say there are opportunities, but if the  
21          opportunities -- or there's no requirement to train,  
22          then it's not going to create an effective system.

23          A. That's correct. And of course, for a lot of those  
24          units -- and not just talking about Barnardo's here,  
25          this is important to say -- there would be great  
26          difficulty of getting staff. If you're sending staff

1 off for training, then of course you're having to get  
2 other staff in to replace them so the demands of  
3 managing units and running them probably all too often  
4 took precedence really.

5 Q. You're suggesting certainly in the UK, and Scotland  
6 included, that residential care workers were perhaps not  
7 greatly valued or appreciated for the demanding work  
8 they had to do, work that required skills. Whereas you  
9 contrast that with the position in Denmark. Why has  
10 there been this lack of recognition? What did the Danes  
11 do or why did they value it and in the UK it wasn't  
12 valued in the same way? Why the difference?

13 A. Obviously, this came partly because of a lack of  
14 recognition at very high levels and, for example, from  
15 the British Government. I think there was often an  
16 assumption made that parents looked after their  
17 children, so it was a fairly simple thing to do to look  
18 after children, they didn't require all this much,  
19 maybe, training, it was quite natural thing to do, and  
20 hence I think often why there was this great drive at  
21 one time for the family group homes to kind of  
22 replicate.

23 But of course, a child --

24 LADY SMITH: But it's one thing to look after your own  
25 children with whom there is an instinctive bond to  
26 separately take the responsibility for looking after



1 somebody else's children, for whom, with the best will  
2 in the world, you're not going to have the same  
3 emotional triggers and senses that you have in relation  
4 to your own children. It's a completely different  
5 matter, particularly if those children have a background  
6 of problems, isn't it?

7 A. Absolutely, I couldn't agree with you more. Absolutely.

8 MR PEOPLES: Were you putting forward these views

9 consistently and were others, and if so, why wasn't  
10 anyone listening?

11 A. Of course, working in England at the time --

12 Q. I don't mean then, but over your professional life, you  
13 have told us that both of the importance of not having  
14 multiple placements, the importance of the work that  
15 residential care workers are asked to do, the complexity  
16 of the children, the needs of the children that they  
17 have to care for. So if that was understood and you  
18 understood the need for some skills to be introduced,  
19 qualifications, training, then why wasn't it happening,  
20 either at an organisational level or through some kind  
21 of compulsion or pressure from those who set up the  
22 system and regulated the system? Why was that not  
23 happening? I'm not blaming you for it.

24 A. What I would say is that when the closure of what

25 I would call the Barnardo's branch homes -- they're

26 called something slightly different in Scotland. But

1 when the new projects got developed, which were much  
2 more complex, much more linked to a comprehensive kind  
3 of service, much more driven in regard to outcomes, then  
4 we were nearly always going for qualified staff in these  
5 projects and we attracted qualified staff. Because the  
6 job -- it was a more enriching job, you could see  
7 positive results, you knew why children were being  
8 admitted and what the plan and the hope was for that  
9 child and the child's family future.

10 So at that stage I think when we made that kind of  
11 change, if I'm being honest, really, when I took over,  
12 when we moved to that kind of more complex services,  
13 there was no doubt at all we were going for qualified  
14 staff.

15 Q. You're really putting that to maybe the post-1990 period  
16 when you became director and you embarked on a range of  
17 new services, more specialist services with more  
18 qualified people; is that correct?

19 A. Correct.

20 Q. But before then, the light bulb hadn't been switched on?

21 A. You see, with a lot of these, what I would call, the old  
22 units ... If you take Tyneholm -- for example, when  
23 I came to Scotland, I'm not sure that anybody quite knew  
24 what the purpose of Tyneholm was. There were also huge  
25 issues like if you began the financial year a few  
26 children down, for example, but were fully staffed, then

1 that residential unit could be losing thousands because  
2 you couldn't make it up unless you went above occupancy.

3 We were also in a period of huge flux and change.  
4 These units were past their sell-by date. They took  
5 children from a number of local authorities so there was  
6 no real cohesive plan about what you were trying to do  
7 to make a real difference.

8 Q. One thing, though, that Barnardo's said to us in some  
9 statements we have had is that they weren't simply  
10 in the business of providing general residential  
11 childcare provision. They recognised at an early stage  
12 that there were children, who were at one time termed  
13 maladjusted or had complex needs, and to some extent  
14 they moved in that direction of offering places for such  
15 children, either in residential schools or other units.

16 If that be the case, that they were doing that from  
17 the 1950s, 1960s, onwards, or purporting to do that,  
18 surely it would follow that there was a need to  
19 introduce the type of arrangements that you've described  
20 happened in the 1990s? Would that not follow?

21 A. In the -- I would have said probably -- and again I'm  
22 only looking at history here -- if you were looking,  
23 I think, from just after the war right through to the  
24 mid-1960s, I would say that Barnardo's fund-raising was  
25 probably better than anyone else's and I'd have to say  
26 that I think the childcare work was not.

1           Barnardo's -- and I wasn't working -- I was working  
2           in Kent. Barnardo's built a residential nursery in  
3           Tunbridge Wells for a hundred babies, residential, when  
4           every self-respecting local authority was closing them.  
5           They built a children's home in Canterbury? Why did  
6           they build a children's home in Canterbury? Because  
7           Canterbury was a wealthy city so it raised lots of  
8           money, but the children came from London. It was built  
9           on land that was subsiding, so within 18 months it was  
10          redundant.

11          I would have to say that until the mid 1960s and  
12          late 1960s the fund-raising was brilliant but I do not  
13          think the childcare was. The great change came in the  
14          late 1960s with bringing in the Home Office, Doug Smyth,  
15          who transformed Barnardo's and went into what was called  
16          "areas of need" and completely redeveloped the whole  
17          organisation.

18          And maybe one of the sad things, I would say --  
19          I think the childcare then -- yes, I probably would say  
20          this -- people come in from other organisations.  
21          I think Barnardo's in Scotland was almost second to  
22          none, to be honest, but the fund-raising was not as  
23          good. That's been one of the tragedies I think for  
24          Barnardo's.

25          Q. You say second to none, but we still go back to the  
26          point I made earlier that a lot of the residential care

1 workers in Scotland up until, maybe, the new projects  
2 in the 1990s were not qualified though. So that doesn't  
3 make for a high quality service, does it?

4 A. You're absolutely right. When I came up to Scotland,  
5 I was originally going to be working in a Scottish  
6 Office post that was to be working with the residential  
7 units in regard to training. I ended up not taking the  
8 job because I was asked to be assistant director of  
9 Barnardo's. But I had to work with this other  
10 organisation for three months. And what I found was  
11 that all these independent voluntary residential  
12 organisations running a residential unit somewhere, they  
13 were desperate to keep in business but actually they had  
14 no future.

15 This organisation -- I was never loved for this, but  
16 this organisation that supported them, my end of report  
17 said this organisation should close and it did, so they  
18 lost all their money. But that's what needed to happen.  
19 These units were past their sell-by date. They were not  
20 producing great qualities of work, but there was  
21 a tremendous determination and drive to keep them going.  
22 They had a long history. Quite often ex-residents  
23 didn't want them to close, but it needed to happen.

24 You are absolutely right -- and I can only agree  
25 with you -- that this is the most demanding job of which  
26 people were not qualified for. That's not giving

1           respect to the people that you had the privilege to look  
2           after and care for.

3           LADY SMITH: Which was the organisation that closed after  
4           you reported, if you remember?

5           A. It didn't actually run any units itself, but it  
6           supported these individual voluntary homes: Scottish  
7           Council for Voluntary Childcare Organisations, I think  
8           it was called.

9           LADY SMITH: Thank you.

10          MR PEOPLES: SCVO?

11          A. Something like that. Something along those lines.

12          Q. And you had to report for them or --

13          A. For the Scottish Office.

14          Q. About voluntary organisations and the way they were  
15          operating?

16          A. You see --

17          Q. Was there a concern in the Scottish Office that led them  
18          to ask you to do this report at that time?

19          A. I was asked to be the training officer to help those  
20          units. I think probably plan, develop their future.  
21          But of course, because I was not taking that post up,  
22          I was then asked to look at the future of the Scottish  
23          Council of Voluntary Sector Organisations and I felt it  
24          wasn't doing any good at all. I couldn't see its  
25          relevance, I didn't see how it was helping these units.

26                 These independent units had to grip the nettle

- 1           themselves and realise there was not a future -- or  
2           change radically.
- 3       Q.   So can I just ask you to flesh that out so I'm clear in  
4           my mind?  We're talking about around the time that you  
5           came to Scotland in 1981 and ultimately took up the post  
6           of assistant divisional director.  But before then, you  
7           first came with a view to being, did you say, a training  
8           officer?
- 9       A.   A training officer, which was being funded by the  
10          Scottish Office.
- 11      Q.   And who were you employed by or would you have been  
12          employed by if you'd taken that role up?
- 13      A.   It would have been the Scottish Council, whatever it was  
14          called.
- 15      Q.   Let's call it the council.
- 16      A.   I think I was kind of -- it was a kind of dependent  
17          role, I think.  So though I was working alongside the  
18          kind of secretary of it -- there was only two or three  
19          of us -- I think probably it was really -- I was  
20          probably accountable in truth to the then Scottish  
21          Office.
- 22      Q.   And this would be just around about 1981?
- 23      A.   Yes.
- 24      Q.   Was it the Scottish Office that was encouraging you to  
25          move north?
- 26      A.   No, I was keen to come to Scotland.

- 1 Q. So did you simply explore what opportunities existed?
- 2 A. Correct.
- 3 Q. And this one was coming up? And did you get any  
4 understanding before this post was being talked about  
5 why it was felt they needed someone like you in this --  
6 was it essentially a new role?
- 7 A. Yes, it was.
- 8 Q. As a training officer with this council, were you  
9 expected perhaps to be someone who would be there to be  
10 able to advise, develop training amongst organisations,  
11 voluntary or otherwise, who were engaged in residential  
12 childcare provision? Was that the role?
- 13 A. I think that would have been part of the role. The  
14 difficulty, again, is remembering, because of course  
15 what happened was -- you see, I came up to look for  
16 accommodation and I called in -- I'd already been  
17 appointed. I went out and I thought this is a hell of  
18 a mistake, but at least I'm going to get to Scotland.
- 19 Q. Why was it a mistake?
- 20 A. Because I think then, exploring that job with the  
21 secretary, I decided this is a job that's going to go  
22 nowhere. It isn't a purposeful job and it just didn't  
23 seem to me that it would actually achieve anything very  
24 much. I didn't actually care very much for the  
25 secretary, I thought it was very insular, I didn't feel  
26 they were asking the right questions or challenging



1           enough. I was still working, of course, in the London  
2           division at that point, working through my notice, and  
3           I'd been out for lunch, and when I came in, Kay, my  
4           secretary, said, Miss Joynson wants to see you. My  
5           heart sank, I thought, what's happened now. I went  
6           across and saw her and she said, "Hugh, there's an  
7           assistant director post going in Edinburgh for  
8           Barnardo's, it's yours", but I did have to work for this  
9           other organisation for three months, though Barnardo's  
10          paid my salary.

11         Q. It sounds as if in theory this job could have been the  
12          sort of job that would make a difference to the system  
13          if the council introduced something that could be taken  
14          on board by organisations providing services, including  
15          residential childcare services, but I get the impression  
16          that whatever lay behind this idea, you didn't think it  
17          was something that would ever get off the ground,  
18          although obviously the Scottish Office were prepared to  
19          fund it, did you say?

20         A. Yes, oh yes. It was them that was going to pay the  
21          cost.

22         Q. So they must have thought there was a benefit?

23         A. Well, I think what was happening was that these  
24          independent residential units run by a single voluntary  
25          were probably putting a lot of pressure on the  
26          government about their future, referrals would be going

1 down, there would be huge issues of finance and cost.  
2 So I think probably the Scottish Office then thought,  
3 well, we need to do something about this, let's bring  
4 somebody in the training post that would look at these  
5 establishments. But in truth, like Tynholm and various  
6 other units, they were past their sell-by date.

7 Q. I know it's a long time ago, but do you think maybe the  
8 underlying idea is you have all these places, maybe  
9 they're past their sell-by date, to use your expression,  
10 something needs to change, you might be able in this  
11 role to devise something that will lead to the change  
12 and perhaps lead to them either surviving or moving in  
13 a different direction. Was that -- would that perhaps  
14 have been the thought processes behind this post?

15 A. It may well have been the thought processes.

16 Q. I only say that because we've heard some evidence about  
17 Quarriers, that they were in a time of crisis in the  
18 late 1970s, which is around the time you're coming to  
19 Scotland. And indeed, I think the evidence has been to  
20 the effect that basically they either had to change or  
21 close. It was as stark as that. And indeed, they did  
22 change and they did diversify, the village was run down  
23 to a large extent, they diversified, they opened up  
24 a special school in Ayrshire and so forth, and did  
25 various things, against a background where they brought  
26 in various people to look at the organisation and its

- 1 future. And indeed, I think one person mentioned was  
2 Mike Laxton. Did you know him?
- 3 A. I did.
- 4 Q. You knew him? I think he is deceased; am I right?
- 5 A. Correct.
- 6 Q. I don't know if at the time you thought there was any  
7 connection, but was that the climate in which this post  
8 was being created and funded, the time of crisis for  
9 these organisations that had operated on traditional  
10 models that were really no longer seen as a way forward?
- 11 A. A huge crisis for them. Quarriers would have had the  
12 advantage of being larger and probably having more  
13 expertise generally. A lot of these independent units  
14 would have been -- would have had a person in charge,  
15 but they probably had a voluntary committee to whom  
16 there was oversight. Of course, they would have been  
17 the great and the good, no doubt, and all the rest of  
18 it.
- 19 Q. You have mentioned a number of times independent units  
20 and the council that in some way had a connection with  
21 these units. Were you specifically being asked to look  
22 at small independent units rather than the large scale  
23 providers like Quarriers or Barnardo's, indeed, in  
24 Scotland?
- 25 A. Correct.
- 26 Q. But there were a lot of them at that time?

1 A. Yes.

2 Q. And operating in small units with a small number of  
3 children?

4 A. No, some of them I think would have been quite big.

5 Q. Really?

6 A. Yes.

7 Q. How big?

8 A. Of course, the problem is I never actually ended up  
9 doing that, you see, so I didn't really know. I was new  
10 to Scotland, that was the other thing. I was new to  
11 Scotland.

12 Q. But they were run by the voluntary providers or private  
13 providers?

14 A. I think they would be voluntary. Voluntary providers.

15 Q. Just going back to the 1960s, if I may again. You did  
16 this course in residential childcare and you say that  
17 one thing it did give you was an understanding of human  
18 growth and development, which proved invaluable to you,  
19 and perhaps caused you to have the thoughts that you've  
20 voiced this morning about the importance of that  
21 understanding.

22 At that time on the course, was there any focus on  
23 the possibility that children, once they reached the  
24 care setting, might be at risk and therefore that was  
25 something that had to be factored into thinking, or was  
26 that -- was it too early for that sort of thinking to be

- 1 part of the course you attended?
- 2 A. I think you're absolutely right. I do not recall -- as  
3 good as that course was, I do not think there was at  
4 that time a good enough understanding of the risks and  
5 the implications of how you manage the risks and all of  
6 that with children.
- 7 Q. In saying that, it can't have been the case that  
8 children hadn't been abused in residential care settings  
9 or known to have been abused until the late 1970s or  
10 early 1980s. Abuse was a fact and one can find  
11 examples. I don't know if -- would you have been aware  
12 at that time that there would be incidences of abuse of  
13 children in care in the late 1960s, early 1970s?
- 14 A. I don't think so in the 1960s.
- 15 Q. The only reason I say that is that we've already heard  
16 evidence, for example, that at Aberlour Orphanage, in  
17 1963, a housemaster was convicted of the abuse, sexual  
18 abuse, of, I think, some ten boys. That's some four  
19 years before the orphanage closed.
- 20 A. Yes.
- 21 Q. So that would have been a significant --
- 22 A. Yes.
- 23 Q. -- piece of information that should have perhaps caused  
24 some thinking --
- 25 A. Yes.
- 26 Q. -- would you agree?

1 A. Absolutely, yes.

2 Q. If you had something on that scale, you might be asking  
3 questions?

4 A. Yes.

5 Q. And it might at least attune you to the idea that these  
6 things can happen in what is supposed to be a safe  
7 haven?

8 A. Yes. I think where there was probably more awareness  
9 was of physical abuse rather than sexual abuse.

10 Q. So that had for some time been on the radar in terms of  
11 residential care?

12 A. Yes.

13 Q. I think probably we can find examples, even going back  
14 to pre-war, where the matter was raised and indeed  
15 caused concern in various settings; is that correct?

16 A. Correct.

17 Q. But you're saying that when one looks at another type of  
18 abuse, sexual abuse, perhaps there wasn't the same  
19 belief that such things could happen in a residential  
20 care setting?

21 A. I think that is true.

22 Q. Although I have just given you an example of where there  
23 was a serious incident that maybe ought to have caused  
24 that awareness.

25 A. Yes, indeed.

26 LADY SMITH: When you say you think there was awareness of

1 physical abuse, what do you have in mind?  
2 A. I think there was an awareness of overuse of corporal  
3 punishment. Of course, corporal punishment -- at my  
4 age, you know, the belt was common at school. But  
5 I think -- and you look back even at day schools and  
6 think that those teachers that overused the belt, for  
7 example ... So I definitely think -- I'm trying to  
8 reflect on this, to be honest, that there was an  
9 awareness of overuse of physical abuse of children and  
10 young people, and inappropriate forms of punishment in  
11 order to keep control of -- some of those units would  
12 have been low staff, high numbers of children and young  
13 people, so keeping the lid on the place and keeping it  
14 even, I think inevitably would have led at times to  
15 totally inappropriate behaviour undertaken by staff.

16 LADY SMITH: Just going back to what you said earlier about  
17 Barnardo's objective of trying to replicate home  
18 settings through, for example, the village set-up: was  
19 any consideration ever given to the fact that if you are  
20 trying to give children a home, what might be acceptable  
21 in a school, so far as corporal punishment is concerned,  
22 is not the right guideline to how you should discipline  
23 them?

24 A. Correct.

25 LADY SMITH: Was there consideration of that?

26 A. Not enough.

1 MR PEOPLES: We've had evidence about the regime, the  
2 general legal and regulatory regime, in relation to  
3 children's homes in other settings, List D schools and  
4 whatever, and there were regulations that would deal  
5 with discipline and punishment. Indeed, Barnardo's have  
6 told us and we will hear, no doubt, that they had  
7 written documents like the Barnardo Book, which would  
8 contain statements relating to discipline and punishment  
9 and when the belt or the cane should be used and how  
10 often, whether certain classes of children should be  
11 excluded. We had all these things and they can point to  
12 them. But you're still saying that whatever you see in  
13 a book or in a regulation, perhaps there was a concern  
14 nonetheless that the power to use corporal punishment  
15 was capable of being abused as a power. So it's not the  
16 issue -- it was permissible to use corporal punishment  
17 under the law and under the rules, but it was the abuse  
18 of that power that you have in mind, is it?

19 A. Absolutely.

20 Q. Which is a very different thing?

21 A. Yes.

22 Q. It's one thing to say, well, the belt was permitted in  
23 schools or people could smack their children at home,  
24 but that's not carte blanche.

25 A. No.

26 Q. And you can abuse a power?



1 A. Absolutely, yes.

2 LADY SMITH: What about emotional abuse? Have you any  
3 recollection of any consideration being given to the  
4 risk of emotionally abusing a child?

5 A. Yes, I do. I'm sure that was part of the -- I'd love to  
6 have been able to have the care and control Barnardo's  
7 document in front of me. But I am in no doubt at all  
8 that the issue of emotional abuse was certainly  
9 addressed. Emotional abuse could almost be as damning  
10 quite frankly, and as hurtful and as painful.

11 LADY SMITH: I have heard evidence from some people that  
12 that was the worst of all the abuse that they suffered.

13 A. Yes, absolutely.

14 LADY SMITH: So how was the risk of it addressed?

15 A. It would have been addressed in policies and practices  
16 and what was written. But whether or not that was then  
17 transferred and transformed into actual good practice,  
18 much, much more needed to be checked out. I'm sure it  
19 was used, badly used, misused. Yes, painful.

20 MR PEOPLES: The recognition of physical abuse you have told  
21 us about, and you obviously, certainly from your own  
22 state of knowledge in the late 1960s and what was being  
23 taught, sexual abuse in care settings wasn't a focus of  
24 training in the Home Office course at that time. It was  
25 something where maybe the understanding or the knowledge  
26 came later. I think that's what you tell us in your

1 statement that in the late 1970s, early 1980s, perhaps,  
2 there was a greater understanding that these things  
3 could happen in a care setting just as much as they  
4 could happen in another setting, in the community, in  
5 the home, or wherever.

6 Physical abuse. Yes, there was a recognition.  
7 Emotional abuse you say you believe was at least  
8 addressed and therefore recognised in Barnardo's  
9 policies when there was a care and control policy. Just  
10 again to get some kind of point of reference, we're not  
11 talking about decades going back. The care and control  
12 policy you have in mind, was that something that was,  
13 insofar as it addressed that type of abuse, was  
14 something that was more recent in origin, or are you  
15 suggesting that Barnardo's addressed the issue of  
16 emotional abuse in policies going back to the 1940s,  
17 1950s, 1960s or 1970s, even?

18 A. I would need to really look back at the documents.  
19 Having skim-read some of these very old documents,  
20 I think there was quite a lot in regard to physical  
21 punishment. I think the issues of emotional abuse would  
22 have -- did actually come much later and certainly my  
23 recollection, when Barnardo's really began to develop  
24 its policies on care and control, I'm in doubt at all --  
25 there's another issue about actual practice, but I'm in  
26 doubt at all that issues of abuse across the range were

1           then being addressed.

2           Q. I think one of the difficulties we may have in looking  
3           at that is we won't necessarily have all the versions of  
4           the different policies that existed at different stages  
5           in time. I think Barnardo's have said that their  
6           practice in relation to retention of documents wasn't  
7           such that we can get a complete set of policies from  
8           version 1 to version 10, for example, of the care and  
9           control policy.

10           I think we've got a Barnardo's Book, a revised  
11           edition of the Barnardo's Book, but that's the 1940s and  
12           1950s, and some circulars from the 1950s, but when you  
13           get to the later policy documents I think the  
14           position -- and no doubt they'll tell us differently --  
15           is that they would not have a comprehensive set that we  
16           could compare and contrast to see how these matters  
17           evolved.

18           But you're telling us that even if we don't have  
19           those, they would have gone through a period of  
20           evolution and certainly emotional abuse is less likely  
21           to have been a feature of the earlier policy  
22           statements --

23           A. Yes.

24           Q. -- or indeed sexual abuse?

25           A. I can only really speak from kind of 1981 onwards,  
26           really. What I think did happen in Barnardo's was that

1 they would produce these documents, on for example care  
2 and control and a whole other range of things, and they  
3 would be rarely regularly updated as practice and  
4 thought and care and consideration developed and perhaps  
5 learning from elsewhere as well as learning internally.  
6 These would be updated.

7 It's very possible, I think, that as they were  
8 updated you took out the old thing and replaced it with  
9 the new. It's very possible, I really honestly don't  
10 know, that there was not a record kept of those stages  
11 as policies and practices got developed by the  
12 organisation. So you maybe can't see a timeline of how  
13 these were progressed and developed.

14 Q. But you also made the very important point that even if  
15 you can see evidence of a recognition of these types of  
16 abuse in policy documents over time, even if they're not  
17 a complete record, that doesn't necessarily -- that's  
18 not the whole story. You have to then decide whether in  
19 practice these policies were either implemented,  
20 observed or adhered to on a day-to-day basis at  
21 individual units and establishments. That's a separate  
22 but important question, isn't it?

23 A. A crucial question.

24 Q. Because it's one thing -- we can all write policies and  
25 set up systems, but if they're not operating in the  
26 intended manner then you're going to have problems.

1 A. Absolutely.

2 Q. And I suppose if we go back to the good old days of low  
3 numbers of staff and high numbers of children in large  
4 institutions, there's all the more problem going back  
5 historically if a lot of the people in those  
6 establishments are unqualified, going back to the point  
7 where we began this discussion. That's a recipe for  
8 disaster?

9 A. Correct.

10 LADY SMITH: The not-so-good old days?

11 MR PEOPLES: Yes.

12 A. I'm agreeing with you, yes.

13 Q. So it wouldn't be surprising if people lost control  
14 because they weren't trained to keep control or trained  
15 to understand why children behave in certain ways and so  
16 forth, the sort of things that you feel you benefited  
17 from in the 1960s?

18 A. That is correct, yes.

19 Q. Going back to your statement, Hugh, I did say I would  
20 come at some point to the Caldecott Community and I was  
21 interested to know what that stage of your career  
22 involved. What was that community? You touched on it  
23 earlier on. You had a period from 1970 to 1976 before  
24 you came back to Barnardo's in this community in Kent.  
25 Can you give briefly an idea of what that type of  
26 community was?

1       A. Yes. It was one of the pioneer places that was started  
2       up, I think between the Wars, and the  
3       Caldecott Community was one of them. There was a whole  
4       range of them, really -- I'm now talking about England  
5       of course. I can't remember, there was George Lyward at  
6       Finchden Manor, there was David somebody or other at  
7       New Barnes(?) and there were various other ones who all  
8       set up during that kind of period and Lila Rendall was  
9       the founder of the Caldecott Community.

10       The thing about Caldecott was it took about,  
11       I think, close to 100 children. It split up, of course,  
12       and all the children were educated on the premises until  
13       they were due to go to secondary school. And then they  
14       all went out to the local schools in Ashford, even  
15       though they would have been deemed maladjusted children  
16       in those days.

17       It was very, very child-centred. Great emphasis on  
18       the children. Some wonderful things it did. I'll give  
19       you one example, maybe not the best example. This would  
20       be very typical of Caldecott -- of course, the children  
21       were there for a long time, by and large, they were very  
22       bright, that was one of the things, that the community  
23       took bright children. So there was a lot of discussion  
24       and working through issues with them.

25       But when they came to leave, and it was always the  
26       summer, there would be, say, eight or nine leaving, this

1 huge party in the -- when I was there, the community was  
2 in the stately home belonging to Lord Braeburn ... there  
3 was these big tables and the children would all be  
4 dressed up, girls in long dresses, boys in dinner suits,  
5 and the staff would serve them. It was very, very  
6 child-centred.

7 Of course you would look back now and say, yes,  
8 there wasn't probably enough done with the families and  
9 there wasn't a great deal, I have to say, written on  
10 policies and practices, but it was a very special place  
11 and there are still reunions with loads of ex-children  
12 who attended to go back to it.

13 Q. Can I ask you this: one of the things that we've heard  
14 evidence about is the growth of special schools,  
15 residential schools for maladjusted children, as the  
16 terminology was in previous decades. Were they  
17 attempting to replicate a model like Caldecott in some  
18 respects or were they not? We've heard some evidence of  
19 Southannan School that Quarriers set up in the late  
20 1970s and it became Seafield School later on and it took  
21 in children who basically were seen as a problem that  
22 had to -- that couldn't be coped with in the more  
23 traditional settings, even like Quarrier's Village  
24 itself. The description that some have given us was it  
25 was quite a liberal type of regime, modelled to some  
26 extent, for example, Southannan, on the Summerhill model

1 in Scotland.

2 A. Yes.

3 Q. You'll know about that one. So are there any parallels  
4 between that and the type of setting you've just  
5 described? Is it an attempt to model at least in some  
6 respects on that type of community and make it more  
7 child-centred?

8 A. I don't have really first-hand knowledge of these other  
9 units and how they developed. The Caldecott Community,  
10 interestingly, I think, of those original pioneer  
11 places, I think it's the only one that's actually still  
12 going, the only one that still survives, although it has  
13 moved again, of course.

14 Q. Can I take you then, not to Southannan but to two  
15 residential schools you will have some knowledge of, and  
16 in fact you had some involvement in closing. One is  
17 Thorntoun in Ayrshire, in Kilmarnock, and in your own  
18 statement at page 7910, if I can remind you, you tell us  
19 about Thorntoun and its closure in 1990 when you were,  
20 I think, still assistant divisional director in title  
21 anyway. You say:

22 "It wasn't due to any failure of the way the school  
23 operated, but because the Scottish Government decided to  
24 remove all central government grants to such schools in  
25 view of all placements now being made by a single local  
26 authority. On the back of this Central Government



1 decision they decided they would not make any further  
2 referrals, a decision I knew they came to regret."

3 What were your thoughts about Thorntoun School as  
4 a concept?

5 A. When the new principal took over at Thorntoun, prior to  
6 that it was very much a residential school for  
7 secondary-age pupils from Strathclyde. But it couldn't  
8 ever cope. And of course, there was a demand, a growing  
9 demand, for day placements to keep those children within  
10 their own homes. And under the previous principal,  
11 every time it got to about six day pupils, the roof went  
12 off the place.

13 Under the new principal, Nigel Chilton, remarkably  
14 really, we were able to cope with day pupils. I think  
15 there was about 17, if I remember correctly. So we kind  
16 of moved from solely residential to a kind of combined  
17 residential and day.

18 One of the huge problems about Thorntoun was that  
19 I think it was built in the 1970s, it was a terrible  
20 building. It constantly leaked. So a teacher would be  
21 teaching in a class with bucket a bucket with water  
22 coming through. The last thing you want to do.

23 But of course, as I said, the Scottish Government,  
24 because -- you see, Thorntoun, when it was set up, would  
25 have taken children and young people from a number of  
26 authorities and now it was only taking from Strathclyde

1 so the grant was moved.

2 One of the vivid memories I have is that -- and  
3 of course we wanted to develop the building, it needed  
4 to be properly rebuilt, quite frankly, and there simply  
5 wasn't going to be the money and the local authority  
6 Strathclyde were not prepared to pay the real cost of  
7 the unit because of the Scottish grant going. There was  
8 an evening when we met with the parents of the young  
9 people and a senior member -- I think it was assistant  
10 director of education from Strathclyde -- and we met.  
11 And the parents of course were far from happy about the  
12 closure of Thorntoun.

13 I always remember the Strathclyde man saying to me  
14 after a pretty difficult meeting, to be absolutely  
15 honest, saying, "No wonder there's a problem when you're  
16 providing a Rolls Royce service like that". I don't  
17 think, as good as Thorntoun became, I would regard it as  
18 a Rolls Royce service. I think it was doing a very good  
19 service, it was certainly managing the day pupils -- and  
20 of course one of the huge problems then Strathclyde were  
21 faced with, these 17 pupils, or at least probably the  
22 majority of them, would have had to end up in some other  
23 residential special school somewhere, costing no doubt  
24 twice as much. So not only was that a disservice to the  
25 children and their families, but of course it was  
26 economically a mistake as well in my view.

1           The big difference, I would say, in regard to  
2           Craigerne, which closed when I was acting director, not  
3           actually in the -- it was during my period -- was that  
4           despite all the difficulties of that, because Craigerne  
5           was, I think, quite highly regarded -- what Strathclyde  
6           were not willing to do, unlike Lothian at that time, was  
7           to actually say, let's look at this together. That was  
8           the big difference, really. Lothian, despite difficult  
9           meetings with Elizabeth McGuinness, I remember vividly,  
10          asking me if Craigerne would see all the children  
11          through and me saying, I can't possibly do that, if  
12          you're not giving me any new referrals I simply can't  
13          afford it, but I am prepared with you, if you're  
14          willing, to look at how we can meet those children's  
15          needs in a different way. Sadly, Strathclyde did not  
16          bite that bullet. We could have done a very good  
17          service, in my view, with them in view of a now  
18          proven --

19        Q. For Craigerne?

20        A. Sorry, for Thorntoun, now a proven record, actually, of  
21          being able to manage those pupils on a day basis.

22        Q. But you have described Thorntoun -- the reason it closed  
23          was a funding issue to some extent and the attitude of  
24          the local authority to the withdrawal of that funding,  
25          albeit you obviously feel to some extent they shot  
26          themselves in the foot. You're not suggesting then that

1           Thorntoun, because of the way it developed, it had  
2           become more of a mix between day and residential, had  
3           got past its sell-by date at that point?

4           A. No, absolutely not; I would say the opposite.

5           Q. Whereas in the case of Craigerne, are you saying the  
6           same or had it passed its sell-by date, to use your  
7           expression?

8           A. Craigerne was always full --

9           Q. So why did it close?

10          A. Well, after local government reorganisation, there was  
11          only -- I think it was just Edinburgh City then, as  
12          compared to the old Lothian. Am I right?

13          MR PEOPLES: Not quite.

14          LADY SMITH: We had Edinburgh District Council and Lothian  
15          Regional Council --

16          MR PEOPLES: Until about 1994 when there was the  
17          reorganisation of unitary councils.

18          LADY SMITH: So that would be between the 1970s and 1994.  
19          And Craigerne closed -- that must have been 1987/1988,  
20          was it?

21          MR PEOPLES: 1989.

22          LADY SMITH: When Mr Rea was away doing his sabbatical, you  
23          said?

24          A. I was acting director 1987 to 1988.

25          LADY SMITH: Yes.

26          A. What did happen was that Elizabeth McGuinness who was

1 the council member in charge of all this came to see me.

2 MR PEOPLES: For which role?

3 A. Maybe it was Lothian.

4 LADY SMITH: Was she Borders?

5 A. No, no, she was definitely Edinburgh. Definitely based  
6 in Edinburgh.

7 LADY SMITH: It would probably be Lothian Region. I think  
8 the region would have had responsibility for this type  
9 of school, as it did for other schools at that time,  
10 rather than the district council.

11 MR PEOPLES: I think education was a regional function, as  
12 was social work. If the region was still in being --  
13 and I think it was when Craigerne closed -- Elizabeth  
14 McGuinness would have been in either the education --  
15 well, it would be the education authority rather than  
16 the social work department because it was a school.

17 You had dealings with her, do you say?

18 A. Yes.

19 LADY SMITH: Did you come to Edinburgh for those meetings?

20 A. I was based in Edinburgh.

21 LADY SMITH: Did you meet with her in the council offices on  
22 George IV Bridge?

23 A. I certainly met her in offices although she often came  
24 to see me.

25 LADY SMITH: On George IV Bridge?

26 A. I honestly can't remember.

1 LADY SMITH: That's where Lothian Regional Council offices  
2 were.

3 A. That's where it would have been.

4 LADY SMITH: Yes.

5 MR PEOPLES: I think I'm fairly confident that if it's the  
6 1980s, we're still dealing with Lothian Regional Council  
7 as the large entity just as we were dealing with  
8 Strathclyde as a large entity rather than the unitary  
9 authorities and Edinburgh Council as it became. So  
10 if we proceed on that basis.

11 But Craigerne closed. It was in a rural location,  
12 well away from Edinburgh, for example, well away from  
13 Glasgow, and yet a lot of its pupils came from both of  
14 these cities, presumably, or those areas?

15 A. Yes. And Lothian, with Elizabeth McGuinness -- it was  
16 a very personal thing with Elizabeth, I think, that no  
17 child would be placed outwith Lothian. So she said,  
18 we're not going to make any more referrals to Craigerne,  
19 despite the fact that it's probably done a good job, and  
20 as I said already, she really wanted me to see the  
21 children that were presently there right through. And  
22 I said I couldn't do that because it was just not  
23 affordable.

24 Q. Was there a period, though, where some children were  
25 allowed to continue and finish before it closed?

26 I think maybe either Alan Swift or John Rea told us

1 something along those lines, that maybe it didn't close  
2 immediately when these talks ... Is that right?

3 A. That is correct. What happened then was that  
4 Elizabeth McGuinness, in fairness to her, really, did  
5 agree that we could play an ongoing future role within  
6 Lothian, and I saw at that same time that probably,  
7 therefore then Craigerne would have to close. I also  
8 felt that South Oswald Road needed to change its remit  
9 and therefore then we would provide a new service within  
10 Lothian which would be a special school, a day-unit  
11 school, plus a small residential unit.

12 The aim and the outcomes that would hopefully be  
13 achieved would be taking those children early enough,  
14 who would then be able to spend time with us and be able  
15 to return to mainstream school within a given period of  
16 time.

17 Q. And that would be in tune with the then thinking from  
18 the state, in the form of the local authority, who  
19 didn't favour long-term residential provision, who  
20 wanted children, if possible, to remain in the  
21 community, who wanted them to attend mainstream schools  
22 and so forth? These new services and ideas would be in  
23 tune with their thinking --

24 A. Absolutely.

25 Q. -- the new project, if you like, that you drove forward  
26 when you became director?

1 A. Yes -- no, it actually had --

2 Q. It started before then?

3 A. Definitely because it was one of my -- when I was doing  
4 my masters at Birmingham I actually wrote a report about  
5 it all.

6 Q. And this was coinciding with the closure of some of the  
7 more traditional units, such as -- I think Glasclune had  
8 closed in the early 1980s, and we've talked about  
9 Tyneholm closing -- I think it closed in the  
10 mid-1980s -- Thorntoun and Craigerne had closed by 1990  
11 before you became director. So these were all closing,  
12 but new projects were emerging and there was  
13 a winding-down of the long-term residential care  
14 provision. Is that correct?

15 A. Correct.

16 Q. Just then in terms of units that -- leaving aside the  
17 external thinking that had to influence the direction of  
18 travel for Barnardo's and what projects they would  
19 engage in, new projects, one institution that you do say  
20 in your statement had passed its sell-by date was  
21 Tyneholm.

22 At page 7910, page 3, section 4.2 of your statement,  
23 you mentioned Thorntoun. Glasclune closed quite quickly  
24 I think after you arrived in Scotland as an assistant  
25 divisional director. But you tell us that -- and I'm  
26 reading about ten lines down in 4.2:



1            "Tyneholm, to my view, was one of those  
2 long-established units that were, in truth, past their  
3 sell-by date, but in certain quarters there was much  
4 reluctance to see such a historical home close."

5            You contrast that with Thorntoun in this section and  
6 you have explained your views about Thorntoun. What was  
7 it about Tyneholm that had caused you to conclude at  
8 that time that it was past its sell-by date. What  
9 features were troubling you?

10        A. In order to, as I probably referred to already -- they  
11 took young people in, maybe not just to balance the  
12 books, of course, but that was an important issue,  
13 really. But it took young people, mainly adolescents,  
14 at Tyneholm if I remember correctly. I just didn't see  
15 that it had any long-term future. The great problem,  
16 I think, was that you could put enormous energy into  
17 trying to keep a unit like Tyneholm going, open, for the  
18 future, but actually, it didn't have any long-term  
19 future. So it was wasted energy. Much better to do, as  
20 we did at Craigerne, and say, look, let's do something  
21 that's different, that is going to meet the needs of the  
22 children and young people and their families in a much,  
23 much better way.

24        Q. Can you just then, for us, so we're clear -- the reason  
25 it didn't have a long-term future in your view was  
26 because -- was this because of the external thinking and

1 the future of childcare provision, the emphasis on  
2 community-based services, children remaining in their  
3 home with support services and the like? Is that why  
4 you thought it didn't have a long-term future?

5 A. Absolutely. We didn't try to have a much more  
6 comprehensive type service that actually tried to meet  
7 children's and their families' individual needs in  
8 a service that was more holistic in nature and much  
9 more -- meeting the needs in a much more kind of  
10 comprehensive way. Therefore you needed to be working  
11 intensively with the child's family. You may need  
12 a residential component for some, but actually, if you  
13 were doing fairly intensive work with the family and  
14 supporting that family, you may well actually be able to  
15 keep that child in their own home.

16 LADY SMITH: So why did that mean that Tyneholm was past its  
17 sell-by date?

18 A. It was out in the sticks, it was taking children from  
19 a number of authorities, so you couldn't then go to an  
20 authority and say, look, how are we going to best meet  
21 your needs, how can Barnardo's help you develop  
22 a service that will meet your needs and better meet the  
23 needs of the children and young people and their  
24 families.

25 MR PEOPLES: Is the reality that so far as places like  
26 Tyneholm and Craigerne were concerned, the local

1 authorities were not going to continue to make the  
2 number of referrals that they had done historically,  
3 is that what it came to, because their thinking had  
4 moved on? Is that wrong?

5 A. Well, I think their thinking had moved on, but whether  
6 or not their service development had moved on  
7 sufficiently to meet those needs -- I mean, can I go  
8 back to the Craigerne and Blackford Brae as an example?

9 Q. Before you do so, just so that I'm clear, I follow the  
10 point you're making. They may not have thought of  
11 what's the alternative, but so far as the current state  
12 of affairs, they were not keen on continuing to place  
13 children in places like Tyneholm or Craigerne?

14 A. Correct.

15 Q. That's the reality. But what they hadn't developed in  
16 thinking and what was something you developed with them  
17 under new projects was to find an alternative service  
18 that met their thinking and provided for the sort of  
19 aims and objectives they were looking for?

20 A. Correct.

21 LADY SMITH: Hugh, I normally take a break about halfway  
22 through the morning. I'll sit again in about  
23 15-minutes.

24 (11.31 am)

25 (A short break)

26 (11.50 am)

1 LADY SMITH: Are you ready to carry on, Hugh?

2 A. Yes.

3 LADY SMITH: Thank you. Mr Peoples.

4 MR PEOPLES: Hugh, if I could maybe stay on the subject of  
5 Tyneholm at the moment and look at a number of points  
6 regarding that particular establishment. You have  
7 discussed why it closed and some of the context to that  
8 situation.

9 I think your concerns about Tyneholm went beyond  
10 whether it was past its sell-by date for the reasons  
11 we've discussed before the break. Can I pick up  
12 a couple of things you deal with in your statement about  
13 that particular establishment.

14 Before I do so can I just be clear: in terms of the  
15 profile of the child at Tyneholm, we discussed that  
16 children with complex social behavioural and emotional  
17 needs were accommodated at places like Thorntoun, for  
18 example, and Craigerne and, I think to some extent, at  
19 Glasclune latterly, at least, and maybe not  
20 historically, but latterly. Would Tyneholm have fallen  
21 into the same category in the time that you arrived on  
22 the scene in Scotland, that it was catering for that  
23 type of child?

24 A. Largely so.

25 Q. Can I take you to your statement at page 7912. It's  
26 page 5 of your statement, Hugh, at 7.2. We're going

1 back to the point of you coming to Scotland in the early  
2 1980s and taking up your assistant director's position.

3 You tell us there that:

4 "[You were] keen to learn how staff at Tyneholm  
5 linked their practice to their knowledge and  
6 understanding of human growth and development."

7 That obviously resonates from what you have said  
8 this morning about the importance of that understanding  
9 that you acquired in the late 1960s. And you're saying  
10 in -- you were addressing the question at the time of:

11 "How in their practice did they ensure that every  
12 child and young person was special and by what means did  
13 that happen?"

14 You say:

15 "My feeling was there was little understanding."

16 And you held a number of sessions with the staff  
17 group using a range of materials to hopefully address  
18 these key issues.

19 Can you tell us a little bit about that? You felt  
20 that was a serious deficiency --

21 A. Yes.

22 Q. -- at the time?

23 A. Yes.

24 LADY SMITH: And we're talking about 1981 onwards, from when  
25 you became assistant director; is that right?

26 A. Correct.

1 LADY SMITH: Thank you.

2 MR PEOPLES: So the state of affairs that you inherited was  
3 an establishment where you felt that there was a key  
4 deficiency, which related to understanding of, in  
5 particular, human growth and development and issues  
6 surrounding that and the implications of that  
7 understanding?

8 A. It was a period where I think the superintendent,  
9 I think, had just retired and the deputy I think then  
10 became the superintendent, but he was getting married  
11 and I think probably had indicated to me that he might  
12 not be staying that much longer.

13 I, in discussion with him and the staff, felt there  
14 was a lack of real understanding about the task and how  
15 do you meet a fairly large group of young people's needs  
16 in an individual way. One of the -- I remember I showed  
17 a film, I think it was called "The Quiet One", and it  
18 was a quite date film, but again I tell this story  
19 because I think it's got significance in it. I think in  
20 this film, there was a school, it seems a bit dated,  
21 because this member of staff, whenever he has  
22 a cigarette, a child lights it for him. It was this  
23 child -- only that child that did that. So that was  
24 special. Of course, you could think of much more better  
25 ways of making that special rather than the smoking  
26 thing.

1           But then the film went on to show that a new child  
2           comes and the member of staff hands the lighter to the  
3           new child, who then lights the cigarette. And the boy  
4           who this little special thing was for, loses his temper  
5           and creates a tantrum, and of course in a sense both  
6           were necessary.

7           A key task, I think, in any kind of residential  
8           setting was how do you make something very special  
9           that's individual, that's only for that child or that  
10          young person, but is manageable? It's not a whole day  
11          out. It's something significant that you may retain for  
12          the rest of your life, quite frankly. But there also  
13          comes a day, of course, when you have to move on, and  
14          you no longer have that little special bit, you have to  
15          progress and develop.

16          I remember showing that film and I kind of felt they  
17          didn't really get the message, and I wasn't in my  
18          discussions with the staff when I was challenging them,  
19          how are you meeting those individual needs in a special  
20          way, I wasn't getting answers back that really convinced  
21          me also in regard to the issue of stages of development,  
22          thinking about the 12, 13, 14-year-old who's missed out  
23          on things, how did you try and fill that, that missing  
24          experience that can be very crucial to your later life?

25          Q. And you also have for that age group, and perhaps  
26          slightly before, the onset of puberty, which is a key

1 issue and perhaps one where -- I don't know whether you  
2 formed a view whether that type of establishment was  
3 equipped to deal with that type of issue in an  
4 appropriate way. I don't know.

5 A. There would have been attempts, I think, at addressing  
6 that.

7 Q. But I suppose it goes back that if you want to do the  
8 job well, and that's part of human growth and  
9 development that requires understanding, it goes back to  
10 you'd want some form of qualification and training that  
11 equips you to do that.

12 A. Yes.

13 Q. You can't just say, well, leave it to the parent,  
14 they'll know what to do when the time comes?

15 A. Absolutely.

16 Q. I think we know from common experience some parents do  
17 and some parents don't know, and it's a difficult  
18 subject.

19 A. Yes.

20 Q. So you sensed this lack of understanding, using maybe  
21 a rather simple way of trying to test the level of  
22 understanding and whether they could interpret the  
23 message, and they failed, effectively, or at least that  
24 was in essence -- and you felt that did betray this lack  
25 of understanding that you felt should be present?

26 A. Yes. A new project leader then came in, of course, and



1 I was able to much more, I think, engage him on how we  
2 should -- how the care and management and meeting the  
3 needs of the children should be met. Each of these  
4 units had a training officer assigned to them, so  
5 I certainly was in discussions with the training  
6 officer, how to meet those needs. I think what I was  
7 wanting to do initially was to say, look, you need to  
8 know that I'm not personally particularly happy or feel  
9 convinced about the quality of the care you're providing  
10 and I want you to get that message. In a sense that is  
11 why at that point I felt it was important that I was  
12 kind of involved in the training.

13 Q. Am I right in thinking then -- and I'll raise two points  
14 with you. The first is, I suppose, not all assistant  
15 divisional directors might have done what you did.  
16 That's one thing. You happened to have a good way of  
17 maybe testing understanding and discerning what sort of  
18 level it operated at. But to some extent that's  
19 dependent on the quality of the person who is doing the  
20 task that you were doing, is it not? So you have to get  
21 the right person. It's a very key role, isn't it?

22 A. A crucial role. I do think that the external line  
23 manager of any residential establishment is actually one  
24 of the toughest jobs going. How do you really know what  
25 is going on?

26 Q. That's a good question because it's one I asked

1 John Rea. You can go and visit, you can put all the  
2 systems in the world in place, you can hope to get  
3 feedback from the project leaders and staff and so  
4 forth, but how do you really know what's happening on  
5 a day-to-day basis? And if you don't know, how do you  
6 compensate for that state of affairs? Or what's the  
7 best way that you can think of?

8 A. By challenging, by observing, by making connections as  
9 to information you get back from other people as well,  
10 the local authority social worker, our own training  
11 officer -- and as I think I go on to say, the appointing  
12 of appointed visitors.

13 Again, one example I have of Tyneholm -- and this  
14 was in Ian Brooksbank's time.

15 Q. Was he the new --

16 A. He was the new project leader. I noticed that every  
17 time I was going away into my car, he would raise  
18 something, and I said one day, "I'm coming back in, why  
19 are you always raising something with me when I'm just  
20 going?" And therefore a whole lot of course came to  
21 light about issues of staff and managing children and so  
22 on. So you had to -- you know "nice on the people but  
23 tough on the issue" would be one of my many one-liners.

24 Q. I suppose, though, you were more objective in a sense.  
25 You're coming in, you're independent, and you don't know  
26 them as not just long-standing colleagues or friends,

1           you have not had that relationship over time. You can  
2           see it through new eyes; is that correct?

3           A. Inevitably there was an aspect of that. My feeling,  
4           I think, with both the units that I was responsible  
5           for -- and of course there was a kind of great -- I felt  
6           there was a great kind of relief of giving them to me.  
7           There was a kind of -- not because I had any necessary  
8           expertise or whatever it is. My coming to the  
9           Barnardo's Scotland was not without its problems. I was  
10          not particularly well liked --

11          Q. By?

12          A. I was going to be working somewhere else in Scotland and  
13          I was then given the post by the then chief executive of  
14          Barnardo's.

15          Q. Who was that?

16          A. Mary Joynton, who was not particularly popular.  
17          If we went to see Mary, you certainly had to go up  
18          a gear. She was one of the most formidable people  
19          I have ever met, really. So I wasn't welcomed with open  
20          arms, I have to say.

21                 John Rea, I think, did welcome me, but I wasn't  
22          particularly popular with the rest of the management  
23          team. And in my view at that time, Barnardo's Scotland,  
24          unlike London, had this kind of "We're a very caring  
25          division, we're a very caring management team". I have  
26          to say, I didn't find it terribly caring. I found it

1           rather -- inappropriate senses of humour, one of my  
2           other one-liners: never laugh at people, only laugh with  
3           them. So there was a kind of culture, which I didn't  
4           particularly like or enjoy.

5           Q. At what level?

6           A. At the management team.

7           Q. Divisional management level?

8           A. Correct.

9           Q. What about unit level?

10          A. Going back to the unit level, I think there was a lot  
11          of -- "guilt" is probably not the right word, but  
12          I think there was a lot of strength of feeling about the  
13          difficult task that these staff were undertaking in the  
14          residential units. I think my view would be that, yes,  
15          be supportive, but support isn't always about agreeing,  
16          it is isn't always about patting people on the back.  
17          Of course you must do that as well, but real support is  
18          also about challenging and trying to develop people and  
19          pointing out for everybody's sake and everybody's good,  
20          not just the children and young people but the staff as  
21          well, how things could be improved.

22                 For example, at Thorntoun, more so than at Tyneholm,  
23          it was very clear the principle at the time. They were  
24          a very strong Christian culture and a lot of the staff  
25          were appointed on their Christian basis. Whether they  
26          were totally Christian in how they carried out their

1 task may be asked from time to time ... There was  
2 certainly a kind of culture at Thorntoun -- and they did  
3 a lot of good work with extremely difficult young  
4 people. But there were kind of hints that the  
5 management team weren't -- anxious about bits of it or  
6 weren't too comfortable with it and they were glad  
7 somebody else new is coming in to maybe look at this.

8 To my view, that should have been tackled. It  
9 shouldn't depend on somebody new coming in. So I think  
10 there was too much of a feeling of residential staff  
11 working long hours, probably not valued -- I have talked  
12 about the Cinderella of social work. All of that would  
13 be true, but perhaps there was too much allowance for  
14 that and not sufficient questioning and challenging.  
15 I would have said the issue of support needed to be seen  
16 in a broader sense.

17 Q. Would that be in your view, therefore, a management  
18 failing at higher level that they didn't see what  
19 support should mean in the context of being a senior  
20 manager who has to have oversight and responsibility for  
21 units? That support does involve, not just as you say  
22 agreeing, but it does require challenging and  
23 questioning and reviewing existing arrangements and  
24 practices and so forth? Do you think there was to some  
25 extent a need for more understanding of these aspects of  
26 good management and leadership?

1 A. The management team had been around for quite a long  
2 time in Scotland and I think they -- as somebody once  
3 said, it was like a large child guidance clinic. They  
4 operated on that kind of model, I think, of which the  
5 state or the family social workers linked to the units  
6 and all of rest of it. And some of that work would have  
7 been very good. I just didn't feel -- and remember what  
8 I've said already about I didn't feel I was particularly  
9 warmly welcomed. Those units to me were rather closed.  
10 They needed to be opened up more.

11 Q. I think you did describe with Thorntoun -- we can talk  
12 about Tyneholm, but you have mentioned Thorntoun and  
13 I think you did say at one point, possibly under  
14 "Culture" in your statement, that you detected a closed  
15 culture and maybe a difficulty getting information and  
16 knowledge. You say something along those lines. Can  
17 you help us on that point as well? That's a different  
18 institution but one you also had responsibility for,  
19 Thorntoun. You talked about the understanding issue at  
20 Tyneholm, you talked about perhaps your views on the way  
21 it was being managed prior to your arrival. But what  
22 about the culture issue, the closed culture, obtaining  
23 information about how things are?

24 A. Yes. I remember one of my very first meetings at  
25 Thorntoun with the Thorntoun management team and asking  
26 lots of questions and being fed back by John Scott. But

1 the head of the childcare bit, not the head of the  
2 education, kept looking at me. I eventually said,  
3 "What's going on here? Why do you keep giving me  
4 messages but don't speak? What is it you're trying to  
5 tell me?" That's where I would have said that something  
6 was closed. There wasn't an openness -- clearly,  
7 amongst themselves, but equally in regard to the  
8 external line manager.

9 Q. So they knew perhaps there were things going on that  
10 they might be aware of but they weren't voicing them to  
11 you or perhaps to your predecessor?

12 A. I would have said a culture of a lack of openness and  
13 challenging and a kind of reviewing themselves really  
14 about -- inevitably, when I did this when I was director  
15 in regard to the management team, what are we doing  
16 well, what are we not doing well, what do we need to  
17 work on, what do we need to learn? These to me are  
18 crucial. And you would hope that any environment,  
19 particularly in regard, as I keep saying, to the  
20 privilege of looking after deprived and difficult young  
21 people, you must be open like that, you must question  
22 and challenge.

23 Q. But you're saying that it's important not only to  
24 question and challenge at senior divisional management  
25 level but also at unit level?

26 A. Correct.

1 Q. You're all having to do that to evaluate how things are,  
2 whether you do things right, whether you do things  
3 badly, and also be open to discussing and indeed letting  
4 people outside the unit, for example, know what's  
5 happening and equally the person coming in asking  
6 difficult questions, challenging, and using various  
7 tests, as you've described, to test the way things work  
8 in practice. Is this all part of the necessary  
9 ingredients to try and ensure, so far as possible, that  
10 things are run on practice lines?

11 A. It's got to come from the top. If the top doesn't do  
12 it, how can you expect other people to do it?

13 Q. You have said that perhaps you weren't the most popular  
14 person when you arrived and maybe you sensed that in  
15 some senses. Was that because in some ways you were  
16 shaking things up a bit and doing things in a different  
17 way to that to which both the senior management and the  
18 units were accustomed?

19 A. That is part of it, but of course, like a lot of things,  
20 it was slightly more complex. Here I had been planted  
21 on this management team by the chief executive, perhaps  
22 seen as the blue-eyed boy, though I certainly wasn't,  
23 but also I think one of the things I learned was when  
24 a new assistant director came, how my predecessor would  
25 go over the top in saying how wonderful it is that this  
26 person's coming. That may be true, of course, but it



1 did leave those who had been there for a while feeling  
2 somewhat the inferior person who probably had been  
3 working their socks off. So I quickly realised that it  
4 wasn't altogether their fault, it was part of the way  
5 that my predecessor, I think, managed.

6 Q. I suppose that in some ways you have to strike the  
7 balance. You have to review, question and, if you're  
8 a new person, you have to sometimes make hard decisions,  
9 bringing in changes, challenge and change things, but  
10 you have to also recognise that there have been people  
11 doing that job for a long time and you have to do it in,  
12 I suppose, a diplomatic way and find the right way so  
13 you don't simply destroy the whole system and create  
14 resentment and a feeling of low self-esteem and  
15 worthlessness and things like that at all levels.  
16 Is that just good management, that you have to have  
17 those skills to be able to see the problems but address  
18 them in an appropriate way?

19 A. Absolutely. I don't think I damned them in any way.  
20 But I certainly I think was very conscious of raising  
21 issues at the management team. And you could see by  
22 some of the kind of faces that I was being that that  
23 wasn't particularly maybe appreciated.

24 Q. Can I relate that to a different -- perhaps I can ask  
25 you one question before that. You talked about you  
26 didn't consider yourself the blue-eyed boy and you were

1 sent on a mission. To some extent were you sent to  
2 shake things up and be a breath of fresh air, to  
3 introduce something new to maybe even a closed  
4 management in a particular division? Was that part of  
5 the thinking that Mary Joynson had in mind?

6 A. I think it was.

7 Q. She wanted someone to go there and bring about some  
8 changes?

9 A. Yes.

10 LADY SMITH: Hugh, you give me the impression you weren't  
11 afraid to ruffle a few feathers; is that right?

12 A. Correct.

13 MR PEOPLES: Just relating that to a different scenario, in  
14 the bad old days, if we go back to the historical  
15 position, a lot of evidence we've heard from people who  
16 were in care is along the lines that they didn't get  
17 praise, affection, encouragement, the sort of emotional  
18 aspects, however you term that or label it, they didn't  
19 seem to feel that they were getting that, it was more  
20 their material needs might be met in some respects, but  
21 they weren't getting that side of things. It was always  
22 mainly about perhaps what they were doing wrong,  
23 particularly if they were displaying behaviours, and  
24 being punished and being controlled by various means.  
25 In a sense, is that the same problem, that you can't  
26 always just come down hard on the people you're looking

1 after? That seems to have been a historical culture  
2 where it was about control, discipline, maintaining  
3 order, strict regimes and so forth, and not recognising  
4 strengths, not encouraging people to develop. Is that  
5 out of tune with what you would have seen as the  
6 historical position.

7 A. Yes.

8 Q. It is out of tune or not?

9 A. I think it is in tune.

10 Q. It's in tune?

11 A. Yes. One of the other things that I think was very  
12 important, really, is any family with a child would be  
13 looking at what their skills and gifts and what their  
14 interests are. You have to develop that and you have to  
15 create that opportunity in the residential units. You  
16 also have to make life fun as well and enjoy things and  
17 do exciting things. That's what life is also about,  
18 giving experiences and opportunities.

19 Q. I think Angus Skinner gave us an example about some sort  
20 of chaos you had to have in your life and the idea that  
21 you might have to have a bowl of fruit and somebody  
22 could take it without being told you have to ask first,  
23 and things like that, and even in a regime that has to  
24 have rules and regulations, you have to have some  
25 flexibility to allow people to develop in a more natural  
26 way. Is that something that perhaps was lacking

- 1           historically as well?
- 2       A.   I would say so.
- 3       Q.   Also, I think he made the point that if you're admitting  
4           someone, even if it's against a rather troubled  
5           background, perhaps there was a focus historically on  
6           saying, "Well, what are the problems?" not, "What is  
7           this child's strengths?" and not recording those as well  
8           as the problems.
- 9       A.   Yes.   Invariably, one of the things that you would -- if  
10           you were chairing reviews, inevitably and invariably you  
11           would see what the child's presenting wrongly or the  
12           problems they're creating.  Then you'd say: wait  
13           a minute, where are the positives, what is this child  
14           contributing, what is this child doing, what are you  
15           doing that might engage the child or the young person so  
16           they're not going to get into trouble?  Idle hands, you  
17           know what I'm trying to say.  If you're not actually  
18           occupying young people and doing creative and  
19           imaginative things, then life's pretty dull, and all  
20           work and no play makes Jack a dull boy.
- 21      Q.   I suppose if records are recording the bad things or the  
22           perceived bad things, then ultimately when the person  
23           gets their records when they're a adult, all they read  
24           about is very negative things, they don't get a very  
25           balanced view of life in care.  Some have said that  
26           they're surprised when they read these things, they

1 don't see some of the things they felt they did well at.  
2 Was that historically perhaps the way that people went  
3 about recording life in care?  
4 A. Too often.  
5 Q. Was that something you saw in Barnardo's records and  
6 perhaps in records in other establishments, I don't  
7 know?  
8 A. It was very different from Caldecott, where actually the  
9 children and young people there were concerned to get  
10 interests. The positives were looked at very, very much  
11 more than the negatives.  
12 Q. Were they recorded as well so for posterity they would  
13 know how well they had done or what their strengths  
14 were, or was that maybe too early?  
15 A. The community, for all its strengths, was not  
16 particularly good at recording. Can I tell one little  
17 story, is that okay?  
18 Q. If it helps, yes.  
19 A. I remember taking a group of children from Caldecott --  
20 a number of us -- to London one day. [REDACTED] (?),  
21 from the moment we got in the vehicle to the night we  
22 came back, she did -- everything was wrong. We got back  
23 to the Caldecott and I said, "[REDACTED] go to bed, you've  
24 absolutely exhausted me". Well, about 30 years later,  
25 I got a letter from [REDACTED] saying how wonderful the  
26 community had been for her. And I thought, "[REDACTED] all

1 my memory was that whatever we did you found fault", but  
2 you see, there it was.

3 Q. Your perception of the way she was behaving was  
4 completely different to the effect it was having on her?

5 A. Correct. I didn't see that, you see, at the time.  
6 I didn't see that kind of experience.

7 Q. But you seem an insightful sort of person and you've had  
8 training and you tell us how you came to Scotland and  
9 you were looking at things and testing. I suppose the  
10 difficulty is if you don't have other people who have  
11 these qualities, the system is not going to operate as  
12 well as it ought to, to sense the individual needs, the  
13 individual behaviours, interpret them and so forth.  
14 Is that a real issue that you have to be able to look at  
15 each child as an individual?

16 A. Vital. Absolutely vital. The whole thing in  
17 residential -- one of the challenges in residential work  
18 is how do you actually treat positively and effectively  
19 individual needs whilst working with a group of young  
20 people. I wouldn't want to give for a moment or a  
21 second the impression that I was anything blue-eyed at  
22 all. I have my weaknesses and failings, as everyone  
23 else has.

24 Q. Well, I'm sure that's fair comment for everyone. But  
25 looking at the situation of a child in care, though, if  
26 we go back to that, and if all they're getting is

1 control, punishment if they step out of line because  
2 there are rules and regulations that they transgress,  
3 and they're not getting praise and encouragement, it's  
4 not a recipe for a good outcome, is it, either while in  
5 care and indeed after care? Is that not the case?

6 A. Correct.

7 Q. If you have got a regime -- I take it, and I think most  
8 people would no doubt -- you may well agree with this  
9 proposition -- in a residential care environment, there  
10 has to be a structure, there has to be rules and  
11 regulations, but how do you reconcile that with the need  
12 to have some of the ingredients that we've been talking  
13 about to make things work and make it a positive  
14 experience with a good outcome? How do you balance  
15 those two things?

16 A. You do need boundaries. Everybody need boundaries and  
17 of course the important thing is how you cross those  
18 boundaries. I do think our ongoing establishments were  
19 much more creative about meeting individual needs. And  
20 for example, I'm pretty certain that when -- because it  
21 was dealing with one authority, I'm pretty sure, really,  
22 and looking back on this, that when a child was being  
23 admitted, the parents were much more involved. The  
24 local authority was much more involved about what you  
25 were trying to achieve for that child and young person  
26 and family within, no doubt, a given time period as

1 well. That might not always be achieved, of course, but  
2 there would be clear objectives about that and plans put  
3 in place much more, I think, individually, bringing in  
4 other expertise as well.

5 Q. When you say these ongoing projects, is this the new  
6 projects, maybe, when you became director you sensed  
7 this change?

8 A. Yes, definitely.

9 Q. And you have mentioned the participation of parents,  
10 external professionals, you are all working together,  
11 discussing things. I take it the other ingredient which  
12 may have been lacking historically was the child would  
13 be having more than of a say and a voice in the process?

14 A. Yes.

15 Q. And that historically, I think you would no doubt  
16 confirm, was not the case?

17 A. Correct.

18 Q. Was that a serious omission not to actually ask a child  
19 how they were or to take them on board or to explain  
20 things to them, either when they were admitted or during  
21 their admission, explain all manner of things? You seem  
22 to be pausing there.

23 A. One of the other things that was -- certainly in regard  
24 to Tyneholm, a lot of effort was also made, of course,  
25 to really, if you were closing a unit, there was always  
26 a period of negotiation with the local authorities as to



1 the future. You had to also think: what is going to be  
2 the plans for those children that are still there.  
3 A lot of energy and effort, of course, went into making  
4 a reasonably positive closure for all concerned. So  
5 I wouldn't want to underestimate the time and effort  
6 that went into that.

7 Of course, it's possible, I think, that because of  
8 that, attention may have sometimes gone from the  
9 importance of the day-to-day operation.

10 Q. It's one thing to put time and effort in to explain that  
11 you're not going to be here in six months' time and  
12 feeling you're preparing them for a new environment,  
13 particularly if you think that's an unsettling thing, as  
14 you've already said about placements being changed. But  
15 if we're talking about a situation where closure is not  
16 imminent, you ought to be devoting time to talking,  
17 sitting down, looking at individual needs; is that not  
18 essential?

19 A. Absolutely essential. My memory certainly from working  
20 in London was that children and young people attended  
21 the reviews. So they were part of all that.

22 Q. One thing that, I think it was Sandy Wilson that you'll  
23 know of, he at some point worked in both South Oswald  
24 Road in the 1980s and then he moved to Minto Street,  
25 which I think was the residential component of the new  
26 Blackford Brae project, the special facility school in

1 Edinburgh with the residential component.

2 One thing he did say to us is one of the differences  
3 between South Oswald Road and Minto Street was that he  
4 felt there was more time to talk to children, to listen  
5 to them, to converse, even in comparison to South Oswald  
6 Road. How important is it to make that time?

7 A. Crucial.

8 Q. We've heard historically that the regimes were quite  
9 strict and regimented and children might get up in the  
10 morning, they might get up quite early, as early as  
11 6.30, they might have to do chores as a matter of  
12 routine or as a matter of punishment. They'd then have  
13 to go to breakfast in a regimented way, go to school,  
14 come back, have very little time for free time. They  
15 might have more chores to do, they might then have to  
16 have their meal and prepare for bed. It didn't seem  
17 that in that sort of regime there was a lot of time  
18 available to spend with individual children, to sit down  
19 with them, encourage them, find out their problems,  
20 their thoughts, their feelings, to learn about them.  
21 Am I saying anything that's out of step with what you  
22 would think was or thought was the position  
23 historically?

24 A. Historically, I'm sure you've got it in one.

25 Q. I suppose if --

26 A. That wouldn't be true possibly of all units, of course.

1 Q. No, I'm not saying it generalised -- I'm trying to get  
2 a general picture but I'm not necessarily saying there  
3 weren't exceptions or weren't people that did things  
4 differently. I'm trying to get a broad picture of how  
5 life was, particularly against a background of the sort  
6 of descriptions we get of the routines and to try and  
7 work out just how they operated in practice and maybe  
8 where the faults could have lain in terms of what was  
9 needed for good care and perhaps needed to protect  
10 children and get them to tell you things if things went  
11 wrong.

12 I suppose if you don't spend the time with them,  
13 then you're less likely to get them to speak freely to  
14 you.

15 A. Yes. One of the things that you would want to look at  
16 was where did the child or the young person have someone  
17 special that was kind of their carer, to whom they could  
18 talk and explore things with.

19 Q. That's an issue that we've touched upon with other  
20 witnesses about someone that they could confide and  
21 trust in. I'd be interested in your thoughts. One of  
22 the things you tell us about in your statement is there  
23 were various efforts made to perhaps encourage a state  
24 of affairs where a child would raise a concern or  
25 complaint if they thought they had one. Two things you  
26 mention in your statement I would like to ask you maybe

1 on that matter.

2 One is that you have a recollection, I think, of  
3 what you call a card system, which was introduced --  
4 you weren't quite clear about the date. I can maybe  
5 help you there. According to the information Barnardo's  
6 have given me, this card system that you had in mind in  
7 your statement may have happened around about 1984 when  
8 a booklet was issued to children on admission to  
9 Barnardo's about children and young persons at  
10 Barnardo's. This is what we're told, anyway; I don't  
11 know if you have a memory of such a booklet being  
12 produced at that time. You were in Scotland, but does  
13 that accord with your --

14 A. Yes, you've reminded me, really, yes.

15 Q. As part of this booklet there was something at the back,  
16 a card you could fill out and return. I don't know  
17 whether it's a coincidence, but 1984 or thereabouts was  
18 possibly around the time when -- would that have been  
19 the time of Childline becoming an established vehicle  
20 for children who wanted to confidentially report  
21 concerns? I think Esther Rantzen, was that about the  
22 time she was identifying the need for some measure like  
23 that?

24 A. I think you could be correct.

25 Q. I don't know whether therefore the booklet was  
26 coincidental with that or anticipated that, but I just

1 wonder. Maybe you don't know the background to the  
2 booklet being introduced and the card system.

3 A. I certainly remember the booklet and the card system.

4 Q. Would it be a recognition at least that there was a need  
5 for children to get more explanations about what they  
6 could do and how they could do it?

7 A. Yes.

8 Q. But I think the point you make in your statement is that  
9 however well intentioned that might have been, your  
10 recollection was that the system itself wasn't much  
11 used.

12 A. I don't recall it being used very much. I have  
13 a feeling there was one case, but I really can't say it  
14 was much used. I can't recall it being much used.

15 Q. Are you able to help us with a possible or a probable  
16 explanation for that? Is it because everything was  
17 wonderful or was it for other reasons?

18 A. Some of the units would have closed by then or been in  
19 the process of closing, of course. But I think you have  
20 to recognise the issue of power. These establishments,  
21 whether they're actually for children or indeed for  
22 adults really, there's considerable power, I would  
23 suggest, held by the carers, the staff and all of that.  
24 If you're a vulnerable child anyway and you've got to  
25 still be there with the same people getting you up and  
26 putting you to bed, it's not the easiest thing in the

1 world, I would suggest, to fill in a form and get it  
2 sent off with all the potential consequences that might  
3 result from that.

4 So with hindsight -- and of course I can't recall  
5 this, but it's coming into my head now -- when that was  
6 introduced, did we as an organisation do enough in  
7 meeting with the staff in these residential units,  
8 explaining this, discussing how this could be best used  
9 and how do we make this work positively?

10 Q. Is this another example that you can introduce what on  
11 the face of it seems a good idea, but it's not much good  
12 unless it's effective and it's used and understood?

13 A. Something like that would have caused, I would imagine,  
14 not only maybe anxiety for children and young people,  
15 but clearly I would have thought for the caring adults.  
16 So it would have required in order to be effectively  
17 implemented -- and I mean, whether that's the best way  
18 of implementing something like this is another kind of  
19 matter. But at least there was maybe an attempt at  
20 doing it and you have to acknowledge that. But I can't  
21 recall, though others may of course correct me, I can't  
22 recall that it probably needed much more thought given  
23 to the implementation of it than probably in reality was  
24 carried out.

25 Q. Because it is a real issue, I think, which is: how do  
26 you get a vulnerable young person, particularly one with

1 complex needs, who may feel that something is happening  
2 that ought to come to light, how do you get them to feel  
3 confident enough to be able to say something so that the  
4 matter can be looked at and, if necessary, investigated  
5 and, if necessary, dealt with? There is a sense I think  
6 that research has shown that people under-report in care  
7 settings and I don't know if you would quarrel with  
8 that. Is that something that you find likely, that  
9 there would have been a high degree of under-reporting  
10 of justifiable grounds for complaint by vulnerable  
11 people against adults who were looking after them?  
12 Would that be a proposition you'd have any difficulty  
13 with?

14 A. I think far, far too much has come to light in our age  
15 now that would indicate that there was not -- it was not  
16 easy and therefore then we failed collectively to make  
17 that much more possible.

18 LADY SMITH: Hugh, what about the challenge of being, let's  
19 say, an 8-year-old and trying to find the language to  
20 write down to explain why you're miserable and  
21 frightened? It's a big ask, isn't it?

22 A. A huge ask.

23 MR PEOPLES: Can I take it then --

24 A. What I think you would hope, of course, would happen  
25 is that --

26 Q. You'd find it by other means?

1 A. And the units were open enough, really.

2 Q. When were they open enough for that to happen? What  
3 point are we talking about here in your professional  
4 life?

5 A. There's a great danger, of course, I say that everything  
6 was wonderful after I became director. I'm sure it was  
7 not. No doubt Martin Crewe will correct me and say  
8 something when he is interviewed.

9 But I do think that under the services we began to  
10 develop -- of course, they were much smaller, there was  
11 more staff, a much more comprehensive type of provision.  
12 I honestly do think these establishments were much more  
13 open. There was greater parental involvement. There  
14 was much more constant reviews, much more people coming  
15 in and out, providing specialist type services. So  
16 I just think that they did become more open.

17 Despite me saying that, it is very difficult  
18 nonetheless, and you just have to, I think, work and  
19 work at it and do your absolute utmost. And I am  
20 absolutely certain, really, that Barnardo's time and  
21 time again wanted, really genuinely, genuinely wanted to  
22 do the best for every individual child and young person  
23 that came into their care.

24 I remember once -- we had up to plus 60 services and  
25 I do remember saying once at a meeting, you know,  
26 I can't guarantee that these 60 services are going to be



1 wonderful all the time. There will be times when they  
2 will not. And I was given quite a rap over my knuckles  
3 for saying such a thing because the expectation was that  
4 every service would be extremely good.

5 Q. Was that a public statement?

6 A. I certainly got my knuckles rapped in front of other  
7 people.

8 Q. Was it a statement to the public?

9 A. No, it was internal.

10 Q. I can see why they might have difficulty with a public  
11 statement of that kind for reputational reasons. But  
12 internally it seemed to cause some consternation?

13 A. It was a good lesson for me. Not that I was complacent  
14 about it. I think I was only expressing a reality that  
15 there would be times when you're running as many  
16 services as that where there would be issues of people  
17 not being particularly happy about how a particular  
18 service was going. I remember as a director visiting  
19 one service, not a residential service, and I hadn't sat  
20 down before the staff were complaining about things.  
21 I went back to the office and called in the AD and said:  
22 look, there's something going wrong there, I hadn't even  
23 sat down, what's going on, I want that investigated.

24 Q. But I suspect that you seem to be almost saying, well,  
25 I feel I shouldn't have said that. But the point I was  
26 going to make to you is, as you have just said, that's

1 the reality that you have to be aware of, and maybe that  
2 leads you to take the approach you did of you always  
3 reviewing, questioning, continuing to ask how things  
4 are, wanting to make sure that things are working as  
5 intended.

6 A. Yes.

7 Q. And surely therefore it's right to recognise that  
8 reality?

9 A. Well, that is what I thought, but my knuckles were  
10 rapped in front of my colleagues, which was in some ways  
11 fair enough, I think. I did want to go back to -- and  
12 I'll maybe do that later, really.

13 One of the things that -- again filled my heart with  
14 joy I think was an inspector came to inspect  
15 Blackford Brae. And the project leader said at the  
16 inspection, you know, "Where can I go, which service in  
17 Scotland should I go to that we can improve and learn  
18 more? Where is there a better service?" And the  
19 inspector said, "I know exactly which project to go to:  
20 it's Blackford Brae".

21 Q. When was this said?

22 A. During one of the inspections of Blackford Brae.

23 Q. Were you director by then?

24 A. Yes.

25 Q. And this sort of change in more openness and more people  
26 involved and more people coming in and out and other

1 measures, are we talking essentially of the post-1990  
2 period when you were director, rather than the pre-1990  
3 period when you were an assistant? There were still  
4 a lot of things to be done, presumably, when you arrived  
5 as an assistant.

6 A. You see, historically, what had happened was that when  
7 Doug Smyth came into Barnardo's from the Home Office  
8 in the late 1960s -- and really his report transformed  
9 Barnardo's childcare operations -- it was split up into  
10 divisions across the UK. They went into those areas of  
11 greatest need. And in Scotland, that greatest need was  
12 seen in the central belt but my view was that that was  
13 limited. Scotland needed to be seen differently.  
14 England had six or seven divisions but Scotland only had  
15 one. Therefore then we ought to be doing more, we ought  
16 to be meeting the needs of more children and young  
17 people -- and if we are Scotland, we ought to be  
18 Scotland-wide.

19 But there was that period, I would have said, from  
20 the closure of Tyneholm and Glasclune had gone where  
21 I don't think we really were developing things. We were  
22 sitting on our hands. There was a competitive element  
23 of me, again, I would admit that. I thought, well, we  
24 ought to be doing more. We don't want to be overtaken  
25 by Aberlour, NCH, we're the best, we can be the best, we  
26 have got the resources, we've got the money at that

1 time, so let's expand, let's go out there.

2 I don't think I was a brilliant negotiator, but  
3 I think what I was very good at was networking and what  
4 I did when I became director, I made it my business to  
5 meet every director of social work, most directors of  
6 education, and we developed services with the police,  
7 with health and other voluntaries and so on. And when  
8 a new director of social work was appointed, I would  
9 take them out for lunch and I think one time I was  
10 questioned on my expenses. I said, yes, oh yes, that  
11 cost £20, but look at our revenue budget. It grew under  
12 my time from, I think, 4 million, by the time  
13 I retired -- Martin might correct me -- I think it was  
14 about 27 or 28 million.

15 Q. One thing that did change in your time when you became  
16 director and you developed the projects and you  
17 increased the numbers and the revenue, was I suppose  
18 there was a shift, a clear shift, away from residential  
19 childcare provision. It was a much reduced service or  
20 provision in Scotland post-1990 in your time as  
21 director. That was perhaps a deliberate policy change.

22 A. Yes, but it would have been true, I think, across  
23 Barnardo's UK. London also had a lot of what were  
24 called branch homes and when I was appointed there --  
25 and I actually closed the Garden City. I didn't do it  
26 particularly well, but I closed it.

1 Q. I'm not suggesting this was unique to the Scottish scene  
2 because it may have reflected a UK-wide change in  
3 preference or thinking in terms of childcare provision.  
4 What happened was, was it, that while there may have  
5 been a number of residential childcare units and  
6 you were responsible for closing some of them in the  
7 1980s as assistant director, but after you became  
8 director in 1990, that became a much smaller element of  
9 the Scottish childcare services offered by Barnardo's.  
10 You were involved in community-based projects, projects  
11 that might involve special day schools, support for  
12 children living at home, fostering services, finding  
13 foster homes, projects of that nature, and respite  
14 residential care rather than long-term care. Is that  
15 a fair description of the direction of travel?

16 A. Yes. There had been some impressive, I think, fostering  
17 work already done, really, but it was building on that  
18 and taking that expertise elsewhere. You see, I will do  
19 this bit now on Craigerne if that's okay. That  
20 Blackford Brae project was absolutely brilliant at  
21 getting children back into mainstream schools within  
22 two years.

23 We were taking children not only excluded from the  
24 local authority's own day schools but taking them from  
25 their own special units. It wasn't a cheap service, it  
26 was an expensive service, but if you were able to get

1 those children back into mainstream, because of  
2 intensive work with the family, intensive work with the  
3 children, intensive work actually back in the school  
4 when the child was returned to mainstream when we would  
5 put a worker in. And the outcomes of that were  
6 incredibly impressive.

7 But I would, when meeting them, would be meeting  
8 directors, I would be pointing out how impressive the  
9 service was and it was one of the outcome reports we  
10 produced. I produced these outcome reports. I would  
11 say, what about this -- because often they would say,  
12 the high number of children being excluded. I'd say,  
13 look at this service, can we do it. But it wasn't cheap  
14 and indeed, in regard to Lothian, before I retired, if  
15 a local authority was hard up for money, invariably  
16 often they would say: where is easiest to withdraw  
17 money? It's probably easier from Barnardo's than their  
18 own service. I certainly remember four or five  
19 meetings, I think it was, with the then Director of  
20 Education, I was retiring just in a few weeks, and about  
21 the fifth meeting he said, "I cave in and we'll continue  
22 to fund it", but I don't think it lasted that much  
23 longer after he left. I think it actually ended up  
24 closing or at least changing its remit.

25 Maybe that change of remit, of course, was right.  
26 Thing moved on. That was the other thing you had to

1 think about. You see, a lot of these residential units  
2 had been going for years and years and years. Some of  
3 the new services we developed could adapt and change.  
4 It was the possibility of doing that, as new needs came  
5 to the fore, as different methods of how best to meet  
6 children and young people's needs and better outcomes,  
7 you could adapt those services, they were more flexible.

8 Q. Whereas if you had a large-scale residential provision,  
9 it's not that easy just to -- it's a bit like the  
10 tanker: you just can't turn it around in a small  
11 distance, the supertanker, you've got to take a long  
12 time to dismantle.

13 A. You're stuck with it.

14 LADY SMITH: Although if you're talking about  
15 Blackford Brae, as I understand, you're talking about  
16 a significant non-residential element of provision as  
17 well; isn't that right?

18 A. Oh absolutely.

19 LADY SMITH: Because just a small number of children were  
20 accommodated in Minto Street, but more than the number  
21 that were there were being educated at the South Oswald  
22 Road property; is that right?

23 A. Absolutely, yes.

24 MR PEOPLES: I don't know if this was reflected in reality,  
25 but was the idea that Minto Street was a respite  
26 residential provision or did it have children that were

1           there on a longer-term basis?

2           A. I think it had children on a longer-term basis.

3           A similar service would be -- am I all right to move on  
4           -- would be Linksfield in Aberdeen. That had three or  
5           four components to it. It had a residential unit, it  
6           had intensive work with the family, and it had an  
7           education aspect. And it was only these most difficult  
8           children that ended up in the residential unit because  
9           of the nature and the comprehensiveness of the service  
10          overall.

11          Of those ten children that first went into the unit,  
12          eight of them were returned home within two years and  
13          we were no longer involved after that.

14          Q. Even in the educational side of things?

15          A. If they were in education but they were still at home,  
16          you see. But some time later, I said, it would have  
17          been maybe a year, 18 months, two years later: what  
18          happened to those children, those eight children, that  
19          returned home? Where are they now? Because I was very,  
20          very keen on looking at outcomes and I asked for a bit  
21          of research to be done on those eight children.

22          Very, very sadly, only two of them were still at  
23          their own home. Of those two, one had gone home to live  
24          with his mother, she got a new partner who was abusing  
25          him, the boy's father then came back on the scene and  
26          he was now happily living with his dad. The other one,



1 a girl that was successfully at home, it had been agreed  
2 because of her vulnerability that it would need to be  
3 shared care with the mother. So there was a kind of  
4 shared care/respice care linked to the child and the  
5 child's mother and that was being successful.

6 But you see, there was an example: it's not like  
7 going into hospital and getting operated on, being  
8 better. You had to look much longer term. It was  
9 a real lesson for me. So proud of those eight children  
10 returning home, brilliant outcome, aren't we fantastic?  
11 But actually, it wasn't quite so good after all.

12 Q. Did the other six end up back in care?

13 A. Yes, they did.

14 Q. So the long-term outcome wasn't as you had hoped and it  
15 was just a short-term success?

16 A. Correct. So this was a lesson about challenging and  
17 looking at what could we have done better. I think one  
18 of the views I would have come to is: we knew those  
19 children going into the residential unit from the  
20 beginning were the most vulnerable. So if they were  
21 returning home, was it really a miracle? I think  
22 probably not. We needed to be much more adventurous and  
23 think about how can we therefore sustain that child back  
24 in their home. We were not involved but I still felt  
25 responsible for what happened.

26 Q. Going back to something you said earlier -- and I meant

1 to ask you about it earlier and you have mentioned his  
2 name twice, Doug Smyth. Was he originally attached to  
3 the Home Office?

4 A. Yes, he was.

5 Q. But he came to Barnardo's in the late 1960s and wrote an  
6 influential report, is it, on the organisation?

7 A. He came in -- you see, there was a very, I think,  
8 impressive new chair of council. I can't remember his  
9 name now, who I think had just become the chair of  
10 council. I was telling you earlier on about  
11 Tunbridge Wells and the residential -- and it was very  
12 clear to him, this new chair of council, that Barnardo's  
13 really needed to re-think its future childcare provision  
14 if it was going to survive as an organisation.  
15 Doug Smyth was brought in from the Home Office to look  
16 at all this and explore how Barnardo's might move  
17 forward.

18 Q. In the late 1960s?

19 A. I think it was probably the -- I think it would have  
20 been the mid to late 1960s.

21 Q. Was this in any way related to the wider picture in  
22 Scotland? Of course, we had the Kilbrandon report and  
23 the Social Work (Scotland) Act and the creation of the  
24 generic large Social Work Departments replacing  
25 Children's Departments.

26 In England I think they followed a different route

1 to some extent. Was there a Seebohm report? I think  
2 there was something along those lines. It might have  
3 been a Kilbrandon equivalent, I don't know. But it  
4 didn't go with the same suggestion.

5 Was all of this part of the context in which  
6 Barnardo's was seen as requiring to change their  
7 thinking on future childcare or was there other  
8 disconnected reasons why the new chair of council felt  
9 somebody like Doug Smyth should come in and have a good,  
10 long, hard look at the organisation and come up with  
11 a new structure and a new approach?

12 A. I think in the mid-1960s I was very young. I do not  
13 think that my view or thoughts would have been taken  
14 into any account whatsoever. I don't really know. I'm  
15 in no doubt at all from reading the history of  
16 Barnardo's and understanding it that that was a very,  
17 very significant move and change for the organisation,  
18 that definitely transformed -- a much more progressive  
19 organisation into the future. Doug Smyth was so excited  
20 by the plan he came up with that he actually became --  
21 he left the Home Office and became the Director of  
22 Childcare or whatever it was in Barnardo's.

23 Q. So --

24 A. I gather he then fell out with council a few years later  
25 and went back to Ireland.

26 Q. This was the beginnings of the divisional structure --

- 1 A. Correct.
- 2 Q. -- to replace whatever had existed before then?
- 3 A. Yes.
- 4 Q. And one thing that was said about the changes that were  
5 effected in the late 1970s and through to 1990 at  
6 Quarriers when they eventually acquired John Rea,  
7 indeed, and Phil Robinson -- names you'll be familiar  
8 with -- was that Quarriers at that stage needed to be  
9 professionalised and to be more business-like, and these  
10 individuals came in against a background of a plan to  
11 bring that about because it was described as perhaps  
12 a somewhat amateur organisation by that stage in its  
13 development. And they did various things: initiatives,  
14 training centres, HR departments and so forth, and  
15 training officers and whatever. Was this a kind of  
16 similar process that was happening a bit earlier around  
17 the late 1960s in the case of Barnardo's?
- 18 A. I would say that I think Barnardo's was ahead of the  
19 game.
- 20 Q. Was this the professionalisation? I don't mean that in  
21 a bad sense, but to make it a professional organisation  
22 in all respects, not just in funding but in quality of  
23 services and all aspects of a well-run organisation?
- 24 A. Yes. I mentioned earlier about the residential nursery,  
25 the home built in Canterbury. These were huge mistakes.
- 26 Q. Did these precede the Doug Smyth report?

1 A. Yes, absolutely, and I'd have thought there was  
2 a realisation that this was outdated. You mention  
3 Quarriers, but just as an aside, of course, I was  
4 actually offered that job.

5 Q. The one that John Rea --

6 A. Correct.

7 Q. He told us he refused it twice and on the third occasion  
8 he said yes, reluctantly. So you were offered it as  
9 well?

10 A. I applied for it and I was offered it.

11 Q. But you turned it down?

12 A. Because I also went for the Barnardo's job at the same  
13 time.

14 Q. I see.

15 A. Quarriers were extremely good to me because they kept  
16 the post open for me until I'd had the Barnardo's  
17 interview.

18 Q. I hadn't quite picked this up until John Rea explained  
19 it. He actually had left Barnardo's before he took up  
20 the Quarriers -- it wasn't moving directly from being  
21 divisional director to Quarriers. He had made the  
22 decision to leave Barnardo's and he was doing some other  
23 things and he was then approached, according to the  
24 evidence we heard, by Social Work Services Group, to see  
25 if he'd be interested in stepping in. But you say at  
26 that time as well you were -- that post was up for grabs

- 1           and you applied and were offered it?
- 2       A.   Correct.
- 3       Q.   But ultimately, you were also looking at perhaps
- 4           replacing Mr Rea and you were offered that job and took
- 5           it?
- 6       A.   Mr Rea had left Barnardo's.
- 7       Q.   Yes.  I think around the same time as John Rea went to
- 8           Quarriers, Phil Robinson moved from Barnardo's where
- 9           he'd been working from 1987 to 1992, to join Quarriers,
- 10          as part of a shake-up of the senior management side of
- 11          things there.  Are you aware of that?
- 12       A.   Yes, fully aware of it, yes.
- 13       Q.   Was that well discussed, the things that were going on,
- 14          the problems that Quarriers were facing at that time?
- 15       A.   Yes, I think so.
- 16       Q.   Was it common knowledge?
- 17       A.   Yes, I think that Quarriers were looking for -- I mean,
- 18          they still have largely the village, so they had a huge
- 19          challenge of developing -- and they were certainly
- 20          looking for that, and some of the things about John
- 21          going there, I would have a slightly different story to
- 22          it, but I don't think it's relevant.
- 23       Q.   No, I'm not too concerned about the differences in
- 24          recollection.  The fact is he did go and he stayed for
- 25          a short period and then he left, and you took over
- 26          Barnardo's.

1           I suppose the point is that Barnardo's had done  
2           quite a lot of major surgery well before 1990 in terms  
3           of the Smyth reforms or changes --

4           A. I also felt -- I mean --

5           Q. I know you don't agree with every aspect because the  
6           idea of Scotland being a single division was maybe not  
7           one that you would have subscribed to.

8           A. Quarriers offered a heck of a lot more money, but  
9           actually I felt that there was more opportunity to  
10          develop Barnardo's in Scotland, which is why I chose the  
11          Barnardo's job.

12          Q. We have heard that at least -- it seems to have been  
13          voiced to Mr Rea at least through Social Work Services  
14          Group -- that there was certainly -- they thought there  
15          was a possibility that Quarriers would simply close  
16          unless it found a way to survive.

17          A. Yes, I'm sure that's true.

18          Q. Can I look at just Tyneholm. We talked about Tyneholm  
19          for a variety of reasons. Maybe I can go back to one  
20          point I should have asked you about, about your  
21          feeling -- the understanding point about human growth  
22          and development that we spoke about earlier this  
23          morning.

24                 You said at the time that you became assistant  
25          director and you went to Tyneholm and you formed this  
26          impression or feeling about the levels of understanding

1 of human growth and development, that there was in place  
2 at that time a training officer for each unit in  
3 Scotland or establishment is that right, that was  
4 already in place?

5 A. Yes, that would be already in place.

6 Q. I suppose the point that might cross my mind is that if  
7 there's a training officer in place and you've perceived  
8 on an early visit that there's a distinct lack of  
9 understanding on an important issue, why was that not  
10 picked up by the training officer and addressed?

11 A. I wasn't there, so I don't know.

12 Q. But it wasn't?

13 A. It wasn't, no, not in my view.

14 Q. So at least on that occasion it might be thought that  
15 a point that ought to perhaps have been picked up and  
16 addressed in training had not been addressed in your  
17 view?

18 A. Yes, and you would have to examine how the training  
19 needs were analysed as to what should the priorities be,  
20 and then a training programme put in place to implement.

21 Q. That is a point that I wanted to explore with you  
22 separately about the sort of type of training that  
23 individuals require has to be to some extent, I suppose,  
24 tailored to the job they're being asked to do.

25 A. Yes.

26 Q. I don't suppose there's anything controversial about



1           that proposition --

2           LADY SMITH: So am I to understand your concern was not that  
3           there was no training programme in place, but it was to  
4           do with the content of the training programme?

5           A. That was a gap that I saw in that unit. Maybe it wasn't  
6           perceived by others, maybe people who were in charge saw  
7           other priorities or thought there were other priorities  
8           that needed in regard to training. That was to me  
9           a fundamental aspect, however, of the task. That was  
10          why I thought it needed to be addressed.

11          LADY SMITH: Mr Peoples, it's now 1 o'clock. Hugh,  
12          I normally take the lunch break at this stage. I will  
13          rise now and sit again at 2 o'clock.

14          (1.00 pm)

15   (The lunch adjournment)

16

1

2 (2.00 pm)

3 LADY SMITH: Good afternoon.

4 Hugh, are you ready to carry on?

5 A. I am, yes.

6 MR PEOPLES: Good afternoon, Hugh. This morning you were  
7 telling us a bit about ways in which or systems which  
8 were introduced to perhaps encourage reporting of  
9 complaints and concerns, and you told us about the card  
10 system and the infrequent use of that system as far as  
11 your recollection goes. You also touched upon -- and  
12 you deal with it in your statement -- another  
13 initiative, I think, the independent visitor.

14 Just before I ask you about that, can I be clear:  
15 the independent visitor system, if you like, or  
16 arrangement was something that was introduced after you  
17 became director; is that correct?

18 A. Correct.

19 Q. Can you just briefly tell us what that involved? Who  
20 were these independent visitors that you mention in your  
21 statement and what was their purpose?

22 A. It was advertised for people who might take on that role  
23 and it was really to give a kind of independent  
24 observation of the residential units from their  
25 experience. I think it was a wide range of people  
26 applied: some had a social work or caring background,

1 one I remember was a lawyer. Their task really was to  
2 kind of, I suppose, test it and see what it was like,  
3 what was their kind of experience from a layperson's  
4 point of view about that residential unit. For  
5 residential, I think it was monthly they visited.  
6 Sometimes these were announced and sometimes they were  
7 unannounced. They always did a report on each visit.  
8 These reports would then be shared certainly with the  
9 project leader and the assistant director, and I think  
10 actually possibly also with myself. I have a feeling  
11 I did see them.

12 Then at least -- I think it was twice a year, it may  
13 have even been three times, but it was certainly more  
14 than once a year -- I would meet with them and we would  
15 actually discuss -- I think they would have probably  
16 written a kind of overarching report on their visits and  
17 how they saw things.

18 We'd go over each unit or residential service in  
19 detail as to how they saw it. They would change from  
20 time to time, they would change units so one didn't get  
21 too used to one -- become too acclimated to a unit so  
22 there were fairly constant fresh eyes going into it.

23 I personally found it very helpful because what --  
24 often, I think, they picked up maybe more than  
25 I certainly did or even those line managing, the kind of  
26 culture of the experience in the residential unit.

1 I found that invaluable because what I think is always  
2 crucial -- and I have talked earlier about the managing  
3 of residential units and how challenging a task  
4 that is -- you need as much information as you can get,  
5 really, and you need to make connections, you need to  
6 tie bits together in order to get a picture of the  
7 whole.

8 So I certainly found these very, very useful indeed.  
9 I think they became really a quite crucial and important  
10 part of our overall desire, really, to produce the best  
11 possible services that we could.

12 Q. Was that a local initiative or was it a UK-wide  
13 initiative on the part of the organisation? Are you  
14 able to help me on that?

15 A. I'm not -- I can't quite remember where it came from.  
16 I think it must have been a UK initiative.

17 Q. To get some level of independent oversight but with  
18 features, as you say, which would perhaps guarantee --  
19 such as going to different establishments from time to  
20 time, they would be able to personally compare and  
21 contrast different places as well?

22 A. Yes. Sometimes what one independent visitor picked up  
23 another one didn't, but they might have picked up  
24 something else. Of course that might have had to do  
25 with that time in that particular unit.

26 Q. But in some ways, they were doing some of the things

1 that you as an assistant divisional director were doing  
2 when you arrived in Scotland, they're trying to pick up  
3 the way the place is run, the culture, things that  
4 concern them, practices that they might want to question  
5 or at least draw your attention or management's  
6 attention to? That sort of thing was the sort of thing  
7 they were expected to look at and report on?

8 A. Absolutely, and really add to our knowledge and  
9 understanding of what was going on.

10 LADY SMITH: Were they given any training?

11 A. Yes, they definitely were given training on the nature  
12 of their role that they were expected to do, yes.

13 MR PEOPLES: From the standpoint of it being a channel for  
14 children to report specific concerns or complaints or  
15 worries or whatever, I think from your statement at  
16 page 7915, it's page 8, I think you say that these  
17 independent visitors didn't draw your attention to any  
18 matter of serious concern that they had either witnessed  
19 or been told to them by a child.

20 If that's your general recollection, does this  
21 therefore throw up again the issue of finding ways to  
22 get children to speak to someone about any worries or  
23 concerns that even this system, which could give you  
24 information and might therefore allow you to do  
25 something without the child saying anything -- this  
26 still doesn't seem to be the solution to getting

1 children to speak up, does it?

2 A. No. Maybe I haven't worded this correctly. I do think  
3 there were times when they did report actually on  
4 something that children said about the unit and about  
5 the care. But I don't ever recall something of such  
6 a serious nature that it then had to be absolutely  
7 investigated. It tended to be things like maybe over  
8 food, over watching television, bedtime, pocket money.  
9 Those were the kind of things that tended to come up.

10 If I've given the impression that there wasn't  
11 feedback in regard -- I have actually done that  
12 a disservice.

13 Q. No, I don't think I'm suggesting that. I suppose it's  
14 just that there are some things that people might be  
15 willing to share with independent adults or trusted  
16 adults, but there may be other things which are more  
17 difficult to share with anyone, whether a parent,  
18 a trusted adult, one that they have a good relationship  
19 with, say for example sexual abuse.

20 A. Yes, indeed.

21 Q. A child -- for whatever reason might, a young vulnerable  
22 child might find that very difficult. Even if they are  
23 capable of understanding what's involved and  
24 articulating something of what happened, it's still  
25 a difficulty, I think you have already accepted, you  
26 recognise. That type of disclosure, it doesn't seem as

1 if the independent visitor system is the answer to  
2 solving that problem. It may help to uncover the  
3 problem but it doesn't solve the difficulty of getting  
4 children to speak up and disclose.

5 A. Correct, but -- you see, one of the things that I think  
6 you always needed to be aware of was a child could tell  
7 a new member of staff quite a lot, say. But actually, I  
8 have told too much too quickly and too soon, and  
9 therefore they then clam up.

10 So a real challenge and task within the unit -- or  
11 indeed any form of care, really, I would argue -- is to  
12 build a relationship first so that trust is there and  
13 a child then is able to talk about things that worry  
14 them or what may have happened to them in the past.  
15 I do think that happened.

16 I was saying earlier on when I was out of the room.  
17 I remember visiting Freagarrach, which was a very  
18 different service for young offenders, and in order to  
19 get into that project, which was community-based.

20 LADY SMITH: Can you give me the name of it again?

21 A. Freagarrach. Don't ask me to spell it, sorry. It was  
22 Gaelic for taking responsibility. It's something like  
23 that. We won it through a competitive bid with the  
24 Scottish Office. So they had to have committed five  
25 serious episodes of offending before they were admitted  
26 to the service. Of course, the great problem that had

1           been with those kind of community-based services for  
2           offenders is that they ended up not taking the most  
3           persistent offenders. So the most persistent offenders  
4           were still in the secure accommodation.

5           So this was to break that. I certainly remember  
6           visiting -- I tried to visit every service once a year.  
7           We had so many, of course. I remember visiting and  
8           meeting this lad and I didn't know his circumstances,  
9           but I said something to him, you know, "Obviously to be  
10          here you must have committed a fair amount of offences,  
11          are we doing any good, are we helping you at all?" and  
12          he said -- I won't use the language because that  
13          probably wouldn't be appropriate.

14       MR PEOPLES: We're not precious here.

15       LADY SMITH: I'm not unduly sensitive, Hugh. Whatever  
16          you're going to say, I suspect I've heard worse in my  
17          professional life.

18       A. Right. He said, "All right, I've committed a number of  
19          offences". He said, "I saw my father murder my mother  
20          and then I was sexuality abused by my uncle, but this is  
21          the first fucking time I've been loved in my life".

22          You see, a skill was to make sure that relationships  
23          were built, trust was developed and then allow the  
24          children and young people -- and I honestly believe, and  
25          I am possibly in danger of overstating it, of course,  
26          one of my faults -- I do think that with the new



1 residential groups it was much more open. I do think  
2 children were able to talk much more. It was much  
3 clearer why they were coming into the unit and I'm  
4 pretty confident that when children were admitted to  
5 these units it was all explained with the parent there  
6 and the child there and I am almost possibly certain  
7 that things like restraint would have been discussed.  
8 So it was all more ...

9 I think I would -- I would never, ever be 100%  
10 confident, but I'm pretty sure that the needs of those  
11 children and young people and their ability to talk  
12 about what had happened -- I don't honestly think that  
13 we would have been able, though it did break down in the  
14 end -- I do not believe that we would have been able to  
15 return so many children back to mainstream school, so  
16 many of those young people at Linksfield, of those eight  
17 or ten, back into their own homes if we had not been  
18 allowing the children to say what was bothering them and  
19 troubling them and what was going wrong and how we might  
20 put that right. We would not have achieved those  
21 outcomes.

22 MR PEOPLES: Can I pick up a couple of points, but before  
23 I do so, Freagarrach was mention by Alan Swift and  
24 I think the spelling he uses is F-R-E-A-G-A-R-R-A-C-H.  
25 I think that's the project he mentioned.

26 A. He was much better educated than me; he'll know the

1 spelling.

2 Q. This question of disclosure and building relationships  
3 and what will be disclosed. You mentioned the example  
4 of the young offender that confided about what had  
5 happened to him. It may be one thing to confide what  
6 happened before you got into the care setting if you  
7 build up a relationship with a carer or trusted adult.  
8 But it might be quite another, even if you trust that  
9 adult, to disclose something about a person within the  
10 care setting. Can you see the distinction?

11 A. Oh absolutely, yes.

12 Q. So you might be prepared to say, "When I was at home, my  
13 father or my stepfather did this", or whatever.

14 A. Yes.

15 Q. And you might get that far, but it doesn't always follow  
16 that even if it's the same type of abuse, they will  
17 disclose that a person in a position of trust did it to  
18 them because it might be very difficult for them to know  
19 where that's going to go and what the consequences of  
20 that disclosure will be.

21 A. Indeed.

22 Q. Do you accept that proposition?

23 A. I do accept that, absolutely.

24 Q. The other thing I was going to ask you, while I see the  
25 merits of rotation of independent visitors between  
26 establishments so they do see different places and can

1 compare and contrast and report, one thing that may have  
2 come out of some of the evidence when we've been trying  
3 to explore why people who might have been perceived to  
4 be trusted adults to whom a child could go, why they  
5 didn't go to them, for example, an external  
6 social worker, may be that the person wasn't always the  
7 same or they didn't have enough time to build up the  
8 necessary relationship even to say anything. I suppose  
9 if you rotate an independent visitor then that  
10 relationship starts but is broken with the child.

11 A. Yes.

12 Q. That's a dilemma, isn't it?

13 A. It is, and --

14 Q. It helps you to get the rotation but it may not help the  
15 child if you're trying to create a set of conditions  
16 where that child has a constant in their life, learns to  
17 trust them and is willing to even disclose the most  
18 sensitive things.

19 A. Yes. I remember doing some research when I was doing  
20 the advanced Home Office course at Bristol University --  
21 I think it was in Tower Hamlets -- and it was looking at  
22 what had happened to young people, children and young  
23 people who had been in long-term care. One of the  
24 things you found when you looked at that in depth was  
25 that there were so many changes of the external  
26 social worker, and every time a new social worker came

1 in, there was invariably a new plan that never quite  
2 materialised.

3 It was either in the process of being -- when that  
4 person left and somebody else -- so things that are  
5 crucial also in regard to children and certainly in  
6 regard to residential childcare is continuity of  
7 handling and continuity of response.

8 Q. Continuity of care as well?

9 A. Absolutely, absolutely. But if you are in a -- one of  
10 the things that sometimes will be said -- and I am not  
11 saying this happened latterly, but certainly would  
12 happen, even in my time of residential work -- would be  
13 talked about the manipulative child. But when you then  
14 looked at it, you said, wait a minute, it's the system  
15 that's making the child manipulative, it's not the  
16 child. It's the system of too many staff handling  
17 children in different ways and different manners. So if  
18 you do this as a child or a young person, you should  
19 know how you're going to be handled. If you do this,  
20 then this is what will happen to you. And that should  
21 be clear. The child should know, the worker should  
22 know.

23 If you are handled totally differently for doing the  
24 same thing by different people, no wonder you become  
25 manipulative; I would become manipulative. So that  
26 whole issue of getting across to whoever's working with

1 children and young people, absolutely you're right about  
2 continuity of care, but the crucial importance of  
3 continuity of response and -- which normally happens  
4 with good parenting. You know when you do something  
5 wrong as a child what's going to happen and you should  
6 know. You should know what the boundaries are.

7 Q. I suppose in the care setting you don't always have the  
8 same situation in the normal family home there may be  
9 two parents or one parent. In a care setting there may  
10 be a team, a number of individuals, they may work a rota  
11 system and so forth. There are a lot of -- there are  
12 dissimilarities which may create problems achieving what  
13 you think is the situation that has to exist to get the  
14 best chance of openness, the right culture, the right  
15 environment, which if a child feels they've got  
16 a problem, they'll confide.

17 A. You see --

18 Q. Do you see --

19 A. Absolutely, I totally agree with everything you're  
20 saying.

21 An issue is that the at the Caldecott Community  
22 there was really not much staff but you worked very,  
23 very long hours. I accept to a degree it was probably  
24 slave labour; I think I got £600 a year. At the  
25 community I became a director and I was working about  
26 a 100-hour week.

1           You could have a dining room, as we did at the  
2           community, of 60 to 80 children. A child would get up,  
3           throw their food across the table, and storm out and  
4           other children would carry on as though absolutely  
5           nothing had happened.

6           You see, what that was able to achieve was  
7           continuity of handling and continuity of response.  
8           I had to put eight children to bed. For my first few  
9           weeks and indeed months they told me where to go, they  
10          went up on the roof, I just had to work that through.  
11          What I did, I got Fruit Thins -- this probably sounds  
12          pathetic but it's what I did. Each of them had their  
13          own colour so I gave blue to this child, red to that  
14          one, green to another and yellow to someone else and  
15          that became their colour.

16          Well, I got them to bed no problem after a while.  
17          That was the method that I used. And that became -- but  
18          I was doing it, I was doing it six nights a week. So  
19          they knew how I was going to handle it and how I was  
20          going to respond.

21          So a great challenge in modern times, with naturally  
22          shorter hours, rightly so, more staff, you have to then  
23          say how do we create that continuity of response, that  
24          continuity -- that is so crucial in regard to human  
25          growth and development. How do we achieve? And that  
26          should be an issue of considerable debate and agreement

- 1           and training: what methods are we going to use to  
2           deliver that?
- 3       Q. Do you consider that that debate has been held and  
4           convened or is yet to take place?
- 5       A. Well, I hope it's been discussed and debated and  
6           addressed because we owe that to the children that are  
7           in care --
- 8       Q. In your time you didn't feel it had been --
- 9       A. I think we did attempt -- I don't think there's any  
10           doubt, actually, although there was a number of staff in  
11           these units, I'm in no doubt at all when I was  
12           attempting, even as director -- or sometimes if I was  
13           visiting, I would sit in a staff meeting, there was no  
14           doubt at all that those issues were discussed: how do we  
15           achieve that for that particular child?
- 16       Q. You might say something along the lines of what you have  
17           said to me today, to try and instil that idea, implant  
18           it, and get the message across, if you were in a unit  
19           with staff as to what was necessary to perhaps get the  
20           best chance of a good outcome?
- 21       A. Absolutely. Outcomes are crucial and how you go about  
22           achieving those.
- 23       Q. Can I move away from that to the return -- we have  
24           discussed this morning the issue of and importance of  
25           qualifications in residential childcare and we've got  
26           your views on these. If I could turn to perhaps

1 a related matter, the matter of training. In general  
2 terms, I think you've already said, and you say in your  
3 statement, that in your time there were training  
4 opportunities and training available. What I suppose  
5 I am trying to get at is, maybe a bit like there are  
6 systems, just how effective that training was and how  
7 tailored it was to the situations that the staff had to  
8 deal with. Do you see? Rather than just saying, well,  
9 there was training chances, opportunities.

10 Can I ask you a number of broad questions to try and  
11 get a broad picture and again it might be helpful  
12 because you'll probably -- I suspect you might draw  
13 a distinction between your director's period and your  
14 period as an assistant because you came into a situation  
15 which you hadn't in any way influenced, but ultimately,  
16 as director, you were in a position to influence and you  
17 had already no doubt seen certain things and you no  
18 doubt made certain changes and you were in a new  
19 situation with new projects. But just on training,  
20 first of all, if we go pre-director stage, 1981 to 1991,  
21 first of all, was training mandatory for all residential  
22 childcare workers?

23 A. Well, we're talking about maybe two things here, two  
24 types of training: a qualification as compared to what  
25 training was going on, for example, in a residential  
26 unit.



- 1 Q. Yes. I suppose that's what I was trying to say.  
2 Qualification was not mandatory because I think you told  
3 me even at the end of your period as director, I think  
4 you said there were unqualified --
- 5 A. There were some.
- 6 Q. Maybe less so --
- 7 A. I think the majority of staff in these residential units  
8 would have been qualified.
- 9 Q. But when you started off, and indeed by the time you  
10 became director, the position was rather different, it  
11 was perhaps the reverse, there was a lot of  
12 unqualified --
- 13 A. Certainly initially, yes.
- 14 Q. So far as what might be termed training after  
15 recruitment, in-service training, whether in-house or  
16 external training is concerned, was that mandatory for  
17 every residential care worker between 1981 and 1991?
- 18 A. I became responsible just -- when Tyneholm closed, it  
19 was just Thorntoun, the residential units. Certainly  
20 an important part of the management of that service was  
21 with the project and the training officer to spend time  
22 analysing and assessing what were the training needs of  
23 that staff group in their work.
- 24 A training programme would be established with  
25 a budget set to deliver that training. Sometimes that  
26 was provided internally by our training staff and

1 sometimes training was brought in. That then would  
2 be -- once that training period was undertaken, it would  
3 be reviewed, and at least again twice a year there would  
4 be a meeting with the assistant director, the project  
5 and the training officer, reviewing the overall  
6 training, what we had learnt from that, and therefore  
7 what should be the training for the next period.

8 LADY SMITH: I think we can get all the detail of that,  
9 Hugh. The simple issue at the moment that Mr Peoples is  
10 interested in is not was it available, not was there  
11 a system of training, but was it mandatory?

12 A. Staff could not opt out.

13 LADY SMITH: Right. And we're just talking about from 1981,  
14 Thorntoun -- is it just Thorntoun post-1981 until  
15 Minto House came in? No? Help me.

16 MR PEOPLES: Can I maybe help you with dates? I think  
17 Thorntoun closed in about 1990, I believe. You arrived  
18 at Barnardo's in Scotland in 1981. At what point did  
19 this system and the obligatory nature of it kick in  
20 between these two dates?

21 A. I think that was there already.

22 Q. You think it was there already?

23 A. Yes. If you have noted what I have said earlier on,  
24 I wasn't particularly happy that at Tyneholm the actual  
25 training needs as I saw them were actually being  
26 addressed.

1 Q. I was going to say. It's one thing to say the system  
2 was in operation, but ultimately the success of the  
3 system is how well you identify the training needs of  
4 the particular place and the particular individual;  
5 is that fair comment?

6 A. Correct, absolutely.

7 LADY SMITH: You're very fairly making the point that it's  
8 not enough to require somebody to undergo training, tick  
9 the box, did training, they need to have the right  
10 training with the right content.

11 A. Correct. And of course, I think what Barnardo's was  
12 good at, I think I have adhered to -- addressed this --  
13 was when new policies and practice were brought in,  
14 project leaders -- there would be a monthly meeting of  
15 all the project leaders and if new things were coming  
16 in, that would definitely be discussed. It would be  
17 an important item on that meeting agenda, and it may  
18 therefore then have been decided that that training  
19 needed to be mandatory across the whole division's work.

20 MR PEOPLES: Can I put this to you, Hugh, though: you didn't  
21 between 1981 and 1991 have direct line management  
22 responsibility for South Oswald Road, did you?

23 A. No.

24 Q. Because we have heard evidence from the former project  
25 leader at South Oswald Road between 1985 and 1990 -- and  
26 I think you'll know who that individual is -- that he

1           couldn't recall receiving training that was specifically  
2           geared to caring appropriately for children with complex  
3           social behavioural and emotional problems who might  
4           display challenging behaviour, including behaviour  
5           towards care staff. He couldn't remember bespoke or  
6           special training of that kind given to him. I think  
7           therefore there seems to be an issue whether that form  
8           of special training was in general use and given to all  
9           staff who dealt with children in that category. Can you  
10          help me with that? Could that have been the case that  
11          in that period in other establishments that type of  
12          training wasn't necessarily being given, although maybe  
13          under the system you've described it should have been  
14          given?

15        A. I think it should have been given. What I would  
16          probably want to say is that that was probably not  
17          something that was sufficiently addressed by us.

18        Q. As a general issue?

19        A. As a general issue. If that was a need, as identified  
20          by the project leader and by the project staff, if  
21          that's what they were crying out for and needing,  
22          you have to ask the question: why the hell was that not  
23          provided?

24        Q. I'm not saying that he told us that he cried out for  
25          that training; I suppose I asked him whether he had any  
26          recollection of getting it. We don't know whether

1 he was demanding it and not getting it or simply getting  
2 on with things and no one had thought, well, what sort  
3 of children is this place dealing with and what sort of  
4 training in dealing with that particular type of child  
5 do they need? These were the sort of questions you feel  
6 should have been asked at the time?

7 A. Yes.

8 Q. By whom?

9 A. By myself.

10 Q. As a --

11 A. As director.

12 Q. As an assistant director.

13 A. Yes. I can't believe that South Oswald Road would be  
14 out on its own on it. The whole issue of care and  
15 control and managing acting-out behaviour is a crucial  
16 thing across these services. We were dealing with  
17 troubled young people, but troublesome young people as  
18 well, a huge issue of keeping everything running  
19 beneficially for the children and not acting out all the  
20 time.

21 Q. But you say that certainly when you arrived on the  
22 scene, the establishments would have had training  
23 officers?

24 A. It was a training officer. They may have had more than  
25 one establishment but they certainly had a designated,  
26 nominated training officer.

1 Q. I'll mention some other evidence at this stage. This is  
2 going a little bit further back than South Oswald Road  
3 and it relates to Glasclune. We had evidence from  
4 a former care assistant at Glasclune between 1976 --  
5 I appreciate that was before you arrived -- and 1982,  
6 around the time Glasclune closed, who had been appointed  
7 in her twenties, she was relatively young. She told  
8 us -- she was asked the direct question whether staff  
9 were equipped or skilled to manage vulnerable children  
10 with emotional and behavioural problems.

11 She answered in this way, that she didn't --  
12 thinking back she wasn't skilled, she wasn't  
13 experienced, I don't think she was qualified, and she  
14 didn't have any great life experience when she was  
15 working there. If that was the state of affairs, that  
16 was totally unacceptable, wasn't it, if she is dealing  
17 with that type of child? That's not acceptable, is it?

18 A. No, it's not acceptable.

19 Q. And it wasn't acceptable at that time, even if you  
20 weren't there --

21 A. Oh, absolutely.

22 Q. -- to make that point?

23 A. Of course. As I went back and said earlier, residential  
24 social work was the Cinderella: anybody could do it, you  
25 know, supposedly. So there would have been issues of --  
26 getting staff would have been another huge challenge.

1 Q. Throughout your period both as an assistant divisional  
2 director and indeed as director, looking at recruitment,  
3 perhaps less so as director because there were less  
4 residential units to recruit for, but over the whole  
5 piece were there difficulties in practice in being able  
6 to recruit and retain suitable staff to work as  
7 residential care workers, particularly front line or  
8 basic grade workers?

9 A. I think that was a huge challenge until the work  
10 became -- the nature of the work, I think, became more  
11 dynamic and therefore then quite often I think in the  
12 newer Barnardo projects there was an attraction to  
13 actually come to a Barnardo's project.

14 Q. And the newer ones, I don't want to be precise about  
15 dates, but to try and get a broad frame, the newer ones  
16 tended to be ones which were created post-1990; would  
17 that be fair comment?

18 A. Yes.

19 Q. You'd get a reasonable divide as to before and after?

20 A. Yes. If you take another project, which was the  
21 Fred Martin Project, which took very disabled young  
22 people with learning disabilities out of Lennox Castle  
23 Hospital. I remember visiting Lennox Castle Hospital.  
24 You were stepping over children who were on the floor.  
25 There were children of 12 and 13 in cots. We were  
26 taking them out of that setting and placing them in very

1 small units in Glasgow and then finding those young  
2 people a family.

3 Of course, we had lots of people applying for those  
4 jobs because they were seen as dynamic, exciting,  
5 innovative. And so as the work became more interesting,  
6 then I'm in no doubt at all -- we appointed some  
7 absolutely, in my view, first-class staff and  
8 first-class project leaders as time went on. The issue  
9 of securing staff for what I would call the old  
10 traditional residential groups would have been an  
11 universal challenge across the UK.

12 Q. I'm not suggesting it was unique to Barnardo's; I'm  
13 trying to explore it as an issue and to what extent it  
14 may have contributed to some of the problems that were  
15 encountered, particularly problems about practices and  
16 regimes and the use of punishments and sanctions and so  
17 forth. That would be a very direct issue related to who  
18 you recruit and --

19 A. And cause great difficulties. Because if you were  
20 young, as that person said, in a unit of, say, very  
21 difficult disturbed adolescent boys, who'd be extremely  
22 challenging, what would you be looking for in that unit?  
23 You would be looking to depend on someone who was able  
24 to control the children. That may be a very powerful  
25 person. Good on the one hand, say, for keeping the lid  
26 on the place, but actually not good at all for the



1 well-being of those children or for the unit itself. So  
2 you can see how abuse might happen. Am I making my  
3 point?

4 Q. I think you made it very eloquently and clearly. Can  
5 I take then another matter about a training issue.  
6 We've talked about the power to punish and obviously  
7 with any power there's a potential to abuse a power.

8 A. Of course.

9 Q. And power to punish, corporal punishment, can lead to  
10 physical assault and abuse. There's a potential where  
11 there's a power to restrain -- and this may be a modern  
12 equivalent of corporal punishment -- that there's at  
13 least the potential there that if someone has the  
14 authority to restrain, then in certain circumstances it  
15 could create a situation, whether intentionally or not,  
16 but from the perception of the victim there is some form  
17 of abusive conduct towards them. That's a situation  
18 that could arise if someone is able to restrain or hold  
19 a child in care, for example.

20 A. Yes, indeed.

21 Q. Just on that topic then, were all staff in residential  
22 care homes and units and schools in Barnardo's between  
23 1981 and 1991, if I can take that period, specially  
24 trained, all of them, in how to appropriately use  
25 restraint when required, including appropriate --  
26 including special training in appropriate methods and

1 techniques? Can you say that from your memory and  
2 recollection?

3 A. I would love to be able to say it.

4 Q. But you're not able to?

5 A. I don't think I could put my hand on my heart and say  
6 it. As we've talked in regard to other issues, there  
7 was Barnardo's providing guidelines and policies and  
8 practices, really. They may have become outdated after  
9 a given period of time as knowledge developed. But then  
10 there's the huge challenge and task of how then do you  
11 make sure that that actual policy is being adhered to.

12 I could not put my hand on my heart and say that if  
13 you were to visit every residential project that  
14 Barnardo's had at the time, that there would have been  
15 a uniform understanding in each of those units, so if  
16 you were child A in one service and child B in another  
17 and a method of restraint was in operation, that  
18 it would be identical and they would all know exactly  
19 how to do it what to do and what not to do.

20 Q. I think we heard some evidence from one of your former  
21 colleagues, Alan Swift, on the issue of methods.  
22 Indeed, we heard evidence on methods from other  
23 witnesses -- Sandy Wilson was an example of what  
24 happened in South Oswald Road. I think Alan Swift had a  
25 memory of on one occasion -- I think it was at South  
26 Oswald Road -- when he was an assistant director

1           witnessing a form of restraint where an adult had their  
2           back to the wall but was in a sitting position and had  
3           a child in front of them with a pillow in between and  
4           their arms wrapped round the child. He witnessed that.

5           He told us that his reaction was he was -- I think  
6           he was quite concerned and disturbed by what he saw and  
7           he said in part that reaction was prompted by the fact  
8           that he had three children who were not of dissimilar  
9           ages and it troubled him even then. I think he was  
10          expressing a clear discomfort with witnessing that sort  
11          of thing or that type of restraint being used,  
12          particularly in the context of a vulnerable child.

13          What would your reaction have been to that? Did you  
14          ever see something like that?

15          A. No, I didn't see anything like that.

16          Q. If you had done?

17          A. I would have been concerned. If something you saw  
18          was -- I mean, my personal experience -- and remember  
19          there were about remember there were about 100 children  
20          at the Caldecott Community, there were very, very few  
21          children that needed restraint. Very few indeed. It  
22          tended sometimes to be the same child.

23          I'm not saying that we always got -- that we had  
24          a clear method about how to manage that or how to handle  
25          it. But there were certain things you didn't do, and  
26          maybe sometimes in Barnardo's -- and no doubt

1 elsewhere -- what not to do was quite clear, and  
2 of course that can be helpful, but what you also need to  
3 put on the other side of the dominos is what should we  
4 do. And there should be clear methods on how actually  
5 that should be carried out.

6 I'm in no doubt that some children would need from  
7 time to time to be held -- they may be damaging other  
8 children and so on -- but you always have to also  
9 look -- I mean, I think -- of course, I'm trying to  
10 remember all of this. I think quite a lot would have  
11 gone into -- one of the things you had to always check  
12 out -- if an incident happened with a child or a young  
13 person and you then examined it and said, look, what  
14 happened here, invariably you would find the staff or  
15 the people would tell you when the incident started.  
16 I would say, "No, no, no, no, no, when did this actually  
17 really start?"

18 Invariably when you actually checked it out, it may  
19 have happened the night before. It may have happened  
20 two or three hours ago. There had been somewhere  
21 a crucial breakdown in communication or a lack of  
22 continuity of response or handling, and that was the  
23 cause of it. So I can't put my hand on my heart and say  
24 that we had -- and I can probably go beyond in all  
25 fairness that in 1991 we would have been absolutely  
26 clear in all of our services, uniformly, how to manage

1 issues like restraint, acknowledging that that would be  
2 important on some occasions.

3 Q. Can I just take the other piece of evidence from  
4 Sandy Wilson about a different method of restraint,  
5 which he told us about, that there would be occasions at  
6 South Oswald Road -- and he did say restraint, he  
7 described it almost as a fact of life as if it wasn't an  
8 uncommon occurrence that it was being used. He  
9 described occasions when a child would be held face down  
10 on the floor by a member of staff, arms by the child's  
11 side, legs held, if the child was kicking out, with some  
12 form of pressure being applied, as he described, mainly  
13 to the arms to keep them in position. He said that his  
14 recollection of the restraint as used at South Oswald  
15 Road, that type, it would generally involve one person,  
16 although exceptionally other members of staff might get  
17 involved.

18 But he accepted when we were exploring this matter  
19 that such action might -- and he perhaps, I think,  
20 appreciated this at the time, indeed -- might be  
21 a terrifying experience for children.

22 A. Yes.

23 Q. Whether they got any kind of -- I think you thought they  
24 may well have got some warning that restraint was  
25 a practice that could be used, although I don't think  
26 Mr Wilson's project leader's memory was to the same

1 effect that children necessarily did get warning on  
2 admission that restraint was a possibility. Leaving  
3 that issue aside, he accepted that that could, from the  
4 standpoint of the child, be a terrifying experience.

5 A. Yes.

6 Q. And it caused him concern and I think he said it caused  
7 the project leader concern and there was discussion at  
8 unit level about it.

9 A. Yes.

10 Q. Did you ever become aware of that kind of concern?

11 A. Certainly I think -- I mean, I can't remember too much  
12 of the issues of restraint at either Tyneholm or  
13 Thorntoun, but I would certainly have advocated that you  
14 really needed more than one adult around in order to  
15 protect the child and the staff member themselves to  
16 make sure that nobody was actually getting hurt. So it  
17 had to be thought through as to how you were going to do  
18 it.

19 I'm not convinced, really, that that -- that the  
20 policy was there and the practice was there, but whether  
21 it was sufficiently taken forward in the projects,  
22 exactly how to do it, I think I'd have to put my hand up  
23 and say not probably good enough.

24 Q. Is it a bit like what you said about the card system?

25 You might have things that you need to address, you  
26 maybe do address them in part, but on reflection you

1           didn't really think it through enough and look at all  
2           the angles and look at it from the perception of the  
3           child as well as from other angles, health, safety,  
4           risk, whatever?

5           A. Yes. And I think as you alluded to, there's always the  
6           danger when you write something down, you think: that's  
7           it, done. But it may not be.

8           Q. I take it that the method that I have just described to  
9           you, that would not necessarily have represented  
10          a policy position of Barnardo's, that if you find  
11          yourself needing to restrain a child, you should use the  
12          method I have just described to you? Do you have any  
13          recollection of that --

14         LADY SMITH: You're talking about the face down one?

15         MR PEOPLES: Yes.

16         LADY SMITH: Just to be clear, Hugh, we heard about not just  
17          the arms being held but the adult restraining them may  
18          have their legs across the child's legs and be pressing  
19          down the child's legs as well.

20         A. Yes. You would really need more than one member of  
21          staff.

22         LADY SMITH: But face down?

23         A. Oh no, no, not face down.

24         MR PEOPLES: You're obviously concerned about that  
25          description.

26         A. Yes, absolutely.

- 1 Q. And you'd have been concerned then if you'd seen it?
- 2 A. Yes, definitely.
- 3 Q. Just picking up on a point you mentioned in passing when  
4 we were having that discussion about restraint. In  
5 terms of policies, you refer in your time to something  
6 that I think was described as a policy and procedure  
7 manual, and I think it was a rather bulky document, in  
8 your recollection, at least for part of the period  
9 running to some three volumes, did you say?
- 10 A. Yes, they weren't all of course to do with children's  
11 services.
- 12 Q. No, no. But it was a pretty bulky document or set of  
13 documents?
- 14 A. Yes.
- 15 Q. One comment made by Alan Swift -- and I thought I maybe  
16 picked up you making some similar observation -- was  
17 that he said that the manual -- one of the criticisms he  
18 might have had about the manual was that it told you  
19 what not to do rather than what you should do in some  
20 instances. So it wasn't necessarily always of great  
21 use.
- 22 A. Definitely I think there would be some evidence of that.  
23 I do think, however, that there were times when, rightly  
24 so, that guideline was very quickly picked up and  
25 explored about what should be done or what should not be  
26 done. So the fact it was there was certainly a help and



- 1 a guidance.
- 2 Q. I just wondered, on a kind of common sense basis, that  
3 if such a volume is on the shelves in a room in a busy  
4 unit with vulnerable children and hard-pressed staff, it  
5 doesn't maybe strike you as the type of document that  
6 those members are likely to use or consult on a regular  
7 basis; they're just going to react and do things as best  
8 they can. It's not maybe that user-friendly.
- 9 A. If under pressure, I think that would be likely to  
10 happen.
- 11 Q. You're always better to have the Ten Commandments,  
12 aren't you?
- 13 A. I would want, I think, just to say that when these  
14 policies were drawn up and written, there would have  
15 been a discussion about them at a project -- certainly  
16 at a project leader level and no doubt also at a project  
17 level. How much, of course, that was then retained and  
18 sustained and everything, I'm less sure about.
- 19 Q. There is probably an issue that sometimes you can't see  
20 the wood for the trees: if you get too much thrown at  
21 you lose sight of the key points and the key principles  
22 and the key messages. Is there some validity in that  
23 argument? Particularly if you're front-line staff and  
24 you need to have key messages that you can carry around  
25 and hopefully automatically apply, generally speaking.
- 26 A. Yes.

1 Q. Is that maybe a better way to try and address the issue?

2 A. Yes. I mean, always in situations like this, and I'm  
3 a conscious -- I'm maybe less confident in answering  
4 these questions than some of my other ones, to be  
5 absolutely frank and honest. There can be times where  
6 staff can get blamed for things when it is really  
7 a systems issue or an organisation issue, and the poor  
8 member of staff gets blamed.

9 There are of course times -- and I think I allude to  
10 this in the very last part of my statement -- when I say  
11 to myself, well, I had to talk responsibility for that,  
12 that wasn't the organisation's fault, that was my  
13 failure, that belongs to me, not the organisation. And  
14 you have to be honest with yourself if that is indeed at  
15 times the case.

16 Q. But an organisation shouldn't really repose that degree  
17 of responsibility on one individual. It should have the  
18 mechanisms to look at the systems, examine them, and if  
19 things are going wrong, the sort of things you've  
20 mentioned today, these are systems failures, aren't  
21 they?

22 A. Yes, they are, but I think there could be times where  
23 maybe training had taken place and things had been  
24 written up and Barnardo's was doing its absolute best,  
25 but there comes a point when somebody has to deliver  
26 that and we can at times individually fail. I just want

1 to be fair, I think, that while I would often accept the  
2 point that poor people, individuals get blamed for  
3 something when it's actually the system or the  
4 organisation, but it's not always necessarily that case.

5 Q. Just on the basis of our discussion today and the  
6 questions, what would you see in your period,  
7 particularly the earlier period before director, and  
8 when the traditional establishments were in being and  
9 you came on the scene -- what would you say were some of  
10 the more significant deficiencies, if necessary with the  
11 benefit of hindsight?

12 A. A grasp, I think, of the demands on the staff of trying  
13 to keep the lid on the place, managing difficult young  
14 people. Human growth and development, as I think I've  
15 already alluded to. And probably, really, a lack of  
16 attention to what are we actually trying to achieve  
17 here, what are the real outcomes that we're trying to  
18 achieve for individual children and young people.

19 Q. One of the questions I asked your colleague Mr Swift,  
20 Alan Swift, was along the lines of why the system, the  
21 care system, failed some children, the children that  
22 were abused, not just in Barnardo's but in other  
23 settings. Obviously, you can speak as someone that was  
24 in the Barnardo's part of that system, the overall  
25 system.

26 We've touched upon some of the things that might

1 provide an answer and one obvious one it seems to me is  
2 the use over an unacceptably long period of unqualified  
3 staff in front-line residential care positions. That's  
4 got to be, surely, a major weakness and deficiency and  
5 failing? Would you accept that?

6 A. That's definitely one of them. I would add, however,  
7 intervening far too late in regard to children and young  
8 people.

9 Q. In what sense, sorry?

10 A. A problem family.

11 Q. I see. In the community?

12 A. Absolutely.

13 Q. So they don't even get to the point where they're at  
14 risk in the care setting if you intervene early enough?

15 A. Correct. Children who -- it used to be said, a child is  
16 an advantaged at birth; many children are disadvantaged  
17 at conception. So the earlier the intervention and the  
18 greater support and preventative measures put in  
19 place -- there's so many young people who were in the  
20 care system who end up in prison.

21 Q. I suppose that in an era when they did go into the  
22 system, they still had an expectation, or there should  
23 have been an expectation, that the system would look  
24 after them and wouldn't cause them harm. Yet obviously  
25 we know, and you say it, and I think it was acknowledged  
26 that abuse did take place, and if one is looking for the

1           answers and trying to tell the person who was abused why  
2           did that happen to me and why did that happen to others,  
3           I suppose they are entitled to answers from those that  
4           were involved in the system. The qualifications, I take  
5           it, is one that's bound to be a contributing causal  
6           factor --

7           A. Absolutely.

8           Q. -- for certain types of abuse at least?

9           A. Yes, definitely.

10          Q. Particularly, maybe, abusive practices, physical abuse,  
11          and so forth, regimes that are capable of creating  
12          emotional abuse or psychological abuse, that sort of  
13          thing. Sexual abuse is maybe a more difficult one to  
14          relate directly to qualification or non-qualification  
15          because qualified people abuse just as unqualified  
16          people do.

17          A. Yes.

18          Q. So we can maybe draw some distinction between that abuse  
19          and other types, but just looking at these different  
20          forms.

21                 I think you have already alluded to this, but was  
22          there a mindset, and if so at what point did that  
23          mindset change, that thought that it was thought it was  
24          inconceivable that care staff would be capable of in  
25          particular perpetrating serious physical or sexual  
26          abuse, or indeed any other abuse, on children in their

1 care? Was that a mindset and if so when do you think  
2 that fell away?

3 A. I think you referred earlier to a report in England and  
4 I can't remember the name of the child. There was that  
5 very famous case of the child in England who died,  
6 I think in a foster home, and then of course years later  
7 there was [REDACTED]. There was also a child way  
8 before that, and I think it was these tragic cases,  
9 really, that more and more then thought was being given  
10 to: what are we doing, what is happening to children?  
11 They're not necessarily safer in the residential unit or  
12 in the foster home. So I think there was an ongoing  
13 awareness -- I can't remember the name of the child in  
14 England, but that certainly brought about -- [REDACTED]  
15 [REDACTED] I can't recall. That's what led to changes in  
16 legislation and I think that a greater and growing  
17 understanding came that these things were happening and  
18 were definitely possible.

19 Q. You have said earlier, I think, that certainly the  
20 thinking certainly included the possibility that  
21 physical abuse might take place because that's maybe  
22 long been recognised as it could be a problem in care  
23 environments just as in any other. But if we then  
24 refine it or confine it to sexual abuse, the mindset for  
25 quite a long time would have been it's inconceivable  
26 that a care staff member in a position of authority

- 1           caring for a vulnerable child would perpetrate sexual  
2           abuse.  Would that have been a general mindset?
- 3       A.  I think that would have been a definite mindset, along  
4           with, as I said earlier on, people working with children  
5           who had been abused and not recognising it, yet it was  
6           staring them in the face.  So it was not something that  
7           was probably thought to be possible.
- 8       Q.  I suppose also, if you don't get the necessary -- have  
9           the necessary qualifications or training to spot some  
10          things, that's also going to contribute to the  
11          likelihood that things will not be detected or picked up  
12          and reported and eradicated?
- 13      A.  Yes, and if it's not understood that that's  
14          a possibility and happening, then of course it's  
15          probably not going to be on training programmes.
- 16      Q.  I suppose another factor you might say -- and you  
17          alluded to this in your time -- when you arrive at  
18          Tyneholm, Thorntoun, you detected or sensed a closed  
19          culture.  That rather suggests to me that in such  
20          environments you were seeing evidence of this in the  
21          early 1980s, that people might be aware of things, but  
22          are not necessarily making people outwith units aware of  
23          what's happening, what they're seeing, what they're  
24          picking up, what they're suspecting and so forth.  
25          Is that part of the closed culture problem?
- 26      A.  Yes.

1 Q. Another thing you have mentioned -- and maybe this is  
2 more something that might be lain at the door of more  
3 senior people exercising oversight of units -- is the  
4 failure to question poor practice when they see it.

5 A. Correct.

6 Q. And maybe that in an enclosed environment, where  
7 there's, say, like a village environment, where there's  
8 a management structure and within that individual units,  
9 you might get that attitude and that is part of the  
10 closed culture, perhaps: things are going on but the  
11 culture is such that no one says anything or no one  
12 questions it, even the leaders.

13 A. I can't disagree with that.

14 LADY SMITH: Hugh, even more fundamentally, to recognise  
15 poor practice, you've got to have wider experience than  
16 being within a single environment, don't you?

17 A. Yes.

18 LADY SMITH: You're unlikely to recognise poor practice as  
19 readily if you're working within a closed culture.

20 A. Yes. And if your previous experience is very limited.  
21 Even if you -- let's say you are a young member of staff  
22 who has been brought up in a wonderful home, you're not  
23 going to think about -- because that's been your  
24 experience.

25 MR PEOPLES: But we have heard some evidence from other  
26 witnesses that even in what I called the closed



1 community or environment, those in overall charge, in a  
2 cottage model, for example, might, through long  
3 association with their colleagues, maybe become almost  
4 friends, they see things, they don't question them, even  
5 if they begin to doubt them, they don't do anything  
6 about them, and they perpetuate the situation, and it  
7 might take someone like you coming along, as you did in  
8 1981, or someone new to the community, to start to  
9 question or pick these things up. Sometimes they just  
10 tolerate or they've just accepted them for so long that  
11 they don't feel able to do anything about them. That's  
12 weak leadership, perhaps, or not strong leadership, but  
13 that does happen, doesn't it?

14 A. It does happen. You see, something that's not good can  
15 become the norm. Going back to asking me about when  
16 I worked in the unit for disabled children, I was  
17 appalled -- I think I was only 19, and you referred to  
18 that already. But I was appalled at how children were  
19 punished for wetting the bed.

20 Q. How were they punished?

21 A. It was so public. They were told off in front of  
22 everybody, they had to go and take their sheets  
23 somewhere. I thought, well, the child needs sympathy.

24 Q. Did you not even think that however they were -- you  
25 talked about the public nature of the punishment, but  
26 surely there's an even more fundamental nature: why

1           should a child who wets the bed be punished at all --

2           A.   Exactly.

3           Q.   -- let alone be humiliated by some public demonstration

4           to highlight the issue?

5           A.   If I wet the bed as a child, which I occasionally did,

6           it was handled as though nothing had happened.

7           LADY SMITH:  So that was when you had your first job with

8           Barnardo's at the age of 19 in 1966?

9           A.   Yes.

10          LADY SMITH:  That was in Kent, did you say?

11          A.   No, Harrogate, Barnardo's.

12          LADY SMITH:  Sorry, yes.  Thank you.

13          MR PEOPLES:  Can I just turn to something else?  I'm going

14          to come to particular concerns that you raise in your

15          statement, but before I get to that, can I just --

16          LADY SMITH:  Mr Peoples, if we have got another chapter

17          still to do, I think we should break there for the

18          afternoon break.

19          MR PEOPLES:  It's just so I finish off a chapter on

20          recruitment before I move on to some concerns.

21                 We have heard some evidence to changes to the

22          process of recruitment in more recent times, including

23          the use of what I think you describe as the assessment

24          centre approach, and I think we understand that and you

25          don't need to tell us what that means and we understand

26          the grandfather principle, so again I'm not going to ask

1           you to elaborate -- we can read it and we have heard  
2           about it -- and these applied to more senior positions  
3           within Barnardo's.

4           What I want to know is: did the process of  
5           appointing basic grade residential care workers ever  
6           change from the very traditional methods -- application,  
7           interview, maybe word of mouth, something fairly  
8           rudimentary?

9           A. No. I think when we were appointing staff, for example  
10          like the Fred Martin project --

11          Q. Sorry, I didn't maybe -- can we forget about the new  
12          projects and look at the historical position of  
13          recruitment. The traditional method of perhaps some  
14          form of application and interview by one or more  
15          persons, some references, a quick judgement, no doubt,  
16          on them. They may have experience, they may have  
17          qualifications, they may not. Did that fundamentally  
18          change until the year of the new projects?

19          A. No, you've described it exactly.

20          Q. Would you consider that to be in any way a robust method  
21          of recruitment to get suitable people to work in care  
22          settings with children, vulnerable children?

23          A. No.

24          Q. Could you have justified it then?

25          A. They might have been the only applicant.

26          Q. Is that the only justification you might be able to

1 offer?

2 A. Yes, and of course you can see by at least two examples,  
3 where you would have to say: were the right questions  
4 asked, were enough checks done, why was that person  
5 leaving where they were? When you actually had a case  
6 of real concern or abuse and you looked at the  
7 application, it was staring you in the eye, really, and  
8 you thought, my God.

9 LADY SMITH: We're going to stop there. We'll take  
10 a five-minute break at this point, Hugh.

11 (3.05 pm)

12 (A short break)

13 (3.20 pm)

14 LADY SMITH: Yes, Mr Peoples.

15 MR PEOPLES: Hugh, one matter maybe before I turn to  
16 specific concerns that you touch upon in your statement  
17 that I would like to know a bit more about.

18 In the matter of safeguarding and child protection,  
19 did that topic ever become a standing item at meetings  
20 of the divisional management team at any time when you  
21 were the assistant director or indeed when you became  
22 the director, or would it be simply be put on to the  
23 agenda if there was an issue, specific issue?

24 A. With a particular service or?

25 Q. Just the general topic. You know how there may be some  
26 standing items for regular management meetings. Would

1 child protection and safeguarding in itself be  
2 a standing item or would it simply have been raised at  
3 meetings if there was a particular concern to be  
4 discussed and addressed?

5 A. I don't think it was a nominated standing item.

6 Q. Can I ask you this -- I'll maybe ask you about the  
7 individual in a little while. Your colleague, former  
8 colleague, John Rea, told us about an allegation of  
9 abuse that he could recall against a residential  
10 childcare worker who was based at Tyneholm, known as

11 **BLC**

Do you recall that matter? Was it  
12 something that occurred in your time, that there was  
13 some form of investigation of Mr **BLC** conduct,  
14 resulting in his dismissal? Did you have any  
15 involvement in that matter or did you become aware of  
16 it?

17 A. I'm confused by it.

18 Q. Right.

19 A. And I was reflecting on that last night, overnight.

20 I could only come to two things I want to say about it.  
21 One was that some time after the unit had been closed --  
22 and this would be a good number of years later -- an  
23 ex-youngster came to see me and said that he had been  
24 abused in some way by **BLC** It seemed to be  
25 around massaging.

26 But the individual was so drugged and it was

1 actually very, very difficult to actually get any kind  
2 of coherent account, really, and I'm almost certain that  
3 I said we would need to meet again, but he never turned  
4 up.

5 Q. Okay.

6 A. I was trying to reflect, because when you were aware of  
7 such events like that, unlike some of my other answers,  
8 you're very aware of it because it came to your  
9 attention. I'm trying to think why am I not so aware of  
10 the BLC situation. I can only come to the  
11 conclusion that it either happened -- I do remember him,  
12 which is what I'm not quite understanding. It either  
13 happened before I came or it happened after we closed  
14 the unit that concerns were raised.

15 But I have no recollection of a specific case with  
16 a young person or police being involved or anything like  
17 that, and my own involvement seems to be -- in fact,  
18 I can't recall it. And I can only believe that if I had  
19 been aware of it, I would be much more knowledgeable  
20 than I'm coming across at the moment.

21 Q. I think, as I recall, Mr Rea wasn't able to give us too  
22 much detail other than that when asked about the nature  
23 of the allegation, he had a general memory it was to do  
24 with allegations of some sort of sexual misconduct.

25 I suppose the point you've made is that Mr Rea  
26 joined Barnardo's as director in 1976, you came to

1 Scotland in 1981, Tyneholm was operating between 1976  
2 and 1981, so it could be that in that time Mr [REDACTED] BLC  
3 had been employed and an allegation had arisen.

4 He certainly has told us in his evidence that he was  
5 suspended, investigated, and dismissed after  
6 investigation in relation to the allegation.

7 LADY SMITH: And the man's name went on the SWSG blacklist.

8 A. Right.

9 MR PEOPLES: I was going to ask you about that separately  
10 because I was interested in that more generally.

11 So far as that particular person is concerned, while  
12 the name rings a bell in general terms, you don't have  
13 any personal memory of anything to do with this  
14 dismissal or the circumstances?

15 A. No, but --

16 Q. You have told us that subsequently, this individual who  
17 had previously been at Tyneholm made some kind of  
18 allegation against Mr [REDACTED] BLC --

19 A. Correct.

20 Q. -- of some sort of sexual misconduct or abuse?

21 A. Yes. What I'm not fully understanding is, in my own  
22 mind, is that -- my recollection is that he was working  
23 there when I was there and that's what confusing me.

24 Q. I see. So you think he was still there when you  
25 arrived?

26 A. I'm sure he was. You know what it's like. The fact

1           that I'm unable to talk about this case is such  
2           a surprise to me when I know of the others that I'm lost  
3           as to why I'm not being more coherent.

4           Q. Don't worry, I just wanted to ask you.

5                     The point Lady Smith has raised, and I was wanting  
6           to touch on that before I go on to some of the other  
7           matters you tell us about in your statement, is that  
8           according to Mr Rea, Mr [REDACTED] BLC name was added to  
9           what he described as the SWSG, Social Work Services  
10          Group, blacklist. We know that the Social Work Services  
11          Group was a body established in about 1968, I think, and  
12          was really part of the Central Government bodies.

13                    This blacklist: can you tell me a little bit about  
14          what you understood -- did you know there was  
15          a blacklist?

16          A. You reminded me of it through this case.

17          Q. So there was a blacklist?

18          A. Yes. Yes, there was.

19          Q. Was this some sort of informal list that was created and  
20          how did it operate?

21          A. I would have thought that what happened was that  
22          whenever you were about to employ somebody, a check was  
23          done with that list, and of course if they were on it,  
24          then you obviously didn't appoint.

25          Q. How would you get on it though?

26          A. I think you had to enquire to the Scottish Office.



1 Q. I can understand how you might make enquiries of the  
2 Scottish Office to check if someone who was seeking  
3 employment was on the list, but how would a person get  
4 on the list in the first place, like Mr [REDACTED] BLC for  
5 example? There would have to have been some form of  
6 process of notification.

7 A. Absolutely.

8 Q. And do you know whether that was mandatory or voluntary?

9 A. I don't know if it was mandatory. I would expect it was  
10 mandatory, but I can't guarantee that.

11 Q. Perhaps in the form of some sort of circular to  
12 organisations issued by the Social Work Services Group  
13 that if something arises, we have this list and we  
14 expect you to tell us about anyone that falls into this  
15 category will go on to the list and will be deemed,  
16 I suppose, unsuitable for employment?

17 A. Yes.

18 Q. This might be before the Disclosure Scotland processes  
19 and things like that, but it's a form of, perhaps, check  
20 that could be made?

21 A. Yes. I would have thought it would be pre that.

22 Q. We also have heard -- and maybe just help me, because  
23 this maybe something more unique to Barnardo's than  
24 Quarriers or Aberlour, about the -- is it some sort of  
25 Home Office process where you would write to -- is it  
26 the Home Office or a department of government in England

1 to get clearance or to see if they have any observations  
2 on a potential applicant for employment? Do you recall  
3 Barnardo's having a system like that in the past where  
4 they wrote and the department or the appropriate  
5 department would stamp it with "no observations" as part  
6 of the process of recruitment for staff?

7 A. I think there possibly was something like that. What  
8 I think -- once the new system came into place, that's  
9 what my mind is all about and not really exactly what  
10 the detail was pre that.

11 Q. I think we know that -- I'm sure we can find examples,  
12 but there was some process but I think it was more  
13 unique to Barnardo's because it was done through the  
14 Home Office. I think I'm getting a nod from the back so  
15 I think I am perhaps correct on that. So it was perhaps  
16 the process because it was a UK-wide organisation and  
17 this is one of the checks they did as part of their  
18 processes.

19 If I can leave that then, Mr **BLC** and I'll  
20 come back to Tyneholm because I think you do have some  
21 things to say about Tyneholm in relation to this matter.  
22 Before I do so, can I go back to Thorntoun again and to  
23 page 7913 of your statement, Hugh, at page 6.

24 I just want to take this briefly. You do tell us  
25 that early in your time in Scotland, as line manager for  
26 Thorntoun -- this is at section 9.3, halfway down -- you

1 give an example of an practice that you questioned and  
2 indeed did something about that appeared to be some sort  
3 of established practice before your arrival. Can you  
4 tell us about that practice? It's the cold bath  
5 initiation practice.

6 A. Yes.

7 Q. Can you tell us about that?

8 A. Well, it came to light fairly early on in my role as the  
9 external line manager of Thorntoun that one of the  
10 things that happened to a new -- I think it was just  
11 boys -- was they would be stripped and thrown into  
12 a cold bath by the other pupils. I was very unhappy  
13 about that because I'm totally opposed to initiation  
14 ceremonies of all sorts. My view is that that leads to  
15 problems and bullying. It was seen in the army as well,  
16 I think. If something happens to a person, when it's  
17 been done to them, they make damn sure it's going to  
18 happen to the next person.

19 When I challenged that, I was told, "This is to  
20 prevent worse things happening". And I said, "No, I do  
21 not believe that for a moment; I believe it is  
22 encouraging worse things to happen", which is why I was  
23 so opposed to it.

24 Q. I think you say that you were looking at perhaps from  
25 the perspective of a child who's coming into a strange  
26 environment for the first time, maybe under very

1           difficult circumstances, how traumatic that form of  
2           initiation could be at that time.

3           A. Horrendous -- and not only that, Thorntoun was acting as  
4           the home of that young person.

5           Q. Of course, you were saying that the principal that you  
6           had discussions with was well aware of this practice and  
7           simply allowed it to happen and did nothing about it?

8           A. Part of the culture.

9           Q. So it wasn't just a closed culture, it was a culture  
10          where there were bad practices?

11          A. Correct.

12          Q. But practices that he didn't see as bad?

13          A. No.

14          Q. Can we take it that your predecessor is likely to have  
15          been aware of this practice but nothing was done about  
16          it? Or did you just ask the right questions?

17          A. You see, this is where I think that too much credence  
18          was given to the demands of the job and I go back to  
19          that issue of real support and challenging. I can't  
20          believe that they didn't know that was part of the  
21          culture. Actually, I think that's what the non-verbals  
22          that I was being given was about. Here's this  
23          Christian, you know, community, but actually one or two  
24          things are going on that are not terribly Christian.

25          Q. Can I take you back again -- I'm sorry I'm dotting  
26          between establishments, but I think you have something

1 to tell us about Tyneholm, something connected with  
2 that, an individual who worked there in your time as  
3 assistant divisional director.

4 I think we know Tyneholm probably closed around  
5 about 1985 or thereabouts, so you come on the scene in  
6 1981, it closes in 1985. So what we're about to hear  
7 happened at least initially -- and I know you're going  
8 to tell us a bit more about what happened subsequently.  
9 It would have happened between 1981 and 1985.

10 You received, I think, a phone call from someone  
11 within the local authority, which would probably have  
12 been Lothian Regional Council at the time. Are you able  
13 to just tell me the sequence of events, because I think  
14 there were various events all related to this individual  
15 and his activities or alleged activities? Can you just  
16 talk us through from start to finish? You get this call  
17 and maybe take it on from there and tell us today how  
18 you recall matters.

19 A. I got a call -- this could have been about 1982/1983,  
20 I'm not exactly sure of the date. I got a phone call  
21 from a senior member of staff in Lothian, who had had  
22 a phone call from London that there had been allegations  
23 made about this member of staff when he was working in  
24 a residential unit in London.

25 I can't remember who was making this call to the  
26 local authority, Lothian, but that person thought that

1           this individual was working with them; in actual fact  
2           he was working with us at Tyneholm. We called the  
3           person in and I think we suspended him until this was  
4           further investigated.

5           I was then given the task of carrying out that  
6           investigation. To cut a long story short, not only did  
7           we find it was highly likely that he had been committing  
8           offences against boys in this unit in London, not only  
9           that, but it came to light that he had been brought up  
10          in a Barnardo home and that his whole application was  
11          false, that he maintained that he came from a -- he was  
12          black -- sorry, I didn't want to overemphasise that, but  
13          it was to make a point -- and he had been the offspring  
14          of somebody wealthy in America, when in reality he had  
15          been the offspring, I think, of an American soldier  
16          based in this country and a young lady.

17          He was qualified and he had been working in this  
18          unit in London. I also got in touch, through  
19          whatever -- I can't remember what I was doing apart from  
20          investigating it all. I met his wife, they had a child,  
21          who then introduced me to another young -- one of the  
22          young men who had been in the residential establishment  
23          in London, who alleged that he had been abused by this  
24          individual.

25          Then it came to light that the superintendents of  
26          the home to which he had been up, contacted me and said,

1 oh yes, that story about him being American, all this,  
2 is totally false, he lives in a fantasy world. So we  
3 ended up sacking him on the basis that his application  
4 was totally false and it was very likely, probable, that  
5 he had abused young people.

6 Q. I think you say in your statement it was young boys.

7 A. Yes, boys.

8 Q. Because Tyneholm was an establishment for boys, was it  
9 not?

10 A. Yes.

11 Q. You interviewed a youngster who had been in the  
12 establishment in London?

13 A. Correct.

14 Q. And you interviewed this employee's wife?

15 A. Yes.

16 Q. I think you say it was his ex-wife at the time. So they  
17 were not together?

18 A. No, they were not together.

19 Q. And that was part of your investigation process --

20 A. Yes.

21 Q. -- at that time?

22 Do you also tell us -- and I don't want to get into  
23 too much detail, we can see it for ourselves. Do you  
24 tell us there was also some process of investigation  
25 carried out by others of interviewing staff and some at  
26 least residents at Tyneholm?

- 1 A. Yes, which all seemed to come as a great surprise to  
2 them and a shock.
- 3 Q. They weren't aware of anything of this nature --
- 4 A. No.
- 5 Q. -- being alleged against him? And nothing from that  
6 quarter from either staff or youngsters suggested that  
7 there had been any abuse occurring at Tyneholm? At  
8 least at that stage, the investigation didn't throw  
9 anything up of that nature?
- 10 A. Correct.
- 11 Q. But you were satisfied from your other investigations  
12 that what was said against him in relation to his  
13 previous employment in London, that there was likely to  
14 be substance to that?
- 15 A. Correct.
- 16 Q. And was the ex-youngster from the establishment in  
17 London one of the persons who was said to have been  
18 abused?
- 19 A. Yes. Of course, the individual concerned alleged to me  
20 or to us that his ex-wife was having an affair with that  
21 young --
- 22 Q. So there was another account being given?
- 23 A. Absolutely.
- 24 Q. To explain --
- 25 A. Yes.
- 26 Q. And he denied the allegations?



- 1 A. Yes.
- 2 Q. So that's where matters stood. In light of the  
3 investigation that you carried out, the decision was  
4 taken, after investigation, to dismiss essentially on  
5 those two grounds?
- 6 A. Correct.
- 7 Q. The story didn't end there because you tell us that some  
8 years later, you had a meeting with a former resident of  
9 Tyneholm; is that right?
- 10 A. Yes.
- 11 Q. Just before you tell us about that, so I get our  
12 bearings right, that meeting, did that occur after you  
13 became a director, the director in Scotland, or were you  
14 still an assistant?
- 15 A. I was assistant director.
- 16 Q. Still?
- 17 A. Yes.
- 18 Q. So it's pre-1991?
- 19 A. Correct.
- 20 Q. But after the closure of Tyneholm?
- 21 A. Yes, indeed. And actually would have been pre-1987.
- 22 Q. Right. Okay. So we can date it reasonably accurately.  
23 So you have this meeting with a youngster. Just  
24 tell us about that. That's the next chapter in this  
25 story.
- 26 A. This was a young person who was in our after care

1 service and asked to see me and came to see me and  
2 alleged that he had been abused by this individual  
3 in the individual's own accommodation, which was in a  
4 village, I think, somewhere in Pencaitland. He  
5 described that to me in fairly graphic terms, I have to  
6 say.

7 Q. This was a description that you interpreted as being  
8 sexual abuse?

9 A. Absolutely.

10 Q. By a person who was a member of staff at Tyneholm and  
11 a boy who was a resident at Tyneholm at the time?

12 A. Yes.

13 Q. Can you recall what sort of age the boy would have been  
14 when the alleged abuse had taken place? Did he  
15 indicate?

16 A. It's so difficult remember. I think he would have been  
17 about 15, 16, something like that.

18 Q. At the time of the abuse?

19 A. At the time of the abuse.

20 Q. By the time he saw you, what sort of age do you think  
21 he was?

22 A. I think he would been in his late teens or early 20s.  
23 He was in our after care service, so he would have been  
24 18-plus.

25 Q. What view did you form of the information you received?  
26 Did you have any difficulty with --

1 A. I thought it was absolutely accurate.

2 Q. You didn't have any reason to question -- did he appear  
3 to be giving you an account of something that happened  
4 to him?

5 A. Absolutely.

6 Q. So in light of that meeting, what action did you take?

7 A. We informed the police.

8 Q. Was that the local police, Lothian & Borders?

9 A. The Lothian police.

10 Q. Would that be with the boy's consent?

11 A. Yes.

12 Q. I think you tell us that there was another boy that  
13 features in this whose name came up. Can you tell us at  
14 what point -- this is another youngster in Tyneholm.  
15 His name came up at some point at this stage. Were you  
16 told about this other boy by the first youngster that  
17 came to see you?

18 A. Yes, I'm almost certain that's what happened.

19 Q. Was it along the lines of that he had also been abused  
20 by Mr [REDACTED] BLF in a sexual way?

21 A. No, the boy that spoke to me, whom I believed, thought  
22 it was highly likely that this other young person was  
23 being abused. He apparently had a very close  
24 relationship with [REDACTED] BLF and he, I think, had put  
25 two and two together and assumed it was very likely, it  
26 was possible that -- he was probably saying, look, maybe

1 thinking -- I think he honestly did really realise I was  
2 believing him.

3 Q. Yes.

4 A. So I think it was really coming from concern, look,  
5 here's another youngster, rather than saying to me,  
6 "Find proof of someone else" because every vibe I was  
7 giving him was, yes, I'm believing this.

8 Q. So he thought that something might have been going on  
9 involving Mr [REDACTED] BLF and the other boy whom he named?

10 A. Yes.

11 Q. And the upshot was you got in touch with the police,  
12 presumably the information was passed on, and the police  
13 made some form of investigation at that stage, did they?

14 A. They did.

15 Q. your knowledge?

16 A. Yes.

17 Q. What do you know about that investigation?

18 A. It went absolutely nowhere and I followed it up and  
19 I wasn't overly impressed, I have to say, by the  
20 feedback I got from the police.

21 Q. Can you explain why you formed that impression that you  
22 weren't impressed by --

23 A. I thought it was totally dismissed and the comment that  
24 was fed back to me was, "The young man is gay himself",  
25 which I thought was just totally unacceptable.

26 Q. So that was mentioned to you?

1 A. Yes.

2 LADY SMITH: So that would have been, what, mid-1980s?

3 A. It would have been some time between 1985 and 1987,  
4 I think. It could have been early 1987, I just can't  
5 remember the exact time.

6 MR PEOPLES: The police were informed, you don't know  
7 precisely what, if anything, they did? Do you know  
8 whether they interviewed the other boy who was named?

9 A. I don't honestly know that. I met the other boy who was  
10 involved, who was alleged, in secure accommodation with  
11 another -- I can't remember who else was with me,  
12 I don't think it was the police, but there was  
13 definitely somebody else there.

14 Q. You met the other boy who had been named?

15 A. Yes.

16 Q. And he was in a young offenders' institution at the  
17 time?

18 A. Yes.

19 Q. When you say he was interviewed in your written  
20 statement but refused to say anything, was that to you  
21 he refused to say anything?

22 A. Yes.

23 Q. So he didn't in any way say anything about the nature of  
24 his relationship or anything that Mr [REDACTED] BLF may or  
25 may not have done?

26 A. He hardly spoke, honestly.

1 Q. Was that where matters ended for now? Because I think  
2 there's another chapter to this. That's part 2, as it  
3 were?

4 A. Yes.

5 Q. So you move on and time moves on and are you now  
6 divisional director?

7 A. I'm now divisional director.

8 Q. So we're now post-1991?

9 A. Yes.

10 Q. At some point does the name of Mr **BLF** come up  
11 again and do you have some contact with -- is it the  
12 Metropolitan Police?

13 A. Yes.

14 Q. In relation to Mr **BLF** ?

15 A. Yes.

16 Q. I think my understanding is you don't have a very clear  
17 recall now how that contact came about, but it did  
18 happen and you had a meeting with one or more police  
19 officers?

20 A. One. I've been sleeping on that one as well last night.

21 Q. So you had a meeting with one officer in London?

22 A. I think I now recall what happened.

23 Q. Can you tell us in your own words what you recall?

24 A. I think it was the police that contacted us because that  
25 makes sense of what I call my nightmare. I went down --  
26 it coincided with a meeting in London with my fellow

1 directors, and I knew that I was meeting this police --  
2 I must have had a message -- early that following  
3 morning -- I think it was very early in the morning we  
4 were due to meet and I think it was at Euston Station.

5 I had had this nightmare or a dream, whatever you  
6 like to call it, that it wasn't the police I was going  
7 to be meeting, it was some kind of horrible ring of  
8 abusers, and maybe I was going to be in danger.

9 I mentioned this at breakfast to my colleagues. I said,  
10 I've had this horrible dream about this, and they said,  
11 shall we come with you, and I said, no, no, don't be  
12 ridiculous, it's simply a dream.

13 But I was picked up by the police at Euston Station  
14 and we were driven off somewhere, some kind of very  
15 narrow kind of dark road. We got out of the car and  
16 went into this building and we kept going up more and  
17 more flights of stairs, getting darker and darker.

18 I was thinking, God, is this a warning? But actually,  
19 it wasn't. It was a nightmare and it was a policeman.

20 But I certainly met him more than once.

21 Q. To discuss the individual?

22 A. Yes. I was trying to think what made sense about my  
23 nightmare. As I was reflecting again on it last night,  
24 I thought that's what must have happened, they contacted  
25 me, otherwise the nightmare doesn't make sense.

26 Q. The contact was obviously by the Metropolitan Police.

1 Can you recall whether it was connected with the matter  
2 that was the subject of the original telephone call?

3 A. I think it was the subject. It was, actually, it was.  
4 It was the subject of the original home that he worked  
5 in in London. That's where it came from. I definitely  
6 met that policeman more than once because he was over  
7 from Australia and he was emigrating to Australia or  
8 something like that. I have a feeling he was an  
9 Australian because I know he was going back to Australia  
10 and I definitely met him at least twice.

11 Q. So he was trying to get some information about what you  
12 knew about Mr [REDACTED] BLF and the matters that he was  
13 interested in, but where did it -- what was the upshot  
14 of all this? Do you know what happened after that?

15 A. I don't know what happened after that.

16 Q. Do you know whether Mr [REDACTED] BLF faced any prosecution?

17 A. I have no idea.

18 Q. What age would Mr [REDACTED] BLF have been when he was  
19 working at Tyneholm?

20 A. I would have thought he was in his maybe late 30s, early  
21 40s.

22 Q. Okay. So you don't know therefore -- that was the end  
23 of your involvement in this matter after these meetings?

24 A. Yes. He had been the head of that residential unit in  
25 London.

26 Q. Mr [REDACTED] BLF



1 A. Yes.

2 Q. Before he came to Scotland?

3 A. I think with his wife.

4 Q. Okay. What sort of establishment was it? Because the  
5 allegations seem to relate to boys, I think.  
6 Do you have any idea of what type of establishment?

7 A. It would be a residential unit of some sort and it may  
8 have all been boys. That I can't actually be definite  
9 about.

10 Q. I take it in his application form to Barnardo's, would  
11 that have been looked at when you investigated matters  
12 to discover that some false information had been given?  
13 Would that have disclosed where he worked in London?

14 A. Yes, it would have done. It would have been the other  
15 information, of course, where I really began to think,  
16 oh my gosh.

17 Q. Which came from various forms of investigation, you  
18 discovered some of the information in the application  
19 was false in material respects?

20 A. Yes, indeed.

21 Q. The other thing I wanted to ask you before I leave this  
22 is that when you were doing this investigation, as  
23 I think you tell us at the foot of page 11 of your  
24 statement, that you discovered that he had actually  
25 applied for a much more senior position within  
26 Barnardo's Scotland, but on not being offered the post,

- 1           was offered the post of a deputy project leader at  
2           Tyneholm?
- 3       A.   Correct.
- 4       Q.   Do you happen to know the background to that decision  
5           not to appoint him to the senior position but to offer  
6           him something in a much more junior capacity?
- 7       A.   I was not about at the time of his appointment.
- 8       Q.   So you don't really know why that was done?
- 9       A.   I could surmise how it was done.
- 10      Q.   I don't want you to surmise --
- 11      A.   I don't know --
- 12      Q.   Are those the facts?
- 13      A.   Those are the facts.
- 14      Q.   Tragically, you tell us that the boy who came to see  
15           you, who worked in connection with the after care  
16           service, subsequently committed suicide?
- 17      A.   Correct.
- 18      Q.   And what age was he when that happened?
- 19      A.   He would have been, I think, in his early 20s.
- 20      Q.   Okay. Can I move on, and lastly perhaps, I think to the  
21           other matter of concern that you tell us about in your  
22           statement. This is on section 10 on page 7, page 7194.  
23           This concerns, I think, an individual who was the  
24           project leader at Ravelrig when you were an assistant  
25           director; is that right?
- 26      A.   Yes.

1 Q. You tell us that a concern was raised regarding  
2 Ravelrig. You are not sure, I think, of the background  
3 to how it came to light. You tell us a bit more, and  
4 maybe just give us an idea of how this matter  
5 transpired. Ultimately, I think you, when you were  
6 director, took the decision to dismiss the project  
7 leader and also another individual who was the assistant  
8 director.

9 A. Correct.

10 Q. Just take us from start to finish there. You get  
11 involved, you have been made aware of concerns  
12 initially, and you say these concerns continued to  
13 surface?

14 A. Yes. They were concerns on a number of fronts about  
15 this individual's capabilities and whether or not those  
16 young people with learning disabilities were safe in his  
17 care.

18 Q. Before you go on, when you talk about learning  
19 difficulties at Ravelrig, what are we talking about  
20 here?

21 A. Young people with what would have previously been called  
22 mental handicaps.

23 Q. What ages would they have been?

24 A. They would have been relatively young to probably up to  
25 17, 18 possibly.

26 Q. Male and female?

- 1 A. Yes.
- 2 Q. How many people would be at Ravelrig at any one time,  
3 children?
- 4 A. About 20, I would have thought.
- 5 Q. So it was a sizeable unit?
- 6 A. It was, yes.
- 7 Q. And this individual was the project leader?
- 8 A. Yes.
- 9 Q. So if you could take the story on.
- 10 A. From time to time, concerns would be raised about  
11 whether or not he was a safe person to be working with  
12 those children. Also, it was not felt that the  
13 relationship between him and his line manager, the other  
14 gentleman, was a professional enough relationship.  
15 There was concern about a collusiveness between those  
16 two.
- 17 At one point there was another issue about money and  
18 the project leader was dismissed but had to be  
19 reinstated because it was not on solid grounds,  
20 whatever. I wasn't really involved with all this. So  
21 I inherited this situation.
- 22 Q. So the date that you took the decision to dismiss, there  
23 had been this history of a previous dismissal which in  
24 some way ended in a reinstatement for other reasons than  
25 the sort of matters that you've talked about, to do with  
26 financial matters?

1 A. Correct.

2 Q. The concerns and hints that you tell us about, let's not  
3 beat about the bush, what were they?

4 A. There was an anxiety that he may be abusing young  
5 people.

6 Q. At Ravelrig?

7 A. At Ravelrig.

8 Q. And the nature of the relationship that wasn't  
9 a completely professional one, was that -- what was the  
10 problem there? Why was it not seen as a proper  
11 professional relationship? What was the concern about  
12 the closeness or whatever?

13 A. Was there a sexual relationship?

14 Q. Was that one of the issues that might have been --

15 A. It could have been that.

16 Q. But at any rate the view was being formed that the line  
17 manager wasn't doing the line manager's job in the case  
18 of this project leader and this particular establishment  
19 for whatever reason?

20 A. Yes. Of course, that assistant director was not really  
21 performing on a number of fronts.

22 Q. So he wasn't really doing the job very well anyway?

23 A. Not in my view doing the job well. What would happen is  
24 you'd go a long period of time when nothing was  
25 happening. A lot of people rated that project leader  
26 very highly. Nothing ever came from the service itself.

- 1 Q. Who was hinting and making concerns then?
- 2 A. Rumours would get out, sometimes from other project  
3 leaders, I think, that all might not be well. Some of  
4 my assistant directors, I think. I had concerns,  
5 really, as well.
- 6 Q. Would you have described Ravelrig then at that time as  
7 in the same kind of description of a sort of closed  
8 culture then?
- 9 A. Yes. You see, the assistant director had gone on --  
10 he wasn't an assistant director, this is before I joined  
11 Scotland. He had had another kind of post and he was  
12 sent on a course to do with young people with learning  
13 disabilities. So that was his remit, to develop that  
14 work when he came back to -- because he was an assistant  
15 director then -- to develop that work in Scotland.  
16 Ravelrig, I think, was one of the first project that was  
17 set up as one of those kind of new services dealing with  
18 those young people.
- 19 Q. But at the end of the day -- and you put it that you're  
20 trying to describe it as accurately as you can.  
21 Although you didn't get concrete evidence perhaps to  
22 substantiate fully the hints and concerns that had been  
23 voiced over the years, you still felt there was  
24 a sufficient basis to dismiss the project leader and  
25 indeed his line manager?
- 26 A. Yes.

1 Q. Did they in any way challenge that dismissal, do you  
2 recall?

3 A. Well, one of the things I had to make sure, if  
4 somebody's been reinstated -- I had to make sure I got  
5 it right. I think maybe some of my ... may have felt  
6 I took -- there was concern going -- from time to time  
7 you would go months and everybody would seem to be okay  
8 about everything. And maybe they felt I should have  
9 acted quicker, but when you are actually in charge of  
10 something you have to make sure that if you are going to  
11 take that kind of action that you're going to win, quite  
12 frankly.

13 So I got rid of the assistant director first of  
14 which that -- his management of Ravelrig was one of the  
15 aspects. It was wider and boarder than that. Then  
16 I don't know -- I mean, the project leader had did not  
17 go immediately after that because there was different  
18 assistant directors who took over.

19 But again, concern was being raised and I said,  
20 "This is enough".

21 LADY SMITH: Hugh, just going back to the dismissal of the  
22 assistant director, what grounds did you base his  
23 dismissal upon?

24 A. General overall incompetence and not delivering but also  
25 poor line management of this project. Because if  
26 periodically something is coming to light and you're

1           uneasy about it, you would expect the assistant director  
2           to be saying to me, "Look, I've got concerns here", but  
3           that didn't seem to be happening.

4           LADY SMITH: Did he challenge the dismissal?

5           A. No.

6           LADY SMITH: Turning then to the project leader who he had  
7           been line managing: first, what gave rise to the  
8           concerns that you had about him?

9           A. Again, I would have been hearing on the grapevine things  
10          about something not being -- unease being expressed by  
11          people about his management of the young people and the  
12          unit.

13          LADY SMITH: Can you give me an example?

14          A. You see, this was one of the problems: nothing was ever  
15          very concrete. It was always kind of by rumour, by  
16          a feeling of unease, unhappiness, wariness of it.  
17          I just felt that we'd had enough.

18          LADY SMITH: Okay. Let me turn to the second aspect of my  
19          query about the dismissal of the project leader. What  
20          grounds did you give him for dismissing him? What did  
21          you state as being your grounds?

22          A. It was over a very lengthy period, unease and concerns  
23          about his performance as a project leader.

24          LADY SMITH: Did he challenge his dismissal?

25          A. No, from my recollection.

26          LADY SMITH: Thank you.



1 MR PEOPLES: Did the stated grounds in any way touch upon  
2 explicitly or implicitly the concerns or was it couched  
3 in maybe rather different language to do with  
4 professional performance and management?

5 A. Of course, there's a little bit I've missed out,  
6 actually, that I think I have written in. I think when  
7 more concerns were raised, I actually carried out an  
8 investigation and got somebody up from Barkingside to  
9 help me do it. We interviewed various people and it was  
10 following that that I got rid of the assistant director.

11 But I can't remember -- it wouldn't have been that  
12 much longer, although it would have been a period  
13 longer.

14 Q. Did that further investigation at least throw up some of  
15 maybe the concerns, the nature of them?

16 A. Yes, absolutely. What of course I wanted to do was to  
17 put another assistant director in there to make an  
18 assessment.

19 Q. And I don't know whether you're able to help me, but  
20 given the children that were at Ravelrig, were they  
21 children that could have been interviewed about this  
22 matter or not? Would that have been a difficult thing  
23 to do?

24 A. I think in view of their learning disabilities, that  
25 would not have been particularly easy.

26 Q. And I suppose --

1 A. I think you would have needed specialist, actually,  
2 people in to do that.

3 Q. Just lastly on this, I suppose given the position you  
4 held and given the responsibility you carried for this  
5 place, I suppose if you've got any doubts, then I take  
6 it your view would be, well, you have to act. If you  
7 think there's sufficient concern in the interests of the  
8 children and the interests of their safety and  
9 well-being, if you think there's -- even if you don't  
10 have as much proof as you would like? Would that have  
11 been your way of thinking at the time?

12 A. Yes.

13 Q. You couldn't leave this situation to continue?

14 A. No. Sorry, you know what I mean by saying "no" there:  
15 I'm agreeing with you.

16 Q. Yes. I did understand that.

17 Well, I think I have probably touched on all of the  
18 concerns that you raised in your statement. I hope  
19 I have not missed any out.

20 A. You've not missed any out.

21 MR PEOPLES: That's all I have for you today, Hugh. It's  
22 been a long day, but I would like to thank you very much  
23 for dealing with all the matters that we've asked you  
24 about today. Thank you very much indeed.

25 A. Thank you.

26 LADY SMITH: Are there any outstanding applications for

1 questions?

2 MR JACKSON: No, thank you.

3 LADY SMITH: Hugh, it simply remains for me to thank you  
4 very much for engaging with the inquiry. You have done  
5 so very fully and thoughtfully, both in your written  
6 statement that you gave to us and your oral evidence  
7 today. It's invaluable to have heard from you directly.  
8 Thank you very much indeed. I'm now able to let you go.

9 A. You saw my last paragraph?

10 LADY SMITH: I did. It reminded me of my own memory of  
11 Barnardo's boxes: pretty little cottages into which we  
12 put our odd pennies here and there, which in my day were  
13 large and brown and round. Thank you very much.

14 (The witness withdrew)

15 LADY SMITH: Let me make what I think is my first mention of  
16 my general restriction order in 2019. Some of you may  
17 have noticed that three names have been mentioned today  
18 of persons in relation to whom there were allegations of  
19 abuse of some sort: [REDACTED] BKR [REDACTED] BLF [REDACTED] and  
20 [REDACTED] BLC [REDACTED] They are all protected by my general  
21 restriction order and their names as being associated  
22 with allegations of abuse cannot be mentioned outside  
23 the hearing room in any way.

24 Mr Peoples, you're going to remind us that we're not  
25 sitting tomorrow?

26 MR PEOPLES: I am going to remind again in case there's

1            anyone that doesn't know. We're not sitting tomorrow.  
2            The plan is to reconvene on Tuesday morning when I think  
3            we'll have some evidence from Professor Abrams who's  
4            prepared a report. We'll have that evidence each day  
5            from Tuesday to Friday.

6            LADY SMITH: I think we are expecting to sit every day next  
7            week with a variety of witnesses. Thank you very much.  
8            I'll rise now until 10.00 on Tuesday morning.

9            (4.05 pm)

10                            (The inquiry adjourned until 10.00 am  
11                            on Tuesday, 15 January 2019)

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